



# INDEPENDENCE COMMUNITY COLLEGE STUDENT HANDBOOK



REVISED AUGUST 2020

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## **PREFACE**

Independence Community College students are responsible for knowing the information, policies and procedures outlined in this document. The college reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect. Students are encouraged to check online <https://www.indycc.edu/student-life/student-complaints> for the updated versions of all policies and procedures.

## **NONDISCRIMINATION STATEMENT**

Applicants for admission or employment, students, parents, employees, sources of referral of applicants for admission or employment, and all unions or professional organizations holding negotiated agreements or professional agreements with the institution are hereby notified that this institution does not discriminate on the basis of race, religion, color, national origin, sex, age or disability in admission or access to, or treatment or employment in, its programs and activities.

Any person having inquiries concerning ICC's compliance with the regulations implementing Title VI, Title IX and the Americans with Disability Act of 1990 is directed to contact the coordinators who have been designated to coordinate ICC's efforts to comply with the regulations implementing these laws. Specific complaints of alleged discrimination under Title IX (sex) and Section 504 (disability) should be referred to:

Dr. Vincent Bowhay  
Vice President for Student Affairs & Title IX Coordinator  
1057 W. College Avenue  
Independence, KS 67301  
Phone: 620-332-5429  
vbowhay@indycc.edu

This Handbook is for information only and does not constitute a contract. The College reserves the right to change, modify or alter without notice all fees, charges, tuition expenses, and costs of any kind. The College further reserves the right to, without notice, add to or delete from this Student Handbook, as deemed necessary.

# LETTER FROM THE VICE PRESIDENT FOR STUDENT AFFAIRS

Dear Pirate Community:

When you join the Independence Community College family, you are joining a community of learners committed towards achieving academic excellence while promoting cultural enrichment and economic development. This Handbook is designed to orient you to ICC as you begin this journey. It contains information on the academic, social, and personal development opportunities available to you as a Pirate and the many resources that are available to you as you make smart choices and achieve your goal of a degree.

During your time at ICC you will have the opportunity to explore new opportunities, make new friends, and participate in curricular and co-curricular learning. Take time to reflect on who you are and who you are trying to become. Take classes in subjects that introduce you to fields and ideas that challenge you and help you grow as a learner and a person. Participate in activities you have never tried before. And most importantly, reach out and connect to people who are different than you. ICC faculty, staff and administration pride themselves in helping students achieve their dreams.

I look forward to meeting many of you at functions throughout the year. Please feel free to come to my office to discuss any issues of concern to you, or just to say hi. I look forward to seeing you across campus this year.

If there is anything we can do to help you better navigate your college life, please let me know. Welcome to the ICC family, we are proud to have you here. GO PIRATES!

Dr. Vincent Bowhay  
Vice President for Student Affairs



# SECTION I: GENERAL INFORMATION

## Part I: HISTORY OF THE COLLEGE

Independence Community College (ICC) is a two-year educational institution accredited by the Higher Learning Commission (HLC). It was established in 1925 as grades 13 and 14 of the Independence public school system. In 1967, Independence Community College legally separated from the school district. Construction of the new community college on a 68-acre campus, formerly the Independence Country Club, began in 1969. Classes at the new site began in September 1970. ICC campus is now home to the Academic Building, Fine Arts Building, Student Union, Center for Innovation and Entrepreneurship, Field House, Administration Building, William Inge Center for the Arts, fitness center, athletic practice fields, disc golf course, 96-bed multi-structure living complex, and a 200-bed residence hall.

By renovating a donated building, in 2010, ICC expanded the college to include ICC West (2615 West Main Street). This campus is located on the west side of Independence and is home to our technical programs: Allied Health, and Cosmetology. Additional renovations were completed in 2012 to accommodate our newest program, Veterinary Technology. This state-of-the-art facility includes animal wards, a classroom lab, surgery, pharmacy, prep room, small animal treatment, food prep, grooming, and radiology.

ICC also maintains a presence downtown through the ICC Foundation office and by partnering with the Independence Business Resource Center.

Currently, our educational and support programming includes 35 programs of student for Associates of Arts and/or Science degrees, 11 programs of study for Certificate completion, Student Support Services, Upward Bound, men's and women's athletic programs, and a variety of campus organizations and activities.

## Part II: VISION STATEMENT

To be a community college that provides an exceptional educational experience by cultivating intellect, encouraging creativity, and enhancing character in a student and community centered environment.

## Part III: MISSION STATEMENT

Independence Community College serves the best interests of students and the community by providing academic excellence while promoting cultural enrichment and economic development.

## Part IV: CORE VALUES

- **Integrity:** ICC holds its employees and students accountable to be honest, ethical, and transparent.
- **Excellence:** ICC demonstrates continuous quality improvement in academics and services offered to students and other stakeholders.
- **Responsiveness:** ICC looks to the future by responding to the emerging needs of its stakeholders.
- **Diversity/Enrichment:** ICC provides an environment that values uniqueness while promoting personal growth through creativity and innovation.
- **Commitment:** ICC commits to making decisions that best serve its students and community.

## **Part V: STRATEGIC PLAN KEY INITIATIVES**

1. Develop and deliver distinctive and high-quality academic, entrepreneurial, fine arts, athletics, and cultural programming that makes ICC a destination for students globally. Develop clear pathways to 4-year transfer and workforce readiness through college degree or certificate completion.
2. Implement plans for recruitment and retention of quality employees. Increase faculty and staff development opportunities and support. Create development programs, including leadership and expertise training.
3. Engage the service area community by development/redevelopment of collaborative partnerships and training programs that offer value to our students, our college, and the community we serve.
4. Develop college outreach and promotions to maximize awareness of ICC through clear initiatives and additional strategic recruitment to grow enrollment and establish ICC's identity and brand.
5. Increase enrollment, retention and completion rates using the 2018-2019 baseline, setting specific goals. Consider anticipated results of action steps and anticipated state demographic trends, student socioeconomic factors, and financial aid availability.
6. Ensure ICC performs in a socially and fiscally responsible manner through the creation of a dedicated, detailed funding plan and unique revenue streams to meet college needs and capital improvement projects. Work with the ICC Foundation to substantially increase traditional fundraising and develop a more comprehensive alumni association and network.

## PART VI: CAMPUS MAP

The Independence Community College main campus is located at 1057 W. College Ave. Independence, Kansas 67301. An electronic map of the main campus can be found at: <https://www.indycc.edu/about-us/campus-map>.



**Independence**  
COMMUNITY COLLEGE

## **PART VII: ACADEMIC CALENDAR 2020-2021**

### **Fall Semester 2020**

Monday, August 10	-----Faculty return to campus; First day of In-Service
Wednesday, August 12	-----Classes Begin for Full and First Session
Friday, August 14	-----Last day to Add/Drop First Session classes
Monday, August 17	-----First day to add classes with instructor permission
Friday, August 21	-----Last day to Drop Full Session classes. Last day to add classes with instructor permission
Friday, August 21	-----Attendance Report due for Full and First Sessions
Monday, September 7	-----Labor Day—No Classes/CAMPUS CLOSED
Friday, September 11	-----Progress Grades due
Tuesday, September 15	-----Last day to Withdraw from First Session classes
Monday, October 5	-----Progress Grades due for Full Session classes
Tuesday, October 6	-----First Session Finals
Wednesday, October 7	-----Final Grades due for First Session by noon
Wednesday, October 7	-----Second Session classes begin
Friday, October 9	-----Last day to drop Second Session classes
Friday, October 16	-----Attendance Report due for Second Session classes
Thursday, October 29	-----No classes/CAMPUS CLOSED/Fall Break
Friday, October 30	-----No classes/CAMPUS CLOSED/Fall Break
Friday, November 6	-----Progress Grades due for Full and Second Session classes
Monday, November 2	-----Spring Schedule opens for enrollment
Friday, November 13	-----Last day to Withdraw from Full and Second Session classes
Monday – Friday, November 23-27	-----Classes/CAMPUS CLOSED/Thanksgiving Break
Monday, November 30	-----Campus Closed – All Courses Finished On-Line
Monday – Thursday, December 7-10	-----Finals for Full Session
Thursday, December 10	-----Finals for Second Session classes
Tuesday, December 8	-----Fall Graduation - Virtual
Friday, December 11	-----Final Grades due by noon for Full and Second Session
Monday, December 14	-----Winter Intercession Begins
Friday, January 8	-----Winter Session ends
Monday, January 11	-----Final Grades due by noon

