

STUDENT REGULATIONS

The *Student Code of Conduct* of Reid State Community College addresses behavior and actions that have an adverse impact on the achievement of educational goals. It is the responsibility of the student to become familiar with the regulations governing student conduct and to adhere to policies where applicable. Lack of knowledge regarding College policies will not excuse any student from adherence to policies or sanctions that may be imposed for violations. The College reserves the right to dismiss any student whose conduct and behavior pose a threat to the College environment or the health, safety, or security of others.

CAMPUS REGULATIONS

Code of Student Conduct

As members of the learning community at Reid State Community College, students have a number of rights, privileges, and responsibilities. Those rights and privileges include the right to sound and professionally presented instructional programs and the right to due process in instances involving disciplinary actions or academic grievances. The *Code of Student Conduct* is the standard of conduct by which students and organizations are expected to abide. They shall be aware of the Code and know they will be held accountable for its provisions. By enrolling at the College, a student or organization neither relinquishes rights nor escapes the responsibilities of local, state, or federal laws and regulations.

The College has an interest in maintaining an environment that is conducive to its educational mission as well as the health, safety, and well-being of all students and other individuals. Students and organizations are obligated to abide by the rules and policies established by the College. Students at the College are considered responsible adults, serious of purpose, and enrolled for the primary purpose of furthering educational goals. It is assumed that students enrolling at the College are mature, have a desire for constructive learning, and are attending with that purpose in mind. Common courtesy and cooperation are expected of all students. Interference, injury, or intentional attempt to injure or interfere with the personal or property rights of any person, whether a student member of the College community or a visitor to the College, is strictly prohibited.

Note: Faculty, staff members, and students should note that any expectation of confidentiality does not include any illegal act. Faculty and staff members are required to notify law enforcement and College officials when they learn of a criminal act.

Application

The *Code of Student Conduct* applies to individual students and student organizations and is applicable to on- and off-campus college functions. Any student or group involved in unacceptable or prohibited conduct shall be disciplined in a manner commensurate with the nature and severity of the act of misconduct.

Any indication of facts that could cause imminent danger or harm to the health, safety, and welfare of the accused students, faculty members, other individuals, or College property, or any indication of mental or physical harassment of students (hazing) by an organization or student may result in immediate interim suspension of the organization or student by the designated college official on either campus. This interim suspension may continue only for a period of 72 hours until such time as a disciplinary hearing is held to consider the matter. The hearing shall be conducted by the Judiciary Committee.

Imposition of the sanctions stated above may be stayed pending appeal at the discretion of the President of the College or written request by the student or organization.

Misconduct

Student conduct is expected to be in accordance with standards of common decency and decorum, with recognition of and respect for the personal and property rights of others and the educational mission of the College. A student shall be subject to disciplinary action by the College, up to and including permanent expulsion, for misconduct on any property owned or controlled by the College; or off College property at any function that is authorized, sponsored, or conducted by the College; or in parking lots adjacent to areas or buildings where College functions are being conducted. Such misconduct shall include, but is not limited to, the commission of or attempt to commit any of the following acts:

1. Violation of written College rules, policies, or regulations.
2. Any form of dishonesty, including cheating, knowingly furnishing false information to the members of the College faculty or to any other officer or employee of the College, and alteration or use of College documents or instruments of identification with intent to defraud. (*Cheating* is defined as dishonesty in completing academic assignments, such as having in one's possession materials other than those specifically approved by one's instructor during tests; submission of work that was prepared by someone else to an instructor as one's own work; plagiarism, representation of someone else's writing or ideas as one's own; and assistance in the foregoing practices).

Plagiarism is the act of using the words and/or work of another author, including the use of artificial intelligence (AI), and attempting to pass it on as one's own work. An example of plagiarism includes, but is not limited to, a student submitting, under his or her own name, an essay, report, research paper, or some other assignment that has been written in part or in whole by another person. Plagiarism also occurs when a pattern exists of failing to document and punctuate materials from research sources appropriately (as designated by the instructor and the research style that the instructor requires and publishes to his or her students) and/or the consistent failure to document accurately and in proper style any material that is not common knowledge, which the student has included in an assignment.

3. Any student or group of students engaging in or sponsoring any college activity on or off the campus that represents a clear and present danger to the College mission.
4. Any activity on the part of any individual or group which causes disruption or interference with the regular operation of the College including the occupation of any building or campus areas for the purpose of disruption or interference, prevention or attempting to prevent the entrance or exit of students, faculty, administration, staff, or authorized visitors to and from the campus or building, or failure to obey directions of faculty, administrators, or security officers in situations relating to the regular operation of the College.
5. The display of any inflammatory or incendiary signs, posters or banners, or the distribution of literature proposing any actions to disrupt the mission of the College.
6. Defacing, damaging, or maliciously destroying any college, faculty or student property or the attempt to do such destruction. Violators may be required to make appropriate financial restitution.

7. Stealing or selling stolen property of the College, of a member of the College community, or of a visitor to the campus.
8. Failure to properly comply with any reasonable direction given by a College official acting within the capacity and performance of his or her position, and failure to comply with a request to report to a faculty or staff member for a scheduled conference when provided a minimum 24 hours' notice.
9. Eating or drinking in unauthorized areas of the College.
10. Conducting or expressing oneself in a loud, indecent, or obscene manner on campus, on College-controlled property or at approved College activities, or when representing the College.
11. Bringing a guest or visitor to the College or to an approved College activity who fails to abide by the rules and regulations of the College. Students are responsible for the conduct of their guests.
12. Disclosing records, files, or data in violation of the Privacy Act of 1974 and/or using or attempting to use College computers, computer facilities, or data without proper authorization.
13. Deliberate installation of "viruses" on College computers is included in this provision.
14. Disclosing or otherwise misusing College computers, college technology and/or software for any illegal activity not in compliance of the College mission..
15. No one will be allowed in the shop laboratories outside of regularly scheduled class times without the presence of college personnel.
16. Automobiles are to be parked in designated parking areas. The campus speed limit is 15 M.P.H. Students who exceed the speed limit or park improperly will be ticketed. All automobiles must have a parking decal appropriately displayed.
17. Physical or verbal altercations, which are grounds for immediate expulsion of all parties involved.
18. Loitering.
19. Unauthorized visitors on campus. Non-RSCC students or visitor(s) must check in with the reception desk to obtain a visitor's pass.
20. The use of profanity and other derogatory or demeaning language, with the intent to intimidate and directed toward another person while in that person's presence and/or in the presence of another person (faculty or student).
21. No copyrighting that is in violation of copying, distributing, and downloading copyrighted materials, including music, videos, and games, for which you do not have the owner's (copyright holder's) permission that is a violation of federal law.
22. Forging, altering, or misusing College documents, records, or identification.
23. Knowingly issuing a worthless check made payable to the College or to its bookstores. A student will be notified by the Business Office when a check for tuition, books, fees, or other charges is returned for insufficient funds. The student will have 72 hours in which to satisfy that obligation. If the obligation is not satisfied in that time, the student's enrollment will be voided.

24. Obstruction or disruption of teaching, research, administration, service, disciplinary procedures or policies and/or procedures of clinical affiliates while at their sites, other College activities, or other activities on College premises.
25. Conduct in violation of federal or state statutes or local ordinances that threatens the health and/or safety of the College community or that could adversely affect the educational environment of the College. Such conduct may be investigated by both the College Police Department and the College Student Conduct Office.
26. Conviction of any misdemeanor or felony that adversely affects the mission of the College.
27. Obtaining College services by false pretenses including, but not limited to, misappropriation or conversion of College funds, supplies, equipment, labor, materials, space, facilities, or services.
28. Hazing (any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including: whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity; causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity; causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances; causing, coercing, or otherwise inducing another person to perform sexual acts; any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct; any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law).
29. Harassment, intimidation, bribery, physical assault, or any other means, implied or explicit, to influence any member of a judicial body named in the Code, including witnesses, faculty members, staff members, and students before, during, or after a hearing. Organizations shall be responsible for the actions of their individual members, alumni, advisors, or others in this type of situation.
30. Possession of firearms or weapons (including hunting guns, bows, crossbows, etc.), ammunition, explosives, fireworks, or any other dangerous instruments. The Gun Free Schools Act of 1994 and the Alabama Community College System Board of Trustees Policy Number 511.01 issued December 1994 prohibits firearms on the campus of public schools or any other facility operated by the College. Any violation of this policy can result in the referral to law enforcement officials for arrest or prosecution. Reid State Community College has "Zero Tolerance" for weapons of any kind on its campus, whether student, faculty, staff or visitors (other than law enforcement officers legally authorized to carry such weapons and acting in the performance of their duties or an instructional program in which firearms are required equipment.)
31. Intoxication from, or the possession and/or consumption of, any alcoholic beverage or non-prescribed controlled substance.
32. Unauthorized manufacture, sale, delivery, or possession of any drug or drug paraphernalia defined as illegal under local, state, or federal law.

33. Theft, accessory to theft, and/or possession and/or transportation and/or sale of stolen property.
34. Physical abuse, threat of violence, intimidation, and physical or mental harassment.
35. Trespassing or unauthorized entry.
36. Entering false fire alarms, tampering with fire extinguishers, alarms, or other safety equipment.
37. Publishing, aiding in publishing, circulating, or aiding in circulation of anonymous publications or petitions of a libelous, slanderous, scurrilous, or unduly offensive nature.
38. Smoking or use of any tobacco product in classrooms, laboratories, library-media buildings, or other locations where prohibited (including clinical sites). E-cigarettes are not allowed.
39. Playing a device such as a MP3 player, radio, or other electronic device in hallways, classrooms, or any other place where such activity would interfere with normal activity of the College.
40. Any form of illegal activity defined by state or federal law or municipal ordinance.
41. Disruptive or disorderly conduct that interferes with the rights and opportunities of those who attend the College to use and enjoy College facilities.
42. Failure to obtain clearance from an instructor to leave a class, lab, clinical, or campus during class and/or clinical hours.
43. Failure to wear appropriate attire for the department in which the student is enrolled.
44. Participation in any form of gambling.
45. Unauthorized possession of a key to any College facility or vehicle.
46. Any prohibited behavior defined in the Title IX Sexual Harassment Complaint Procedures that does not fall under the jurisdiction of that policy may be handled under this Code. This includes dating violence, domestic violence, sexual assault, sexual harassment, and stalking. The prohibited conduct defined in the Title IX Sexual Harassment Complaint Procedures shall be used. The consent definition shall also apply.
47. For conduct that is not covered by the Title IX Sexual Harassment Complaint Procedures, this Code also prohibits repetitive and menacing behavior towards another, or pursuit, tracking, surveilling, or harassing another in such a way that would cause a reasonable person, under similar circumstances and with similar identities, to fear for their safety or the safety of others, the safety of their property, or to otherwise suffer substantial emotional distress.
48. Sexual Misconduct can be defined as any intentional touching of the victim's intimate parts (the primary genital area, groin, inner thigh, buttock or breast) without or against the victim's consent; touching is either directly on the body part or on the clothing covering that body part; forcing the victim to touch the intimate areas of another person. Sexual conduct is deemed to be without the victim's consent when: the victim has instructed the perpetrator not to engage in the conduct; the victim is forced to submit to the act the victim is reasonably in fear that the victim or another person will be harmed if the victim does not submit to the act or the victim is unable to give consent or permission or is unable to resist because of intoxication with drugs or alcohol or due to mental or

physical disability.

49. Bullying

50. Fire Safety

- Any failure to evacuate or immediately respond to a fire alarm
- Participation in creating or causing a false fire alarm
- Participation in tampering, disconnecting, or altering any fire alarm system, equipment, or component
- Failure to follow the instructions of college official and emergency personnel during fire alarms
- The possession, use, manufacture, and/or sale of any incendiary device
- Participation in setting or causing to be set any unauthorized fire
- The possession and/or use of any type of fireworks
- The possession or use of candles, incense, or other flame-emitting articles in the Buildings
- Witnessing a fire and not informing personnel December 17, 2021

These actions can lead to suspension or termination and civil or criminal liability.

These rules apply while attending classes, College-sponsored activities, and riding to and from the College on buses or other vehicles contracted by the College. The administration reserves the right to change these rules as required and without prior notice.

Anti-Bullying Policy

It is the policy of the College that no student, faculty or staff member should be subjected to bullying or harassing behavior by any other student, faculty, or staff member. Furthermore, no person should engage in any act of reprisal or retaliation against a victim, witness, or anyone with information about an act of bullying or harassing behavior.

Definitions:

Bullying or harassing behavior is defined as any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic that takes place on any property owned or controlled by Reid State Community College or during any activity in whatever place sponsored by, directed or controlled by Reid State Community College, and that also fulfills one of the following conditions: places a student, faculty, or staff member in actual and reasonable fear of harm to his or her person or damage to his or her property; creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits.

Hostile environment is defined as the condition wherein the victim subjectively views the conduct as bullying or harassing behavior, and the conduct is objectively severe or pervasive enough that a reasonable person would agree it is bullying or harassing behavior.

Suitable party is defined as a person with responsibility to prevent bullying or harassing behavior within or during a particular activity, class, building, or function. In the case of a student being subjected to bullying or harassing behavior, a suitable party might be an instructor, residence hall staff, or a counselor. In the case of a faculty or staff member being subjected to bullying or harassing behavior, a suitable party might be a dean, academic chair, or a superior.

If a student violates any of the provisions listed above while engaged as a representative of a student organization, the organization will be subject to having its approval suspended or terminated.

Firearms

Firearms are prohibited on campus, or any other facility owned or operated by the College.

DISCIPLINARY PROCEDURES

DISCIPLINARY ACTION BY FACULTY MEMBERS REGARDING ACADEMIC DISHONESTY

With regard to a matter of academic dishonesty in taking a College course, the respective faculty members of the College are authorized to administer certain appropriate disciplinary action. If a given faculty member has substantial evidence of student having committed, attempted to commit, or solicited an act of cheating, plagiarism, or any other form of academic dishonesty, the faculty member shall have the authority to: (1) impose a grade of **F** for the respective assignment or test; (2) impose an **F** for the respective course; (3) require that an assignment be redone or a test be retaken; or (4) impose other similar sanctions designed to preserve academic integrity.

