

# GALVESTON COLLEGE PROPOSED BOARD POLICIES

Policy		Policy Title	Comments
AD	Local	Educational Role, Mission, Purpose, and Responsibility	Updates AD(Local) to reflect updated values statement and to reflect changes in the Texas Education Code, Section 130.003
AE	Local	College District Goals and Objectives	Updates AE(Local) to reflect updated strategic goals and objectives.
BE	Local	Policy and Bylaw Development	Adds language at Harmony with Law to reflect when new laws are enacted that they are applicable when effective.
DIAA	Local	Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence	Updates the named Title IX Coordinator
DIAB	Local	Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics	Updates the named ADA/Section 504 Coordinator
EFBA	Local	Degrees and General Education Requirments	Updates minimum number of semester hours to completed at GC at the Associate of Arts and the Associate of Science Degrees and updates number of hours required for a second Associate degree.
FFDA	Local	Freedom from Discrimination, Harassment, and Retaliation: Sex and Sexual Violence	Updates the named Title IX Coordinator
FFDB	Local	Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics	Updates the named ADA/Section 504 Coordinator

EDUCATIONAL ROLE, MISSION, PURPOSE, AND RESPONSIBILITY

AD  
(LOCAL)

VISION

The College District's vision statement is:

*Galveston College – a beacon of light guiding life-long learning.*

MISSION

The College District's mission statement is:

Galveston College, an innovative public post-secondary institution dedicated to student success, teaching, and learning, creates accessible learning opportunities to fulfill individual and community needs by providing high-quality educational programs and services.

VALUES

The shared values listed below are among the beliefs that guide the College District in the development of its mission, goals, programs, and services. The values include:

- ACCESS – Providing an open door to learning while extending accessible educational opportunities to qualified students who can benefit from instruction.
- STUDENT SUCCESS – Providing high-quality, learning-centered programs and services that focus on achieving student success.
- INTEGRITY – Fostering a culture of trust, honesty, openness, and fairness, while upholding high ethical standards.
- RESPECT – Fostering an environment that seeks to understand and value the importance and contributions of each individual.
- ~~DIVERSITY, EQUITY, AND INCLUSION – Foster a culture that affirms and empowers all members of the College community; recognizes that not everyone starts from the same place; where we value, celebrate, and learn from our differences; and all people are treated with respect and dignity.~~
- CULTURE OF EXCELLENCE – Promote a culture that pursues excellence and supports new ideas and creative endeavors that advance the mission and purposes of the College.
- STEWARDSHIP – Ensure responsible and ethical accountability for the resources entrusted to the College so as to provide the necessary support to foster teaching and learning for today and tomorrow.

PURPOSE

In accordance with Texas Education Code, Section 130.003, the College District shall provide:

1. technical programs up to two years in length leading to associate degrees or certificates;

EDUCATIONAL ROLE, MISSION, PURPOSE, AND RESPONSIBILITY

AD  
(LOCAL)

2. ~~occupational~~ vocational programs leading directly to employment in semi-skilled and skilled occupations;
3. ~~freshman and sophomore courses in arts and sciences;~~ courses in the core curriculum or a field of study curriculum, as those terms are defined by the Education Code, Section 61.821;
4. continuing adult education programs for occupational or cultural upgrading;
5. compensatory education programs designed to fulfill the commitment of an admissions policy allowing the enrollment of disadvantaged students;
6. a continuing program of counseling and guidance designed to assist students in achieving their individual educational goals;
7. workforce development programs designed to meet local and statewide needs;
8. adult literacy and other basic skills programs for adults; and,
9. such other purposes as may be prescribed by the Texas Higher Education Coordinating Board or local governing boards in the best interest of postsecondary education in Texas.

COLLEGE DISTRICT GOALS AND OBJECTIVES

AE  
(LOCAL)

STRATEGIC GOALS

- Goal 1: Student Access Improve access to quality education by being a student-ready college that focuses on connection and entry processes and excellent programs that serve a ~~diverse~~ ~~our~~ student population.
- Goal 2: Student Success –Advance student success outcomes, consistent with students' intentions, by ~~working to eliminate barriers, to close achievement gaps and to provide~~ ~~providing~~ high-quality, learner-centered educational and support service programs.
- Goal 3: Employee Success –Continue to invest in and support a high-quality ~~and diverse~~ faculty and staff that are focused on student success, a culture of excellence, and advancing the College's mission and goals.
- Goal 4: Institutional Resources –Ensure the College has the financial, physical, and technological resources needed to enhance effective and efficient operations; create inviting, safe and supportive environments; and provide for future expansion.

POLICY AND BYLAW DEVELOPMENT

BE  
(LOCAL)

Within the context of current law, the College District shall be guided by Board-adopted written policies that are given appropriate distribution and are accessible to staff members, parents, students, and community residents.

Legally referenced policies contain provisions from federal and state statutes and regulations, case law, and other legal authority that together form the framework for local decision making and implementation. These policies are binding on the College District until the cited provisions are repealed, revised, or superseded by legislative, regulatory, or judicial action.

HARMONY WITH LAW      **Newly enacted law is applicable when effective.** No policy or regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable law.

SEVERABILITY      If any portion of a policy or its application to any person or circumstance is found to be invalid, that invalidity shall not affect other provisions or applications of policy that can be given effect without the invalid provision or application. To this end the provisions of this policy manual are declared to be severable.

