

## Procedure 6.2201

### Title IX Grievance Procedures

#### 1. Grievance Procedures for General Complaints of Sex Discrimination

Beaufort County Community College (BCCC) has adopted grievance procedures that provide for the prompt and equitable resolution of Complaints made by Students, employees, or other individuals who are participating or attempting to participate in its Education Program or Activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

##### 1.01 Complaints

The following people have a right to make a Complaint of sex discrimination, including Complaints of Sex-Based Harassment, requesting that BCCC investigate and make a determination about alleged discrimination under Title IX:

- A “Complainant,” which includes:
  - a Student or employee of BCCC who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
  - a person other than a Student or employee of BCCC who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in BCCC’s Education Program or Activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a Complainant; or
- BCCC’s Title IX Coordinator.

Note that a person is entitled to make a Complaint of Sex-Based Harassment only if they themselves are alleged to have been subjected to the Sex-Based Harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a Complaint.

With respect to Complaints of sex discrimination other than Sex-Based Harassment, in addition to the people listed above, the following persons have a right to make a Complaint:

- Any BCCC Student or employee; or
- Any person other than a Student or employee who was participating or attempting to participate in BCCC’s Education Program or Activity at the time of the alleged sex discrimination.

## **1.02 Initiation of Complaint by Title IX Coordinator**

In the absence of a Complaint or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator will determine whether to initiate a Complaint of sex discrimination.

To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:

- (1) The Complainant's request not to proceed with initiation of a Complaint;
- (2) The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- (3) The risk that additional acts of sex discrimination would occur if a Complaint is not initiated;
- (4) The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another Disciplinary Sanction to end the discrimination and prevent its recurrence;
- (5) The age and relationship of the Parties, including whether the Respondent is an employee of BCCC;
- (6) The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- (7) The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- (8) Whether BCCC could end the alleged sex discrimination and prevent its recurrence without initiating its Title IX grievance procedures.

If, after considering these and other Relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents BCCC from ensuring equal access on the basis of sex to its Education Program or Activity, the Title IX Coordinator may initiate a Complaint.

If initiating a Complaint, the Title IX Coordinator will notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures and, regardless of whether a Complaint is initiated, taking other appropriate prompt and effective steps, in addition to steps necessary to effectuate the Remedies provided to an individual Complainant, if any, to ensure that sex discrimination does not continue or recur within BCCC's Education Program or Activity.

A Title IX Coordinator is not required to consider initiating a Complaint upon being notified of conduct that may constitute sex discrimination if the Title IX Coordinator

reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX.

### **1.03 Complaint Consolidation**

BCCC may consolidate Complaints of sex discrimination against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against another Party, when the allegations of sex discrimination arise out of the same facts or circumstances; provided, however, that the affected Parties consent to the disclosure of their education records in accordance with FERPA requirements. When more than one Complainant or more than one Respondent is involved, references below to a Party, Complainant, or Respondent include the plural, as applicable.

### **1.04 Complaint Processing Parameters**

BCCC will treat Complainants and Respondents equitably.

BCCC requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

As expressly permitted by Title IX, under these grievance procedures the investigator and decisionmaker is the same person and may either be the Title IX Coordinator or someone so designated by the Title IX Coordinator. And, as set forth below, the Parties have an opportunity to challenge the participation of the investigator/decisionmaker for alleged conflict of interest or bias.

BCCC presumes that the Respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

BCCC has established the following timeframes for the major stages of the grievance procedures:

- decision whether to dismiss or investigate a Complaint within 15 business days after the Title IX Coordinator's receipt of the Complaint;
- completion of any investigation within 45 business days after the Title IX Coordinator's receipt of the Complaint;
- issuance of any responsibility determination within 60 business days after the Title IX Coordinator's receipt of the Complaint; and
- decision on any appeal within 15 business days after the Title IX Coordinator's receipt of the Party's appeal materials.

The timelines set forth above may be altered for good cause with written notice to the Parties of any delay or extension and the supporting reasons. Good cause may include considerations such as the absence of a Party, a Party's advisor, or a witness;

## Procedure

concurrent law enforcement activity; natural disasters, pandemic restrictions, and similar occurrences; or the need for language assistance or accommodation of disabilities.

Either Party may request an extension of any deadline by providing the Title IX Coordinator with a written request that includes the length of the proposed extension and the basis for the request. The Title IX Coordinator will review the request and make a determination to grant or deny within three business days.

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

### **1.05 Evidentiary Issues**

BCCC will objectively evaluate all evidence that is Relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by BCCC to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are Relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a Confidential Employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A Party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party or witness, unless BCCC obtains that Party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove Consent to the alleged Sex-Based Harassment. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's Consent to the alleged Sex-Based Harassment or preclude determination that Sex-Based Harassment occurred.