The faculty member shall not have the right to suspend or expel a student(s) regarding academic dishonesty. That authority is reserved for the Dean of Students and/or President's Designee and the College Judiciary Committee. If the faculty member believes that the improper conduct should be subject to greater punishment, or additional punishment, then the case should be referred to the Dean of Students for disciplinary review.

In any situation where a student(s) is alleged to have committed academic dishonesty of any nature, the faculty member making the allegation shall within three (3) working days after the alleged wrongful act or the faculty member's first knowledge of the act, give the student(s) and the Dean of Instruction or Designee written notice of the allegation and give the student(s) the opportunity to respond to each allegation made.

The student should also be informed to review the Student Handbook regarding the College's standards. Each instructor shall keep a confidential file of any and all written allegations of academic dishonesty and all actions taken with regard to such allegations.

The student(s) shall have a maximum of three (3) working days to respond to any allegation made. No disciplinary grade imposed by a faculty member shall be considered final unless and until the student(s) has been given written notice of the alleged wrongdoing and the opportunity to respond. It is not necessary that the student(s) give a response for a grade to be finalized, only that the student(s) has been given an opportunity to respond and that the instructor has given due consideration to any response that is made.

Any student(s) against whom a sanction is imposed by a faculty member because of an allegation of academic dishonesty shall have the right to appeal the sanction to the Dean of Students.

Student Appeal Process Regarding Academic Dishonesty

The appeal must be filed with the Dean of Students within five (5) working days after the student is first made aware of the date that the decision has been made to impose a sanction and must include:

- (1) a copy of the faculty member's written allegations of academic dishonesty;
- (2) a statement of the sanction imposed;
- (3) the dates on which the student(s) received the written allegation and on which the student(s) responded to the allegation;
- (4) the nature of the student's response to the faculty member concerning the allegation; and
- (5) the rationale for the appeal of the sanction.

The student(s) shall have the option of admitting to the Dean of Students the act of academic dishonesty and proposing an alternative sanction or denying that academic dishonesty has been committed. The Dean of Students shall, within five (5) working days after receipt of the appeal, issue a report by which the Dean of Students or Designee will:

- (1) affirm the sanction;
- (2) overrule the sanction; or
- (3) modify the sanction.

The Dean of Students or Designee shall not overrule or modify any sanction imposed by a faculty member except where a compelling and substantial academic or legal reason exists for doing so. If the Dean of Students or Designee determines that the student(s) or organization is not guilty, the student(s) or group will be cleared of all charges. If the student(s) or organization is found guilty, the Dean of Students or Designee will delineate appropriate sanctions on a Reid State Community College *Sanction Agreement*. Upon administration of the *Sanction Agreement*, the student(s) or organization will be offered the opportunity to select one of the following options:

- Sign the *Sanction Agreement*, indicating acceptance of the sanctions imposed and waiving all rights to appeal; or
- Sign the *Sanction Agreement*, declining the opportunity to accept the sanctions imposed and request to appeal the decision before the College Judiciary Committee.

Appeal requests must be made in writing within three (3) working days to the Dean of Students, who will submit the notification to the President or President's Designee with a request to activate the College Judiciary Committee. Student(s) who desire to request that academic integrity issues be heard by the College Judiciary Committee must follow steps of the next section (Disciplinary Procedures by Staff and Judiciary Committee).

Any student(s) or organization who fails to sign the *Sanction Agreement* as stated herein shall be deemed to have waived all rights to further appeal, and the sanctions imposed by the Dean of Students or Designee will be final.

DISCIPLINARY PROCEDURES BY THE STAFF NOT REGARDING ACADEMIC DISHONESTY

The individual designated to handle disciplinary complaints that are not regarding academic dishonesty at various College locations is the division chairperson or supervisor at that campus or site. Procedures for filing complaints are presented below:

1. A complaint regarding the conduct of any student(s) or organization may be filed by any person having personal knowledge of the alleged activity. The College may also file complaints.
2. Such complaints must be directed to the designated official in writing. The written charge must define the specific charge and state the grounds for the charge.
3. The designated official shall conduct, or have conducted, a thorough investigation of allegations within five (5) working days from receipt of the written complaint. After the investigation, the student(s) or organization will be offered an opportunity to admit to the charge, accept sanctions, and waive the right to a further hearing. If the student(s) or organization denies the charge, the designated official – if after review of the complaint and information obtained in the investigation finds enough probable cause exists to reasonably believe that the student(s) or organization in question did commit the offense – will discuss the complaint and evidence with the student(s) or organization. The designated official will offer the student(s) or organization every opportunity to explain the alleged actions. If sanctions are necessary, this action will be fully explained and

prescribed in writing and administered by the designated College official by use of a Reid State Community College *Sanction Agreement*.

4. On administration of the *Sanction Agreement*, the student(s) or organization will be offered the opportunity to select one of the following options:
 - Sign the *Sanction Agreement*, indicating acceptance of the sanctions imposed and waiving all rights to appeal; **OR**
 - Sign the *Sanction Agreement*, declining the opportunity to accept the sanctions imposed and request to appeal the decision before the Dean of Students.

Any student(s) or organization that fails to sign the *Sanction Agreement* as stated above shall be deemed to have waived all rights to further appeal, and the sanctions imposed by the designated college official will be final.

5. On written appeal, the student(s) or organization will be directed to the Dean of Students or Designee, who will hear the appeal and determine, based on evidence and testimony(ies), if the student(s) or organization is guilty as determined by the designated College official and will determine appropriate sanctions. If the Dean of Students or Designee determines that the student(s) or organization is not guilty, the student(s) or group will be cleared of all charges. If the student(s) or organization is found guilty, the Dean of Students or Designee will delineate appropriate sanctions on a Reid State Community College *Sanction Agreement*. This process will be completed within 15 working days. On administration of the *Sanction Agreement*, the student(s) or organization will be offered the opportunity to select one of the following options:

Sign the *Sanction Agreement*, indicating acceptance of the sanctions imposed and waiving all rights to appeal; **OR**

Sign the *Sanction Agreement*, declining the opportunity to accept the sanctions imposed and request to appeal the decision before the Judiciary Committee. Upon this notification, the Dean of Students or Designee will request to the President or Designee that the Judiciary Committee be activated.

Any student(s) or organization that fails to sign the *Sanction Agreement* as stated herein shall be deemed to have waived all rights to further appeal, and the sanctions imposed by Dean of Students or Designee will be final.

COLLEGE JUDICIARY COMMITTEE PROCEDURES

In the event that the student(s) or organization requests a hearing before the Judiciary Committee or is brought before the Committee as a result of an interim suspension, the following procedures should occur:

1. The student(s) or organization shall be provided with a written statement of the charges as filed to provide the student(s) or organization reasonable notice of the conduct or circumstances on which the alleged violation is based. This statement shall be presented by the chairperson of the Judiciary Committee. The statement shall advise the student(s) or organization that it is permissible to appear alone or with counsel before the Judiciary Committee and to be present during all phases of the hearing except during the committee's deliberation. Counsel shall not speak for or on behalf of the accused student(s) or organization but may act only in an advisory capacity. Counsel may not question or cross-examine witnesses or committee members. Moreover, the statement shall set out that the advised student(s) or organization will be provided the opportunity to present evidence and

to conduct reasonable cross-examination of witnesses.

2. The hearing before the Judiciary Committee shall be scheduled as soon as it is practical but no later than 15 working days from the date of the student's or organization's meeting with the Dean of Students or designee, or within 72 hours interim suspension.
3. A student(s) or organization that is scheduled for a hearing before the Judiciary Committee and that fails to appear at the designated date, hour, and place of the hearing after notification thereof, shall be deemed to have waived the right to a hearing and the right to appear before the Judiciary Committee. The Judiciary Committee may then proceed with the hearing. If the accused student(s) or organization is unable to attend the hearing for good cause at the appointed time, prior written notice of the inability to attend shall be submitted to the Dean of Students or Designee at least 24 hours prior to the hearing, where upon a new date shall be set by the Dean of Students or Designee in coordination with the chairperson of the Judiciary Committee. Only one such extension shall be granted except where additional extensions would cause undue hardship to the student(s) or organization.
4. The hearing before the Judiciary Committee shall not be conducted as a courtroom trial, but shall proceed as follows:
 - a) One appointed faculty or staff member shall serve as chairperson of the Judiciary Committee. The chairperson shall screen the committee members prior to the hearing for any prejudicial knowledge. In the event of special prejudicial knowledge, those members may be replaced by the President or his or her designee with other qualified faculty or staff members and/or students. A simple majority of the members present will be allowed to make a judgment and render a decision in the matter with regard to a finding of guilty and imposition of appropriate disciplinary action. (A minimum of three (3) committee members must be present to hear and rule on the case.)
 - b) A record of all proceedings shall be kept in the form of a tape recording, and a copy may be reproduced at the expense of the accused student(s) or organization.
5. The chairperson of the Judiciary Committee assumes the following duties:
 - a) Arranges for appropriate times and places for committee meetings and hearings.
 - b) Informs, in writing when possible, the parties to the action being considered of the times and places of committee hearings, which they are requested or required to attend, and supplies them with a statement of the charge(s).
 - c) Informs appropriate individuals that a hearing is pending.
 - d) Arranges for the hearing to be electronically recorded.
 - e) Conducts the hearing.
 - f) Maintains committee records and all documents that will be presented to the Dean of Students and Dean of Instructional after conclusion of the meeting.
 - g) Informs, in writing, appropriate individuals of the decisions of the committee, to include findings and, if appropriate, sanctions.

- h) Arranges for appropriate security when necessary during hearings. Proceedings shall open with the chairperson of the Judiciary Committee reading the following statement:

A College is an academic institution, not a courtroom or administrative hearing. The Judiciary Committee is not bound by the rules of legal evidence which would apply in a court proceeding. The committee is allowed to admit and consider evidence that might not be admissible in a court of law. This includes hearsay; however, evidence must be relevant to the charge.”

Note: Formal rules of evidence shall not be observed in proceedings before the Judiciary Committee; however, the chairperson of the committee shall be authorized to exclude irrelevant, redundant, or unduly inflammatory evidence. The findings of the committee on the issue of violation(s) of the Code of Student Conduct will be based solely on evidence introduced at the hearing. Evidence of previous violations of rules and regulations or violations of local, state, or federal laws, ordinances, and regulations shall not be considered in any way by the committee in determining whether the violation charges were committed, but such evidence may be considered by the committee in consideration of the appropriate sanctions. They may also be introduced as evidence in rebuttal of any related character evidence introduced by the accused party

The chairperson of the Judiciary Committee will then read the charge against the student(s) or organization. The student(s) or the organization’s president shall then make a plea of guilty or not guilty. If the accused student(s) or organization admits guilt, the committee will go directly into closed session to deliberate sanctions.

The plaintiff or his or her representative shall present the evidence against the accused student(s) or organization. The accused student(s) or organization will be afforded the opportunity for reasonable cross-examination. The accused student(s) or organization may then present evidence by oral testimony, witnesses, and/or written sworn affidavits. Reasonable cross-examination will be afforded. Rebuttal evidence may be presented by either party as necessary but not to be redundant. The accused student(s) or organization may make a closing statement. The plaintiff, the College, and the accused student(s) or organization may each have an attorney or other personal representative present to act as an advisor. The respective attorneys or personal representatives shall not be advocates and shall not question witnesses or have any role other than to act as advisors to the committee or the accused.

After presentation of all evidence, the Judiciary Committee shall enter closed session. The committee shall deliberate and make its determination of findings and determine appropriate sanctions if the student(s) or organization is found guilty. Once the Judiciary Committee has reached its decision, the student(s) or organization and the student’s or organization’s counsel or advisor may return and be informed of the results. If the accused student(s) or organization is found not guilty, the hearing is ended. If the accused student(s) or organization is found guilty, the chairperson of the Judiciary Committee will disclose the findings and sanctions determined by the committee.

If it is determined during deliberation that more time is needed to reach a decision, the chairperson shall notify the student(s) or organization, the Dean of Students and Dean of Instruction (if applicable to academic integrity) a written statement of the determination of the Judiciary Committee by the Chairperson of the committee will be provided within 72 hours of the close of the hearing.

The decision(s) made by the Judiciary Committee are final.

SANCTIONS

A student(s) or organization deemed to be in violation of the *Code of Student Conduct* is subject to imposition of one or more of the following sanctions:

6. Reprimand—A written notice that continuation or repetition of improper conduct may be cause for further disciplinary action.
7. Restitution—Compensation for damages to property limited to the actual cost of repair or replacement.
8. Probation—This sanction is for a designated period of time, which may include exclusion from privileges, such as extracurricular activities and/or on-campus driving privileges. Furthermore, if the student(s) is determined by any of the disciplinary procedures herein set out to be in subsequent violation of the *Code of Student Conduct* during the probationary period, the student(s) may be either suspended or expelled. Provisions of the probationary period shall be determined and expressed by the committee.
9. Voluntary Withdrawal—A student(s) may be given the option to voluntarily withdraw from a class or from the College in lieu of disciplinary action. The Judiciary Committee; Dean of Students; or the complaint officer, in some circumstances, may specify a period of time before the student(s) may apply for readmission or reenroll in a class or classes. To qualify for readmission, the student(s) must receive approval from the Dean of Students and meet the academic standards for readmission. Student(s) will not be eligible for any refund from the College. (If a student(s) withdraws before disciplinary procedures are carried out, the student(s) will be subject to discipline as may be imposed by the designated College official at the time of reentry into the College).
10. Suspension—Separation from the College for a definite period of time. A student(s) may be suspended for a specific period of time not to exceed two (2) years. To qualify for readmission after suspension, a student(s) must receive approval from the Dean of Students and meet all reasonable requirements and academic standards for readmission. Student(s) will not be eligible for any refund from the College.
11. Expulsion—An indefinite termination of student(s) status from the College for a period of not less than 2 years. To qualify for readmission after expulsion, a student(s) must receive approval from the Dean of Students and meet all reasonable requirements and academic standards for readmission. Student(s) will not be eligible for a refund from the College. Under certain conditions, expulsion could mean permanent severance from the College.