LEGAL LIMITS      This manual is not to be construed as a contract between the College District and its employees and does not in any way imply or create any rights, contractual or otherwise, on behalf of the College District's employees. The Board of Regents may, at its sole discretion, alter or amend this manual or portions thereof at any time.

POLICY DEVELOPMENT      Policies and policy amendments may be initiated by the College President, Board members, College District personnel, students, or community citizens but generally shall be recommended for the Board's consideration by the College President.

ADOPTION      The Board shall have the sole right to adopt policies.  
  
Local policies become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

OFFICIAL POLICY MANUAL      The Board shall designate one copy of the local policy manual as the official policy manual of the College District. The official copy shall be kept in the College President's office, and the College President or designee shall be responsible for its accuracy and integrity and shall maintain a historical record of the College District's policy manual.

TASB LOCALIZED UPDATES      After Board review of legally referenced policies and adoption of local policies, the new material shall be incorporated into the official policy manual and into other localized policy manuals maintained by the College District. If discrepancies occur between different copies of the manual distributed throughout the College District,

POLICY AND BYLAW DEVELOPMENT

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the version contained in the official policy manual shall be regarded  
as authoritative.

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**Note:** This policy addresses complaints of sex and gender discrimination, sexual harassment, sexual violence, dating violence, domestic violence, stalking, and retaliation targeting employees. For additional legally referenced material relating to discrimination, harassment, and retaliation, see DAA(LEGAL). For sex discrimination, sexual harassment, sexual violence, dating violence, domestic violence, stalking, and retaliation targeting students, see FFDA.

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**Statement of  
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any employee on the basis of sex. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

**Definitions**

Employee

Solely for purposes of this policy, the term "employee" includes former employees, applicants for employment, and unpaid interns.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of sex that adversely affects the employee's employment.

In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

*Sexual Violence*

Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

*Dating Violence*

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

*Domestic Violence*

"Domestic violence" means violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- Any other member of the victim's family as defined by state law;
- Any other current or former member of the victim's household as defined by state law;
- A person in a dating relationship with the victim as defined by state law; or
- Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs.

*Stalking*

"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

1. "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

*Examples*

Examples of sexual harassment of an employee may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; sexual assault as defined by law; offensive or derogatory language

directed at another person's gender identity; and other sexually motivated conduct, communication, or contact.

Examples may also include forms of dating violence, domestic violence, or stalking, such as physical or sexual assaults; name-calling; put-downs; or threats directed at the employee, the employee's family members, or members of the employee's household; destroying the employee's property; threatening to commit suicide or homicide if the employee ends the relationship; tracking the employee; attempting to isolate the employee from friends and family; threatening an employee's spouse or partner; or encouraging others to engage in these behaviors.

**Prohibited Conduct** In this policy, the term "prohibited conduct" includes discrimination, sexual harassment, dating violence, domestic violence, stalking, and retaliation as described by this policy, even if the behavior does not rise to the level of unlawful conduct.

**Complainant** In this policy, the term "complainant" refers to an employee who is alleged to have experienced prohibited conduct.

**Respondent** In this policy, the term "respondent" refers to a person who is alleged to have committed prohibited conduct.

**Confidential Employee** A "confidential employee" is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source.

**Reporting  
Procedures**

**Reporting by  
Alleged Victim**

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

An employee who believes that he or she has experienced prohibited conduct may report the alleged acts to his or her immediate supervisor, to the Title IX coordinator, or to the President or designee.

Reports against the Title IX coordinator may be directed to the College President or designee. A report against the President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation. An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct.

Alternatively, the employee may report electronically through the College District's website.

	<p>A victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.</p> <p>It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.</p>
Reporting by Other Employees	<p>Any employee who believes that another employee has experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately report the alleged acts to the Title IX coordinator. Additionally, the employee may report to the President or designee.</p> <p>A report against the President must also be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Exceptions	
Disclosure at Event	<p>A person who received the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by an employee organization affiliated with the institution is not required to report the prohibited conduct unless the person has authority to institute corrective measures on behalf of the College District.</p>
Employee Subject to Confidentiality Rules	<p>Absent the employee's consent, or unless required by law, a confidential employee shall only be required to disclose the type of incident reported and may not disclose information that would violate the employee's expectation of privacy. If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.</p>
Prior Report	<p>A person who has either learned of an incident of prohibited conduct during the course of the College District's review or process, or has confirmed with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.</p>
<b>Title IX Coordinator</b>	<p>Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:</p>

Title IX Coordinator: [Dr. Mary Jan Lantz](#)  
Address: 4015 Avenue Q, Galveston, TX 77550  
Telephone: 409.944.1281  
Email: [TitleIXCoordinator@gc.edu](mailto:TitleIXCoordinator@gc.edu)  
Webpage: [gc.edu/campus-security-safety/incident-report](http://gc.edu/campus-security-safety/incident-report)

<b>Responsible Employees</b>	All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX.
<b>Timely Reporting</b>	A failure to immediately report prohibited conduct may impair the College District's ability to investigate and address the conduct.
<b>Consolidate Reports</b>	When the allegations underlying two or more complaints arise out of the same facts or circumstances, the College District may consolidate the complaints.
<b>Advisor</b>	Each party to a complaint may be assisted by an advisor of the party's choice who may participate in the proceedings in a manner consistent with College District procedures.
<b>Conflict of Interest Prohibited</b>	No person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall have a conflict of interest or bias.
<b>Training</b>	A person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall receive training as required by law and College District procedures.
<b>Days</b>	"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
<b>Extension of Timelines</b>	Timelines established by this policy and associated procedures may be subject to a limited extension if good cause, as defined in this policy and College District regulations, exists. The College District shall promptly provide written notice to the parties of an extension and the reason for the extension. A limited delay determined to be necessary so as not to impede a criminal or regulatory investigation shall constitute good cause for an extension of timelines established by this policy and associated procedures.

