

# TEXAS SOUTHMOST COLLEGE

## TITLE IX FAQs

### What are some examples of sexual misconduct?

Sexual misconduct includes, but is not limited to, sexual assault, non-consensual sexual contact, stalking, sexual harassment, unwelcome sexual advances, requests for sexual favors, or verbal and physical conduct of a sexual nature, (when behavior is severe or pervasive enough to create an intimidating or hostile environment), threatening to sexually assault someone, cyber-stalking, indecent exposure, sexual exploitation (which includes taking non-consensual or abusive advantage of others, i.e. taking sexual photos).

### Who is going to find out?

The College strongly supports a student's interest in confidentiality in Title IX harassment and sexual violence cases. The College will only disclose information regarding such cases to individuals with responsibility for preparing the College's response. Disclosures required by local, state, or federal law are the sole exception.

A complainant may request that his or name not be disclosed to the respondent or that the College not investigate or seek action against the respondent. The College will determine whether it can honor such a request while still providing a safe and nondiscriminatory environment for all students, including the complainant. A complainant's desire for anonymity or inaction may hinder the College's investigation of a Title IX harassment or sexual violence complaint, but the College has the responsibility of providing a safe and nondiscriminatory environment for the College's community members, notwithstanding the complainant's request for anonymity or inaction. The College will notify the complainant of its intention to disclose the complainant's identity if the College decides that providing a safe and nondiscriminatory environment for the College's community members outweighs the complainant's right to inaction or anonymity. The College will also notify the respondent that the complainant requested the College not to pursue disciplinary action against the respondent if the College elects to proceed.

### What if I don't want to get the person in trouble?

It is not the College's goal to get someone in trouble, but to respond to reports of harassment and acts of sexual misconduct by any individual which will involve holding the individual accountable for his/her behavior and taking steps to prevent this from happening again.

## Can I have someone with me during this process?

Yes, both reporting parties and accused responding parties can have a person of their choosing with them throughout all of the steps in the College process. If you need assistance see the Title IX Coordinator for further information.

## Can someone retaliate against me for filing a Title IX claim?

No. Retaliation is a violation of the College Title IX harassment policy. The College's policy prohibits any college community member from retaliating because of a person's Title IX complaint. It is against the College's policy to retaliate against any person who exercised his or her right to file a formal or informal Title IX harassment complaint, used in any of the related processes the College provides, cooperated with an investigation, or testified or otherwise offered evidence connected to a complaint. A complaint's actual or perceived truth does not excuse retaliatory conduct. Any person who observes retaliation should promptly notify the Title IX Coordinator.

## What if I'm not happy with the outcome?

Each party will have an opportunity to give facts during the investigation process. TSC will make every effort to document all information discovered and provide it to the Hearing Officer who will be making recommendations to the President and his/her assigns as per Texas Southmost Misconduct Policy IX.07.07