### **1.06 Notice of Allegations**

Upon initiation of BCCC's Title IX grievance procedures, BCCC will notify the Complainant, or if the Complainant is unknown, the individual who reported the conduct, and the Respondent of the following:

- BCCC's Title IX grievance procedures and informal resolution process
- Sufficient information available at the time to allow the Parties to respond to the allegations, including the identities of the Parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited, and allegations of Retaliation in connection with a Title IX grievance process will be addressed under this document's Section IV. grievance procedures; and
- The Parties are entitled to an equal opportunity to access the Relevant and not otherwise impermissible evidence or an accurate description of this evidence. If BCCC provides a description of the evidence, the Parties are entitled to an equal opportunity to access the Relevant and not otherwise impermissible evidence upon the request of any Party.

If, in the course of an investigation, BCCC decides to investigate additional allegations of sex discrimination by the Respondent toward the Complainant that are not included in the notice provided or that are included in a Complaint that is consolidated, BCCC will notify the Parties of the additional allegations.

### **1.07 Complaint Dismissal**

BCCC may dismiss a Complaint of sex discrimination if:

- BCCC is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in BCCC's Education Program or Activity and is not employed by BCCC;
- The Complainant voluntarily withdraws any or all of the allegations in the Complaint, the Title IX Coordinator declines to initiate a Complaint, and BCCC determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- BCCC determines the conduct alleged in the Complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the Complaint, BCCC will make reasonable efforts to clarify the allegations with the Complainant.
- Upon dismissal, BCCC will promptly notify the Complainant of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the

## Procedure

allegations, then BCCC will also notify the Respondent of the dismissal and the basis for the dismissal promptly following notification to the Complainant, or simultaneously if notification is in writing. BCCC will provide the Complainant with an opportunity to appeal the dismissal of a Complaint. And, if the dismissal occurs after the Respondent has been notified of the allegations, then BCCC will also notify the Respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and/or
- The Title IX Coordinator had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.

When a Complaint is dismissed, BCCC will, at a minimum:

- Offer Supportive Measures to the Complainant as appropriate;
- If the Respondent has been notified of the allegations, offer Supportive Measures to the Respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within BCCC's Education Program or Activity.

### **1.08 Investigation Parameters**

BCCC will provide for adequate, reliable, and impartial investigation of Complaints.

The burden is on BCCC—not on the Parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

BCCC will provide an equal opportunity for the Parties to present fact witnesses and other inculpatory and exculpatory evidence that are Relevant and not otherwise impermissible.

BCCC will review all evidence gathered through the investigation and determine what evidence is Relevant and what evidence is impermissible regardless of relevance.

BCCC will provide each Party with an equal opportunity to access the evidence that is Relevant to the allegations of sex discrimination and not otherwise impermissible.

BCCC will provide each Party a reasonable opportunity to respond to the evidence; and

BCCC will take reasonable steps to prevent and address the Parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the Complaint of sex discrimination are authorized.

### **1.09 Appointment of the Investigator/Decisionmaker and Challenging of the Same**

Unless a Complaint is dismissed or the Parties elect to participate in informal resolution, the Title IX Coordinator will promptly appoint an investigator, who may be the Title IX Coordinator, and who will also serve as the decisionmaker, as expressly permitted by Title IX. The investigator/decisionmaker may be a BCCC employee or a non-employee contractor.

The Title IX Coordinator will contemporaneously share the investigator/decisionmaker name with the Complainant and/or Respondent. Within two business days of that notification the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the assigned investigator/decisionmaker.

The Title IX Coordinator will consider such statements and will promptly assign a different investigator/decisionmaker if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

If the Title IX Coordinator is the designated investigator/decisionmaker, BCCC's Deputy Title IX Coordinator will consider any alleged conflicts of interest or bias submitted by the Parties pursuant to the previous paragraph and, if the Deputy Title IX Coordinator determines that a material conflict of interest or material bias exists, will appoint a new investigator/decisionmaker.

### **1.10 The Investigator/Decisionmaker's Activities, Including Questioning of Parties and Witnesses**

The investigator/decisionmaker will take steps such as interviewing the Complainant, the Respondent, and witnesses (including expert witnesses, where applicable); recording, transcribing, and/or summarizing such interviews in writing; collecting and reviewing relevant documents; visiting, inspecting, and taking or reviewing photographs of Relevant sites; and collecting and reviewing other Relevant and not impermissible evidence.

The investigator/decisionmaker will question the Parties and witnesses in individual meetings to gather evidence and also to assess credibility to the extent credibility is both in dispute and Relevant to one or more allegations of sex discrimination.

### **1.11 Evidence Review**

The investigator/decisionmaker will compile all Relevant and not inadmissible evidence (including items such as the Complaint, written statements of position, summaries or transcripts of all interviews conducted, photographs, descriptions of Relevant evidence, and summaries or copies of Relevant electronic records) and send to each Party an electronic or hard copy of such evidence.

The Parties then will have ten business days from the time that the evidence is provided to submit to the investigator/decisionmaker a written response to the evidence. In the response, the Parties may address the relevancy of any evidence that the Parties believe should be included in or excluded from the investigator/decisionmaker's analysis

and may also address any further investigation activities or questions that they believe are necessary. If a Party wishes to submit additional evidence at this stage, they should explain how the evidence is Relevant and why it was not previously provided.