**Investigation of the  
Report**

The College District may request, but shall not insist upon, a written report. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.

**Initial Assessment**

Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Title IX coordinator shall promptly offer supportive measures to the complainant. The Title IX coordinator shall explain the process for filing a formal complaint and assess any request not to investigate. If the College District moves forward with the investigation, the Title IX coordinator shall immediately provide notice to the known parties to the complaint.

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

*Request Not to  
Investigate*

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

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

**Formal Complaint**

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

**Notice to Parties**

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

If the allegations are subsequently amended, the College District shall provide an updated notice reflecting the new allegations.

**Informal Resolution**

The College District may offer to the parties a process for the informal resolution of a formal complaint as defined by law. If the parties voluntarily agree in writing to participate in informal resolution

of a formal complaint, the Title IX coordinator shall determine within three days if informal resolution is appropriate for the complaint. If the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator or designee may facilitate that resolution within ten days. If the Title IX coordinator does not determine informal resolution to be appropriate, then the complaint will be subject to the formal resolution process.

**Formal Resolution**

If the complaint is not subject to the informal resolution process, the Title IX coordinator shall authorize or undertake an investigation.

**Supportive Measures**

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the Title IX coordinator shall promptly provide supportive measures intended to prevent prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation. Examples of possible supportive measures include work accommodations, such as leaves of absence or administrative leave; mutual restrictions on contact between the parties; counseling and health services; and increased security and monitoring of certain areas of the campus.

**College District Investigation**

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

The investigation may consist of personal interviews with the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The parties shall be provided an equal opportunity to present witnesses and evidence and to inspect and review any directly related evidence obtained by the College District so that the parties may meaningfully respond during the investigation process. The parties expected to participate in an investigative interview or other meeting shall be provided written notice in enough time to prepare to participate.

At least ten days prior to the completion of the investigation report, the College District must send each party and the party's advisor evidence subject to inspection and review. The parties may submit a written response for consideration by the investigator.

**Concluding the Investigation**

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

	<p>The investigator shall prepare a written report of the investigation. The investigation report shall be filed with the Title IX coordinator within five days following the completion of the investigation.</p>
Notification of the Report	<p>The Title IX coordinator shall provide the investigation report, within the extent permitted by law, to the complainant and the respondent promptly following receipt. The parties shall be given ten days to respond to the report.</p>
College District Action	<p>The Title IX coordinator shall submit the investigation report to the decision maker as designated by the President promptly after receipt of the parties' response, but no later than the expiration of the parties' deadline to respond.</p> <p>The decision maker as designated by the President shall summon the parties for a hearing to be held within a reasonable time, not to exceed ten days. The hearing shall be conducted in accordance with law and College District procedures.</p> <p>After the hearing, the decision maker as designated by the President shall determine whether each individual allegation of prohibited conduct occurred using a preponderance of evidence standard and determine the appropriate disciplinary or corrective action. In making the determination, the decision maker as designated by the President shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The decision maker as designated by the President shall create a written determination regarding responsibility in accordance with law and College District procedures within five days following the hearing and submit the determination to the parties simultaneously.</p>
Disciplinary or Corrective Action	<p>If the decision maker as designated by the President determines that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p> <p>Examples of disciplinary or corrective action may include:</p> <ul style="list-style-type: none"><li>• Implementing the disciplinary measures described in college policy and/or procedures;</li><li>• Providing a training program for those involved in the complaint;</li></ul>

- Providing a comprehensive education program for the College District community;
- Providing counseling for the victim and the student who engaged in prohibited conduct;
- Permitting the victim or student engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving employees in efforts to identify problems and improve the College District climate;
- Increasing staff monitoring of areas where prohibited conduct has occurred;
- Reaffirming the College District's policy against discrimination and harassment; and
- Taking other actions described in College District regulations.

*Exception*

The College District shall minimize attempts to require a complainant to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner.

*Improper Conduct*

If the decision maker as designated by the President determines that improper conduct occurred that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.

**Dismissal of Complaint**

**Mandatory Dismissal**

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

**Permissive Dismissal**

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

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

**Notice of Dismissal**

Upon dismissal of a complaint, the Title IX coordinator or decision maker as designated by the President shall provide the parties written notice of the dismissal.

<b>Confidentiality</b>	To the greatest extent possible, consistent with law, the College District shall respect the privacy of the complainant or the respondent or a person who makes a report or as a witness. Limited disclosures may be necessary to carry out the purposes of this policy and associated regulations and to comply with applicable law.
<b>Retaliation</b>	<p>The College District prohibits retaliation against any person for the purpose of interfering with a right or privilege under this policy; the complainant; or a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.</p> <p>A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy FFDA, as appropriate.</p>
Examples	Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.
<b>Failure to Report and False Claims</b>	An employee who fails to make a required report or an employee or student who intentionally makes a false claim, offers a false statement, or refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.
<b>Appeal</b>	If the decision maker as designated by the President determines that a contract employee committed prohibited conduct that warrants suspension without pay or termination mid-contract, the decision maker as designated by the President shall inform the employee in writing of the determination, and if requested, a hearing shall be scheduled in accordance with DMAA.
Discipline or Corrective Action	
<i>Employees</i>	
Suspension Without Pay or Termination of Contract	
Employees	
Other Action	If the decision maker as designated by the President determines that the employee committed prohibited conduct that warrants other discipline or corrective action, the decision maker as designated by the President shall inform the employee that the employee may appeal the determination within ten days in accordance with the College's grievance procedures.
<i>Students</i>	
Suspension	If the decision maker as designated by the President determines that a student committed prohibited conduct that warrants a suspension, the official shall forward the determination and all evi-

