

TITLE IX

Safe Campus

To comply with legislative requirements for institutions receiving federal funds, Laredo College has established specific policies and procedures to address compliance with Title IX of the Higher Education Amendments of 1972 (20 U.S.C., Section 1681 (<https://www.law.cornell.edu/uscode/text/20/1681/>) Et. Seq. (Title IX)) which prohibits discrimination on the basis of sex in education programs or activities. Furthermore, sexual assault, dating violence, domestic violence, stalking, and sexual harassment are a form of sex discrimination which is prohibited by Title IX.

Laredo College complies with the legislative requirements with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) (https://www.laredo.edu/cms/LCC/Student_Life/Campus_Safety/files/Annual_Security_and_Fire_Safety_Report_2020_Copy_to_PDF/), The Violence Against Women Act 2013 (<https://www.justice.gov/tribal/2013-and-2022-reauthorizations-violence-against-women-act-vawa/>) (VAWA) and the Campus Sexual Violence Elimination Act of 2013 (<https://www.congress.gov/bill/113th-congress/senate-bill/128/>) (Campus SaVe). Any individual who has a complaint regarding Title IX prohibited behaviors needs to contact the Title IX Officer to address this complaint.

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

General Information

The College District prohibits discrimination, including harassment, against any student on the basis of sex or gender. Retaliation 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.

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

The following General Information addresses Title IX definitions regarding sexual assault and other conditions prohibited by the Title IX Law.

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:

- 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
- 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.

Sexual Assault

Sexual Assault as defined in 20 U.S.C. 1092(f)(6)(A)(v) (https://www.law.cornell.edu/uscode/text/20/1092/#f_6)

Dating as defined in 34 U.S.C. 1229(a)(11) (<https://www.law.cornell.edu/uscode/text/34/12291/>)

Domestic violence as defined in 34 U.S.C. 1229 (a)(12) (<https://www.law.cornell.edu/uscode/text/34/12291/>)

Stalking as defined in 34 U.S.C. 1229(a)(36) (<https://www.law.cornell.edu/uscode/text/34/12291/>)

- **Sex Offenses, Forcible:** Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent.
- **Forcible Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object:** To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Forcible Fondling:** The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- **Sex Offenses, Nonforcible:** Nonforcible sexual intercourse.
- **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Texas law.
- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent of 17 years.

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:

- "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.
- "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

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 of 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.

Mandatory Reporters (Responsible Employees)

All employees of Laredo College, unless designated a Confidential Employee, are considered Mandatory Reporters under Title IX and Chapter 51. Mandatory Reporters who, in the course and scope of employment, witnesses or receives information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence or stalking and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the College at the time of the incident shall promptly report the incident to the Title IX Coordinator. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including whether an alleged victim has expressed a desire for confidentiality in reporting the incident for all actual or suspected instances of sexual harassment. The Mandatory Reporter must promptly share with a Title IX Coordinator all known details of a report made to the Mandatory Reporter in the course of their employment. Mandatory Reporters are required to report an incident regardless of when or where the incident occurred.

When a mandatory reporter receives a report of an incident, they must:

- Advise the individual of the employee's obligation to report any information the individual reveals to the Title IX coordinator;
- Explain to the individual their option to ask that the institution consider maintaining the confidentiality of that information, but that the institution may not be able to guarantee confidentiality, and
- Offer the individual the option to instead share this information with a counselor, medical providers, attorneys, or other resources who may provide higher levels of confidentiality.