APPEAL TO THE PRESIDENT OR DESIGNEE

The determination and sanction imposed by the Judiciary Committee are subject to review on appeal by the President of the College or his or her designee. The President of the College or designee has discretionary authority to modify or affirm the sanction(s) imposed by the Judiciary Committee, to exonerate the accused student(s) or organization, and/or to order a rehearing of the case in question. A student(s) or organization has five (5) calendar days from the day of the hearing and determination by the Judiciary Committee to request a review of the proceedings and/or the sanction. Such appeal request must be submitted in writing to the designated College official on either campus. Failure to request an appeal as stated herein shall be a waiver of a review by the President of the College or designee and all rights in relation thereto. Furthermore, failure to request an appeal as stated herein shall be an admission of the charges and a consent to the sanctions imposed by the Judiciary Committee.

A written appeal must expressly state the grounds of such appeal, which are limited to newly discovered evidence, violation of procedures, or that the imposed sanction was unduly harsh, improper, or lenient under

the circumstances. The designated College official may appeal the decision of the Judiciary Committee to the President of the College or his or her designee if the sanctions delivered are not appropriate or if the committee failed to act.

The student(s) or organization shall be provided a written statement of the decision of the President or designee within five (5) working days from the date of filing the request for appeal.

STUDENT-INITIATED COMPLAINT AND GRIEVANCE PROCEDURES

Reid State Community College promotes the open exchange of ideas among all members of the College community, including students, faculty and staff members, and administrators; however, the College recognizes that, at times, people may have differences that they are unable or unwilling to resolve without intervention.

The procedures described below shall be available to any Reid State Community College student who believes that he or she has **not** been treated fairly or that College policies have been applied to them inappropriately.

The steps outlined are designed as means of resolving complaints at the lowest level possible or in accessing subsequent steps in the grievance procedure. The name and institutional address and phone number of any College officials referred to herein may be obtained from the Office of the Dean of Students.

Note: This grievance procedure is not intended to be used by a student who wishes to appeal the final grade awarded in a course. Any student of RSCC who wishes to appeal the final grade in a course may do so by virtue of the grade appeal procedure, which can be in the RSCC Academic Catalog and will be handled by the Dean of Instruction.

If the complaint is about a specific occurrence, the complaint must be made within ten (10) working days after the occurrence or after the student becomes aware of the occurrence.

A student with a complaint shall begin his/her attempt to resolve the situation by bringing it to the attention of the appropriate College official or representative. If, after a discussion between the student and the respective College official or representative, it is determined that the complaint is valid and can be resolved immediately, the College official or representative will take appropriate action to resolve the complaint.

If the matter at issue involves an allegation of sexual harassment, sexual assault, dating violence, or stalking, please consult the Title IX policy and procedure manual within the Student Handbook. If the matter at issue involves an allegation of physical abuse, racial, gender or other discrimination, harassment, complaint related to a disability, or matter involving theft or any other act of dishonesty, the respective College official shall submit a written report within five (5) working days of the filing of the complaint to the Dean of Students, Division Chair, and Title IX Officer describing both the complaint and how it was resolved, or how it will be resolved through a “plan of resolution.”

GRIEVANCE PROCESS

If a student's complaint cannot be resolved in the manner described above, such an unresolved complaint shall be termed a "grievance." A student who submits a complaint to the appropriate college official or representative in the manner described above and who is not informed of a satisfactory resolution or plan of resolution of the complaint within fourteen business days after the complaint's submission shall have the right to file, within the following ten (10) business days, with the Dean of Students a written statement detailing the grievance. The written grievance statement shall be and include the following information:

1. Date the original complaint was reported;
2. Name of person to whom the original complaint was reported;
3. Facts of the complaint; and
4. Action taken, if any, by the receiving official to resolve the complaint.

The grievance statement shall also contain any other information relevant to the grievance that the Grievant wants to be considered by the Dean of Students or President's Designee. If the grievance involves a claim of discrimination based on sex, race, national origin, religion, age, handicap, or disability, the complaining party should state with particularity the nature of the discrimination and reference any statute, regulation, or policy that the Grievant believes to have been violated. The Grievant shall file any grievance involving alleged discrimination within forty-five (45) calendar days of the occurrence of the alleged discriminatory act or the date on which the Grievant became aware that the alleged discriminatory act took place. This deadline shall be in addition to all other applicable reporting deadlines. The College shall have thirty (30) calendar days from the date of receipt by the Dean of Students and Title IX Officer of the grievance to conduct an investigation of the allegation(s), hold a hearing (if requested) on the grievance, and submit a written report to the Grievant of the findings arising from the hearing.

Investigation Procedure

The Dean of Students or President's Designee, either personally or with the assistance of such other person(s) as the President may designate, shall conduct a factual investigation of the grievance allegations and shall research each applicable statute, regulation, and/or policy, if any. The Dean of Students or President's Designee shall determine within 15 (15) working days, after completion of the investigation, whether there is substantial evidence to support the grievance. The factual findings in the investigation and the conclusion of the grievance officer shall be stated in the written report which shall be submitted to the Grievant and to the party or parties against whom the complaint was made (the "Respondent or Respondents") and shall be made a part of the hearing record, if a hearing is requested by the Grievant. Each of the parties shall have the opportunity to file written objections to any of the factual findings, and, if there is a hearing, to make their objections part of the hearing records.

Publications or verified photocopies containing relevant statutes, regulations, and policies shall also be prepared by the Dean of Students or President's Designee for the grievance record. If the Dean of Students or President's Designee finds the grievance is supported by substantial evidence, he or she shall make a recommendation in the report as to how the grievance should be resolved. Upon the receipt by the Grievant of the Dean of Students or President's Designee report, the Grievant and Respondent(s) shall have five (5) working days to notify the Dean of Students or President's Designee whether the Grievant or Respondent(s) demand(s) a hearing on the grievance. The failure by the Grievant or Respondent(s), respectively, to request a hearing by the end of the third business day shall constitute a waiver of the opportunity for a hearing. However, the Dean of Students or President's Designee may, nevertheless, at his or her discretion, schedule a hearing on the grievance if to do so would appear to be in the best interest of the College. In the event

that no hearing is to be conducted, the Dean of Students or President's Designee report shall be filed with the President, with a copy to be provided to the Grievant and each Respondent.

Grievance Committee Hearing Procedure

If the Dean of Students or President's Designee schedules a hearing, the President shall designate a qualified Grievance Committee to conduct the grievance hearing. The committee members will generally be employees of RSCC. However, the President shall have the discretion to select persons other than RSCC employees to serve as committee members. The committee shall notify the Grievant and each Respondent of the time, place, and subject matter of the hearing at least seventy-two (72) hours prior to the scheduled beginning of the hearing. The hearing shall be conducted in a fair and impartial manner and shall not be open to the public unless both parties agree in writing for the hearing to be public.

At the hearing, the Grievant and the Respondent(s) shall be read the grievance statement. After the grievance is read into the record, the Grievant shall have the opportunity to present such oral testimony and offer such other supporting evidence as he/she shall deem appropriate to his/her claim. Each Respondent shall then be given the opportunity to present such oral testimony and offer such other evidence as he/she deems appropriate to the Respondent's defense against the charges. If the College, or the administration of the College at large, is the party against whom the grievance is filed, the President shall designate a representative to appear at the hearing on behalf of the College.

Any party to a grievance hearing shall have the right to retain, at the respective party's own cost, the assistance of legal counsel or other personal representative. However, the respective attorney or personal representative, if any, shall act in an advisory role only, and shall not be allowed to address the hearing body or question any witness. In the event that the College or its administration at large is the Respondent, the College representative shall not be an attorney or use an attorney unless the Grievant is also assisted by an attorney or other personal representative. The hearing shall be recorded by either a court reporter or on audio or videotape or by other electronic recording medium. In addition, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

Rules of Evidence

The hearing committee shall make the participants aware that the rules relating to the admissibility of evidence for the hearing will be similar to, but less stringent than, those which apply to civil trials in the courts of Alabama. Generally speaking, irrelevant or immaterial evidence and privileged information (such as personal medical information or attorney-client communications) shall be excluded. However, hearsay evidence and unauthenticated documentary evidence may be admitted if the hearing chairperson determines that the evidence offered is of the type and nature commonly relied upon or taken into consideration by a responsible prudent person in conducting his/her affairs.

In the event of an objection by any party to any testimony or other evidence offered at the hearing, the hearing committee chairperson shall have the authority to rule on the admissibility of the evidence, and this ruling shall be final and binding on the parties.

Report of Findings and Conclusions

Within five (5) working days following the hearing, the chairperson shall provide a written report to the Dean of Students or President's Designee (with a copy to the President, the Grievant, and each Respondent) of the findings of the Chairperson of the Hearing Committee, and the report shall contain at least the following:

1. Date and place of the hearing;
2. The name of each member of the Hearing Committee;
3. A list of all witnesses for all parties to the grievance;
4. Findings of facts relevant to the grievance;
5. Conclusions of law, regulations, or policy relevant to the grievance; and
6. Recommendation(s) arising from the grievance and the hearing thereon.

Resolution of Grievance

In the event of a finding by the hearing officer/committee that the grievance was unfounded or was not supported by the evidence presented, the Dean of Students or President's Designee shall notify the Grievant of any appeal that may be available to the Grievant. In the event of a finding that the grievance was supported, in whole or in part, by the evidence presented, the Dean of Students or President's Designee shall meet with the Grievant, the Respondent(s), and the appropriate College representative(s) and attempt to bring about a reasonable agreed-upon resolution of the grievance. If there is not a mutual resolution within a reasonable amount of time, the President shall impose a resolution of the grievance which shall be final and binding, except where the decision may be subject to an appeal to the Chancellor as discussed below.

Available Appeal

If the grievance does not involve a claim of illegal discrimination or a claim relating to a disability, the findings of the Hearing Committee shall be final and shall be non-appealable. If the grievance involves a claim of illegal discrimination or a claim relating to a disability, the Grievant and each Respondent shall have the right to appeal the decision of the Hearing Committee to the President of RSCC, provided that:

1. A notice of appeal is filed, using Grievance Form B, with the College Grievance Officer and the President within fifteen (15) working days following the party's receipt of the hearing report; and
2. The notice of appeal contains clear and specific objection(s) to the finding(s), conclusion(s), or recommendation(s), of the hearing committee.

If the appeal is not filed by the close of business on the fifteenth day following the party's receipt of the report, the party's opportunity to appeal shall have been waived. If the appeal does not contain clear and specific objections to the hearing report, it shall be denied by the President.

President's Review

If an appeal is accepted by the President, the President shall have five (5) working days from his/her receipt of the notice of appeal to review and investigate the allegations contained in the grievance, review the hearing record, to hold an appellant hearing (if deemed appropriate by the President), and to produce a report of the President's findings of fact and conclusions of law. The President shall have the authority to

- (1) affirm,
- (2) reverse, or
- (3) affirm in part or reverse in part the findings, conclusions, and recommendations of the Hearing Committee.

The President's report shall be served to the Hearing Committee members, Grievant, and the Respondent(s)

in writing by personal service or by certified mail, return receipt requested, at their respective home addresses.

Appeal to the Chancellor

Except in cases involving a claim alleging a violation of Title IX of the Civil Rights Act of 1964, as amended, the President's findings and conclusions will not be appealable. However, pursuant to applicable Alabama Community College System Board of Trustees policy, a Grievant who is alleging a claim of illegal discrimination based on a violation of Title IX may file an appeal to the Chancellor of the Alabama Community College System for a review of the President's decision and the findings arising from the College grievance hearing. A Grievant who has grounds for appealing the findings of the President by the Chancellor may do so by:

1. Filing a notice of appeal, using Grievance Form C, to the Chancellor and the President of RSCC, within fifteen (15) working days following the Grievant's receipt of the report of the President's findings; and
2. Specifying in the notice of appeal clear and specific objections(s) to the findings;

If the appeal is not filed with the Chancellor by the close of business on the fifteenth day following the Grievant's receipt of the President's report, the Grievant's opportunity to appeal shall have been waived. If the appeal does not contain clear and specific objections to the President's report, it shall be denied by the Chancellor.

Review by the Chancellor

If an appeal is accepted by the Chancellor, the Chancellor shall have thirty (30) calendar days from his/her receipt of the Grievant's notice of appeal to investigate and review the allegations contained in the agreement, to review the report of the President and the Hearing Committee, to hold an appellant hearing (if he/she deems such appropriate), and to issue a report of his/her findings of fact and conclusions of law. The Chancellor shall have the authority to (1) affirm, (2) reverse, or, (3) affirm in part or reverse in part the findings, conclusions, and recommendations of the President and/or Hearing Committee. The report of the Chancellor shall be served to the Grievant and the Respondent(s) by personal service or certified mail, return receipt requested, to the respective home addresses of the parties. The report of the Chancellor shall not be further appealable except as allowed by the policies of the Alabama Community College System. However, the Grievant shall not be precluded from filing a grievance with an appropriate court or administrative agency.

General Rule on Filing Deadlines

If the last date for filing a document under this procedure falls on a Saturday, Sunday, or legal holiday, the date of the first business day following the respective Saturday, Sunday, or legal holiday shall be considered the deadline date.

ACCS Formal Complaint Process

****This process should not be used to initiate an ADA complaint. Complaints of this nature should be filed with the designated local ADA representative at the local college.**

****This process should not be used to initiate harassment or discrimination complaints. Complaints of this nature should be filed with the designated representative at the local college.**

****This process should not be used to initiate an additional level of appeal. If a complainant has exhausted their administrative remedies, or if they have failed to pursue all administrative remedies, this process is not the appropriate forum. If the administrative remedies included an opportunity to address your issue with the Chancellor's Office, this process is not the appropriate forum.**

****This process should not be used to initiate an employee grievance. Employees must initiate employee grievances at the local level. Employees must exhaust all avenues available at the local level prior to filing an ACCS Formal Complaint.**

****This process is not an avenue to file student complaints. Students seeking to file complaints against an ACCS institution must follow the student complaint process. The form for filing student complaints may be located on the ACCS website under the Academic and Student Affairs section.**

The Alabama Community College System (ACCS) Board of Trustees and Chancellor provide oversight of the State's public two-year community and Community colleges, Marion Military Institute (MMI) and the Alabama Training Network (ATN).