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
SEX AND SEXUAL VIOLENCE

DIAA  
(LOCAL)

	dence collected during the investigation and hearing to the President or designee. A conference shall be scheduled within ten days of the notice of determination in accordance with FMA, beginning at Appeal to the College District Administration.
Expulsion	If the decision maker as designated by the President determines that the student committed prohibited conduct that warrants expulsion, the official shall forward the determination and all evidence collected during the investigation and hearing to the President or designee to schedule an expulsion hearing as provided for in College policy and procedures.
Other Action	If the decision maker as designated by the President determines that the student committed prohibited conduct that warrants other discipline or corrective action, the decision maker as designated by the President shall inform the student that the student may appeal the determination within ten days in accordance with FMA, beginning at Appeal to the College District Administration.
Other Appeals	All other appeals related to this policy may be submitted through the applicable grievance policy and/or procedures beginning at the appropriate level. [See Employee Handbook for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]
Complaints Filed with State or Federal Agencies	A party shall be informed of any right to file a complaint with appropriate state or federal agencies.
<b>Records Retention</b>	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
<b>Access to Policy, Procedures, and Related Materials</b>	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed to applicants for admission and employment and annually to College District employees, students, and parents or guardians of dual credit students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials and any materials used to train a person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator shall also be prominently published on the College District's website on a dedicated page accessible through a clear link on the homepage, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
SEX AND SEXUAL VIOLENCE

DIAA  
(LOCAL)

available at the College District's administrative offices and shall be distributed to an employee who makes a report.

ADOPTED:

12 of 12

DIAA(LOCAL)

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

DIAB  
(LOCAL)

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**Note:** This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting employees. For discrimination, harassment, and retaliation of students based on race, color, national origin, religion, age, or disability, see FFDB.

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**Statement of  
Nondiscrimination**

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

**Discrimination**

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

**Harassment**

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

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

**Examples**

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

**Retaliation**

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

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

DIAB  
(LOCAL)

	<p>An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.</p>
<b>Examples</b>	<p>Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.</p>
<b>Prohibited Conduct</b>	<p>In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.</p>
<b>Reporting Procedures</b>	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor.</p> <p>Alternatively, the employee may report the alleged acts to one of the College District officials below.</p> <p>For the purposes of this policy, College District officials are the ADA/Section 504 Coordinator and the College President.</p>
<b>Definition of College District Officials</b>	<p>The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</p>
ADA / Section 504 Coordinator	<p>Name: Dr. Mary Jan Lantz</p> <p>Position: <a href="#">Interim</a> Director of Human Resources</p> <p>Address: 4015 Avenue Q, Galveston, TX 77550</p> <p>Telephone: 409.944.1281</p>
<b>Other Anti-discrimination Laws</b>	<p>The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.</p>
<b>Alternative Reporting Procedures</b>	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the ADA/Section 504 Coordinator, may be directed to the College President or designee.</p>

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

DIAB  
(LOCAL)

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

**Timely Reporting**

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct; therefore, reports should be made within 90 calendar days of the incident (when possible).

**Notice of Report**

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

**Investigation of the Report**

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

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

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

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

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

**Concluding the Investigation**

Galveston College shall conduct a prompt, fair, and impartial investigation from initial report to final results.

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

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

DIAB  
(LOCAL)

	<p>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</p>
<b>College District Action</b>	<p>If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p>
<b>Confidentiality</b>	<p>To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
<b>Appeal</b>	<p>A complainant who is dissatisfied with the outcome of the investigation may appeal through the College's policies and procedures, beginning at the appropriate level.</p> <p>The complainant may have a right to file a complaint with appropriate state or federal agencies.</p>
<b>Records Retention</b>	<p>Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]</p>
<b>Access to Policy, Procedures, and Related Materials</b>	<p>Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy shall be published annually on the College's website to ensure easy access and wide distribution. Copies of the policy shall also be readily available at the College administrative offices upon request.</p>

DEGREES AND GENERAL GRADUATION REQUIREMENTS

EFBA  
(LOCAL)

**BACHELOR OF APPLIED SCIENCE** The Bachelor of Applied Science Degree from Galveston College will be granted to the student who completes the following requirements:

1. The student must complete a minimum of 120 semester hours of college-level credit. \*
2. The student must complete all core curriculum / general education requirements for graduation.
3. The student must complete at least 30 upper-level semester credit hours in the major field of study at Galveston College.
4. The student must have a 2.0 cumulative grade point average on all work from Galveston College and a cumulative 2.0 grade point average on course work in the major field of study.
5. The student must have satisfied the requirements of the Texas Success Initiative and demonstrate college readiness in reading, writing, and mathematics, unless exempt.
6. The student must have satisfactorily settled all college financial obligations.

\*Developmental courses may not be counted or used as hours towards the Bachelor of Applied Science Degree.

**BACHELOR OF SCIENCE IN NURSING** The Bachelor of Science in Nursing Degree from Galveston College will be granted to the student who completes the following requirements:

1. The student must complete a minimum of 120 semester hours of college-level credit\*
2. The student must complete all core curriculum / general education requirements for graduation.
3. The student must complete at least 30 upper-level semester credit hours in the major field of study at Galveston College.