Due to the sensitive nature of the evidence in question, the Parties may not copy, publish, photograph, print, image, record, or in any other manner duplicate the evidence or any part thereof. Parties who violate these restrictions may be disciplined. Nothing in this document restricts the ability of either Party to discuss the allegations under investigation or to gather, preserve, and/or present Relevant evidence.

### **1.12 Determination Whether Sex Discrimination Occurred**

Following an investigation and evaluation of all Relevant and not otherwise impermissible evidence, the investigator/decisionmaker will:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred by (1) evaluating Relevant and not otherwise impermissible evidence for its persuasiveness and, (2) determining whether the evidence establishes that it is more likely than not that sex discrimination occurred. If the investigator/decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
- Notify the Parties in writing of the determination whether sex discrimination occurred under Title IX, including the rationale for such determination and the procedures and permissible bases for the Complainant and Respondent to appeal.
- Not impose discipline on a Respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the Respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
  - Coordinate the provision and implementation of Remedies to a Complainant and other people BCCC identified as having had equal access to BCCC's Education Program or Activity limited or denied by sex discrimination;
  - Coordinate the imposition of any Disciplinary Sanctions on a Respondent, including notification to the Complainant of any such Disciplinary Sanctions; and
  - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within BCCC's Education Program or Activity.



## Procedure

- Comply with the grievance procedures before the imposition of any Disciplinary Sanctions against a Respondent; and
- Not discipline a Party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.<sup>1</sup>

### **1.13 Appeal of Dismissal and/or Determination**

The Complainant or the Respondent may appeal Complaint dismissal and/or the investigator/decisionmaker's determination.

The following are the only permissible grounds for appeal: (1) procedural irregularity that affected the outcome; (2) new evidence that was not reasonably available at the time of the dismissal or determination and that could affect the outcome; and (3) the Title IX Coordinator or investigator/decisionmaker had a conflict of interest or bias that affected the outcome.

Appeals must be submitted in writing to the Title IX Coordinator within three business days of the Party's receipt of notification of the dismissal or determination. The Title IX Coordinator will promptly inform the other Party of the filing of the appeal, and the other Party will have three business days from such notification to submit a written response to the appeal.

Upon receipt of an appeal, the Title IX Coordinator will appoint an appeal officer, who is someone other than the person who made the dismissal or determination in question, and will notify the Parties of that appointment.

Within two business days of receiving notification of the appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that appeal officer. The Title IX Coordinator will carefully consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

Within ten business days of the receipt of the appeal or the written response to such appeal, whichever is later, the appeal officer will determine (a) that the dismissal or determination should stand; or (b) that the dismissal or determination should be overturned and will issue a written explanation of that result and the rationale behind it.

### **1.14 Informal Resolution**

In lieu of resolving a Complaint through BCCC's Title IX grievance procedures, the Parties may instead elect to participate voluntarily in an informal resolution process facilitated by the Title IX Coordinator or the Coordinator's designee. BCCC has the discretion to determine whether it is appropriate to offer an informal resolution process and, even when such process may be applicable to conduct that reasonably may

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<sup>1</sup> BCCC may address false statements by initiating a disciplinary process under its code of conduct so long as there is evidence of such independent of the determination whether sex discrimination occurred.

## Procedure

constitute sex discrimination under Title IX, may decline to offer informal resolution despite one or more of the Parties' wishes.

BCCC does not offer an informal resolution to resolve a Complaint that includes allegations that an employee engaged in Sex-Based Harassment of an elementary or secondary school Student or when such a process would conflict with Federal, State, or local law.

Before the initiation of an informal resolution process, BCCC will explain in writing to the Parties:

- The allegations;
- The requirements of the informal resolution process;
- That any Party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the Parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the Parties;
- That measures the Parties agree to in the informal resolution process may include (but are not limited to): alcohol education classes for the Respondent; completion of online sexual harassment training; completion of an intervention program; regular meetings with an appropriate individual, unit or resource; permanent or temporary no contact order; restrictions for participation in certain activities, organizations, programs or classes; restriction of participation in certain events; reflection paper or written apology; counseling sessions; and/or Respondent's completion of an educational or behavioral plan; and
- The fact that any statements that the Parties make during the informal resolution process cannot be introduced in any other investigative or adjudicative proceeding, including if informal resolution is terminated and formal Complaint processing resumes under BCCC's Title IX grievance procedures.

A resolution reached pursuant to the informal resolution process is final and not subject to appeal.

### **1.15 Supportive Measures**

The Title IX Coordinator will offer and coordinate Supportive Measures as appropriate for the Complainant and/or Respondent to restore or preserve that person's access to BCCC's Education Program or Activity or provide support during BCCC's Title IX grievance procedures or during the informal resolution process.

## Procedure

Supportive Measures will vary depending on specific circumstances and may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more Parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex discrimination.

Supportive Measures will not unreasonably burden either Party and are designed to protect the safety of the Parties or BCCC's educational environment and/or to provide support during Title IX grievance procedures or informal resolution. Such measures may, as appropriate, be modified or terminated at the conclusion of the grievance procedures or informal resolution process.