While most complaints should be handled at the local college level, or with the applicable entity, the ACCS System Office, through the Legal Division, also renders assistance to resolve complaints after all local avenues of resolution have been fully exhausted. If the local avenue of resolution included appeal rights to the ACCS Chancellor, then the Chancellor's decision is deemed final and a complainant may not file a complaint using this process. Each college, MMI and the ATN are charged with providing effective and efficient avenues for employees, community members, and other interested parties to address complaints. The ACCS Formal Complaint Process is not intended to supersede or replace existing processes in place at the local college level. Complainants seeking to file a report of noncompliance of federal or state law, or system policy should first address the problem by utilizing the local complaint process prior to initiating the ACCS Formal Complaint Process. Complaints of allegation of fraud, malfeasance, presidential misconduct, or other case specific instances, where the local grievance process may not result in an unbiased evaluation, may be filed using the ACCS Formal Complaint Form and will not be required to follow the local complaint process stated above.

Complainants may submit a formal complaint using this process if there is dissatisfaction with the results at the local level, or the complaint deals with allegations of fraud, malfeasance, presidential misconduct, or other case specific instances that necessitate a direct filing through this process. Formal complaints must be submitted on the required ACCS Formal Complaint Form. Complaints may be mailed to:

Alabama Community College System Legal Division-Confidential Formal Complaint
Post Office Box 302130 Montgomery, AL 36130-2130

The Legal Division will only review completed, signed and dated complaint forms. The Legal Division will issue a written response within a reasonable time usually between 30-45 business days. The identity of the complainant will be kept confidential and will be withheld from any information submitted to the ACCS entity identified in the complaint.

TITLE V (DISABILITIES), TITLE VI (CIVIL RIGHTS), AND TITLE IX (GENDER) GRIEVANCE PROCEDURES

Reid State is committed to ensuring a fair and equitable process for addressing grievances related to Title V (Disabilities), Title VI (Civil Rights), and Title IX (Gender). These grievance procedures provide a structured framework for students and employees to report and seek resolution for alleged violations in a timely and transparent manner. By following the outlined steps, complainants can expect a thorough investigation and review process, ensuring their concerns are heard and addressed at multiple levels of authority.

1. The original and two copies of Grievance Form A must be filed with the complainant's Dean of Students or Department Chair within 30 calendar days of the alleged violation.

2. The Dean of Students or Department Chair will notify the President and the Title V, VI, or IX Coordinator upon receipt of the grievance.
3. Within 30 days, an investigation and formal hearing will be conducted, and findings will be reported using Form A.
4. The complainant has 15 days to accept the decision or file an appeal using Form B, stating specific objections to the findings.
5. If an appeal is filed, the President has 30 days to investigate and report findings using Form B.
6. The complainant then has 15 days to accept or appeal the President's report using Form C.
7. The Chancellor has 30 days to investigate, hold a hearing, and report findings using Form C.

If a complainant fails to file an appeal within the specified deadlines, the right to further appeal is forfeited.

SEXUAL HARASSMENT, ADA, OTHER CIVIL RIGHTS COMPLAINT AND GRIEVANCE POLICIES AND PROCEDURES

Important Notice: Faculty and staff members and students should be aware that any expectation of confidentiality does not extend to illegal acts. Faculty and staff members, including College counselors, are required to notify law enforcement and College officials when they learn of a criminal act.

Consumer Complaint Information

- Reid State ensures that all students have easy access to a process for resolving conflicts, complaints, or grievances.
- Various policies and procedures are outlined in this handbook and the *College Catalog*.
- Any member of the College community who believes they have been a victim of sexual harassment or any form of discrimination may:
 - Report the matter to any academic or administrative officer.
 - The recipient of the complaint must forward it to the **Compliance Officer**.

Compliance Officers

- **Title IX Compliance Officer:** Dean of Students, (251) 578-1313
- **Sexual Harassment Compliance Officer:** Dean of Students, (251) 578-1313
- **Section 504 Compliance Officer (Disabilities):** Dean of Students, (251) 578-1313
- **ADA Compliance Officer:** Dean of Students, (251) 578-1313

Civil Rights and Title IX Policy

- The College is committed to a learning environment free from discrimination based on:
 - Race
 - Religion
 - Gender
 - Disability
 - Age
 - National origin
- A grievance process is available to ensure student rights are upheld.
- Compliance officers assist students in resolving grievances or accessing further grievance procedures.

CHANCELLOR'S PROCEDURE FOR POLICY 800.01

GRIEVANCE PROCEDURES FOR COMPLAINTS OF TITLE IX SEXUAL HARASSMENT

- A. Policy Statement
- B. Purpose
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- O. Confidentiality & Privacy
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A. Policy Statement

Reid State Community College (the “College”) is committed to creating and maintaining a learning and working environment that is free from unlawful discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act, the Jeanne Clery Campus Safety Act, and the Violence Against Women Act (VAWA). Sexual harassment and retaliation under these Procedures will not be tolerated by the College and is grounds for disciplinary action, up to and including, permanent dismissal from the College and/or termination of employment.

The College has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator.

B. Purpose

The College takes all reported sexual harassment seriously. The College will promptly take action against any individuals within its control who are found responsible for violating these Procedures. Additionally, reported sexual harassment that does not meet the definitions and jurisdiction of these Procedures will be referred for review under the Student Code of Conduct, or the Employee Policy, whichever may be applicable.

C. Jurisdiction and Application of these Procedures

These Procedures apply to sexual harassment occurring under the College’s education program or activity. Conduct that occurs under the College’s education program or activity includes but is not limited to conduct that occurs in a building owned or controlled by the College or by a student organization that is officially recognized by the College and where the College exercises control over the Respondent at the time the alleged conduct occurs. A Complainant may only file a formal complaint if the Complainant is participating or attempting to participate in the College’s education program or activity. These Procedures do not cover conduct that occurs outside of the United States.

If the alleged conduct does not meet the definition of sexual harassment under these Procedures, the College will provide supportive measures when reasonably available and when possible take prompt action to provide for the safety and well-being of the Complainant and the broader campus community.

D. Title IX Coordinator

The College’s Title IX Coordinator is the person designated by the College who is responsible for coordinating the College’s compliance with its obligations under Title IX. The Title IX Coordinator is responsible for the administrative response to complaints of sexual harassment. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain the College’s policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators to facilitate any of these responsibilities.

Any member of the College’s community may contact the Title IX Coordinator with questions. The Student Title IX Coordinator and Assistant Title IX Coordinator(s) contact information is as follows:

Title IX Coordinator:
Ebony Horton Bradley, Dean of Students
100 AL. Hwy. 83, Evergreen, AL 36401
251-578-1313 ext. 231
ebradley@reidstate.edu

In addition to the Title IX Coordinator and Assistant Title IX Coordinator(s), the Title IX staff may include Investigators, Hearing Decisionmakers, Appellate Decisionmakers, Advisors, and Informal Resolution Facilitators who have roles in the formal grievance process, which are detailed in these Procedures.

The Title IX Coordinator, Assistant Title IX Coordinator(s), Investigators, Hearing Decisionmakers, Appellate Decisionmakers, Advisors, if applicable, and Informal Resolution Facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on sex stereotypes and will provide impartial investigations and adjudications of complaints of sexual harassment. All materials used to train these administrators will be available on the College's Title IX website for inspection by members of the public in accordance with Title IX regulations.

Conflict of Interest

The Title IX Coordinator, Assistant Title IX Coordinator(s), Investigators, Decisionmakers, Appellate Decisionmakers, and Informal Resolution Facilitators shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. Whether bias exists requires examination of the particular facts of a situation. A determination of bias must be based on an objective evaluation of the available facts (i.e., whether a reasonable person would believe bias exists).

Any person exercising investigative or decision-making authority under these Procedures who believes they may have a potential conflict of interest or bias that would prevent them from impartially exercising their authority, must disclose the potential conflict/bias to the Title IX Coordinator as soon as practicable after it is discovered. Arrangements will then be made to designate a conflict/bias free alternative in the case at issue.

If the Complainant or the Respondent believes the Title IX Coordinator has a conflict of interest or bias, such objection should be made to the College President's Office or Designee as soon as practicable after the potential conflict or bias is discovered. If the President's Office or Designee determines that the objection is reasonable, the Title IX Coordinator will be replaced with a conflict/bias free Assistant Title IX Coordinator.

If the objection as to a conflict or bias is made with respect to an Investigator, such objection should be reported to the Title IX Coordinator as soon as practicable after the potential conflict or bias is discovered. If the Title IX Coordinator determines that the objection is reasonable, the Investigator will be replaced with a conflict/bias free alternative Investigator.

If the objection as to a conflict or bias is made with respect to a Hearing Decisionmaker or Appellate Decisionmaker, such objection must be reported to the Title IX Coordinator before the scheduled hearing or appeal decision. If the Title IX Coordinator determines that the objection is reasonable, the challenged person will be replaced with a conflict/bias free alternative Hearing Decisionmaker or Appellate Decisionmaker.

The decision of the Title IX Coordinator or President's Designee regarding an objection will be final.

Knowledge of or acquaintance with the Complainant, Respondent, or witnesses in a matter; awareness of a

matter; participation as a consequence of one's official role in events surrounding a matter; and/or participation in the investigation process prior to the formal disciplinary process does not automatically result in the finding of a disqualifying conflict; however, such factors may be considered in determining whether a conflict exists.

The mere fact that a certain number of findings under these Procedures result in determinations of responsibility, or non-responsibility, does not necessarily indicate or imply bias on the part of Title IX personnel.

E. Definitions

Actual Knowledge: notice of sexual harassment allegations to the Title IX Coordinator or any Official with Authority, except that actual knowledge is not met when the only individual with actual knowledge is the Respondent

Business Day: any weekday not designated by the College as a holiday or administrative closure day. When calculating a time period of business days specified in these Procedures, the business day of the event that triggers a time period is excluded

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment

Confidential Employee: an individual identified by the institution who will not report any information about an incident to the Title IX Coordinator without the Complainant's permission.

Consent: must be informed, voluntary, and mutual and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

Disciplinary Sanctions: consequences imposed on a Respondent following a determination under Title IX that the Respondent violated the College's prohibition on sexual harassment

Education Program or Activity: locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the sexual harassment occurs; includes conduct that occurs on College property, during any College activity, or in any building owned or controlled by the College or by a student organization that is officially recognized by the College

Formal Complaint: a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the College investigate the allegation of sexual harassment

Incapacitation: An individual who is incapacitated is unable to give consent to sexual contact. States of incapacitation include sleep, unconsciousness, intermittent consciousness, intoxication, or any other state where the individual is unaware that sexual contact is occurring or is otherwise unable to give informed and voluntarily consent. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact. Example: A person who is taking pain medication and falls asleep under the influence of the medication can be incapacitated and not be able to give consent to sexual contact.

Official with Authority: an individual who has the authority to institute corrective measures and is required to report sexual harassment to the Title IX Coordinator to initiate the College's response to the sexual harassment allegations. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinator(s); President of the College, all Vice Presidents/Deans.

Party: a Complainant or Respondent

Relevant: related to the allegations of sexual harassment under investigation as part of the grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sexual harassment occurred, and evidence is relevant when it may aid a Hearing Decisionmaker or Appellate Decisionmaker in determining whether the alleged sexual harassment occurred

Remedies: measures designed to restore or preserve equal access to the College's education program or activity; remedies may include, but are not limited to, the same individualized services as supportive measures, however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment

Responsible Reporting Official: any individual who is employed by the College and not deemed to be a Confidential Employee or Official with Authority. Responsible Reporting Officials are mandated by the College to report sexual harassment to the Title IX Coordinator promptly upon receiving a report of sexual harassment.

Retaliation: intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or these Procedures.

Nothing in this definition precludes a College from requiring an employee or other person authorized by a College to provide aid, benefit, or service under the College's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing.

Student: a person who has gained admission

Supportive Measures: 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.

Such measures are designed to restore or preserve equal access to the College's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

F. Prohibited Conduct

Under Title IX, Prohibited Conduct includes sexual harassment, sexual assault, dating violence, domestic violence, and stalking as defined below.

To the extent that federal or state laws addressing conduct that could be deemed Prohibited Conduct are created or amended, engaging in such conduct shall be considered a violation of these Procedures even if the definitions below have not been updated to reflect the most recent additions to or changes in law.

Sexual Harassment: conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct (quid pro quo sexual harassment);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity (hostile environment sexual harassment)

A severe, pervasive, and objectively offensive assessment includes, but is not limited to, a consideration of the following:

- (i) the frequency of the offensive conduct;
- (ii) the nature of the unwelcome sexual act or words, such as whether the harassment was physical, verbal or both;
- (iii) Whether the harassment was an offensive utterance, and;
- (iv) the number of victims involved and the relationship between the parties including, but not limited to, the ages of the harasser and the victim; and

In evaluating whether conduct is severe, pervasive, and objectively offensive, the College will look at the totality of the circumstances, expectations, and relationships.

(3) Sexual Assault, Dating Violence, Domestic Violence or Stalking as defined in these Procedures.

Sexual Assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system and the Summary Reporting System User Manual of the Federal Bureau of Investigation as used in the Clery Act

Sex Offenses— Any sexual act directed against another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent

- i. *Nonconsensual sexual intercourse (Rape)*— The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- ii. *Nonconsensual sexual contact (Fondling)*—The touching of the private body parts (breasts, buttocks, groin) of another person for the purpose of sexual gratification without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity
- iii. *Incest*—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- iv. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent

Dating Violence: violence committed by a person—

- (i) who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and

(ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship,
- The type of relationship,
- The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Domestic Violence: felony or misdemeanor crimes of violence committed by a person who:

- Is a current or former spouse or intimate partner of the Complainant under the family or domestic violence laws of the jurisdiction of the College or a person similarly situated to a spouse of the Complainant,
- shares a child in common with the Complainant,
- is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- commits acts against a youth or young adult Complainant who is protected from those acts under the family or domestic violence laws of the jurisdiction

Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(i) fear for the person's safety or the safety of others; or

(ii) suffer substantial emotional distress.

Course of Conduct means two or more acts, including, but not limited to, acts in which the individual 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.

Reasonable Person means a reasonable person under similar circumstances and with similar identities to the Complainant.