### **Spring Semester 2021**

Thursday/Friday, January 21, 22	-----Faculty return to campus/In-Service begins
Monday, January 25	-----Classes being for Full and First Session
Wednesday, January 27	-----Last day to Add/Drop First Session classes
Tuesday, February 2	-----Last day to Drop Full Session classes
Tuesday, February 4	-----Attendance/Certification Report due for Full and First Session classes
Wednesday, February 24	-----Progress Grades due for Full and First Session classes
Wednesday, February 24	-----Last day to Withdraw from First Session classes
Monday, March 15	-----Progress Grades due for Full Session classes
Tuesday, March 16	-----Finals for First Session classes
Wednesday, March 17	-----Final grades due by noon
Wednesday, March 17	-----Classes begin for Second Session
Tuesday, March 23	-----Last day to Add/Drop Second Session classes
Monday, March 29	-----Attendance Report due for Second Session classes
Friday, April 9	-----Progress Grades due for Full and Second Session classes
Monday, April 5	-----Summer and Fall Schedule opens for enrollment
Monday, April 26	-----Last day to Withdraw from Full and Second Session classes
Saturday, May 8	-----Spring Graduation
Monday - Thursday, May 10 - 13	-----Finals (See Finals Schedule)
Friday, May 14	-----Final Grades Due by noon for Full and Second Session classes

## **PART VIII: DIRECTORY**

Academic Office Fax .....	620-331-6821
Accounts Payable .....	620-332-5416
Administration Fax .....	620-331-5344
Admissions Office .....	620-332-5400
Adult Education/GED .....	620-332-5631
Advising .....	620-332-5610
Allied Health .....	620-332-5636
Associate Dean for Tutoring and Accessibility .....	620-332-5457
Athletic Fax .....	620-331-0153
Bookstore .....	620-332-5440
Business Office .....	620-332-5416
Cafeteria - Consolidated .....	620-332-5455
Cosmetology .....	620-332-5640
Emergency Medical Education .....	620-332-5647
Financial Aid .....	620-332-5460
Fine Arts .....	620-332-5436
Fine Arts Fax .....	620-331-9022
Housing .....	620-331-8332
Human Resources .....	620-332-5606
Inge Office .....	620-332-5490/5492
Institutional Research .....	620-332-5419
Library .....	620-332-5468
Library Fax .....	620-331-8342
Marketing .....	620-332-5487
Records .....	620-332-5634
Recruiting .....	620-332-5605
Registrar .....	620-332-5457
Residence Hall Coordinator .....	620-331-8332
Safety .....	620-331-8558
Student Life Coordinator .....	620-332-5496
Student Support Services .....	620-332-5423
Student Union Fax .....	620-331-0946
Title IX Coordinator .....	620-332-5429
Tutoring Center Coordinator .....	620-332-5457
Upward Bound .....	620-332-5465
Veterinary Nursing .....	620-332-5651
Vice President of Academic Affairs .....	620-332-5635
Vice President for Student Affairs .....	620-332-5429

## SECTION II: STUDENT BEHAVIOR & EXPECTATIONS

### PART I: EXPECTATIONS STUDENT RESPONSIBILITIES

Students at ICC are expected to conduct themselves as self-respecting, educated individuals. It is assumed by the college that students will demonstrate a code of personal honor based upon courtesy, integrity, common sense, and respect for others, both inside and outside the classroom

### PART II: STUDENT CODE OF CONDUCT

#### PHILOSOPHY & PURPOSE OF THE STUDENT CODE OF CONDUCT PURPOSE

The purpose of the Student Code of Conduct is viewed to be two-fold:

1. **Guidance:** The guidance and redirection of an offending student toward a productive career as a learner in an academic setting and as a citizen; and
2. **Learning and Social Climate:** The elimination from the academic environment of those who have demonstrated flagrant disregard of its values and traditions and whose conduct and presence constitute a disruptive influence upon the learning and social climate. Justice mechanically administered and untempered by kindness, human judgment, and sincere concern is cold and has no place on the College campus. These procedures are directed toward the assurance of a fair judgment for the student through complete case information, opportunity to be heard, opportunity for friendly counsel, and such safeguards of rights as may easily be understood by educators, laymen, and students who have mutual confidence in one another.

#### JURISDICTION OF THE STUDENT CODE OF CONDUCT

The Student Code of Conduct shall apply to students who are enrolled in the college. It shall apply to conduct that occurs on Independence Community College premises, at Independence Community College sponsored activities, and to off-campus conduct that adversely affects the ICC community and/or the pursuit of its objectives.

While visitors to the college are clearly not subject to the Student Code of Conduct, the Student Code of Conduct shall serve as a guide to visitors to demonstrate the conduct the College believes is appropriate for the campus as well as off-campus events and activities.

#### STUDENT CODE OF CONDUCT VIOLATIONS

1. **ACADEMIC MISCONDUCT:** Cheating, plagiarism, unauthorized collaboration, alteration of academic materials or other academic misbehavior.
2. **ALCOHOL:** Consumption or possession of alcoholic beverages on the campus, or at any event sponsored by or for a student organization.
3. **ATTEMPTS AND COMPLICITY:** Attempting to or encouraging others to commit acts prohibited by this code. Apathy or acquiescence in the presence of prohibited conduct may constitute a violation of this policy.
4. **COMPUTER AND NETWORK USE:** The College provides computers, software, peripherals, and network services for use by ICC students, faculty, and staff to support academic and administrative functions. Prohibited conduct includes, but is not limited to:
  - A. Unauthorized access, alteration or destruction of another user's data, programs, electronic mail, or voice mail.
  - B. Attempts to obtain unauthorized access to local or remote computer systems or networks.

- C. Attempts to circumvent established security procedures or to obtain access privileges to which the user is not entitled.
  - D. Obscene, offensive, threatening, harassing, or intimidating material entered into the computer and sent by electronic means.
  - E. Intentional viewing of pictures of an erotic or sexual nature when such images can be viewed by others; and, mailing, printing, or copying obscene materials.
  - F. Knowingly running, installing, or providing access to a data file which could be classified as or contain a computer virus, worm, or Trojan horse.
  - G. Activities that embarrass, denigrate, or libel an individual or organization.
  - H. Unauthorized distribution of copy righted materials by users of the network.
5. **DISCRIMINATION:** Discriminating on the basis of sex, race, color, age, status as a veteran, sexual orientation, gender identity, national origin, religion or qualified individual with a disability.
  6. **DISHONESTY:** Acts of dishonesty are prohibited. Dishonesty refers to, but is not limited to, fabrication, obtaining an unfair advantage, furnishing false information to any college official, faculty member or office, unauthorized access to computerized systems, and tampering with the election of any college-recognized student organization.
  7. **DISORDERLY CONDUCT:** Disorderly, lewd, indecent actions or breaching the peace on college property or at college sponsored activities.
  8. **DISRUPTION OR OBSTRUCTION:** Disrupting or obstructing normal college operations or college sponsored activities. To also include, engaging in behavior that a reasonable person would view as substantial or repeated interference with the instructor's ability to teach the class or the ability of other students to benefit from the instruction
  9. **DRUGS:** The consumption or possession of substances forbidden by law on the campus, or at any event sponsored by or for a student organization.
  10. **FAILURE TO COMPLY:** Failing to comply with the lawful directions of any college employee acting within the scope of their official duties or failing exhibit appropriate identification to ICC officials, faculty, or staff when requested to do so.
  11. **FAILURE TO PAY:** The intentional or unintentional failure to pay any legitimate outstanding financial balance to the college or any attempt to financially defraud the college.
  12. **FALSE REPORTING:** Knowingly making a false report of a bomb, fire or other emergency.
  13. **FALSIFICATION OF INFORMATION:** Knowingly supplying false information to the college. Submission of false information or withholding information at the time of admission or readmission may make an individual ineligible for admission to or continuation at ICC.
  14. **FIRE SAFETY:** Starting a fire of any size on the college campus or at college sponsored events and/or engaging in misuse or unauthorized use of firefighting, fire sprinkling systems and other safety equipment or warning devices, and failure to evacuate when a fire alarm is activated.
  15. **HARASSMENT, THREATS, AND BULLYING:** Engaging in subjectively and objectively offensive verbal abuse, threats, intimidation, harassment, coercion, bullying or other conduct that threatens or endangers the

mental or physical health/safety of any person or causes reasonable apprehension of such harm that is persistent, severe, or pervasive.