Complainants or Respondents may seek modification or reversal of Supportive Measures applicable to them by submitting a written request—within three business days of notification of the measure(s) in question—to the Title IX Coordinator, who will assign an impartial BCCC employee to evaluate and respond to the request.

BCCC will not disclose information about any Supportive Measures to persons other than the person to whom they apply, including informing one Party of Supportive Measures provided to another Party, unless necessary to provide the supportive measure or restore or preserve a Party's access to the Education Program or Activity.

If any Party has a disability, the Title IX Coordinator may consult, as appropriate, with BCCC's Accessibility Services Coordinator in the implementation of Supportive Measures.

### **1.16 Emergency Removal**

BCCC may remove a Respondent from its Education Program or Activity on an emergency basis, provided that BCCC undertakes an individualized safety and risk analysis; determines that an imminent and serious threat to the health or safety of a Complainant or any Students, employees, or other persons arising from the allegations of sex discrimination justifies removal; provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal; and does so in accordance with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, as applicable.

### **1.17 Administrative Leave**

BCCC may place an employee Respondent on administrative leave from employment responsibilities during the pendency of the grievance procedures, provided that it does so in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

### **1.18 Disciplinary Sanctions and Remedies**

Following a determination that sex discrimination occurred, BCCC may impose Disciplinary Sanctions. Sanctions depend upon the nature and gravity of the misconduct, any record of prior discipline, or both.

Sanctions for employees may include, but are not limited to, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, and compensation adjustments.

Sanctions for Students may include, but are not limited to, expulsion or suspension, disciplinary probation, social restrictions, suspension or revocation of admission, suspension or revocation of degree, written warning, mandated counseling, completion of an intervention program, completion of violence risk assessment, parental notification, and/or education sanctions (such as community service, reflection paper(s), and/or fines).

BCCC may also provide Remedies to the Complainant and others affected by the sex discrimination in question. Those Remedies will vary depending on specific circumstances and may include, but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more Parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs.

## **2. Grievance Procedures for Complaints of Sex-Based Harassment Involving a Student Complainant or Student Respondent**

BCCC has adopted Title IX grievance procedures that provide for the prompt and equitable resolution of Complaints made by Students, employees, or other individuals who are participating or attempting to participate in its Education Program or Activity, or by the Title IX Coordinator.

These Section V. grievance procedures address Complaints of Sex-Based Harassment that involve a Student Party.

When a Party is both a Student and an employee, BCCC's Title IX Coordinator will make a fact-specific inquiry to determine whether the Section 1 or 2 grievance procedures in this document apply. In making this determination, the Title IX Coordinator will, at a minimum, consider whether the Party's primary relationship with BCCC is to receive an education and whether the alleged Sex-Based Harassment occurred while the Party was performing employment-related work.

### **2.01 Complaints**

The following people have a right to make a Complaint of sex discrimination, including Complaints of Sex-Based Harassment, requesting that BCCC investigate and make a determination about alleged discrimination under Title IX:

- A "Complainant," which includes:
  - a Student or employee of BCCC who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or

## Procedure

- a person other than a Student or employee of BCCC who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in BCCC's Education Program or Activity;

- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a Complainant; or
- BCCC's Title IX Coordinator.

Note that a person is entitled to make a Complaint of Sex-Based Harassment only if they themselves are alleged to have been subjected to the Sex-Based Harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a Complaint.

### **2.02 Initiation of Complaint by Title IX Coordinator**

In the absence of a Complaint or the withdrawal of any or all of the allegations in a Complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator will determine whether to initiate a Complaint of Sex-Based Harassment.

To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:

- (1) The Complainant's request not to proceed with initiation of a Complaint;
- (2) The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- (3) The risk that additional acts of Sex-Based Harassment would occur if a Complaint is not initiated;
- (4) The severity of the alleged Sex-Based Harassment, including whether the Sex-Based Harassment, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- (5) The age and relationship of the Parties, including whether the Respondent is an employee of BCCC;
- (6) The scope of the alleged Sex-Based Harassment, including information suggesting a pattern, ongoing sex discrimination, or Sex-Based Harassment alleged to have impacted multiple individuals;
- (7) The availability of evidence to assist a decisionmaker in determining whether Sex-Based Harassment occurred; and

## Procedure

(8) Whether BCCC could end the alleged Sex-Based Harassment and prevent its recurrence without initiating its Title IX grievance procedures.

If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents BCCC from ensuring equal access on the basis of sex to its Education Program or Activity, the Title IX Coordinator may initiate a Complaint.

If initiating a Complaint, the Title IX Coordinator will notify the Complainant prior to doing so and appropriately address reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures and, regardless of whether a Complaint is initiated, taking other appropriate prompt and effective steps, in addition to steps necessary to effectuate the Remedies provided to an individual Complainant, if any, to ensure that Sex-Based Harassment does not continue or recur within BCCC's Education Program or Activity.