Substantial Emotional Distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

G. Reporting Procedures

A report of sexual harassment can be made to the persons below in person (during business hours) or by mail, telephone, or by email using the contact information below at any time, including during non-business hours. A report of sexual harassment can also be made by completing the online reporting form at reidstate.edu/reidcare

- (1) Reporting to the Title IX Coordinator: Reports of sexual harassment may be made to the Title IX Coordinator in any of the following ways, by anyone, at any time: email, phone, online form, mail. Reports may be made to the Title IX Coordinator in person on the first floor of the Edith A. Gray Library. After an incident of sexual harassment has been reported to the Title IX Coordinator, the Title IX Coordinator will promptly offer supportive measures to the Complainant, regardless of whether the Complainant was the reporter of the Sexual Harassment.
- (2) Reporting to Officials with Authority: If Officials with Authority are notified of sexual harassment, they shall promptly report such sexual harassment to the Title IX Coordinator who will take immediate action under this Procedure. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinator(s); President of the College, all Vice Presidents/Deans.

- (3) Reporting to Responsible Reporting Officials: College employees who are not Confidential Employees or Officials with Authority are mandated by the College to report alleged sexual harassment to the Title IX Coordinator promptly upon receiving a report of sexual harassment.
- (4) Reporting to Confidential Employees: Reports of sexual harassment made to Confidential Employees are considered confidential reports and will not be reported to the Title IX Coordinator without the Complainant's permission and will not constitute actual notice to the College.
- (5) Anonymous Reporting: Anonymous reports may be made by telephone, in writing or electronically to the Title IX Coordinator. A decision to remain anonymous, however, may greatly limit the College's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating this Procedure.
- (6) Reporting to Local Law Enforcement: Reports of sexual harassment may be filed with local law enforcement agencies. The Title IX Coordinator can assist with contacting law enforcement agencies. Law enforcement investigations are separate and distinct from the College's investigations.

Mandatory Reporting under Alabama Law: Alabama law imposes a mandatory duty on all College employees to immediately report all incidences of known or suspected child abuse. Such reports must be made to the College's Safety & Security Department. The College also encourages students, volunteers, and representatives (as well as third-party vendors and their employees, representatives, or volunteers that contract for use of College facilities with responsibilities that involve interaction with children) to report (verbally and in writing) known or suspected child abuse to the College's Safety & Security Department. Sexual abuse is one element of the more comprehensive term "abuse" under Alabama law. For child protection purposes, a child is any person under 18 years of age or any individual under 19 years of age who is in need of protective services and does not qualify for adult protective services under Chapter 9 of Title 38 in Alabama Law. A freshman student, a "dual enrolled" high school student, or a summer camp participant, among others, may fall into the category of a "child."

Consolidation of Complaints

The College may consolidate complaints of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations of sexual harassment arise out of the same facts or circumstances. When more than one Complainant or more than one Respondent is involved, references below to a party, Complainant, or Respondent include the plural, as applicable.

The College will not consolidate complaints if consolidation would violate the Family Educational Rights and Privacy Act (FERPA). Consolidation would not violate FERPA when the College obtains prior written consent from parties to the disclosure of their educational records.

Amnesty for Students

The College strongly encourages students to report incidents violating the policy related to discrimination, harassment, sexual harassment, and related inappropriate conduct. The College's primary concern is the safety of the members of the college community, and it encourages behavior that demonstrates care and concern for members of the community. Accordingly, the College reserves the right to provide a reprieve from disciplinary actions for Complainants and other individuals who exhibit responsible and proactive behavior in reporting sexual harassment or other prohibited conduct or for students acting as a witness during the formal grievance procedures. The College may provide

referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

H. Supportive Measures

Supportive measures may vary depending on what the College deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment. Complainants are eligible for supportive measures at the time their identity is known to the Title IX Coordinator. Respondents are eligible for supportive measures at the time that notice of an alleged complaint has been given.

Supportive measures cannot unreasonably burden either party and must be designed to protect the safety of the parties or the College's educational environment, or to provide support during the College's grievance procedures or during the informal resolution process. The College will not impose such measures for punitive or disciplinary reasons.

The College may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process or the College may continue them beyond that point.

The College will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity.

If the party is a student with disabilities, The Title IX Coordinator may consult, as appropriate, with the individual or office that the College has designated to provide support to students with disabilities to determine how to comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, in the implementation of supportive measures.

I. Emergency Removals and Administrative Leave

The College may remove a Respondent from the College's education program or activity on an emergency basis, provided that the College undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health and safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision to the Title IX Coordinator in writing within three (3) business days following the removal.

The College may place a non-student employee Respondent on administrative leave from employment responsibilities during the pendency of the College's grievance procedures.

Any challenges to an emergency removal should be sent to the Title IX Coordinator in writing within three (3) business days of the notification to the Respondent of the emergency removal. The Respondent should state the reasons for the challenge and any supporting documentation. The Title IX Coordinator will forward all documentation to the President's Designee to render a decision within five (5) business days. The President's Designee will notify both parties in writing of the decision.

J. Initial Evaluation & Complaint Dismissals

Initial Evaluation

When a report has been made, the Title IX Coordinator will contact the Complainant for an initial discussion to provide information of their rights and options, availability of supportive measures, consideration of the Complainant's wishes with respect to supportive measures, explanation of the policy and grievance procedures and the process for filing a Formal Complaint.

During the initial discussion with the Complainant, the Title IX Coordinator will gather facts that will enable the Title IX Coordinator to evaluate the allegations and make a determination on whether to dismiss the complaint or investigate the complaint. A Formal Complaint must contain an allegation of sexual harassment against a Respondent, a request for the College to investigate the allegation, and be signed by the Complainant or the Title IX Coordinator. A Complainant may only file a formal complaint if the Complainant is participating or attempting to participate in the College's education program or activity.

In limited circumstances, if a Complainant does not sign a Formal Complaint, the Title IX Coordinator may sign a Formal Complaint. To make a fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:

- (i) the Complainant's request not to proceed with initiation of a complaint;
- (ii) the Complainant's reasonable safety concerns regarding initiation of a complaint;
- (iii) The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- (iv) The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- (v) The age and relationship of the parties, including whether the Respondent is an employee of the College;
- (vi) The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- (vii) The availability of evidence to assist in a Decisionmaker in determining whether sex discrimination occurred; and
- (viii) Whether the College could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

Mandatory Complaint Dismissals

The Title IX Coordinator will dismiss a Formal Complaint for purposes of sexual harassment if:

- (1) The conduct alleged in the Formal Complaint would not constitute sexual harassment as defined in these Procedures, even if proved;
- (2) The conduct alleged did not occur in the College's education program or activity; or
- (3) The conduct alleged in the Formal Complaint did not occur against a person in the United States.

Permissive Complaint Dismissals

The Title IX Coordinator may dismiss a Formal Complaint or any allegation within the Formal Complaint, if at any time during the investigation or hearing:

- (1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations in the Formal Complaint;
- (2) The Respondent is no longer enrolled in the College; or
- (3) Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations within the Formal Complaint.

Upon dismissal, the Title IX Coordinator will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, then the Title IX Coordinator will notify the parties simultaneously in writing.

The Title IX Coordinator will notify the Complainant that a dismissal may be appealed on the bases outlined in Section M of these Procedures. If dismissal occurs after the Respondent has been notified of the allegations, then the Title IX Coordinator will also notify the Respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, the College will follow the procedures outlined in Section M of these Procedures.

When a complaint is dismissed, the College will, at a minimum:

- (1) Offer supportive measures to the Complainant as appropriate;
- (2) If the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
- (3) Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sexual harassment does not continue or recur within the College's education program or activity.

K. Complaint Investigation

The College will treat Complainants and Respondents equitably.

The College presumes that the Respondent is not responsible for the alleged sex-based harassment until a determination is made at the conclusion of its grievance procedures.

It is the goal of the College to complete investigations in a prompt timeframe. Any timeframes or deadlines may be extended when necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of parties and/or witnesses, account for College breaks or vacations, and the complexity of the investigation or severity and extent of the alleged conduct. The Title IX Coordinator will notify both parties in writing of any College delays.

If a Complainant or Respondent shall request a delay in the investigation or extension of any timeframes, the party must notify the Title IX Coordinator in writing as soon as practicable stating the requested new timeframe and reason for the delay or extension. The Title IX Coordinator will notify the party in writing of the denial or both parties in writing of the approval within three (3) business days of notification of the request. Any delays or extension will apply equally to both parties.

All requests will be on a case-by-case basis for good cause.

Parties have the opportunity to be accompanied to any meeting or proceeding by one (1) Advisor of their choice, who may be, but is not required to be, an attorney.

- The College will not limit the choice or presence of the Advisor for the Complainant or Respondent in any meeting or proceeding. Both parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available. However, the College has the right to remove any Advisor who does not adhere to the College's policies and procedures.
- The College cannot guarantee equal advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide an attorney to advise that party.
- If a party requests that all communication be made through their attorney Advisor instead of to the party, the College will agree to copy both the party and their Advisor on all communications.
- Advisors should help the parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak for the party unless given specific permission to do so.
- The parties are expected to ask and respond to questions on their own behalf throughout the grievance process. Although the Advisor generally may not speak for the party, the Advisor may consult with the party, either privately as needed, or by conferring or passing notes during any meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Parties have the opportunity to have one (1) support person of their choice, a person other than the Advisor, present during any meeting or proceeding.

Written Notice of Allegations

Upon receipt of a Formal Complaint, the Title IX Coordinator will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- (1) Notice of the party's rights and options
- (2) Notice of the College's grievance process
- (3) Notice of the College's informal resolution process and options
- (4) Notice of the allegations of sexual harassment including: the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the incident, if known
- (5) Notice that the Respondent is presumed not responsible of the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process
- (6) Notice that the parties may have an Advisor of their choice, who may be, but is not required to be an attorney, and that the Advisor may inspect and review evidence

- (7) Notice of the College's Student Code of Conduct provision that prohibits knowingly making false statements or knowingly submitting false information during the grievance process

If, in the course of an investigation, the College decides to investigate additional allegations of sexual harassment by the Respondent toward the Complainant that are not included in the written notice or that are included in a consolidated complaint, the Title IX Coordinator will provide written notice of the additional allegations to the parties.

Investigation

The College will conduct an investigation following a Formal Complaint and Notice of Allegations. The Title IX Coordinator will assign an Investigator(s) to conduct the investigation. During all meetings and interviews the parties may be accompanied by an Advisor of their choice, which can be, but is not required to be an attorney. During the investigation stage of the grievance process, the Advisor's role is limited to assisting, advising, and/ or supporting a Complainant or Respondent. An Advisor is not permitted to speak for or on behalf of a Complainant or Respondent or appear in lieu of a Complainant or Respondent during the investigation phase of the grievance process.

Each party will be provided an equal opportunity to provide information to the Investigator and present witnesses for the Investigator to interview. The information provided by the parties can include inculpatory and exculpatory evidence. The witnesses can include both fact witnesses and expert witnesses.

Each party will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the College does not intend to rely upon in reaching a determination regarding responsibility. This review includes inculpatory and exculpatory evidence that is obtained by a party, witness, or other source. Each party and their Advisor (if any) will be provided an electronic copy of the evidence for inspection and review. The parties will have ten (10) business days to review and submit a written response to the Investigator. The Investigator will consider the written responses prior to completing an investigative report. All evidence provided during the inspection and review phase will be available at any hearing for the parties to use during the hearing, including for purposes of cross examination.

Following the opportunity to inspect and review evidence directly related to the allegations raised in the Formal Complaint, the Investigator will create an investigative report that fairly summarizes relevant evidence obtained during the investigation.

At least ten (10) business days prior to a hearing, the Investigator will provide each party and the party's Advisor (if any) an electronic copy of the investigative report that includes the parties review and written response, if any.

L. Hearing

After the investigation, the College will provide for a live hearing for all Formal Complaints of sexual harassment that have not been dismissed or resolved by informal resolution. At the request of either party, or at the discretion of the Title IX Coordinator, the College will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Hearing Decisionmaker and parties to simultaneously see and hear the other party or witness answering questions.

The Hearing Decisionmaker(s) will be appointed by the College and will not be the Title IX Coordinator or Investigator. The Hearing Decisionmaker(s) will be trained, impartial, and without a conflict of interest. The Hearing Decisionmaker(s) may be a panel of three (3) College employees with one panel member serving as a chairperson, or a single Hearing Decisionmaker or an external individual designated by the College.

Either party may challenge the appointment of a Hearing Decisionmaker, based on conflict of interest or bias, in writing to the Title IX Coordinator, no less than five (5) business days prior to the scheduled hearing.

The College will create an audio or audiovisual recording of all live hearings and make the recording available to the parties for inspection or review.

The Title IX Coordinator will serve as the hearing process facilitator to coordinate the hearing, including, but not limited to, coordination and scheduling of the hearing; the logistics of physical or virtual rooms for parties and/or witnesses, including separation of the parties; ensuring all technology is working appropriately; ensuring the parties have access to electronic documents during the hearing; distributing materials; etc. The Title IX Coordinator may invite the parties and their advisors, separately, to a meeting prior to the hearing to review the hearing process for the purpose of ensuring a smooth hearing. This meeting is separate from the pre-hearing conference discussed below.

Participants at the hearing include the Hearing Decisionmaker(s), the Investigator(s) who conducted the investigation, the parties, advisors to the parties, witnesses and anyone providing authorized accommodations. In addition, the Title IX Coordinator, serving as the hearing facilitator is present. Any witnesses scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or have provided a written statement or answered questions from the Investigator in writing.

Advisor's Role at the Hearing

Each party must have an Advisor present at the hearing. The Advisor's role is limited to supporting, advising, and assisting the party during the hearing and conducting questioning (cross-examination) of participants. Advisors are required to follow rules of decorum enforced by the Hearing Decisionmaker(s). Failure to follow the rules of decorum by an Advisor may result in removal of an Advisor from the hearing. If a party does not have an Advisor present at the live hearing, the College will appoint the party with an Advisor without fee or charge.

Pre-Hearing Conference

The Hearing Decisionmaker(s) may hold a pre-hearing conference. In order to streamline the hearing process, the Hearing Decisionmaker(s) may request the submission of questions prior to the hearing through electronic submission and/or a pre-hearing conference. During the pre-hearing conference, parties and their advisors will be asked to submit, in writing, any questions they wish to ask during the live hearing so that the Hearing Decisionmaker(s) can be prepared to respond to relevancy at the hearing. The Hearing Decisionmaker(s) may allow for the pre-hearing submission of questions regardless of whether a pre-hearing conference occurs.