DEGREES AND GENERAL GRADUATION REQUIREMENTS

EFBA  
(LOCAL)

4. The student must have a 2.0 cumulative grade point average on all work from Galveston College and a cumulative 2.0 grade point average on course work in the major field of study.
5. The student must have satisfied the requirements of the Texas Success Initiative and demonstrate college readiness in reading, writing, and mathematics, unless exempt.
6. The student must have satisfactorily settled all college financial obligations.

\*Developmental courses may not be counted or used as hours towards the Bachelor of Science Degree.

ASSOCIATE  
OF ARTS

The Associate of Arts Degree from Galveston College will be granted to the student who completes the following requirements:

1. The student must complete a minimum of 60 semester hours of college-level credit. \*
2. The student must complete all core curriculum / general education requirements for graduation or all courses in a THECB approved Field of Study curriculum.
3. The student must complete the general academic course requirements for the AA degree as outlined in the College Catalog.
4. The student must earn at least ~~18~~ 15 semester credit hours required for the degree at Galveston College.
5. The student must have a 2.0 cumulative grade point average on all work from Galveston College.
6. The student must have satisfied the requirements of the Texas Success Initiative and demonstrate college readiness in reading, writing, and mathematics, unless exempt.
7. The student must have satisfactorily settled all college financial obligations.

DEGREES AND GENERAL GRADUATION REQUIREMENTS

EFBA  
(LOCAL)

\*Developmental courses may not be counted or used as hours towards the Associate of Arts Degree.

ASSOCIATE  
OF SCIENCE

The Associate of Science Degree from Galveston College will be granted to the student who completes the following requirements:

1. The student must complete a minimum of 60 semester hours of college-level credit. \*
2. The student must complete all core curriculum / general education requirements for graduation or all courses in a THECB approved Field of Study curriculum.
3. The student must complete the general academic course requirements for the AS degree as outlined in the College Catalog.
4. The student must earn at least ~~48~~ 15 semester credit hours required for the degree at Galveston College.
5. The student must have a 2.0 cumulative grade point average on all work from Galveston College.
6. The student must have satisfied the requirements of the Texas Success Initiative and demonstrate college readiness in reading, writing, and mathematics, unless exempt.
7. The student must have satisfactorily settled all college financial obligations.

\*Developmental courses may not be counted or used as hours towards the Associate of Science Degree.

ASSOCIATE  
OF  
APPLIED  
SCIENCE

The Associate of Applied Science Degree from Galveston College will be granted to the student who completes the following requirements:

1. The student must complete a minimum of 60 semester hours of college-level credit. \*
2. As part of the minimum 60 semester hour degree requirement, the student must complete a minimum of 15 semester hours

DEGREES AND GENERAL GRADUATION REQUIREMENTS

EFBA  
(LOCAL)

of general education courses. The core of general education courses must include at least one course from each of the following areas: Humanities / Fine Arts, Social/Behavioral Sciences, and Natural Sciences / Mathematics.

3. The student must complete the prescribed competencies and curriculum for a two-year occupational or work force education program as outlined in the degree plan (Galveston College Catalog).
4. The student must earn at least 18 semester credit hours of the total credit hours required for the degree at Galveston College.
5. The student must have a 2.0 cumulative grade point average on all work from Galveston College.
6. The student must have satisfied the requirements of the Texas Success Initiative and demonstrate college readiness in reading, writing, and mathematics, unless exempt.
7. The student must have satisfactorily settled all college financial obligations.

\*Developmental courses may not be counted or used as hours towards the Associate of Applied Science Degree.

CERTIFICATE  
OF  
COMPLETION

The Certificate of Completion from Galveston College will be granted to the student who completes the following requirements:

1. The student must complete the prescribed technical competencies and curriculum for the work force education or occupational program as outlined in the Galveston College Catalog. \*
2. The student must earn at least 25 percent of the total credit hours required for the degree at Galveston College.
3. The student must have a 2.0 grade point average on all work from Galveston College.
4. If the Certificate of Completion is a Level II Certificate, the student must have satisfied the requirements of the Texas Success Initiative, unless exempt.

DEGREES AND GENERAL GRADUATION REQUIREMENTS

EFBA  
(LOCAL)

5. The student must have satisfactorily settled all college financial obligations.

\*Developmental courses may not be counted or used as hours towards the Certificate of Completion.

ADVANCED  
TECHNICAL  
CERTIFICATE

The Advanced Technical Certificate from Galveston College will be granted to the student who completes the following requirements:

1. The student must complete the prescribed technical competencies and curriculum for the work force education or occupational program as outlined in the Galveston College Catalog. \*
2. The student must earn at least 25 percent of the total credit hours required for the certificate at Galveston College.
3. The student must have a 2.0 grade point average on all work from Galveston College.
4. The student must have satisfactorily settled all college financial obligations.
5. The student must have satisfied the requirements of the Texas Success Initiative, unless exempt.

\*Developmental courses may not be counted or used as hours towards the Certificate.

SECOND  
ASSOCIATE  
OR SECOND  
BACHELORS  
DEGREE

Students desiring to earn a second associate degree must complete all degree requirements with a minimum of an additional ~~18~~ 15 semester hours at Galveston College. Students desiring to earn a second bachelors degree must complete all degree requirements with a minimum of an additional 30 semester hours at Galveston College.