A Title IX Coordinator is not required to consider initiating a Complaint upon being notified of conduct that may constitute Sex-Based Harassment if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute Sex-Based Harassment under Title IX.

### **2.03 Complaint Consolidation**

BCCC may consolidate Complaints of Sex-Based Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against another Party, when the allegations of Sex-Based Harassment arise out of the same facts or circumstances; provided, however, that the affected Parties consent to the disclosure of their education records in accordance with FERPA requirements. When more than one Complainant or more than one Respondent is involved, references below to a Party, Complainant, or Respondent include the plural, as applicable.

### **2.04 Complaint Processing Parameters**

BCCC will treat Complainants and Respondents equitably.

BCCC requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

As expressly permitted by Title IX, under these grievance procedures the investigator and decisionmaker is the same person and may either be the Title IX Coordinator or someone so designated by the Title IX Coordinator. And, as set forth below, the Parties have an opportunity to challenge the participation of the investigator/decisionmaker for alleged conflict of interest or bias.

BCCC presumes that the Respondent is not responsible for the alleged Sex-Based Harassment until a determination is made at the conclusion of its grievance procedures.

## Procedure

BCCC has established the following timeframes for the major stages of the grievance procedures:

- decision whether to dismiss or investigate a Complaint within 15 business days after the Title IX Coordinator's receipt of the Complaint;
- completion of any investigation within 45 business days after the Title IX Coordinator's receipt of the Complaint;
- issuance of any responsibility determination within 60 business days after the Title IX Coordinator's receipt of the Complaint; and
- decision on any timely-filed appeal within 15 business days after the Title IX Coordinator's receipt of the Party's appeal materials.

The timelines set forth above may be altered for good cause with written notice to the Parties of any delay or extension and the supporting reasons. Good cause may include considerations such as the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; natural disasters, pandemic restrictions, and similar occurrences; or the need for language assistance or accommodation of disabilities.

Either Party may request an extension of any deadline by providing the Title IX Coordinator with a written request that includes the length of the proposed extension and the basis for the request. The Title IX Coordinator will review the request and make a determination to grant or deny within three business days.

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

### **2.05 Evidentiary Issues**

BCCC will objectively evaluate all evidence that is Relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by BCCC to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are Relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a Confidential Employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;

## Procedure

- A Party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party or witness, unless BCCC obtains that Party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove Consent to the alleged Sex-Based Harassment. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's Consent to the alleged Sex-Based Harassment or preclude determination that Sex-Based Harassment occurred.

### **2.06 Written Notice of Allegations**

Upon initiation of these Sex-Based Harassment Title IX grievance procedures, BCCC will notify the Parties in writing of the following with sufficient time for the Parties to prepare a response before any initial interview:

- BCCC's Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the Parties to respond to the allegations, including the identities of the Parties involved in the incident(s), the conduct alleged to constitute Sex-Based Harassment, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited, and allegations of Retaliation in connection with a Title IX grievance process will be addressed under this document's grievance procedures;
- The Respondent is presumed not responsible for the alleged Sex-Based Harassment until a determination is made at the conclusion of these grievance procedures. Prior to such a determination, the Parties will have an opportunity to present Relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- The Parties may have an advisor of their choice who may be, but is not required to be, an attorney. Parties must provide the name and contact of their advisor to the Title IX Coordinator in writing as soon as reasonably possible and must provide updated information if their advisor changes. All advisors will be required to assent to BCCC's Expectations for Advisors;
- The Parties are entitled to an equal opportunity to access the Relevant and not otherwise impermissible evidence or an investigative report that accurately summarizes this evidence. and



## Procedure

- BCCC's College Conduct Policy 6.16 prohibits knowingly making false statements or knowingly submitting false information during the grievance procedures.<sup>2</sup>

If, in the course of an investigation, BCCC decides to investigate additional allegations of Sex-Based Harassment by the Respondent toward the Complainant that are not included in the written notice or that are included in a consolidated Complaint, it will provide written notice of the additional allegations to the Parties.

### **2.07 Complaint Dismissal**

BCCC may dismiss a Complaint if:

- BCCC is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in BCCC's Education Program or Activity and is not employed by BCCC;
- BCCC obtains the Complainant's voluntary withdrawal in writing of any or all of the allegations, the Title IX Coordinator declines to initiate a Complaint, and BCCC determines that, without the Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- BCCC determines the conduct alleged in the Complaint, even if proven, would not constitute sex discrimination under Title IX.

Before dismissing the Complaint, BCCC will make reasonable efforts to clarify the allegations with the Complainant. Upon dismissal, BCCC will promptly notify the Complainant in writing of the basis for the dismissal.

If the dismissal occurs after the Respondent has been notified of the allegations, then BCCC will notify the Parties simultaneously in writing.

BCCC will notify the Complainant that a dismissal may be appealed on the basis outlined in the Appeals section of this Section 2.

If dismissal occurs after the Respondent has been notified of the allegations, then BCCC will also notify the Respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, BCCC will follow the procedures outlined in the Appeals section of this Section 2.