- 16. HAZING:** Engaging in any action or activity that causes or is likely to cause physical or mental discomfort or distress that may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Apathy or acquiescence in the presence of hazing.
- 17. PHYSICAL VIOLENCE:** Engaging in physical violence of any nature against any person, on or off campus. This includes fighting; assaulting; battering; using a knife, gun, or other weapon; physically abusing, restraining or transporting someone against his/her will; or acting in a manner that threatens or endangers the physical health or safety of any person or causes reasonable apprehension of such harm.
- 18. PROPERTY DAMAGE:** Defacing, damaging or destroying property belonging to the College or other individuals or recognized groups on college property.
- 19. RETALIATION:** Retaliating against a person who, acting in good faith, brings a complaint forward or against an individual who has participated in an investigation or conduct process.
- 20. SEXUAL HARASSMENT:** Unwelcomed sexual advances and other verbal or physical contact or communication of a sexual nature, as outlined in ICC Title IX policies.
- 21. SEXUAL MISCONDUCT:** Engaging in non-consensual contact of a sexual nature. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior, as outlined in ICC Title IX policies.
- 22. STALKING:** Willfully, maliciously, and repeatedly following or harassing a person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed or molested and actually causes the person being followed or harassed to feel frightened, intimidated, threatened, harassed or molested, as outlined in ICC Title IX policies.
- 23. THEFT:** Engaging in theft, attempted theft or unauthorized possession of property belonging to the college or other individuals or recognized groups on college property.
- 24. THREATENING OR RECKLESS CONDUCT:** Intentionally, recklessly, or negligently engaging in verbal abuse, threats, intimidation, harassment, coercion, and/or conduct which threatens or endangers the mental or physical health and/or safety of any person or causes reasonable apprehension of such harm.
- 25. USE OF TOBACCO:** Using tobacco in any form or using electronic cigarettes (vaping) on campus or while attending any ICC sponsored events.
- 26. VIOLATIONS OF THE LAW:** Any violation of federal, state or local law while on ICC premises or while engaged in any ICC sponsored activity.
- 27. WEAPONS:** Possession or use of firearms, weapons, ammunition, fireworks, incendiary devices and explosives. The term "weapons," as used in this provision, is intended to describe anything used or designed to be used to injure another person and encompasses any type of device that is used as an instrument of defensive or offensive combat.



## SANCTIONS

Sanctions for violation of the Code of Conduct may include one or a combination of the following:

**Written Warning:** An official written notice that the student has violated college policies and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the College.

**Restriction:** A limitation on a student's privileges for a period of time and may include but is not limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent the College, or denial of participation in extracurricular activities not directly associated with academics (e.g., athletics, intramural sports, attending campus events, participations in student organizations).

**Educational and Behavioral Change Requirement:** Opportunities for personal development. These requirements can include, but are not limited to, a reflection essay, community service, seeking academic or personal counseling, participation in an ethics or decision-making class, and other relevant educational opportunities.

**Course Removal:** The student shall be dropped from a class or moved to another section of a class. Faculty members, in consultation with the Hearing Officer, reserve the right to interim suspend a student from class pending a hearing for alleged violations of the Student Code of Conduct occurring in the classroom that substantially interfere with teaching or other students' ability to learn.

**No Contact Order:** An absolute prohibition from contact with specified person or persons in any form whatsoever, including but not limited to contact in person, by phone, electronically, or through another person. A No Contact Order may be implemented as an interim measure for issues regarding sexual violence or other Title IX issues. Violating a No Contact Order may result in suspension from the College.

**Restitution:** Compensation for the damage caused to the College or any person's property on campus. This is not a fine but rather a repayment for labor costs and/or value of property destroyed, damaged, consumed, or stolen.

**Probation:** A specified period of time during which the student is placed on formal notice that he/she is not in good standing with the College and that further violations of College regulations will subject him/her to suspension or expulsion from the College.

**Suspension:** The exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed five (5) years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from the College are not permitted on campus at any time for any reason during the period of suspension, unless otherwise permitted by the Hearing Officer. Notation on the transcript is not made; however, a record of the action is maintained in the student's record in the Registrar's Office. Any refund of tuition or fees will be subject to the College's normal withdrawal policy.

**Expulsion:** Expulsion is when a student is ordered removed as a student of the College on an immediate and permanent basis. When a student is expelled, record of this action will be made a part of the student's permanent record and will be noted on the student's transcript. A student who is expelled will not be allowed to re-enroll at the College.

## AMNESTY PROVISION

It is recognized that individuals who may have been drinking or using drugs and/ or participating in other prohibited behavior at the time an act of sexual violence occurs may be hesitant to report the act to proper authorities or college personnel. An individual who experiences sexual violence or a bystander who reports such

incidents in good faith will not be subject to referrals under the Independence Community College Student Code of Conduct for the use of alcohol or drugs and/or any other prohibited behavior. Clearly reportable offenses will be reported with names of involved parties redacted as outlined in the Annual Security Report.

## **STUDENT CONDUCT CODE VIOLATION COMPLAINT FORM**

Students, faculty, staff, and any other members of the ICC community may submit a Student Conduct Code Violation Complaint Form by following this link: <https://www.indycc.edu/student-life/student-complaints>

## **ADMINISTRATIVE PROCEDURE FOR STUDENT CONDUCT**

- A.** Any member of the Independence Community College community may file complaints against a student for violations of the Student Code of Conduct. Alleged violations shall be submitted within 10 business days from the date of incident to the Director of Student Life. (When designated in this document, “business days” shall mean days on which Independence Community College is open for business.) ICC shall take whatever actions necessary to conduct a full, fair, and impartial investigation and to allow the student accused of a violation a fair opportunity to defend themselves against the allegations of misconduct. The college will disclose information regarding the alleged misconduct to administer a fair investigation, to allow the student accused of misconduct a fair opportunity to be heard and provide for their defense, or as required by law or regulation.
- B.** The Director of Student Life or designee will interview the student and the complainant within 10 business days after receipt of the complaint. If the student admits violating the Code of Conduct, the Director of Student Life or designee will determine the appropriate sanctions and notify the student in writing within ten (10) business days of the decision.
- C.** If the student does not admit to violating the Code of Conduct, the Director of Student Life will further investigate the allegations. If it is determined that the student violated the Student Code of Conduct, the Director of Student Life or designee will determine appropriate sanctions and notify the student in writing within ten (10) business days of the decision.
- D.** In cases involving sanctions other than suspension or expulsion, the student may appeal to the Vice President of Student Affairs (VPSA) if they feel the decision is unjust. The appeal must be in writing on the appropriate appeal form, signed and submitted to the VPSA within five (5) business days from the date of the Director of Student Life’s decision. The VPSA shall review the record submitted by the Director of Student Life and all materials, documents, or media submitted by the student and the complainant. Further interviews may be conducted as the VPSA deems necessary. The VPSA shall decide the appeal within 30 business days from the date of receiving the record. The student shall be notified of the VPSA’s decision and the reasons for the decision in writing. The decision of the VPSA shall be final.
- E.** Cases involving suspension or expulsion requires the Director of Student Life to consult with the VPSA before issuing such sanctions. In such cases, the student may appeal to and have a hearing before the Student Conduct Committee.
- F.** If it is determined that a reported incident is an emergency or endangers campus safety, then the Director of Student Life may issue an immediate provisional suspension. The student provisionally suspended may request an emergency hearing to determine if the provisional suspension was warranted. The request must be in writing, signed, and dated. If so requested, the VPSA will serve as chairperson of the emergency hearing committee. The chairperson shall appoint two other faculty/staff members or administrators not related to the conduct incident to serve on the emergency hearing committee. The emergency hearing committee shall hear the matter within five (5) business days of the student’s request. The emergency hearing committee shall decide whether the provisional suspension was proper. The incident shall then follow the regular conduct procedures contained herein as a matter of course.

## **STUDENT CONDUCT APPEALS COMMITTEE**

### **STUDENT CONDUCT COMMITTEE**

- A.** A Student Conduct Committee shall be chosen within five (5) business days of the receipt of an appeal request. The Committee shall be comprised of the following:
  - 1. The VPSA shall serve as the non-voting chair and will be responsible for organizing and coordinating the Student Conduct Committee.
  - 2. Two (2) College staff members
  - 3. Two (2) College faculty members
- B.** Under no circumstances may a staff or faculty member serve on the Committee if such person is a complainant, a witness to the incident or personally knowledgeable of the incident.
- C.** The Committee may be assisted by the college's legal counsel if authorized by the President.
- D.** The Director of Student Life shall represent the College.
- E.** No less than five (5) business days prior to the Student Conduct Committee hearing, the student and the Director of Student Life shall submit written materials to the other party, through the VPSA, as follows:
  - 1. The Director of Student Life shall provide:
    - a. A copy of the original conduct code violation complaint form
    - b. A summary of the facts of the incident(s) which form the allegations against the student.
    - c. The names of all witnesses who will be called to testify against the student, and a brief summary of the expected testimony of each witness.
    - d. The identity of any affidavit, statement or other document the designated administrator plans to introduce as an exhibit, as well as a copy of any such document not previously provided to the student.
    - e. The time, date and location of the hearing.
    - f. The procedure to be followed at the hearing.
  - 2. The student shall provide:
    - a. The names of all witnesses who will be called to testify for the student, and a brief summary of the expected testimony of each witness.
    - b. The identity of any affidavit, statement or other document the student plans to introduce as an exhibit, as well as a copy of any such document not previously provided to the designated administrator.