This conference does not preclude an Advisor from asking additional questions live during the hearing.

At the pre-hearing conference, the Hearing Decisionmaker(s) may also hear arguments regarding the

relevance of the evidence identified in the investigation report as relevant or not relevant, and/or directly related to the allegations.

Hearing Process

The hearing process will proceed as follows:

- (1) Notice of Hearing: After the investigative report has been completed and at least ten (10) business days prior to the date set for the hearing, the parties and their advisors (if any) will be provided with a Notice of the Hearing. The Notice will include the date, time, location, name of the Hearing Decisionmaker(s), names of all participants in the hearing, and the location (virtual or in person) of the hearing.
- (2) Opening Statement: Each party will have the opportunity to present an opening statement, no more than five (5) minutes, to the Hearing Decisionmaker(s).
- (3) Review of Hearing Procedures, Formal Complaint, and Notice of Allegations by Hearing Decisionmaker(s).
- (4) Questioning of Parties and Witnesses: The College will provide a process that enables the Hearing Decisionmaker(s) to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sexual harassment.

The Hearing Decisionmaker(s) will ask initial questions of the participants at the hearing.

After the Hearing Decisionmaker(s) asks questions of a participant, each party's Advisor will be permitted to ask relevant questions and follow up questions orally, directly, and in real time of the participant. The parties are never permitted to ask questions of participants directly. The questioning of participants by Advisors will be conducted in the following manner:

- (i) a question is asked by an Advisor
- (ii) Before the participant answers the question, the Hearing Decisionmaker(s) determines whether the question is relevant
- (iii) If the question is determined to be relevant by the Hearing Decisionmaker(s) the participant answers the question
- (iv) If the question is determined not to be relevant by the Hearing Decisionmaker(s), the Hearing Decisionmaker(s) must explain the decision to exclude a question as not relevant.

Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The Hearing Decisionmaker(s) will give a party an opportunity to clarify or revise a question that the Hearing Decisionmaker(s) determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked by party's Advisor.

Evidence and Questions Excluded

Sexual Predisposition or Prior Sexual Behavior of the Complainant: Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Privileged Information: No person will be required to disclose information protected under a legally recognized privilege. The Hearing Decisionmaker(s) must not allow into evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.

Medical Records: Evidence or records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, are not permitted to be used during a hearing unless the party provides voluntary, written permission to do so for the grievance process within these Procedures.

The Hearing Decisionmaker(s) may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The Hearing Decisionmaker(s), however, will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

- (5) Closing Statements: Each party will have the opportunity to present a closing statement, no more than five (5) minutes, to the Hearing Decisionmaker(s).

Determination Whether Sexual Harassment Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Hearing Decisionmaker(s) will deliberate in private and will:

- (1) Use the preponderance of the evidence standard of proof to determine whether sexual harassment occurred. This means that the Hearing Decisionmaker(s) will decide whether it is more likely than not based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s). The standard of proof requires the Hearing Decisionmaker(s) to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Hearing Decisionmaker(s) is not persuaded under the applicable standard by the evidence that sexual harassment occurred, whatever the quantity of the evidence is, the Hearing Decisionmaker(s) will not determine that sexual harassment occurred.
- (2) Notify the parties simultaneously in writing of the determination whether sexual harassment occurred under Title IX including:
 - Identification of the allegations potentially constituting sexual harassment;
 - A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - Findings of fact supporting the determination;
 - Conclusions regarding the application of the Procedure to the facts;
 - A statement of, and rationale for, the result of each allegation, including a determination regarding responsibility, any disciplinary sanctions that the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the

College's education program or activity will be provided by the College to the Complainant; and

- The procedures and permissible bases for the Complainant and Respondent to appeal.

The Hearing Decisionmaker(s) will send the written notification of hearing outcome to both parties within fourteen (14) business days of the conclusion of the hearing.

The College will not impose disciplinary sanctions on a Respondent for sexual harassment prohibited by Title IX unless there is a determination at the conclusion of the Title IX grievance procedures that the Respondent engaged in prohibited sexual harassment.

If there is a determination that sexual harassment occurred, as appropriate, the Title IX Coordinator will:

- Coordinate the provision and implementation of remedies to a Complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sexual harassment;
- Coordinate the imposition of any disciplinary sanctions on a Respondent, including notification to the Complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that sexual harassment does not continue or recur within the College's education program or activity.

The College shall not discipline a party, witness, or others participating in the Title IX grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sexual harassment occurred.

Sanctions

Factors considered by the Hearing Decisionmaker(s) when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Hearing Decisionmaker(s)

The sanctions will be implemented upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Reprimand
- Required Counseling

- Probation
- Suspension
- Expulsion
- Withholding Diploma
- Revocation of Degree
- Other Actions: In addition to, or in place of, the above sanctions, the College may assign any other sanctions as deemed appropriate.

Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in sex-based harassment include:

- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Shift or schedule adjustments
- Reassignment
- Delay of (or referral for delay of) Tenure Track Progress
- Assignment to New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

M. Appeals

The College will offer an appeal from a dismissal of a Formal Complaint or determination whether sexual harassment occurred on the following bases:

- (1) Procedural irregularity that affected the outcome of the matter;
- (2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- (3) The Title IX Coordinator, Investigator, or Hearing Decisionmaker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or

(4) Sanctions were disproportionate to the policy violation(s).

If either party wishes to appeal a dismissal of a Formal Complaint or determination whether sexual harassment occurred, the party must submit an appeal in writing to the Title IX Coordinator within three (3) business days of receiving written notification of the hearing determination. The party requesting the appeal should state the basis for the appeal and any supporting documentation.

If a party appeals a dismissal of a Formal Complaint or determination whether sexual harassment occurred, the Title IX Coordinator will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the Appellate Decisionmaker for the appeal is not the same person as the Hearing Decisionmaker(s) that reached the determination regarding responsibility or dismissal of the Formal Complaint, the Investigator or the Title IX Coordinator;
- Ensure that the Appellate Decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the non-appealing party with five (5) business days from receipt of the notification of appeal to submit a written statement in support of the outcome of the determination whether sexual harassment occurred or dismissal of the Formal Complaint;

The written determination on responsibility and sanctions, if applicable, are postponed until the decision on the appeal is sent to the parties. Supportive measures will remain in place during the appeal period.

The Appellate Decisionmaker will issue a written decision describing the result of the appeal and the rationale for the result which can be one of the following: (1) affirm the determination of the Hearing Decisionmaker(s) and affirm the disciplinary sanctions and remedies, if applicable (2) affirm the determination of the Hearing Decisionmaker(s) regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable (3) remand the process back to the hearing stage for the Hearing Decisionmaker(s) to remedy any procedural irregularity or consider any new evidence (4) reverse the Hearing Decisionmaker(s)' determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable or (5) affirm or amend the sanctions and/or remedies outlined in the determination

The Appellate Decisionmaker will notify both parties in writing of their decision within fourteen (14) business days of receipt of the appeal.

The determination regarding responsibility becomes final on the date that the College provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

At the conclusion of the appeals process, employee Respondents will receive all rights, if applicable and if any, which are granted by either their contract or the Alabama Students First Act in the event any disciplinary sanction is proposed.

N. Informal Resolution

In lieu of resolving a complaint through the College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Informal resolution does not involve an investigation, adjudication hearing, or disciplinary action against a Respondent and is not appropriate for all forms of conduct under these Procedures. Informal resolution is not an option for sexual harassment incidents involving a student Complainant and an employee Respondent. Both parties must voluntarily agree in writing to participate in the informal resolution process.

The Title IX Coordinator will inform the parties in writing of the informal resolution process it offers. The College will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law. Before the initiation of an informal resolution process, the Title IX Coordinator will explain in writing to the parties:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the College will maintain and whether and how the College could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed.

Informal resolution will be facilitated by Informal Resolution Facilitators. The time frame for completion of informal resolution may vary, but the College will seek to complete the process within a prompt timeframe.

The College retains the discretion to determine which cases are appropriate for informal resolution. The College may gather information necessary through interviewing individuals and other evidence gathering to determine if the case is appropriate for informal resolution. Factors the College will consider when determining whether a report of Prohibited Conduct is suitable for informal resolution include, but are not limited to, the following:

- The nature of the alleged offense;
- The dynamics of power or control commonly associated with the alleged offense and/or with the parties involved;
- The Respondent's prior known conduct;
- Whether there would be a continuing safety threat to the campus community after resolution of the specific report of Prohibited Conduct;
- Whether multiple parties are involved;
- Whether the resolution proposed is designed to eliminate, prevent, and address the reported Prohibited Conduct; and
- Any other factor deemed relevant by the Title IX Coordinator in the interest of overall campus safety or safety of the parties involved.

Informal resolution may result in the following remedies: establishing supportive measures; conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; the Respondent is willing to accept responsibility for violating Policy and is willing to agree

to actions that will be enforced similarly to sanctions; and any other remedy that can be tailored to the involved individuals to achieve the goals of these Procedures.

Informal resolution may also include restorative principles that are designed to allow a Respondent to accept responsibility for misconduct and acknowledge harm to the Complainant or to the College community. Informal resolution may also include mediation.

Participation in informal resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation at any time, including if informal resolution is unsuccessful at resolving the report. Similarly, a Complainant may request to end an investigation and pursue informal resolution at any time if the Respondent also consents to informal resolution. In addition, either party may request supportive measures regardless of whether any particular course of action is sought.

The College may also decide to proceed with a formal investigation and withdraw its approval for the informal resolution at any time during the process. If additional potential policy violations are revealed during the informal resolution process, the College may withdraw its approval for the process and proceed with a formal investigation or the College, with the consent of the parties, may continue the informal resolution process and resolve the additional potential policy violations.

Information disclosed by any party during the informal resolution process will not be considered during a subsequent investigation or adjudication hearing.

Because the outcome of informal resolution process is mutually developed and agreed upon by the parties, an appeal of the process and its result is not permitted.

O. Confidentiality and Privacy

The College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

P. Retaliation

Neither the College nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or these Procedures or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.

Alleged acts of Retaliation will be referred to the Title IX Coordinator and may be investigated and resolved under the respective Student Code of Conduct or Employee Policy.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Policy.

Charging an individual with a Student Code of Conduct/Employee Policy violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute Retaliation prohibited under these Procedures.

Q. Freedom of Speech and Academic Freedom

Freedom of speech and principles of academic freedom are central to the mission of the College.

Constitutionally protected expression cannot be considered sexual harassment under these Procedures. To establish a violation of Title IX, the harassment must be subjectively and objectively offensive and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity.

R. Records Retention

The College will maintain all of the documentation related to reports of sex discrimination and sexual harassment, the grievance process, and information resolution process for seven (7) years in accordance with state and federal records laws and requirements. The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under the Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws and included in the employee's official employment record.

CHANCELLOR'S PROCEDURES FOR POLICY 800.02 COMPLAINTS OF NON-HARASSMENT TITLE IX DISCRIMINATION

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S. Policy Statement

Reid State Community College (the “College”) is committed to creating and maintaining a learning and working environment that is free from unlawful discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act, the Jeanne Clery Campus Safety Act, and the Violence Against Women Act (VAWA). Sex discrimination and retaliation under these Procedures will not be tolerated by the College and is grounds for disciplinary action, up to and including, permanent dismissal from the College and/or termination of employment.

T. Purpose

The College takes all reported sex discrimination seriously. The College will promptly take action against any individuals within its control who are found responsible for violating these Procedures.

U. Application of these Procedures

These Procedures apply to complaints of sex discrimination covered under Title IX, but which do not fall within the category of sexual harassment as defined in the Grievance Procedures for Complaints of Title IX Sexual Harassment. These Procedures also apply to any complaints of retaliation as defined by the Grievance Procedures for Complaints of Title IX Sexual Harassment, as listed in the Student Handbook.

Discrimination prohibited under this policy includes: the exclusion from participation in, denial of the benefits from, or subjection to unfavorable treatment in any College education program or activity on the basis of sex, including sexual orientation or gender identity.

These Procedures are the exclusive means of resolving complaints of alleged violations of Title IX involving complaints of non-harassment Title IX discrimination brought against College faculty, staff, employees, and students. To the extent there are any inconsistencies between these procedures and other College grievance, complaint, or discipline procedures, these complaint resolution procedures will control the resolution of complaints alleging non-harassment Title IX discrimination.

V. Title IX Coordinator

The College’s Title IX Coordinator is the person designated by the College who is responsible for coordinating the College’s compliance with its obligations under Title IX. The Title IX Coordinator is responsible for the administrative response to complaints of sex discrimination. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain the College’s policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators to facilitate any of these responsibilities.

Any member of the College’s community may contact the Title IX Coordinator with questions. The Title IX Coordinator and Assistant Title IX Coordinator(s) contact information is as follows:

Ebony Horton Bradley, Dean of Students
100 AL Hwy 83, Evergreen, AL 36401
251-578-1313 ext. 231
ebradley@reidstate.edu

In addition to the Title IX Coordinator and Assistant Title IX Coordinator(s), the Title IX staff may include Investigators, Appellate Decisionmakers, Advisors, if applicable, and Informal Resolution Facilitators who have roles in the formal grievance process, which are detailed in this Procedure.

The Title IX Coordinator, Assistant Title IX Coordinator(s), Investigators, Appellate Decisionmakers, Advisors, if applicable, and Informal Resolution Facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on sex stereotypes and will provide impartial investigations and adjudications of complaints of sex discrimination. All materials used to train these administrators will be available upon request for inspection by members of the public in accordance with Title IX regulations.

Conflict of Interest

The Title IX Coordinator, Assistant Title IX Coordinator(s), Investigators, Appellate Decisionmakers, and Informal Resolution Facilitators shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. Whether bias exists requires examination of the particular facts of a situation. A determination of bias must be based on an objective evaluation of the available facts (i.e., whether a reasonable person would believe bias exists).