When a Complaint is dismissed, BCCC will, at a minimum:

- Offer Supportive Measures to the Complainant as appropriate;
- If the Respondent has been notified of the allegations, offer Supportive Measures to the Respondent as appropriate; and

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<sup>2</sup> BCCC may address false statements by initiating a disciplinary process under its code of conduct so long as there is evidence of such independent of the determination whether sex discrimination occurred.

## Procedure

- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within BCCC's Education Program or Activity.

### **2.08 Investigation Parameters**

BCCC will provide for adequate, reliable, and impartial investigation of Complaints.

The burden is on BCCC—not on the Parties—to conduct an investigation that gathers sufficient evidence to determine whether Sex-Based Harassment occurred.

BCCC will provide to a Party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the Party to prepare to participate.

BCCC will provide the Parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

- BCCC will not limit the choice or presence of the advisor for the Complainant or Respondent in any meeting or proceeding.
- BCCC may establish restrictions regarding the extent to which the advisor may participate in these grievance procedures, as long as the restrictions apply equally to the Parties.

BCCC will provide the Parties with the same opportunities, if any, to have people other than the advisor of the Parties' choice present during any meeting or proceeding.

BCCC does not allow the Parties to present expert witnesses.

BCCC will provide an equal opportunity for the Parties to present fact witnesses and other inculpatory and exculpatory evidence that is Relevant and not otherwise impermissible.

BCCC will review all evidence gathered through the investigation and determine what evidence is Relevant and what evidence is impermissible regardless of relevance.

BCCC will provide each Party and the Party's advisor, if any, with an equal opportunity to access the evidence that is Relevant to the allegations of Sex-Based Harassment and not otherwise impermissible, in the following manner:

- BCCC will provide an equal opportunity to access either the Relevant and not otherwise impermissible evidence, or the same written investigative report that accurately summarizes this evidence. If BCCC provides access to an investigative report, it will further provide the Parties with an equal opportunity to access the Relevant and not otherwise impermissible evidence upon the request of any Party.;
- BCCC will provide a reasonable opportunity to review and respond to the evidence or the investigative report.; and

- BCCC will take reasonable steps to prevent and address the Parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through the Sex-Based Harassment grievance procedures.

### **2.09 Appointment of the Investigator/Decisionmaker and Challenging of the Same**

Unless a Complaint is dismissed or the Parties elect to participate in informal resolution, the Title IX Coordinator will promptly appoint an investigator, who may be the Title IX Coordinator, and who will also serve as the decisionmaker, as expressly permitted by Title IX. The investigator/decisionmaker may be a BCCC employee or a non-employee contractor.

The Title IX Coordinator will contemporaneously share the investigator/decisionmaker name with the Complainant and Respondent. Within two business days of that notification the Complainant or the Respondent may identify to the Title IX Coordinator in writing any alleged conflicts of interest or bias on the part of the assigned investigator/decisionmaker.

The Title IX Coordinator will consider such statements and will promptly assign a different investigator/decisionmaker if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

If the Title IX Coordinator is the designated investigator/decisionmaker, the Director of Human Resources will consider any alleged conflicts of interest or bias submitted by the Parties pursuant to the previous paragraph and, if the Director of Human Resources determines that a material conflict of interest or material bias exists, will appoint a new investigator/decisionmaker.

### **2.10 The Investigator/Decisionmaker's Activities, Including Questioning of Parties and Witnesses**

The investigator/decisionmaker will take such steps as interviewing the Complainant, the Respondent, and witnesses (including expert witnesses, where applicable); recording, transcribing, and/or summarizing such interviews in writing; collecting and reviewing Relevant documents; visiting, inspecting, and taking or reviewing photographs of Relevant sites; and collecting and reviewing other Relevant and not impermissible evidence.

The investigator/decisionmaker will question the Parties and witnesses in individual meetings to gather evidence and also to assess credibility to the extent credibility is both in dispute and Relevant to one or more allegations of sex discrimination.

BCCC's process for proposing and asking Relevant and not otherwise impermissible questions and follow-up questions of Parties and witnesses, including questions challenging credibility, will:

- Allow the investigator/decisionmaker to ask such questions during individual meetings with a Party or witness;

- Allow each Party to propose such questions that the Party wants asked of any Party or witness and have those questions asked by the investigator/decisionmaker during one or more individual meetings, including follow-up meetings, with a Party or witness, subject to the procedures for evaluating and limiting questions discussed below; and
- Provide each Party with an audio or audiovisual recording or transcript with enough time for the Party to have a reasonable opportunity to propose follow-up questions.

### **2.11 Procedures for the Investigator/Decisionmaker to Evaluate the Questions and Limitations on Questions**

The investigator/decisionmaker will determine whether a proposed question is Relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not Relevant or otherwise impermissible. Questions that are unclear or harassing of the Party or witness being questioned will not be permitted. The decisionmaker will give a Party an opportunity to clarify or revise a question that the decisionmaker determines is unclear or harassing. If the Party sufficiently clarifies or revises the question, the question will be asked.