### **RIGHTS OF THE STUDENT**

- A.** The student has the right to be represented by a person of the student's choice, the expenses of which, if any, are the responsibility of the student.
  - 1. This person may be an attorney.
  - 2. If the student chooses to be represented, they must notify the VPSA with the identity of the representative and provide the representative's address and phone number no less than five (5) College business days prior to the Student Conduct Committee hearing.
- B.** The student has the right to confront and cross-examine witnesses who give oral testimony.
- C.** The student has the right to present witnesses, affidavits, statements and other forms of documentary evidence.

## **RIGHTS OF THE DIRECTOR OF STUDENT LIFE**

- A.** The Director of Student Life has the right to request an advisor.
  - 1. The advisor may be employed by the College, provided that the designated administrator shall not be represented or advised by the direct supervisor of any member of the Committee.
  - 2. The advisor may not be the College's legal counsel if such counsel has been authorized by the College President to assist the committee.
  - 3. If specifically authorized by the College President, the designated administrator may be represented and advised by outside legal counsel.
- B.** The Director of Student Life has the right to confront and cross-examine witnesses who give oral testimony.
- C.** The Director of Student Life has the right to present witnesses, affidavits, statements and other forms of documentary evidence.

## **ROLE OF THE EXECUTIVE VICE PRESIDENT DURING THE HEARING**

- A.** The Executive Vice President shall present opening remarks and procedural instructions to the committee, student, and Director of Student Life.
- B.** The Executive Vice President shall be present for the entirety of the proceedings, with the exception of deliberation of the committee.
- C.** The Executive Vice President is permitted to take notes.
- D.** The Executive Vice President is not permitted to speak or ask questions once the hearing is turned over to the committee chair.

## **HEARING PROCESS**

- A.** Hearings before the Student Conduct Committee shall be conducted in substantial compliance with the following procedure:
  - 1. Both parties will be permitted to present opening statements of no more than five (5) minutes in length, with the Director of Student Life speaking first.
  - 2. The Director of Student Life will present evidence first, followed by the student.
  - 3. The oral testimony of all witnesses will be made under oath.
  - 4. Each party will be permitted to cross-examine any witness giving oral testimony on behalf of the other party after that witness has testified.
  - 5. Each party will be given the opportunity to present closing argument, of no more than five (5) minutes in length to the Committee with the student speaking first.
- B.** Proceedings before the Committee will be recorded.
- C.** All Student Conduct Committee Hearings will be closed meetings.

## **EVIDENCE**

- A.** Strict conformity to courtroom rules of evidence is not required in the committee hearing.
- B.** Rulings as to the admissibility of evidence will be made by the Chairperson
- C.** The Chairperson of the Committee has the authority to limit incompetent, unduly repetitious or irrelevant

exhibits and testimony.

#### **COMMITTEE FINDINGS AND RECOMMENDATION**

- A.** The Student Conduct Committee shall base its findings and recommendation solely on the evidence presented or submitted during the hearing using a preponderance of evidence as a basis for findings. (More likely than not that a violation occurred)
- B.** On each violation alleged under consideration by the Committee, the Committee shall conduct a vote as to whether the violation occurred. If a majority of the Committee agree that a particular violation occurred, the Committee's finding shall be that the violation occurred; otherwise, the Committee's finding shall be that the violation did not occur.
- C.** If the Committee finds that some or all of the violations occurred, it shall consider and make a recommendation by majority vote regarding the appropriate sanctions.
- D.** The Committee shall inform the Executive Vice President in writing of its findings and recommended sanctions, if applicable, within five (5) College business days.
- E.** If the Committee's recommendation as to sanctions is unanimous, the recommended sanctions shall serve as the final resolution of the violation(s). If the Committee's recommendation is less than unanimous, the Executive Vice President shall determine the sanctions to be imposed as the final resolution of the violation(s).
- F.** The Vice President of Student Affairs shall inform the student in writing of the findings and recommendations of the Committee and the final resolution of the alleged violations within ten (10) college business days after receipt of the Committee's findings and recommendations.

#### **CASES INVOLVING ACADEMIC INTEGRITY**

ICC expects its students to exhibit the highest level of academic integrity and maintains a "no tolerance" policy regarding behaviors that violate this expectation.

The following actions constitute violations of academic integrity:

- A student submits an assignment which is not his/her own work;
- A student copies or takes answers from another student or uses unauthorized materials during an exam;
- A student uses words or ideas which are not his/her own without including the original source of the material;
- A student submits a paper or other assignment in multiple classes without permission from the instructor(s);
- A student uses resources or assistance which are prohibited by an instructor to complete an exam or assignment;
- A student obtains a copy of an exam, answers to an assignment, or any other resource belonging to an ICC faculty or staff member without permission;
- A student knowingly assists another student in violating any part of the academic integrity policy; or
- A student who uses a demonstrably false excuse to delay testing and solicit a special make-up exam, thereby receiving unfair additional study time by lying and deception,

Instructors who determine that a student is in violation of the ICC academic integrity policy may impose any of the following sanctions:

- An instructor may require the student to submit a different assignment

- An instructor may assign a grade of “F” (zero) for the assignment
- An instructor may assign a grade of “F” for the course
- An instructor may assign a grade of “XF” for the course; a transcript notation will include that the student has failed the course for disciplinary reasons

A student who has been penalized for violating academic integrity standards may appeal the penalty by submitting an appeal within 7 days of the date of the instructor’s action. Students may appeal academic integrity decisions to the Vice President of Academic Affairs for final determination. Cases involving suspension, expulsion or withdrawal from a course with an XF will be referred to the Vice President of Academic Affairs for final determination.

In the case of extreme or repeated violations the Vice President of Academic Affairs will administratively withdraw the student from classes and make a notation of the infractions on the student’s transcript. Following this action, the Vice President for Student Affairs will expel the student from campus.

## **CONFIDENTIALITY & RETALIATION**

- Confidentiality:** Members of the ICC community, including faculty, staff, and students, and administrators receiving good faith reports of sexual misconduct, sex discrimination and/or unlawful harassment shall maintain confidentiality of information received, except where disclosure is required by law or is necessary to facilitate legitimate College processes, including the investigation and resolution of sexual misconduct, sex discrimination and/or unlawful harassment allegations.
- Retaliation:** No reprisals or retaliation shall be allowed to occur as a result of the good faith reporting or charge of misconduct, discrimination, unlawful harassment and/or any other complaint. Any attempt to penalize or retaliate against a person for filing a complaint or participating in an investigation of a complaint of misconduct, discrimination, and/or unlawful harassment will be treated as a separate and distinct violation of this policy.

## **PART III: THREAT ASSESSMENT & BEHAVIOR INTERVENTION TEAM (TABIT)**

### **1. PURPOSE**

The purpose of the Independence Community College Threat Assessment & Behavior Intervention Team (TABIT) is to provide guidelines for threat assessment on the Independence Community College campus and identify resources, programs, procedures and safeguards that will ensure the safety and security of the Independence Community College community.

### **2. OVERVIEW**

It is a best practice for institutions of higher education to have both a violence prevention plan and a threat assessment team on campus that will implement assessment, action, intervention and follow-up in all cases that involve concerning, threatening, or violent behavior towards one’s self or others. In addition, Independence Community College’s TABIT procedures pertain to individual case management.

Independence Community College is committed to providing an environment that protects the security and safety of the campus community. Violence, intimidation, or threats of violence, both specific and implied, will not be tolerated on the campus, and the college reserves the right to take strong and preventive measures to prevent violence before it occurs. TABIT has been established as part of the initiative to promote campus safety.

### **3. THREAT ASSESSMENT & BEHAVIOR INTERVENTION TEAM (TABIT)**

The Independence Community College TABIT seeks to improve the safety and security of the campus through a multidisciplinary approach to identifying, managing and monitoring persons and situations that may pose a threat

to any member or members of the college community. The team is committed to early intervention to prevent violence and provide support and resources to persons referred to the team that may need help and intervention. The team also fosters a culture of reporting threats across the campus and provides meaningful training for faculty and staff at the college.