POSTHUMOUS  
DEGREE

A request to award a posthumous degree to a student may be submitted by a family member of the student, a college official, or a Galveston College registered student organization. To be

DEGREES AND GENERAL GRADUATION REQUIREMENTS

EFBA  
(LOCAL)

considered, the request must meet one of the following two conditions:

1. When a student's death occurs after **ALL** requirements for the awarding of the degree have been completed (If the student has filed an application for graduation, then the posthumous degree will be awarded without a formal request as outlined above), or
2. When an undergraduate student's death occurs in the final semester of attendance and the student is in good academic and financial standing with the College. Although grades in the final courses, and applications and other arrangements for graduation may not have been completed, the College may consider awarding the degree posthumously.

Upon review and recommendation to the President or designee by the Faculty and Vice President of Instruction, the President or designee shall make the final determination.

The President or designee is authorized to develop criteria and/or procedures, as appropriate, for awarding a posthumous degree.

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**Note:** This policy addresses complaints of sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting students. For additional legally referenced material relating to discrimination, harassment, and retaliation, see FA(LEGAL) and FAA(LEGAL). For sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting employees, see DIAA.

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**Statement of  
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any student on the basis of sex or gender. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

**Definitions**

*Discrimination*

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

*Sexual Harassment  
By an Employee*

Sexual harassment of a student by a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A College District employee causes the student to believe that the student must submit to the conduct to participate in a college program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it limits or denies the student's ability to participate in or benefit from the College District's educational program or activities.

*By Others*

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from the College District's educational program or activities.

*Sexual Violence*

Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

*Dating Violence*

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

*Domestic  
Violence*

"Domestic violence" means violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- Any other member of the victim's family as defined by state law;
- Any other current or former member of the victim's household as defined by state law;
- A person in a dating relationship with the victim as defined by state law; or
- Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs.

*Stalking*

"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

1. "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

*Examples*

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical con-

tact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault as defined by law; sexual battery; sexual coercion; and other sexually motivated conduct, communications, or contact.

Examples may also include forms of dating violence, domestic violence, or stalking, such as physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household; destroying the student's property; threatening to commit suicide or homicide if the student ends the relationship; tracking the student; attempting to isolate the student from friends and family; threatening a student's spouse or partner; or encouraging others to engage in these behaviors.

Gender-Based  
Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

Acts of gender-based harassment may also be considered sex discrimination or sexual harassment.

*Examples*

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Prohibited Conduct

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, domestic violence, stalking, and retaliation as described by this policy, even if the behavior does not rise to the level of unlawful conduct.

Complainant

In this policy, the term "complainant" refers to an applicant for admission or a student who is alleged to have experienced prohibited conduct. The term also includes a former student who is alleged to have experienced prohibited conduct while participating, or attempting to participate, in the College District's educational program or activity.

Respondent

In this policy, the term "respondent" refers to a person who is alleged to have committed prohibited conduct.

Confidential  
Employee

A "confidential employee" is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source.

**Reporting  
Procedures**

Student Report

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

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to the Title IX coordinator, the President or designee, or another employee. A report against the President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation. A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct.

Alternatively, a student may submit the report electronically through the College District's website. The submission of an anonymous electronic report may impair the College District's ability to investigate and address the prohibited conduct.

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

It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

*Exception*

Absent consent or unless required by law, a student designated in administrative regulations as a student advocate to whom another student may speak confidentially concerning prohibited conduct may not disclose any communication made by the other student.

Employee Report

Any College District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately notify the Title IX coordinator and shall take any other steps required by this policy. Additionally, the employee may report to the President or designee.

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

<i>Exceptions</i>	A person who received the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by a student organization affiliated with the institution is not required to report the prohibited conduct unless the person has the authority to institute corrective measures on behalf of the College District.
Disclosure at Event	
Employee Subject to Confidentiality Rules	Absent the student's consent, or unless required by law, a confidential employee shall only be required to disclose the type of incident reported and may not disclose information that would violate the student's expectation of privacy. If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.
Prior Report	A person who has either learned of an incident of prohibited conduct during the course of the College District's review or process, or has confirmed with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.
<b>Title IX Coordinator</b>	<p>Reports of discrimination based on sex, including sexual harassment and gender-based harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:</p> <p>Title IX Coordinator: <a href="#">Dr. Mary Jan Lantz</a></p> <p>Address: 4015 Avenue Q, Galveston, TX 77550</p> <p>Telephone: 409.944.1281</p> <p>Email: <a href="mailto:TitleIXCoordinator@gc.edu">TitleIXCoordinator@gc.edu</a></p> <p>Webpage: <a href="http://gc.edu/campus-security-safety/incident-report">gc.edu/campus-security-safety/incident-report</a></p>
<b>Responsible Employees</b>	All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX.
<b>Timely Reporting</b>	A failure to immediately report prohibited conduct may impair the College District's ability to investigate and address the conduct.