### **2.12 Refusal to respond to questions and inferences based on refusal to respond to questions**

The investigator/decisionmaker may choose to place less or no weight upon statements by a Party or witness who refuses to respond to questions deemed Relevant and not impermissible. The investigator/decisionmaker will not draw an inference about whether Sex-Based Harassment occurred based solely on a Party's or witness's refusal to respond to such questions.

### **2.13 Evidence Review**

The investigator/decisionmaker will compile all Relevant and not inadmissible evidence (including items such as the Complaint, written statements of position, summaries or transcripts of all interviews conducted, photographs, descriptions of Relevant evidence, and summaries or copies of Relevant electronic records) and send to each Party an electronic or hard copy of such evidence and also provide each Party with an audio or audiovisual recording or transcript of Party and witness interviews with enough time for the Party to have a reasonable opportunity to propose follow-up questions.

The Parties then will have ten business days from the time that the evidence is provided to submit to the investigator/decisionmaker a written response to the evidence. In their responses, the Parties may address the relevancy of any evidence that the Parties believe should be included in or excluded from the investigator/decisionmaker's analysis and may also address any further investigation activities or questions that they believe are necessary. If a Party wishes to submit additional evidence at this stage, they should explain how the evidence is Relevant and why it was not previously provided.

Due to the sensitive nature of the evidence in question, the Parties may not copy, publish, photograph, print, image, record, or in any other manner duplicate it. Parties who violate these restrictions may be disciplined. Nothing in this document restricts the ability of either Party to discuss the allegations under investigation or to gather, preserve, and/or present Relevant evidence.

#### **2.14 Post-Evidence-Review Follow-Up Meetings**

Following the Parties' review of and response to the evidence, the investigator/decisionmaker may need to meet again with the Parties (and with witnesses, as necessary and appropriate) to ask follow-up questions, including those raised by the Parties' response to the evidence and/or specifically suggested by the Parties in that response.

#### **2.15 Written Determination Whether Sex-Based Harassment Occurred**

Following an investigation and evaluation of all Relevant and not otherwise impermissible evidence, BCCC will:

- Use the preponderance of the evidence standard of proof to determine whether Sex-Based Harassment occurred. The standard of proof requires the investigator/decisionmaker to evaluate Relevant and not otherwise impermissible evidence for its persuasiveness. If the investigator/decisionmaker is not persuaded under the applicable standard by the evidence that Sex-Based Harassment occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that Sex-Based Harassment occurred.
- Notify the Parties simultaneously in writing of the determination whether Sex-Based Harassment occurred under Title IX including:
  - A description of the alleged Sex-Based Harassment;
  - Information about the policies and procedures that BCCC used to evaluate the allegations;
  - The decisionmaker's evaluation of the Relevant and not otherwise impermissible evidence and determination whether Sex-Based Harassment occurred;
  - When the decisionmaker finds that Sex-Based Harassment occurred, any Disciplinary Sanctions BCCC will impose on the Respondent, whether Remedies other than the imposition of Disciplinary Sanctions will be provided by BCCC to the Complainant, and, to the extent appropriate, other Students identified by BCCC to be experiencing the effects of the Sex-Based Harassment; and
  - BCCC's procedures and permissible bases for the Complainant and Respondent to appeal.
- BCCC will not impose discipline on a Respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the Title

## Procedure

IX grievance procedures that the Respondent engaged in prohibited Sex-Based Harassment.

- If there is a determination that sex discrimination occurred, as appropriate, the Title IX Coordinator will:
  - Coordinate the provision and implementation of Remedies to a Complainant and other people BCCC identifies as having had equal access to BCCC's Education Program or Activity limited or denied by Sex-Based Harassment;
  - Coordinate the imposition of any Disciplinary Sanctions on a Respondent, including notification to the Complainant of any such Disciplinary Sanctions; and
  - Take other appropriate prompt and effective steps to ensure that Sex-Based Harassment does not continue or recur within BCCC's Education Program or Activity.
- Comply with the Title IX grievance procedures before the imposition of any Disciplinary Sanctions against a Respondent; and
- Not discipline a Party, witness, or others participating in the Title IX grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether Sex-Based Harassment occurred.

The determination regarding responsibility becomes final either on the date BCCC provides the Parties with the written determination of the result of any appeal, or, if no Party appeals, the date on which an appeal would no longer be considered timely.

### **2.16 Appeal of Dismissal and/or Determination**

The Complainant or the Respondent may appeal the Complaint dismissal and/or the investigator/decisionmaker's determination of whether Sex-Based Harassment occurred.

The following are the only permissible grounds for appeal: (1) procedural irregularity that would change the outcome; (2) new evidence that would change the outcome and was not reasonably available at the time of the dismissal or determination; and (3) the Title IX Coordinator or investigator/decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.

Appeals must be submitted in writing to the Title IX Coordinator within three business days of the Party's receipt of notification of the dismissal or determination. The Title IX Coordinator will promptly inform the other Party in writing of the filing of the appeal, and the other Party will have three days from such notification to submit a written response to the appeal.