Any person exercising investigative or decision-making authority under these Procedures who believes they may have a potential conflict of interest or bias that would prevent them from impartially exercising their authority, must disclose the potential conflict/bias to the Title IX Coordinator as soon as practicable after it is discovered. Arrangements will then be made to designate a conflict/bias free alternative in the case at issue.

If the Complainant or the Respondent believes the Title IX Coordinator has a conflict of interest or bias, such objection should be made to the President's Designee as soon as practicable after the potential conflict or bias is discovered. If the President's Designee determines that the objection is reasonable, the Title IX Coordinator will be replaced with a conflict/bias free Assistant Title IX Coordinator.

If the objection as to a conflict or bias is made with respect to an Investigator, such objection should be reported to the Title IX Coordinator as soon as practicable after the potential conflict or bias is discovered. If the Title IX Coordinator determines that the objection is reasonable, the Investigator will be replaced with a conflict/bias free alternative Investigator.

If the objection as to a conflict or bias is made with respect to an Appellate Decisionmaker, such objection must be reported to the Title IX Coordinator before the appeal decision. If the Title IX Coordinator determines that the objection is reasonable, the challenged person will be replaced with a conflict/bias free Appellate Decisionmaker.

The decision of the Title IX Coordinator or President's Designee (in objections to the Title IX Coordinator), regarding an objection will be final.

Knowledge of or acquaintance with the Complainant, Respondent, or witnesses in a matter; awareness of a matter; participation as a consequence of one's official role in events surrounding a matter; and/or participation in the investigation process prior to the formal disciplinary process does not automatically result in the finding of a disqualifying conflict; however, such factors may be considered in determining

whether a conflict exists.

The mere fact that a certain number of findings under these Procedures result in determinations of responsibility, or non-responsibility, does not necessarily indicate or imply bias on the part of Title IX personnel.

W. Definitions

Business Day: any weekday not designated by the College as a holiday or administrative closure day. When calculating a time period of business days specified in these Procedures, the business day of the event that triggers a time period is excluded

Complainant: An individual who is alleged to be the victim of conduct that could constitute sex discrimination

Complaint: a written request to the College that objectively can be understood as a request for the College to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Consent: must be informed, voluntary, and mutual and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

Disciplinary Sanctions: consequences imposed on a Respondent following a determination under Title IX that the Respondent violated the College's prohibition on sex discrimination

Education Program or Activity: locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the conduct occurred, circumstances where the College has disciplinary authority and to misconduct occurring on College property, during any College activity, or in any building owned or controlled by the College or by a student organization that is officially recognized by the College.

Incapacitation: An individual who is incapacitated is unable to give consent to sexual contact. States of incapacitation include sleep, unconsciousness, intermittent consciousness, intoxication, or any other state where the individual is unaware that sexual contact is occurring or is otherwise unable to give informed and voluntarily consent. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact. Example: A person who is taking pain medication and falls asleep under the influence of the medication can be incapacitated and not be able to give consent to sexual contact.

Official with Authority: an individual who has the authority to institute corrective measures and is required to report sex discrimination, including sex-based harassment to the Title IX Coordinator to initiate the College's response to the sex discrimination and sex-based harassment allegations. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinator(s); President of the College, all Vice Presidents/Deans; or the President's Designee.

Party: a Complainant or Respondent

Relevant: related to the allegations of sex discrimination under investigation as part of the grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a Decisionmaker in determining whether the alleged sex discrimination occurred

Remedies: measures provided, as appropriate, to a Complainant or any other person the College identifies as having had their equal access to the College's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the College's education program or activity after a College determines that sex discrimination occurred.

Respondent: a person who is alleged to have violated the College's prohibition on sex discrimination

Responsible Reporting Official: any individual who is employed by the College and not deemed to be a Confidential Employee or Official with Authority. Responsible Reporting Official are mandated by the College to report sex discrimination, including sex-based harassment to the Title IX Coordinator promptly upon receiving a report.

Retaliation: intimidation, threats, coercion, or discrimination against any person by the College, a student, or an employee or other person authorized by the College to provide aid, benefit, or service under the College's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing, including in an informal resolution process, grievance procedures, and in any other actions taken by a College, under the Title IX regulations.

Nothing in this definition precludes a College from requiring an employee or other person authorized by a College to provide aid, benefit, or service under the College's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing.

Student: a person who has gained admission

Supportive Measures: individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to:

- (1) Restore or preserve that party's access to the College's education program or activity, including measures that are designed to protect the safety of the parties or the College's educational environment; or
- (2) Provide support during the College's grievance procedures or during the informal resolution process.

X. Prohibited Conduct

Under Title IX, Prohibited Conduct includes sex discrimination as defined below.

To the extent that federal or state laws addressing conduct that could be deemed Prohibited Conduct are created or amended, engaging in such conduct shall be considered a violation of this Policy even if the definitions below have not been updated to reflect the most recent additions to or changes in law.

Sex Discrimination: the exclusion from participation in, denial of benefits from, or subjection to unfavorable treatment in any educational or employment-related program or activity on the basis of sex, gender, sexual orientation, or gender identity. The discrimination can be based in whole or in part,

upon the individual's actual or perceived protected characteristic.

Y. Reporting Procedures

A report of sex discrimination can be made to the persons below in person (during business hours) or by mail, telephone, or by email using the contact information below at any time, including during non-business hours. A report of sex discrimination can also be made by completing the online reporting form at reidstate.edu/reidcares

- (7) Reporting to the Title IX Coordinator: Reports of sex discrimination may be made to the Title IX Coordinator in any of the following ways, by anyone, at any time: email, phone, online form, mail. Reports may be made to the Title IX Coordinator in person on the first floor of the Edith A. Gray Library. After an incident of sex discrimination has been reported to the Title IX Coordinator, the Title IX Coordinator will promptly offer supportive measures to the Complainant, regardless of whether the Complainant was the reporter of the sex discrimination.
- (8) Reporting to Officials with Authority: If Officials with Authority are notified of sex discrimination, they shall promptly report such sex discrimination to the Title IX Coordinator who will take immediate action under this Procedure. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinator(s); President of the College, all Vice Presidents/Deans; or other official as designated by the President.
- (9) Reporting to Responsible Reporting Officials: College employees who are not Confidential Employees or Officials with Authority are mandated by the College to report alleged sex discrimination to the Title IX Coordinator promptly upon receiving a report of sex discrimination.
- (10) Reporting to Confidential Employees: Reports of sex discrimination made to Confidential Employees are considered confidential reports and will not be reported to the Title IX Coordinator without the Complainant's permission and will not constitute actual notice to the College.
- (11) Anonymous Reporting: Anonymous reports may be made by telephone, in writing or electronically to the Title IX Coordinator. A decision to remain anonymous, however, may greatly limit the College's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating these Procedures.
- (12) Reporting to Local Law Enforcement: Reports of sex discrimination may be filed with local law enforcement agencies. The Title IX Coordinator can assist with contacting law enforcement agencies. Law enforcement investigations are separate and distinct from the College's investigations.

Mandatory Reporting under Alabama Law: Alabama law imposes a mandatory duty on all College employees to immediately report all incidences of known or suspected child abuse. Such reports must be made to the College's Safety & Security Department. The College also encourages students, volunteers, and representatives (as well as third-party vendors and their employees, representatives, or volunteers that contract for use of College facilities with responsibilities that involve interaction with children) to report (verbally and in writing) known or suspected child abuse to the College's Safety & Security Department. Sexual abuse is one element of the more comprehensive term "abuse" under Alabama law. For child protection purposes, a child is any person under 18 years of age or any individual under 19 years of age who is in need of protective services

and does not qualify for adult protective services under Chapter 9 of Title 38 in Alabama Law. A freshman student, a “dual enrolled” high school student, or a summer camp participant, among others, may fall into the category of a “child.”

Consolidation of Complaints

The College may consolidate complaints of sex discrimination against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one Complainant or more than one Respondent is involved, references below to a party, Complainant, or Respondent include the plural, as applicable.

The College will not consolidate complaints if consolidation would violate the Family Educational Rights and Privacy Act (FERPA). Consolidation would not violate FERPA when the College obtains prior written consent from parties to the disclosure of their educational records.

Amnesty for Students

The College strongly encourages students to report incidents violating the policy related to discrimination, harassment, and related inappropriate conduct. The College’s primary concern is the safety of the members of the college community, and it encourages behavior that demonstrates care and concern for members of the community. Accordingly, the College reserves the right to provide a reprieve from disciplinary actions for Complainants and other individuals who exhibit responsible and proactive behavior in reporting sex discrimination or other prohibited conduct or for students acting as a witness during the formal grievance procedures. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

Allegations Related to Culture

Allegations related to a culture of sexual harassment or non-harassment sex discrimination by a group, organization, department, division, or the College as a whole will be investigated and resolved as closely as possible to these Procedures. Resolutions for a group, organization, division or the College will be communicated with the highest ranking member of the group, organization, department, division or the College.

Z. Supportive Measures

The College will offer and coordinate supportive measures as appropriate for the Complainant and/or Respondent to restore or preserve that person’s access to the College’s education program or activity or provide support during the College’s Title IX grievance procedures or during the informal resolution process. For complaints of sex discrimination, these supportive measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex discrimination. Complainants are eligible for supportive measures at the time their identity is known to the Title IX Coordinator. Respondents are eligible for supportive measures at the time that notice of an alleged complaint has been given.

Supportive measures cannot unreasonably burden either party and must be designed to protect the safety of the parties or the College’s educational environment, or to provide support during the College’s grievance procedures or during the informal resolution process. The College will not impose such measures for punitive or disciplinary reasons.

The College may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process or the College may continue them beyond that point.

The College will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party’s access to the education program or activity.

If the party is a student with disabilities, The Title IX Coordinator may consult, as appropriate, with the individual or office that the College has designated to provide support to students with disabilities to determine how to comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, in the implementation of supportive measures.

AA. Emergency Removals and Administrative Leave

The College may remove a Respondent from the College's education program or activity on an emergency basis, provided that the College undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

The College may place a student employee Respondent on administrative leave from employment responsibilities during the pendency of the College's grievance procedures.

Any challenges to an emergency removal should be sent to the Title IX Coordinator in writing within three (3) business days of the notification to the Respondent of the emergency removal. The Respondent should state the reasons for the challenge and any supporting documentation. The Title IX Coordinator will forward all documentation to the President's Designee to render a decision within three (3) business days. The President's Designee will notify both parties in writing of the decision.

BB. Initial Evaluation

When a report has been made, the Title IX Coordinator will contact the Complainant for an initial discussion to provide information of their rights and options, availability of supportive measures, consideration of the Complainant's wishes with respect to supportive measures, explanation of the policy and grievance procedures.

CC. Complaint Investigation

The College will treat Complainants and Respondents equitably.

Complainants and Respondents may be accompanied by one (1) Advisor of their choice throughout the investigation. An Advisor's role is limited to assisting, advising, and/ or supporting a Complainant or Respondent.

An Advisor is not permitted to speak for or on behalf of a Complainant or Respondent or appear in lieu of a Complainant or Respondent.

- Both parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available. However, the College has the right to remove any advisor who does not adhere to the College's policies and procedures.
- The College cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide an attorney to advise that party.

- If a party requests that all communication be made through their attorney Advisor instead of to the party, the College will agree to copy both the party and their Advisor on all communications.
- Advisors should help the parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of the party unless given specific permission to do so.
- The parties are expected to ask and respond to questions on their own behalf throughout the grievance process. Although the Advisor generally may not speak on behalf of the party, the Advisor may consult with the party, either privately as needed, or by conferring or passing notes during any meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

It is the goal of the College to complete investigations in a prompt timeframe. Any timeframes or deadlines may be extended when necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of parties and/or witnesses, account for College breaks or vacations, and the complexity of the investigation or severity and extent of the alleged conduct.

The Title IX Coordinator will notify both parties in writing of any College delays.

If a Complainant or Respondent shall request a delay in the investigation or extension of any timeframes, the party must notify the Title IX Coordinator in writing as soon as practicable stating the requested new timeframe and reason for the delay or extension. The Title IX Coordinator will notify the party in writing of the denial or both parties in writing of the approval within three (3) business days of notification of the request. Any delays or extension will apply equally to both parties.

All requests will be on a case-by-case basis for good cause.

Written Notice of Allegations

Upon initiation of this Title IX grievance procedure, the Title IX Coordinator will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- (8) The College's Title IX grievance procedures and any informal resolution process;
- (9) Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- (10) Retaliation is prohibited;
- (11) The Respondent is presumed not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.
- (12) The parties may have an advisor of their choice who may be, but is not required to be, an attorney;

- (13) If the College becomes aware of any person knowingly making false statements or knowingly submitting false information during these grievance procedures, disciplinary actions may be sought under the College's Code of Conduct or Employee Policy.

If, in the course of an investigation, the College decides to investigate additional allegations of sex discrimination by the Respondent toward the Complainant that are not included in the written notice or that are included in a consolidated complaint, the Title IX Coordinator will provide written notice of the additional allegations to the parties.

Investigation

The College will provide for adequate, reliable, and impartial investigation of complaints.

The Complainant and Respondent will have an equal opportunity to be heard, identify witnesses, and provide information and evidence. The Investigator will gather additional information and evidence as appropriate, including, but not limited to, social media information, text messages, email messages, videos, and other records. The Investigator has the discretion to determine the relevance of information and witnesses and decide whether information or evidence should be excluded as irrelevant.

DD. Administrative Action

Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Investigator will serve as the Decisionmaker and will provide a written report with a recommendation to the Title IX Coordinator on whether sex discrimination occurred.

The Investigator/Decisionmaker will:

- (3) Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This means that the Investigator/Decisionmaker will decide whether it is more likely than not based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s). The standard of proof requires the Investigator/Decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Investigator/Decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the Investigator/Decisionmaker will not determine that sex discrimination occurred.
- (4) Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination and any disciplinary sanctions the College will impose on the Respondent, if applicable, and the procedures and permissible bases for the Complainant and Respondent to appeal, if applicable;
- (5) Not impose discipline on a Respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the Title IX grievance procedures that the Respondent engaged in prohibited sex discrimination.
- (6) If there is a determination that sex discrimination occurred, as appropriate, the Title IX Coordinator will, as appropriate:

- Coordinate the provision and implementation of remedies to a Complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sex discrimination;
 - Coordinate the imposition of any disciplinary sanctions on a Respondent, including notification to the Complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College's education program or activity.
- (7) Comply with the grievance procedures before the imposition of any disciplinary sanctions against a Respondent; and
- (8) Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Sanctions

Factors considered by the Investigator/Decisionmaker when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decisionmaker

The sanctions will be implemented upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Reprimand
- Required Counseling
- Probation
- Suspension
- Expulsion
- Withholding Diploma
- Revocation of Degree
- Other Actions: In addition to, or in place of, the above sanctions, the College may assign any other sanctions as deemed appropriate.

Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in sex-based harassment include:

- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Shift or schedule adjustments
- Reassignment
- Delay of (or referral for delay of) Tenure Track Progress
- Assignment to New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

EE.Appeals

The College will offer an appeal from a dismissal of a complaint or determination whether sex discrimination occurred on the following bases:

- (5) Procedural irregularity that would change the outcome;
- (6) New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- (7) The Title IX Coordinator, Investigator, Decisionmaker, or Informal Resolution Facilitator had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.
- (8) Sanctions were disproportionate to the policy violation(s).

If either party wishes to appeal a dismissal of complaint or determination whether sex discrimination occurred, the party must submit an appeal in writing to the Title IX Coordinator in writing within five (5) business days of receiving written notification of the hearing determination. The party requesting the appeal should state the basis for the appeal and any supporting documentation.

If a party appeals a dismissal or determination whether sex discrimination, the Title IX Coordinator will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the Appellate Decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the Appellate Decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of or challenging the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

The written determination on responsibility and sanctions, if applicable, are postponed until the decision on the appeal is sent to the parties. Supportive measures will remain in place during the appeal period.

The Appellate Decisionmaker will issue a written decision describing the result of the appeal and the rationale for the result which can be one of the following: (1) affirm the determination of the Investigator/Decisionmaker and affirm the disciplinary sanctions and remedies, if applicable (2) affirm the determination of the Investigator/Decisionmaker regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable (3) remand the process back to the Investigator/Decisionmaker to remedy any procedural irregularity or consider any new evidence (4) reverse the Investigator/Decisionmaker's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable or (5) affirm or amend the sanctions and/or remedies outlined in the determination.

The Appellate Decisionmaker will notify both parties in writing of their decision within fourteen (14) business days of receipt of the appeal.

The determination regarding responsibility becomes final on the date that the College provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

At the conclusion of the appeals process, employee Respondents will receive all rights, if applicable and if any, which are granted by either their contract or the Alabama Students First Act in the event any disciplinary sanction is proposed.

FF. Informal Resolution

In lieu of resolving a complaint through the College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Informal resolution does not involve an investigation, adjudication hearing, or disciplinary action against a Respondent and is not appropriate for all forms of conduct under these Procedures. Both parties must voluntarily agree in writing to participate in the informal resolution process.

The Title IX Coordinator will inform the parties in writing of the informal resolution process it offers. The College will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law. Before the initiation of an informal resolution process, the Title IX Coordinator will explain in writing to the parties:

- The allegations;

- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the College will maintain and whether and how the College could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed.

Informal resolution will be facilitated by Informal Resolution Facilitators. The time frame for completion of informal resolution may vary, but the College will seek to complete the process within a prompt timeframe.

The College retains the discretion to determine which cases are appropriate for informal resolution. The College may gather information necessary through interviewing individuals and other evidence gathering to determine if the case is appropriate for informal resolution. Factors the College will consider when determining whether a report of Prohibited Conduct is suitable for informal resolution include, but are not limited to, the following:

- The nature of the alleged offense;
- The dynamics of power or control commonly associated with the alleged offense and/or with the parties involved;
- The Respondent's prior known conduct;
- Whether there would be a continuing safety threat to the campus community after resolution of the specific report of Prohibited Conduct;
- Whether multiple parties are involved;
- Whether the resolution proposed is designed to eliminate, prevent, and address the reported Prohibited Conduct; and
- Any other factor deemed relevant by the Title IX Coordinator in the interest of overall campus safety or safety of the parties involved.

Informal resolution may result in the following remedies: establishing supportive measures; conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions; and any other remedy that can be tailored to the involved individuals to achieve the goals of these Procedures.

Informal resolution may also include restorative principles that are designed to allow a Respondent to accept responsibility for misconduct and acknowledge harm to the Complainant or to the College community. Informal resolution may also include mediation.

Participation in informal resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation at any time, including if informal resolution is unsuccessful at resolving the report. Similarly, a Complainant may request to end an investigation and pursue informal resolution at any time if the Respondent also consents to informal resolution. In addition, either party may request supportive measures regardless of whether any particular course of action is sought.

The College may also decide to proceed with a formal investigation and withdraw its approval for the informal resolution at any time during the process. If additional potential policy violations are revealed during the informal resolution process, the College may withdraw its approval for the process and

proceed with a formal investigation or the College, with the consent of the parties, may continue the informal resolution process and resolve the additional potential policy violations.

Information disclosed by any party during the informal resolution process will not be considered during a subsequent investigation or adjudication hearing.

Because the outcome of informal resolution process is mutually developed and agreed upon by the parties, an appeal of the process and its result is not permitted.

GG. Confidentiality and Privacy

The College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

HH. Retaliation

Neither the College nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or these Procedures or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Procedure.

Alleged acts of Retaliation will be referred to the Title IX Coordinator to be investigated and resolved under the respective Code of Conduct or Employee Policy.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Procedure.

Charging an individual with a Code of Conduct/Employee Policy violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute Retaliation prohibited this Procedure.

II. Freedom of Speech and Academic Freedom

Freedom of speech and principles of academic freedom are central to the mission of the College.

Constitutionally protected expression cannot be considered sex discrimination under these Procedures.

To establish a violation of Title IX, the harassment must be subjectively and objectively offensive and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity.

JJ. Records Retention

The College will maintain all of the documentation related to reports of sex discrimination, the grievance process, and information resolution process for seven years in accordance with state and federal records laws and requirements. The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws and included in the employee's official employment record.

ALABAMA COMMUNITY COLLEGE SYSTEM (ACCS) STUDENT COMPLAINT PROCESS

The Alabama Community College System (ACCS) is committed to providing a quality educational experience and ensuring student concerns are addressed fairly and promptly. Each institution has its own procedures for handling student complaints. Students must first follow their institution's complaint/grievance process before escalating their concerns to the ACCS System Office.

Steps for Filing a Complaint with ACCS:

1. Follow Your College's Process First

- Students must first submit their complaint through their college's official complaint or grievance process.
- Only after all institutional procedures have been exhausted can a student escalate their complaint to ACCS.

2. Submit a Complaint to ACCS

- If the issue remains unresolved, students may submit a **Student Complaint Form** to the Alabama Community College System.
- The form is available online at www.accs.edu
- Completed forms, in addition to a FERPA waiver form, should be **printed, signed, and submitted** in one of the following ways:
 - **Email:** Scan and send to complaints@accs.edu
 - **Mail:**

Alabama	Community	College	System			
Attention:	Division	of	Academic	and	Student	Affairs
P.O.			Box			302130
Montgomery, AL 36130-2130						
 - **Online:** Complete the form at www.accs.edu

Complaint Investigation Process

- **Review Timeline:** The ACCS Division of Academic and Student Affairs will review and investigate the complaint within **30 days** of receiving it.
- **Institutional Response:** The college in question has **30 days** to provide a written response.
- **Final Decision:** ACCS will determine if corrective action is needed and notify both the student and the institution.
- **Compliance Monitoring:** If corrective action is required, the institution has **30 days** to comply or submit a plan for compliance. ACCS will monitor the institution's adherence to the resolution.

For _____ questions, _____ contact:
Phone: _____ **334.293.4500**
Fax: 334.293.4504

FERPA (Federal Educational Rights and Privacy Act) CONSENT TO RELEASE STUDENT INFORMATION

I, _____, am a student at, or a former student of, _____
(Institution). I have submitted a complaint concerning the above institution to the Alabama Community College System.

I hereby consent to the institution's release of any of my educational records, including personally identifiable information that the institution determines is relevant and necessary to provide to the ACCS System Office in response to my complaint. I also authorize representatives of the institution to discuss the details of my complaint with representatives of the ACCS System Office.

Signature_____Date _____

A#_____

UNIVERSAL HUMAN RIGHTS PLEDGE

I believe that every individual has infinite and eternal worth.

I believe that recognition of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world.

I believe that every individual is entitled to dignity and respect, without prejudice toward race, color, gender, disability, language, religion, creed, national origin, property, age or other status.

I believe that every thought and every act of such prejudice is harmful. If it is my thought or act, then it is harmful to me as well as others.

THEREFORE, from this day forward, I will strive daily to eliminate such prejudice from my thoughts and actions.

I will discourage such prejudice by others at every opportunity.

I will treat all people with dignity and respect.

I will strive daily to honor this pledge, knowing that the world will be a better place because of my effort.

**END CODE OF STUDENT
CONDUCT**

STUDENT ORGANIZATIONS

Reid State Community College offers a variety of student organizations that provide leadership opportunities, professional development, and community engagement. These organizations enhance the student experience by fostering teamwork, networking, and personal growth. Each organization is assigned a dedicated volunteer advisor from the faculty or staff who provides guidance, support, and oversight to ensure a meaningful and productive experience for student members. Students are encouraged to get involved and take advantage of the opportunities these organizations offer to build skills, connect with peers, and make a lasting impact on campus and beyond.

REID STATE AMBASSADORS

Reid State Ambassadors are a select group of students who represent the college at official events, campus tours, and community outreach programs. These students demonstrate leadership, professionalism, and school spirit while assisting with recruitment efforts and special events. Ambassadors serve as role models for their peers and help foster a welcoming environment for prospective and current students. Selection is based on an interview process that reviews academic achievement, communication skills, community service and a commitment to student engagement.

MISTER AND MISS REID STATE

Mister and Miss Reid State are prestigious titles awarded to students who exemplify the values of Reid State. To qualify, students must maintain a minimum GPA of 2.5 and agree to represent the college at various events and functions throughout the year. The role offers a unique opportunity for personal growth, leadership, and community involvement while serving as a positive ambassador for the college. Interested students must submit an application and be selected based on their commitment to excellence, campus engagement, and community spirit.

NATIONAL COMMUNITY HONOR SOCIETY (NTHS)

The National Community Honor Society (NTHS) recognizes and honors students who excel in career and Community education. Membership in NTHS is a prestigious distinction that highlights a student's commitment to academic excellence, leadership, and service. To be eligible, students must be nominated by faculty members and maintain a minimum 3.5 GPA. As members, students gain access to exclusive scholarships, professional networking opportunities, and industry recognition that can benefit them in their future careers.

PHI BETA LAMBDA (PBL)

Phi Beta Lambda (PBL) is a premier business organization that prepares students for success in business and leadership roles. PBL provides opportunities for professional development, competitive events, and networking with industry leaders. Members gain valuable experience through workshops, leadership conferences, and community service projects. Students interested in joining PBL must be enrolled in a business-related program and demonstrate a commitment to personal and professional growth.

PHI THETA KAPPA (PTK) – BETA NU CHAPTER

Phi Theta Kappa (PTK) is the international honor society for two-year colleges, and Reid State is home to the Beta Nu Chapter. PTK recognizes academic excellence, leadership, and service among community college students. Membership is by invitation only and is extended to students who have completed at least 12 credit hours of college coursework and maintain a minimum 3.5 GPA. PTK members enjoy access to scholarships, leadership development programs, and opportunities to engage in meaningful service projects that enhance their college experience.

STUDENT GOVERNMENT ASSOCIATION (SGA)

The **Student Government Association (SGA)** represents the student body and fosters engagement in campus life and decision-making. It serves as a communication bridge between students, faculty, and administration while also coordinating approved student activities and assisting with graduation ceremonies.

SGA Structure

SGA consists of:

- **Executive Officers:** President, Vice President, Treasurer, and Secretary.
- **Senate:** 8 Senators (4 Freshmen, 4 Sophomores).
- **Election Process:** All positions are elected by the student body each fall.

Election Procedures

- Candidates must be full-time students and commit to at least two consecutive semesters at Reid State.
- Elections are conducted by the **Dean of Students**, who ensures a fair voting process through ballots or an online system.
- Students must present a valid **Tech-Card (ID) or driver's license** to vote. No exceptions.
- Election results are announced via email to students, faculty, staff, and administration.

CANDIDATE REQUIREMENTS

Executive Officer Candidates:

- Full-time student (12+ credit hours) with at least **24 earned credit hours**.
- Minimum **3.0 GPA** and no disciplinary actions.
- Must actively participate in student activities and work **4 hours per week in Student Services**.

Senate Candidates:

- Full-time student with a **2.0 GPA** or higher.
- No disciplinary actions.
- Must actively participate in student activities.

Campaign Guidelines

- Campaigning begins after an official candidate meeting with the **Dean of Students**.
- Flyers, posters, and other campaign materials must be approved.
- **Election Day:** Only one designated voting day. Voting occurs in the **Edith A. Gray Library and Technology Center**.
- No campaigning or campaign materials **within 50 feet** of the voting area.

Voting & Ballot Counting

- Students vote by marking an **"X"** on a paper ballot.
- Ballots are collected in a **locked box** and counted by an administrator, one faculty member, and one staff member.
- Results are reported by **12:00 p.m. the next day** and ballots are retained for one year.

ESTABLISHING AN ORGANIZATION

Students at Reid State who wish to create a new organization can do so by following the guidelines set by Student Services. To establish an organization, students must abide by the college's policies and adopt the

Articles of Incorporation, as provided by Student Services. This ensures that all organizations align with the college's mission and provide meaningful engagement opportunities for students. For more information on starting an organization, students can contact the Student Activities office, located in the Edith A. Gray Library.

STUDENT RECOGNITION

Reid State is committed to celebrating student achievements in academics, leadership, and service. Students are recognized through various honors societies, awards ceremonies, and special acknowledgments for outstanding contributions to the college community. Recognition programs, such as honor societies and student ambassador programs, highlight the dedication and hard work of students who excel in their studies and extracurricular activities. Reid State encourages students to strive for excellence and take advantage of the many opportunities available to be recognized for their achievements.

END CODE OF STUDENT ORGANIZATIONS