#### **4. IDENTIFYING AND REPORTING THREATENING OR TROUBLING BEHAVIOR**

It is the responsibility of all members of Independence Community College to report intimidating, threatening, and abnormal behavior. The TABIT, in cooperation with the college administration, will provide guidance and training to help faculty, staff and students recognize troubling behavior that may be a cause for concern. The TABIT and college administration will also encourage awareness and a culture of reporting in an effort to prevent violence and provide support.

The responsibilities in this procedure will enhance and not replace current education, resources and programs operating in other college units and divisions. All students, faculty and staff will have clear protocols for reporting incidents through their supervisors, the Director of Student Life, or any other member of the Independence Community College TABIT. No person who, in good faith, reports threatening or other concerning behaviors in accordance with this procedure will be subject to retaliation. Reports and referrals shall be handled discreetly and professionally to protect both the alleged victim and the accused, and all deliberations of the TABIT will be confidential.

#### **5. PROHIBITED CONDUCT AND SANCTIONS**

Prohibited conduct and college sanctions are defined and enumerated in the ICC Student Code of Conduct. Possible sanctions for a violation of the Student Code of Conduct include: warnings, educational/behavioral modification projects, probation, restrictions, suspension and expulsion.

#### **6. REPORTING PROCEDURES**

The college has multiple reporting mechanisms in place on the campus for identifying and reporting threatening behavior and concerns.

##### **Immediate Danger**

Acts or immediate threats of violence, made directly to another person or overheard by a third party, **must be reported immediately by calling 911**. This reporting of immediate danger applies to all students, faculty and staff.

Examples of imminent threats or danger include:

- Brandishing guns, firearms or other weapons
- Suicide threats or recent attempts at suicide
- Physical threats or aggression toward another person
- Severe rage and verbal threats to kill or harm someone
- Possession of drugs or alcohol or under the influence of drugs and alcohol

##### **Threatening Behavior or Concerns**

Any indirect threats of violence or intimidation should be reported to a member of the TABIT. Examples of threatening behavior or incidents that should be referred to the TABIT include:

- Evidence of suicidal thoughts expressed through writings, papers or conversation
- Angry outbursts or intense and abnormal reactions to events
- Preoccupation with violent themes, death or destruction
- Evidence of hopelessness or despair
- Threats or inappropriate emails
- References to harming others or planning a violent event



Members of the Independence Community College community should report a threat or concern by filling out the Incident Report online at the following link: <https://www.indycc.edu/student-life/student-complaints>

**Faculty and Staff members should report a threat or concern by filling out the Incident Report online by visiting the Student Life webpage and clicking the complaint form referral link.** ICC's TABIT will be automatically notified by email when the threat assessment report is submitted. The TABIT will confirm to the referring staff member that the report is being acted upon with an email response. When there is any doubt as to whether to refer the case to TABIT, always refer the case, and the team will determine what action, if any, is needed.

#### **INITIATION AND MANAGEMENT OF A BEHAVIOR INTERVENTION OR THREAT ASSESSMENT CASE**

Once a case is forwarded to the TABIT, the members meet in closed session to discuss, investigate, assess and determine an action plan for the case.

- Step 1: Identify person of concern and conduct initial screening.
- Step 2: Gather all information necessary to evaluate the threat. Evaluate the subject, the context and the situation. Call additional witnesses or experts, if necessary.
- Step 3: Determine if the threat or situation presents an immediate danger.
- Step 4: Continue to evaluate the seriousness of the threat. Determine if the threat is a transient or substantive threat.
- Step 5: Assess the level of the threat using the ICC TABIT Form.
- Step 6: Continue a full inquiry of the threat and make appropriate assessments.
- Step 7: Formulate an action plan and intervention, if appropriate.
- Step 8: Involve other offices, staff and resources as appropriate.
- Step 9: Develop a safety plan to resolve the conflict.
- Step 10: Refer the subject to counseling or outside mental health services as needed.
- Step 11: Refer subject to disciplinary process as needed.
- Step 12: Implement plan and assign timetable of steps.
- Step 13: Continue to monitor and follow up plan until the case is resolved or closed.
- Step 14: Document decisions using the ICC TABIT Form.

#### **AUTHORITY OF THREAT ASSESSMENT TEAM**

When the TABIT determines that a case is appropriate for its involvement, the referring administrative unit and all other divisions or persons that may have a relationship with the case shall coordinate their actions with the TABIT. The TABIT is not designed to usurp the authority of other units, but to work with them in order to protect the safety and security of the campus community. To ensure safety and prevent violence, major decisions involving the subject of an active threat assessment case should be reviewed by the TABIT. In general, this means that no institutional actions, such as disciplinary actions, or other actions that affect academic status should be taken without consultation with the TABIT. Decisions to take disciplinary action or to suspend or terminate a student who is under investigation by the TABIT should be done with considerable caution. However, in the event of a perceived threat, intervention by and decisions from the TABIT will take precedence over other administrative proceedings that may be taking place.

#### **OUTCOMES AND SANCTIONS**

ICC's TABIT is empowered to take necessary action that is consistent with college policy and applicable law. The team aims to intervene early to provide support and referral as needed and impose sanctions as a last resort. Minor sanctions and decisions of the TABIT, including mandated counseling are not subject to appeal. However, in the case of a major sanction that involves suspension or expulsion from the college, the TABIT will refer the case to the Vice President of Student Affairs to initiate the disciplinary hearing process under the ICC Student Code of Conduct proceedings. Referral to the Vice President of Student Affairs is to protect the student's due



process rights since the Director of Student Life is serving in the role of Chair of the TABIT.

Outcomes and sanctions by the TABIT may include the following:

- Interventions and referrals to other staff, departments and resources within the college, including mental health counseling, as needed
- Referral to the Student Affairs to initiate disciplinary proceedings. In cases where the TABIT recommends a major sanction of suspension or dismissal from the college, the team will initiate a formal violation complaint with the Vice President of Student Affairs to initiate the formal disciplinary process set forth by the ICC's Code of Conduct.
- The filing of criminal charges
- Referral to outside mental health agencies in the area
- Voluntary mental health assessment and/or counseling
- Evidence of treatment as a condition of the student's continued enrollment at the college or as a condition of the student's subsequent enrollment or return to the college. This will include the following guidelines:
  - Secure counseling services with a licensed counselor and/or approved provider of mental health services
  - Voluntarily sign a release form that allows the college to 1) disclose the reasons for referral to the mental health provider; and 2) to verify from the provider of services that counseling has been completed and that sufficient progress has been made as a condition of return to the college
- Voluntary withdrawal or separation from the college
- Continuing monitoring, referral and follow-up as needed

# SECTION III: SEXUAL MISCONDUCT & DISCRIMINATION

## I. POLICY STATEMENT

Independence Community College (“ICC”) is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from sexual harassment and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity,

ICC has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation sexual harassment or retaliation. ICC values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

### 1. GLOSSARY

- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- *Appeal Decision-maker* means an individual who has decision-making authority in the appellate phase of the formal grievance process.
- *Complainant* means an individual who is alleged to be the victim of conduct that could be sexual harassment based on a protected class; or retaliation for engaging in a protected activity.
- *Complaint (formal)* means a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment or retaliation for engaging in a protected activity against a Respondent and requesting that ICC investigate the allegation.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day when ICC is in normal operation.
- *Decision-maker* means an individual who has decision-making authority in the hearing phase of the formal grievance process.
- *Education program or activity* means locations, events, or circumstances in which ICC exercises substantial control over both the Respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by ICC.
- *Final Determination*: A conclusion by a preponderance of the evidence that the alleged conduct did or did not violate policy.
- *Finding*: A conclusion by a preponderance of the evidence that the conduct did or did not occur as alleged (as in a “finding of fact”).

- *Formal Grievance Process* means a method of formal resolution designated by ICC to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations (34 CFR §106.45).
- *Grievance Process Pool* (“the Pool”) includes any Investigators, Decision-makers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).
- *Investigator* means the person or persons charged by ICC with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
- *Mandated Reporter* means an employee of ICC who is obligated by policy to share knowledge, notice, and/or reports of harassment and/or retaliation with the Title IX Coordinator.
- *Notice* means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- *Official with Authority* (OWA) means an employee of ICC explicitly vested with the responsibility to implement corrective measures for sexual harassment and/or retaliation on behalf of ICC.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to ICC’s educational program.
- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or retaliation for engaging in a protected activity.
- *Resolution* means the result of an informal or Formal Grievance Process.
- *Sanction* means a consequence imposed by ICC on a Respondent who is found to have violated this policy.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. See section 17.b. for greater detail.
- *Title IX Coordinator* is at least one official designated by ICC to ensure compliance with Title IX and ICC’s Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.
- *Title IX Team* refers to the Title IX Coordinator, Deputy Coordinator, and any member of the Grievance Process Pool.