<b>Consolidate Reports</b>	When the allegations underlying two or more reports arise out of the same facts or circumstances, the College District may consolidate the reports.
<b>Advisor</b>	Each party to the complaint may be assisted by an advisor of the party's choice who may participate in the proceedings in a manner consistent with College District procedures.
<b>Conflict of Interest Prohibited</b>	No person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall have a conflict of interest or bias.
<b>Training</b>	A person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall receive training as required by law and College District procedures.
<b>Days</b>	"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
<b>Extension of Timelines</b>	Timelines established by this policy and associated procedures may be subject to a limited extension if good cause, as defined in this policy and College District regulations, exists. The College District shall promptly provide written notice to the parties of an extension and the reason for the extension.
<b>Investigation of the Report</b>	The College District may request, but shall not require, a written report. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.
Initial Assessment	<p>Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Title IX coordinator shall promptly offer supportive measures to the complainant. The Title IX coordinator shall explain the process for filing a formal complaint and assess any request not to investigate. If the College District moves forward with the investigation, the Title IX coordinator shall immediately provide notice to the known parties to the complaint.</p> <p>If the Title IX coordinator determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the Title IX coordinator shall refer the complaint for consideration under the appropriate policy.</p>
<i>Request Not to Investigate</i>	The complainant may request that the College District not investigate the allegations. If the complainant requests that the allega-

tions not be investigated, in deciding whether to initiate the investigation, the College District must consider the factors described by law and any other factors the College District considers relevant.

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

Formal Complaint	To be considered a formal complaint under Title IX, the complainant or the Title IX coordinator must sign the written report.
Notice to Parties	<p>The notice to the parties must describe the allegations and the formal and informal options for resolution of the complaint. The notice must state that the respondent is presumed not responsible until a determination regarding responsibility is made. The notice must also include information regarding the option to select an advisor, the opportunity to inspect and review evidence, and the prohibition on knowingly making false statements or submitting false information during the investigation and any ensuing proceedings.</p> <p>If the allegations are subsequently amended, the College District shall provide an updated notice reflecting the new allegations.</p>
Informal Resolution	The College District may offer to the parties a process for the informal resolution of a formal complaint as defined by law. If the parties voluntarily agree in writing to participate in informal resolution of the complaint, the Title IX coordinator shall determine within three days if informal resolution is appropriate for the complaint. If the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator or designee may facilitate that resolution within ten days. If the Title IX coordinator does not determine informal resolution to be appropriate, then the complaint will be subject to the formal resolution process. This process is not available in situations where an employee is alleged to have sexually harassed a student.
Formal Resolution	If the complaint is not subject to the informal resolution process, the Title IX coordinator shall authorize or undertake an investigation, except as provided below at Criminal or Regulatory Investigation.
Supportive Measures	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the Title IX coordinator shall promptly provide supportive measures intended to address prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation. Examples of possible supportive

measures include academic accommodations, such as extensions of deadlines or other course-related adjustments and modifications of class schedules; housing and dining modifications; temporary removal from an education program or activity in accordance with law; counseling; health services; campus escort services; mutual restrictions on contact between the parties; and increased security and monitoring of certain areas of the campus.

**College District  
Investigation**

The investigation may be conducted by the Title IX coordinator or designee or by a third party designated by the College District, such as an attorney.

The investigation may consist of personal interviews with the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The parties shall be provided an equal opportunity to present witnesses and evidence and to inspect and review any directly related evidence obtained by the College District so that the parties may meaningfully respond during the investigation process. The parties expected to participate in an investigative interview or other meeting shall be provided written notice in enough time to prepare to participate.

At least ten days prior to the completion of the investigation report, the College District must send each party and the party's advisor evidence subject to inspection and review. The parties may submit a written response for consideration by the investigator.

**Criminal or  
Regulatory  
Investigation**

If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation. Any delay under this provision shall constitute good cause for an extension of timelines established by this policy and associated procedures.

**Concluding the  
Investigation**

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

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

Notification of the Report	<p>The Title IX coordinator shall provide the investigation report, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the complainant and the respondent promptly following receipt. The parties shall be given ten days to respond to the report.</p>
College District Action	<p>The Title IX coordinator shall submit the investigation report and any response from the parties to the decision maker as designated by the President promptly after receipt of the parties' response but no later than the expiration of the parties' deadline to respond.</p> <p>The decision maker as designated by the President shall summon the parties for a hearing to be held within a reasonable time, not to exceed ten days, following the receipt of the investigation report. The hearing shall be conducted in accordance with law and College District procedures.</p> <p>After the hearing, the decision maker as designated by the President shall determine whether each individual allegation of prohibited conduct occurred using a preponderance of the evidence standard and determine the appropriate disciplinary or corrective action. In making the determination, the decision maker as designated by the President shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The decision maker as designated by the President shall create a written determination regarding responsibility in accordance with law and College District procedures within five days following the hearing and submit the determination to the parties simultaneously.</p>
Disciplinary or Corrective Action	<p>If the decision maker as designated by the President determines that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>Examples of disciplinary or corrective action may include:</p> <ul style="list-style-type: none"><li>• Implementing the disciplinary measures described in college policies and procedures for employees;</li><li>• Providing a training program for those involved in the complaint;</li><li>• Providing a comprehensive education program for the College District community;</li><li>• Providing counseling for the victim and the party who engaged in prohibited conduct;</li></ul>

- Permitting the victim or student who engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving students in efforts to identify problems and improve the College District climate;
- Increasing staff monitoring of areas where prohibited conduct has occurred;
- Reaffirming the College District's policy against discrimination and harassment; and,
- Taking other actions described in College District policies, procedures, and regulations.

*Exception*

The College District shall minimize attempts to require a complainant to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner. In no event may a student be required to resolve a complaint of sexual harassment by an employee directly with the employee.

*Improper  
Conduct*

If the decision maker as designated by the President determines that improper conduct occurred that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.

**Dismissal of  
Complaint**

**Mandatory  
Dismissal**

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

**Permissive  
Dismissal**

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

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

**Notice of Dismissal**

Upon dismissal of a complaint, the Title IX coordinator or the decision maker as designated by the President shall provide the parties written notice of the dismissal.