## Procedure

Upon receipt of an appeal, the Title IX Coordinator will appoint an appeal officer who is someone other than the person who investigated and made the dismissal or determination in question and will notify the Parties of that appointment.

Within two business days of receiving notification of the appointment, the Complainant or the Respondent may identify to the Title IX Coordinator in writing alleged conflicts of interest or bias posed by assigning that appeal officer. The Title IX Coordinator will carefully consider such statements and will promptly assign a different appeal officer if the Title IX Coordinator determines that a material conflict of interest or material bias exists.

Within ten business days of the receipt of the appeal the appeal officer will determine (a) that the dismissal or determination should stand; or (b) that the dismissal or determination should be overturned and will issue a written explanation of that result and the rationale behind it.

### **2.17 Informal Resolution**

In lieu of resolving a Complaint through BCCC's Title IX grievance procedures, the Parties may instead elect to participate voluntarily in an informal resolution process facilitated by the Title IX Coordinator or the Coordinator's designee. BCCC has discretion to determine whether it is appropriate to offer an informal resolution process and, even when such process may be applicable to conduct that reasonably may constitute sex discrimination under Title IX, may decline to offer informal resolution despite one or more of the Parties' wishes.

BCCC does not offer informal resolution to resolve a Complaint that includes allegations that an employee engaged in Sex-Based Harassment of an elementary or secondary school student or when such a process would conflict with Federal, State, or local law.

Before the initiation of an informal resolution process, BCCC will explain in writing to the Parties:

- The allegations;
- The requirements of the informal resolution process;
- That any Party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the Parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the Parties;
- That measures the Parties agree to in the informal resolution process may include (but are not limited to): alcohol education classes for the Respondent; completion of online sexual harassment training; completion of an intervention

program; regular meetings with an appropriate individual, unit or resource; permanent or temporary no contact order; restrictions for participation in certain activities, organizations, programs or classes; change in residential assignment or restrictions on access to certain residence halls or apartments; restriction of participation in certain events; reflection paper or written apology; counseling sessions; and/or Respondent's completion of an educational or behavioral plan; and

- The fact that any statements that the Parties make during the informal resolution process cannot be introduced in any other investigative or adjudicative proceeding, including if informal resolution is terminated and formal Complaint processing resumes under BCCC's Title IX grievance procedures.

A resolution reached pursuant to the informal resolution process is final and not subject to appeal.

### **2.18 Supportive Measures**

The Title IX Coordinator will offer and coordinate Supportive Measures as appropriate for the Complainant and/or Respondent to restore or preserve that person's access to BCCC's Education Program or Activity or provide support during BCCC's Title IX grievance procedures or during the informal resolution process. For Complaints of Sex-Based Harassment, these Supportive Measures may include counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more Parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to Sex-Based Harassment.

Supportive Measures will not unreasonably burden either Party and are designed to protect the safety of the Parties or BCC's educational environment and/or to provide support during Title IX grievance procedures or informal resolution. Such measures may, as appropriate, be modified or terminated at the conclusion of the grievance procedures or informal resolution process.

Complainants or Respondents may seek modification or reversal of Supportive Measures applicable to them by submitting a written request—within three business days of notification of the measure(s) in question—to the Title IX Coordinator, who will assign an impartial BCCC employee to evaluate and respond to the request.

BCCC will not disclose information about any Supportive Measures to persons other than the person to whom they apply, including informing one Party of Supportive Measures provided to another Party, unless necessary to provide the supportive measure or restore or preserve a Party's access to the Education Program or Activity.

### **2.19 Emergency Removal**

BCCC may remove a Respondent from its Education Program or Activity on an emergency basis, provided that BCCC undertakes an individualized safety and risk



analysis, determines that an imminent and serious threat to the health or safety of a Complainant or any Students, employees, or other persons arising from the allegations of Sex-Based Harassment justifies removal, provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal, and does so in accordance with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act, as applicable.

**2.20 Administrative Leave**

BCCC may place an employee Respondent on administrative leave from employment responsibilities during the pendency of the grievance procedures, provided that it does so in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

**2.21 Disciplinary Sanctions and Remedies**

Following a determination that Sex-Based Harassment occurred, BCCC may impose Disciplinary Sanctions which may include: expulsion or suspension, disciplinary probation, social restrictions, suspension or revocation of admission, suspension or revocation of degree, written warning, mandated counseling, completion of an intervention program, completion of violence risk assessment, parental notification, and/or education sanctions (such as community service, reflection paper(s), and/or fines).

BCCC may also provide Remedies which may include: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more Parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs.

**References**

**Legal References:** *US Department of Education, Title IX Regulations: <https://www.ed.gov/news/press-releases/us-department-education-releases-final-title-ix-regulations-providing-vital-protections-against-sex-discrimination>*

**Cross References:**

**History**

**Leadership Council Review/Approval Dates:** *Enter date(s) here*

**Senior Staff Review/Approval Dates:** *7/21/20, 8/25/20, 08/31/2021, 6/5/2024*

**Board of Trustees Review/Approval Dates:** *Enter date(s) here*

**Implementation Dates:** *Enter date(s) here*