## **2. APPLICABLE SCOPE**

The core purpose of this policy is the prohibition of sexual harassment and retaliation. When an alleged violation of this policy is reported, the allegations are subject to resolution under ICC’s formal grievance process, or through informal resolution, as detailed below.

When the Respondent is a member of the ICC community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the ICC community. This community includes, but

is not limited to, students,<sup>1</sup> student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers.

The procedures below may be applied to incidents, patterns, and/or campus climate, all of which may be addressed and investigated in accordance with this policy.

### **3. TITLE IX COORDINATOR**

The Title IX Coordinator oversees implementation of this policy. The Title IX Coordinator has the primary responsibility for coordinating ICC's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent sexual harassment, and retaliation prohibited under this policy.

### **4. INDEPENDENCE AND CONFLICT OF INTEREST**

The Title IX Coordinator manages the Title IX Team within the Grievance Resolution Process and acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures.

The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, or misconduct by the Title IX Coordinator, contact the Office of the President, (620) 332-5451, Administration Building, [gknox@indycc.edu](mailto:gknox@indycc.edu). Concerns regarding bias, conflict of interest, or misconduct by any other Title IX Team member should be raised with the Title IX Coordinator.

### **5. ADMINISTRATIVE CONTACT INFORMATION**

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to:

Dr. Vincent Bowhay (he/him/his)  
Vice President for Student Affairs & Title IX Coordinator  
Lower Level, Student Union Room 103  
1057 W. College Ave.  
Independence, KS 67301  
620-332-5429  
[vbowhay@indycc.edu](mailto:vbowhay@indycc.edu)  
<https://www.indycc.edu/student-life/title-ix-compliance>

ICC has also designated the following Deputy Title IX Coordinator to assist the Title IX Coordinator in carrying out their responsibilities.

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<sup>1</sup> For the purpose of this policy, the ICC defines "student" as any individual who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with ICC.

Lori Boots (she/her/hers)  
Vice President for Human Resources  
1057 W. College Ave.  
Independence, KS 67301  
620-332-5606  
[lboots@indycc.edu](mailto:lboots@indycc.edu)

ICC has determined that the following administrators are Officials with Authority to address and correct sexual harassment and/or retaliation: President, Vice Presidents, and Academic Deans. In addition to the Title IX Team members listed above, these Officials with Authority may also accept notice or complaints on behalf of ICC. These Officials with Authority will forward said notice or complaints to the Title IX Coordinator or Deputy.

ICC has also classified all employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing sexual harassment and/or retaliation, though there are some limited exceptions.

The section below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

Inquiries may be made externally to:

**Office for Civil Rights (OCR)**

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

***Kansas City Office***

U.S. Department of Education  
One Petticoat Lane  
1010 Walnut Street, Suite 320  
Kansas City, MO 64106  
Telephone: (816) 268-0550  
Fax: (816) 268-0559  
Email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

For complaints involving employees:

[Equal Employment Opportunity Commission](#) (EEOC)

Gateway Tower II  
400 State Ave., Suite 905  
Kansas City, KS 66101  
Phone: 1-800-669-4000  
Fax: 913-551-6957  
[info@eeoc.gov](mailto:info@eeoc.gov)

**6. NOTICE/COMPLAINTS OF SEXUAL HARASSMENT AND/OR RETALIATION**

Notice or complaints of sexual harassment and/or retaliation may be made using any of the following options:

- 1) File a complaint with, or give verbal notice to, the Title IX Coordinator (or Deputy Coordinator) in the lower level of the Student Union, 620-332-5429, or at [titleix@indycc.edu](mailto:titleix@indycc.edu). Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed.
- 2) Report online, using the reporting form posted at <https://www.indycc.edu/student-life/student-complaints>. Anonymous reports will be accepted but may give rise to a need to investigate. ICC tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as ICC respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the Title IX Coordinator to discuss and/or provide supportive measures.

A Formal Complaint means a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that ICC investigate the allegation(s).

A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by ICC) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that ICC investigate the allegations.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

## **7. SUPPORTIVE MEASURES**

ICC will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged sexual harassment and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to ICC's education program or activity, including measures designed to protect the safety of all parties or ICC's educational environment, and/or deter sexual harassment and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the Title IX Coordinator will inform the Complainant, in writing, that they may file a formal complaint with the ICC either at that time or in the future, if they have not done so already.

The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

ICC will maintain the privacy of the supportive measures, provided that privacy does not impair ICC's ability to provide the supportive measures. ICC will act to ensure as minimal an academic/occupational impact on the parties as possible.

ICC will strive to implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program (for employees)
- Referral to community-based service providers
- Visa and immigration assistance
- Financial aid counseling (for students)
- Education provided for the college community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing transportation accommodations
- Implementing contact limitations between the parties
- Trespass orders
- Academic support, extensions of deadlines, or other course/program-related adjustments (e.g. class schedule modifications, withdrawals, or leaves of absence)
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of contact limitations or trespass orders will be referred to appropriate student or employee conduct processes for enforcement.

**8. EMERGENCY REMOVAL**

ICC can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal.

This risk analysis is performed by the Title IX Coordinator in conjunction with the Behavioral Intervention Team using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate.

When this meeting is not requested within three (3) days, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so.

This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for

discipline, which may include expulsion.

ICC will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator in consultation with the Vice President of Academic Affairs, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

Where the Respondent is an employee, existing provisions for interim action are applicable.

### **9. PROMPTNESS**

All allegations are acted upon promptly by ICC once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but ICC will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in these procedures will be delayed, the Title IX Coordinator will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

### **10. PRIVACY**

Every effort is made by ICC to preserve the privacy of reports.<sup>2</sup> ICC will not share the identity of any individual who has made a report or complaint of harassment or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sexual harassment or retaliation, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

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<sup>2</sup> For the purpose of this policy, privacy and confidentiality have distinct meanings. **Privacy** means that information related to a complaint will be shared with a limited number of ICC employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in ICC's response to notice under this policy receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in ICC's Student Records Policy. The privacy of employee records will be protected in accordance with Human Resources policies. **Confidentiality** exists in the context of laws that protect certain relationships, including relationships with those who provide services related to medical and clinical care, such as mental health providers, and counselors. The law creates a privilege between certain health care providers, mental health care providers, attorneys, clergy, spouses, and others, with their patients, clients, parishioners, and spouses. ICC has designated individuals who have the ability to have privileged communications as Confidential Resources. For more information about Confidential Resources, see Section 17a. When information is shared by a Complainant with a Confidential Resource, the Confidential Resource cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or individuals with disabilities. Non-identifiable information may be shared by Confidential Resources for statistical tracking purposes as required by the federal Clergy Act. Other information may be shared as required by law.



ICC reserves the right to determine which ICC officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: Student Affairs, Human Resources, Campus Security, the Behavioral Intervention Team, and relevant faculty and staff only to the extent that they will need information to assist in providing support measures to the parties.

Information will be shared as necessary with Investigators, Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as small as possible to preserve the parties' rights and privacy.

ICC may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically below.

### **11. JURISDICTION OF ICC**

This policy applies to the education program and activities of ICC to conduct that takes place on the campus or on property owned or controlled by ICC, at ICC-sponsored events, or in buildings owned or controlled by ICC's recognized student organizations. The Respondent must be a member of ICC's community in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to ICC's educational program. The recipient may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial ICC interest. Regardless of where the conduct occurred, ICC will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial ICC interest includes:

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;
- c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests or mission of ICC.

If the Respondent is unknown or is not a member of the ICC community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the ICC's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

In addition, ICC may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from ICC property and/or events.

All vendors serving ICC through third-party contracts are subject to the policies and procedures of their employers, or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences sexual harassment or retaliation in an externship, study abroad program, or other environment external to ICC where sexual harassment policies and procedures of the facilitating or host organization may give recourse to the Complainant.

## **12. TIME LIMITS ON REPORTING**

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to ICC's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, ICC will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

## **13. ONLINE SEXUAL HARASSMENT AND/OR RETALIATION**

The policies of ICC are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on ICC's education program and activities or use ICC networks, technology, or equipment.