Online reports can be made at: <https://www.laredo.edu/report-it/index.html> (<https://www.laredo.edu/report-it/>)

For more information about Title IX General Information, resources, options, and about filing a complaint, see the Laredo College Resource Title IX Guide <https://www.laredo.edu/title-ix/titleixrg/index.html> (<https://www.laredo.edu/title-ix/titleixrg/>)

Accommodations Related to Pregnancy, Lactation, Parenting, or Pregnancy-Related Conditions

Reasonable accommodations may include, for example, extra restroom breaks, an extension of time to complete an assignment, a private space for lactation, or a leave of absence following childbirth or miscarriage. Inquiries about accommodations and potential medical documentation requirements should be addressed to the Title IX Coordinator for students (rapena@laredo.edu). Specific adjustments will be handled on a case-by-case basis and will depend on the student's needs, the academic requirements of the program or activity, and whether providing the accommodation would impose a significant financial or administrative burden. Academic accommodations that would fundamentally affect or change the nature of a program or course being taught or fundamentally alter the essential requirements of instruction or course requirements are not considered a reasonable academic accommodation.

A student may initiate their pregnancy accommodation request for the current semester by using https://cm.maxient.com/reportingform.php?LaredoCollege&layout_id=504 (https://cm.maxient.com/reportingform.php?LaredoCollege&layout_id=504)

Process for Completing a Title IX Campus Incident Report

Any student or LC employee who believes they are the victim of sexual assault, dating violence, domestic violence, stalking, and/or sexual harassment can report this information to the appropriate Title IX Coordinator, any faculty, administrative/professional, or classified staff member.

A Title IX Campus Incident Report can be directly submitted to the following individual:

Student

Title IX Coordinator
Raquel A. Pena
West End Washington Street
Laredo, TX 78040
(956) 794-4988
rapena@laredo.edu

Employee

Executive Director of Human Resources
Veronica G. Cardenas
West End Washington Street

Laredo, TX 78040
 (956) 721 -5138
 veronica.cardenas@laredo.edu

Online Reports may be made at: <https://www.laredo.edu/report-it/index.html> (<https://www.laredo.edu/report-it/>)

Anonymous online reports may be made at: <https://appweb.stopitsolutions.com/login> (<https://appweb.stopitsolutions.com/login/>)

Process for Filing a Complaint with the U.S. Department of Education Office of Civil Rights

Please contact the Title IX Coordinator if you have any questions regarding the process for filing or investigating complaints of discrimination. A victim of discrimination or harassment is encouraged to use the college’s internal complaint process. Persons believing they have been discriminated against or harassed may seek assistance from government agencies including the U.S. Department of Education Office of Civil Rights.

Under Title IX and the Texas Education Code, Laredo College may not discriminate against any student or applicant or exclude any student or applicant from the College’s education program or activity based on a student’s pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery. In addition, Title IX regulations prohibit an educational institution from applying any rule related to a student’s parental, family, or marital status that treats students differently based on their sex.

Title IX Policies

For information related to Title IX institutional Policies please access <https://www.laredo.edu/about/administration/manual-of-policy/index.html> (<https://www.laredo.edu/about/administration/manual-of-policy/>)

The following LC Institutional Policies address Title IX information:

Students	Employees
FFDA (Legal) (http://pol.tasb.org/Policy/Code/1207/?filter=FFDA)	DAA (Legal) (https://pol.tasb.org/Policy/Code/1207/?filter=DAA)
FFDA (Local) (https://pol.tasb.org/Policy/Download/1207/?filename=FFDA(LOCAL).pdf)	DGBA (Legal) (http://pol.tasb.org/Policy/Code/1207/?filter=DGBA)
FFDB (Legal) (https://pol.tasb.org/Policy/Download/1207/?filename=FFDB(LEGAL).pdf)	DIAA (Legal) (http://pol.tasb.org/Policy/Code/1207/?filter=DIAA)
FFDB (Local) (https://pol.tasb.org/Policy/Download/1207/?filename=FFDB(LOCAL).pdf)	DIAA (Local) (https://pol.tasb.org/Policy/Code/1207/?filter=DIAA&filter=DIAA)
FA (Legal) (http://pol.tasb.org/Policy/Code/1207/?filter=FA)	
FLD (Local) (https://pol.tasb.org/Policy/Download/1207/?filename=FLD(LOCAL).pdf)	
FLB (Local) (https://pol.tasb.org/Policy/Download/1207/?filename=FLB(LOCAL).pdf)	