<b>Confidentiality</b>	To the greatest extent possible, consistent with law, the College District shall respect the privacy of the complainant or the respondent or a person who makes a report or serves as a witness. Limited disclosures may be necessary to carry out the purposes of this policy and associated regulations and to comply with applicable law.
<b>Retaliation</b>	<p>The College District prohibits retaliation against any person for the purpose of interfering with a right or privilege under this policy; the complainant; or a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.</p> <p>A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy DIAA, as appropriate.</p>
Examples	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
<b>Failure to Report and False Claims</b>	An employee who fails to make a required report or a student or employee who intentionally makes a false claim, offers a false statement, or refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.
<b>Appeal</b>	If the decision maker as designated by the President determines that a student committed prohibited conduct that warrants a suspension, the official shall forward the determination and all evidence collected during the investigation and hearing to the President or designee. A conference shall be scheduled within ten days of the notice of determination in accordance with FM and/or FMA, beginning at Appeal to the College District Administration.
Discipline or Corrective Action	
<i>Students</i>	
Suspension	
Expulsion	If the decision maker as designated by the President determines that the student committed prohibited conduct that warrants expulsion, the official shall forward the determination and all evidence collected during the investigation and hearing to the President or designee to schedule an expulsion hearing in accordance with College policy and procedures.
Other Action	If the decision maker as designated by the President determines that the student committed prohibited conduct that warrants other discipline or corrective action, the decision maker as designated by the President shall inform the student that the student may appeal the determination within ten days in accordance with FM and/or FMA, beginning at Appeal to the College District Administration.

<i>Employee</i>	If the decision maker as designated by the President determines that a contract employee committed prohibited conduct that warrants suspension without pay or termination mid-contract, the decision maker as designated by the President shall inform the employee in writing of the determination, and hearing shall be scheduled in accordance with College policy and procedures.
Suspension Without Pay or Termination of Contract Employees	
Other Action	If the decision maker as designated by the President determines that the employee committed prohibited conduct that warrants other discipline or corrective action, the decision maker as designated by the President shall inform the employee that the employee may appeal the determination within ten days in accordance with College policy and procedures.
Other Appeals	All other appeals related to this policy may be submitted through the applicable grievance policy beginning at the appropriate level. [See Employee Handbook for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]
Complaints Filed with OCR	A party shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights (OCR).
<b>Records Retention</b>	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
<b>Access to Policy, Procedures, and Related Materials</b>	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed to applicants for admission and employment and annually to College District employees, students, and parents or guardians of dual credit students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials and any materials used to train a person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator shall also be prominently published on the College District's website on a dedicated page accessible through a clear link on the homepage, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to a student who makes a report.

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

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STATEMENT OF  
NONDISCRIMINATION

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

DISCRIMINATION

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

PROHIBITED  
HARASSMENT

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

EXAMPLES

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

RETALIATION

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

EXAMPLES

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

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

FFDB  
(LOCAL)

FALSE CLAIMS	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action.
PROHIBITED CONDUCT	In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
REPORTING PROCEDURES	Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a responsible employee.
STUDENT REPORT	
EMPLOYEE REPORT	College District employees who suspect, and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct, shall immediately notify the appropriate College District official listed in this policy and shall take any other steps required by this policy.
EXCEPTIONS	<p>A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person shall not be required to disclose a report of prohibited conduct without the student's consent.</p> <p>A person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source shall not be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student's identity without the student's consent, unless the person is disclosing information as required for inclusion in the College District's annual security report under the Clery Act.</p>
RESPONSIBLE EMPLOYEE	<p>For purposes of this policy, a "responsible employee" is an employee:</p> <ol style="list-style-type: none"><li>1. Who has the authority to remedy prohibited conduct.</li><li>2. Who has been given the duty of reporting incidents of prohibited conduct.</li><li>3. Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct.</li></ol> <p>The College District designates the following persons as responsible employees: any instructor, any administrator, or any College District official defined below.</p>

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

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DEFINITION OF  
COLLEGE DISTRICT  
OFFICIALS  
ADA/ SECTION 504  
COORDINATOR

For the purposes of this policy, College District officials are the ADA/Section 504 Coordinator and the College President.

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

Name: Dr. Mary Jan Lantz

Position: Interim Director of Human Resources

Address: 4015 Avenue Q, Galveston, TX 77550

Telephone: 409.944.1281

OTHER ANTI-  
DISCRIMINATION  
LAWS

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

ALTERNATIVE  
REPORTING  
PROCEDURES

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

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

TIMELY REPORTING

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct; therefore, reports should be made within 90 calendar days of the incident when possible.

INVESTIGATION OF  
REPORT

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

INITIAL  
ASSESSMENT

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

If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this

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

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
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(LOCAL)

COLLEGE DISTRICT ACTION	
PROHIBITED CONDUCT	If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College District policy and procedures [see FM and FMA].
CORRECTIVE ACTION	Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the College District community, counseling for the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the College District's policy against discrimination and harassment.
IMPROPER CONDUCT	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.
CONFIDENTIALITY	To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
APPEAL	A student who is dissatisfied with the outcome of the investigation may appeal through FLD(LOCAL), beginning at the appropriate level. A student shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.
RECORDS RETENTION	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
ACCESS TO POLICY, PROCEDURES, AND RELATED MATERIALS	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be published annually on the College's website to ensure easy access and wide distribution. Copies of the policy and procedures shall also be available at the College District's administrative offices upon request.