Although ICC may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to ICC, it will engage in a variety of means to address and mitigate the effects.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the ICC community.

Any online posting or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of the ICC's control (e.g., not on ICC networks, websites, or between ICC email accounts) will only be subject to this policy when such online conduct can be shown to cause a substantial in-program disruption or infringement on the rights of others.

Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but protected speech cannot legally be subjected to discipline.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the ICC only when

such speech is made in an employee's official or work-related capacity.

#### **14. POLICY ON NONDISCRIMINATION**

Independence Community College ("ICC") actively follows a policy of nondiscrimination in its employment practices and educational programs/activities with respect to age, race, color, religion, sex, sex stereotypes, sexual orientation, gender, gender identity or expression, marital status, pregnancy or parental status, national origin, veteran status, genetic information, disability, and all other legally protected classes. This policy applies to employment practices as well as educational programs and activities including athletics, instruction, grading, awarding of student financial aid, recruitment, admission, employment, housing, placement and retention of students, faculty and staff. ICC pledges continued compliance with all relevant state and federal laws and cooperation with governmental organizations in ensuring equal employment and educational opportunity. More specifically, as a recipient of federal financial assistance for education activities, ICC is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender.

This Sexual Harassment Policy and Grievance Resolution Procedures will be applied in a manner that fully complies with ICC's Policy on Nondiscrimination.

#### **15. DEFINITIONS OF SEXUAL HARASSMENT (FOR EXAMPLES SEE APPENDIX A)**

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Kansas regard Sexual Harassment as an unlawful discriminatory practice.

ICC has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual that satisfies one or more of the following:

- 1) Quid Pro Quo:
  - a. an employee of the recipient,
  - b. conditions (implicitly or explicitly) the provision of an aid, benefit, or service of the recipient,
  - c. on an individual's participation in unwelcome sexual conduct.
  
- 2) Sexual Harassment:
  - a. unwelcome conduct,
  - b. determined by a reasonable person,
  - c. to be so severe, and
  - d. pervasive, and,
  - e. objectively offensive,
  - f. that it effectively denies a person equal access to ICC's education program or activity.<sup>3</sup>

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<sup>3</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

3) Sexual assault, defined as:

a. Sex Offenses, Forcible:

- Any sexual act<sup>4</sup> directed against another person<sup>5</sup>,
- without the consent of the Complainant,
- including instances in which the Complainant is incapable of giving consent.<sup>6</sup>

b. Sex Offenses, Non-forcible:

- Incest:
  - 1) Non-forcible sexual intercourse,
  - 2) between persons who are related to each other,
  - 3) within the degrees wherein marriage is prohibited by Kansas law.
- Statutory Rape:
  - 1) Non-forcible sexual intercourse,
  - 2) with a person who is under the statutory age of consent of 16 [Kan. Stat. Ann. § 21-5501, 21-5503].

4) Dating Violence, defined as:

- a. violence,
- b. on the basis of sex,

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<sup>4</sup> Sexual acts include:

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 (non-consensually), or
- not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age<sup>#</sup> or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object:

- The use of 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 (non-consensually),
- or not forcibly or against the person's will in instances in which 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 in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

<sup>5</sup> This would include having another person touch you sexually, forcibly, or without their consent.

- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - i. The existence of such a relationship shall be determined based on the Complainant'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. For the purposes of this definition—
  - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - iii. Dating violence does not include acts covered under the definition of domestic violence.

5) Domestic Violence, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Kansas or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Kansas [Kan. Stat. Ann. § 21-5111].
  - i. Under Kansas law, domestic violence also includes the crime of "domestic battery," which can be found at Kan. Stat. Ann. § 21-5414.

\*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or
  - iii. suffer substantial emotional distress.

For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent 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.
- (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- (iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

ICC reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

## **Force, Coercion, Consent, and Incapacitation<sup>7</sup>**

As used in the offenses above, the following definitions and understandings apply:

**Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

**Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

### **Consent is:**

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent is not passive. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on ICC to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar

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<sup>7</sup> Consent is not specifically defined in Kansas. However, Kansas law provides that rape in the first degree is committed if the offender has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim’s knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse. Kan. Stat. Ann. § 21-5503. This is applicable to criminal prosecutions for sex offenses in Kansas but may differ from the definition used on campus to address policy violations.

circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced. Consent in relationships must also be considered in context.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

## **16. RETALIATION**

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. ICC will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

ICC and any member of ICC's community are prohibited from taking materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

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

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

## **17. MANDATED REPORTING**

All ICC employees (faculty, staff, administrators) are expected to report actual or suspected sexual harassment or retaliation to appropriate officials immediately, though there are some limited exceptions.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected sexual harassment or retaliation. They may offer options and

resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at ICC for a Complainant or third-party (including parents/guardians when appropriate):

#### **a. Confidential Resources**

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- **Off-campus (resources not employed by ICC):**
  - Licensed professional counselors and other medical providers
  - Local rape crisis counselors
  - Domestic violence resources
  - Local or state assistance agencies
  - Clergy/Chaplains
  - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor or individual with a disability, or when required to disclose by law or court order.

Campus counselors (for students) and the Employee Assistance Program (for employees) are available to help free of charge and may be consulted on an emergency basis during normal business hours.

Please note that ICC employees who are confidential resources and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client or patient. ■

#### **b. Anonymous Notice to Mandated Reporters**

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by ICC to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits ICC's ability to investigate, respond, provide supportive measures, and provide remedies, depending on what information is shared.



When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator. Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors or disabled, depending on state reporting of abuse requirements.

### **c. Mandated Reporters and Formal Notice/Complaints**

All employees of ICC (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from ICC.

Supportive measures may be offered as the result of such disclosures without formal ICC action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of sexual harassment or retaliation of which they become aware is a violation of ICC policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though ICC is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

### **18. WHEN A COMPLAINANT DOES NOT WISH TO PROCEED**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether ICC proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator's decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires the ICC to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct,

threats, abuse of minors, use of weapons, and/or violence. ICC may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and ICC's ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When ICC proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that ICC's ability to remedy and respond to notice may be limited if the Complainant does not want ICC to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing ICC's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow ICC to honor that request, the Title IX Coordinator will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by ICC, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

#### **19. FEDERAL TIMELY WARNING OBLIGATIONS**

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, ICC must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

ICC will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

#### **20. FALSE ALLIGATIONS AND EVIDENCE**

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under ICC policy.

#### **21. AMNESTY FOR COMPLAINANTS AND WITNESSES**

The ICC community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to ICC officials or participate in grievance processes

because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the ICC community that Complainants choose to report misconduct to ICC officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, ICC maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

**Students:** Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual assault to the Title IX Coordinator).

ICC maintains a limited policy of amnesty for students who offer help to others in need, and to students who experience potential violations under this policy.

## **22. FEDERAL STATISTICAL REPORTING OBLIGATIONS**

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- b) Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- c) VAWA-based crimes,<sup>8</sup> which include sexual assault, domestic violence, dating violence, and stalking; and
- d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be shared with the Title IX Coordinator regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include: student affairs/student conduct staff, campus security, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

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<sup>8</sup> VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040.

## **RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE POLICY ON SEXUAL HARASSMENT**

### **1. OVERVIEW**

ICC will act on any formal or informal notice/complaint of violation of the Policy that is received by the Title IX Coordinator<sup>9</sup> or any other Official with Authority by applying these procedures.

The procedures below apply to all allegations of sexual harassment or retaliation involving students, staff, administrators, or faculty members. A set of technical dismissal requirements within the Title IX regulations may apply as described below, but when a technical dismissal under the Title IX allegations is required, any remaining allegations will proceed using these same grievance procedures, clarifying which policies above are applicable. Although the effect of the Title IX regulations can be confusing, these grievance procedures apply to all policies above.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the Student Handbook and Code of Conduct (for students) and the Board of Trustees Policy and Procedure Manual (for employees).

### **2. NOTICE/COMPLAINT**

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps ICC needs to take.

The Title IX Coordinator will initiate at least one of three responses:

- 1) Offering supportive measures because the Complainant does not want to file a formal complaint; and/or
- 2) An informal resolution (upon submission of a formal complaint); and/or
- 3) A Formal Grievance Process including an investigation and a hearing (upon submission of a formal complaint).

ICC uses the Formal Grievance Process to determine whether or not the Policy has been violated. If so, ICC will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual harassment or retaliation, their potential recurrence, or their effects.

### **3. INITIAL ASSESSMENT**

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator (or designee) engages in an initial assessment, typically within one to five (1-5) business days. The steps in an initial assessment can include:

- If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
  - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
- If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.

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<sup>9</sup> Anywhere this procedure indicates "Title IX Coordinator," ICC may substitute a trained designee.

- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
  - If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assesses the request, and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
  - If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, which informal mechanism may serve the situation best or is available, and may seek to determine if the Respondent is also willing to engage in informal resolution.
  - If a Formal Grievance Process is preferred, the Title IX Coordinator determines whether the misconduct alleged falls within the scope of Title IX:
    - If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
      - an incident, and/or
      - a pattern of alleged misconduct, and/or
      - a culture/climate concern, based on the nature of the complaint.

If it does not, the Title IX Coordinator determines that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, which resolution process is applicable, and will refer the matter accordingly.

**VIOLENCE RISK ASSESSMENT (SEE APPENDIX D)**

In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the Behavioral Intervention Team (BIT) as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether to put the investigation on the footing of incident and/or pattern and/or climate;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Whether a Clery Act Timely Warning/Trespass order is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other BIT team members.

A VRA authorized by the Title IX Coordinator should occur in collaboration with the BIT team. Where a VRA is

required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g., an involuntary civil commitment), nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

More about ICC's process for VRA can be found below in Appendix D.

**a. Dismissal (Mandatory and Discretionary)<sup>10</sup>**

The Title IX Coordinator **must** dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if proved; and/or
- 2) The conduct did not occur in an educational program or activity controlled by the ICC (including buildings or property controlled by recognized student organizations), and/or the ICC does not have control of the Respondent; and/or
- 3) The conduct did not occur against a person in the United States; and/or
- 4) At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the recipient. (Such a Complainant is still entitled to supportive measures, but the formal grievance process is not applicable.)

The Title IX Coordinator **may** dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- 2) The Respondent is no longer enrolled in or employed by the recipient; or
- 3) Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the Title IX Coordinator will promptly send written notice of the dismissal and the rationale for the dismissal simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate. A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.

#### **4. COUNTER CLAIMS**

ICC is obligated to ensure that the grievance process is not abused for retaliatory purposes. ICC permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the

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<sup>10</sup> These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR §106.45.

counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted. Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

## **5. RIGHT TO AN ADVISOR**

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. This could include an attorney, advocate, or support person. The procedure permits one Advisor for each party (witnesses are not entitled to Advisors within the process, though they can be advised externally). The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.<sup>11</sup>

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

### **a. Who Can Serve as an Advisor**

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the ICC community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the Pool available from ICC the Advisor will be trained by ICC and be familiar with ICC's resolution process. (To the extent that the Advisor is appointed from the ICC Pool, it must be noted that these Advisors do not hold the status of Confidential Resources. However, once appointed as an Advisor the employee no longer has a responsibility as a Mandatory Reporter for purposes of this matter).

If the parties choose an Advisor from outside the Pool of those identified by ICC, the Advisor may not have been trained by ICC and may not be familiar with ICC policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

### **b. Advisor's Role in Meetings and Interviews**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

ICC cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but

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<sup>11</sup> "Available" means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

the other party does not or cannot afford an attorney, ICC is not obligated to provide an attorney.

### **c. Advisors in Hearings/ICC-Appointed Advisor**

U.S. Department of Education regulations under Title IX require a form of indirect questioning during the hearing, but also require that it be conducted by the parties' Advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, the Title IX Coordinator will appoint a trained Advisor for the limited purpose of conducting any questioning of the other party and witnesses.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct questioning, the Title IX Coordinator will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker(s) during the hearing.

### **d. Advisor's Role in Meetings and Interviews**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

ICC cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, ICC is not obligated to provide an attorney.

### **e. Pre-Interview Meetings**

Advisors may request to meet with the Title IX Coordinator (who may include any other assigned members of the Pool, as appropriate) in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and ICC's policies and procedures.

### **f. Advisor Violations of ICC Policy**

All Advisors are subject to the same ICC policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address ICC officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee other than as stated in this policy during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross-examination.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.



#### **g. Sharing Information with the Advisor**

ICC expects that the parties may wish to have ICC share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

ICC also provides a consent form that authorizes ICC to share such information directly with the party's Advisor. The parties must complete and submit this form to the Title IX Coordinator before ICC is able to share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, the Recipient will comply with that request to the extent feasible, at the discretion of the Title IX Coordinator.

#### **h. Privacy of Records Shared with Advisor**

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by ICC. ICC may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by ICC's privacy expectations.

#### **i. Expectations of an Advisor**

ICC generally expects an Advisor to adjust their schedule to allow them to attend Grievance Process meetings when planned, but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

The Title IX Coordinator may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

#### **j. Expectations of the Parties with Respect to Advisors**

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

#### **k. Assistance in Securing an Advisor**

ICC does not provide attorneys, law faculty, or law students as Advisors in the resolution process. For a listing for resources parties might contact (e.g. local bar association, national centers, etc.) with inquiries regarding representation, please contact the Title IX office. ICC makes no endorsement or representation regarding availability or quality of representation with respect to any such resources.

## **6. RESOLUTION PROCESSES**

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with ICC policy. Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose related to Informal Resolution, discussed below. ICC encourages parties to discuss any sharing of information with their Advisors before proceeding.

### **a. Informal Resolution**

Informal Resolution can include three different approaches:

- When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- When the parties agree to resolve the matter through an alternate resolution mechanism as described below, including mediation, restorative practices, etc., usually before a formal investigation takes place; see discussion in Section 6b., below.
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process (similar to above, but usually occurs post-investigation); see discussion in Section 6c., below.

To initiate Informal Resolution, a Complainant needs to submit a formal complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the Title IX Coordinator. Informal Resolutions will not be used to resolve allegations that an employee sexually harassed a student.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, the Title IX Coordinator will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by ICC.

The Title IX Coordinator will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

### **b. Alternate Resolution Mechanism**

Alternate Resolution is an informal mechanism, often including mediation or restorative practices, etc., by which the parties reach a mutually agreed upon resolution of an allegation. All parties must consent to the use of an Alternate Resolution mechanism.

The Title IX Coordinator may look to the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;

- Civility of the parties;
- Results of a violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternate Resolution facilitator with this type of allegation;
- Complaint complexity;
- Emotional investment/capability of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution or Alternate Resolution are not appealable.

### **c. Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and ICC are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of ICC policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the sexual harassment or retaliation, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

### **d. Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and ICC. Negotiated Resolutions are not appealable.

## **7. GRIEVANCE PROCESS POOL**

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees. They are also listed in the Annual Title IX Report published by the Title IX Office.

The list of Pool members and a description of the Pool can be found at the <https://www.indycc.edu/student-life/title-ix-compliance>.

### **a. Pool Member Roles**

Members of the Pool are trained annually, and can serve in in the following roles, at the direction of the Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To serve in a facilitation role in Informal Resolution or Alternate Resolution if appropriately trained in appropriate resolution modalities (e.g., mediation, restorative practices)
- To assist with initial assessment
- To investigate complaints
- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a Decision-maker regarding the complaint
- To serve as an Appeal Decision-maker

### **b. Pool Member Appointment**

The Title IX Coordinator appoints the Pool, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, the Title IX Coordinator can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

### **c. Pool Member Training**

The Pool members receive annual training based on their respective roles. Individual Pool members may be trained on multiple roles. This training includes, but is not limited to:

- The scope of the Recipient's Sexual Harassment Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the recipient with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes

- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment and/or retaliation allegations
- Recordkeeping

Specific training is also provided for Appeal Decision-makers, intake personnel, Advisors (who are ICC employees), and Chairs of decision-making panels. All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are publicly posted here: <https://www.indycc.edu/student-life/title-ix-compliance>.

#### **d. Pool Membership**

There will be an effort to include the following in the Pool:

- 3 or more members of the Academic Affairs administration and/or faculty
- 1 representative from Human Resources
- 1 representative from Athletics
- 3 or more other members of the administration/staff

Pool members are usually appointed to terms of two to three years. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

### **8. FORMAL GRIEVANCE PROCESS: NOTICE OF INVESTIGATION AND ALLEGATIONS**

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that ICC presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about ICC’s policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that ICC’s Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,

- Detail on how the party may request disability accommodations during the interview process,
- A link to ICC’s VAWA Brochure,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, or emailed to the parties’ ICC-issued email or designated accounts. Once emailed and/or received in-person, notice will be presumptively delivered.

**9. RESOLUTION TIMELINE**

ICC will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

**10. APPOINTMENT OF INVESTIGATORS**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation (typically using a team of two Investigators), usually within two (2) business days of determining that an investigation should proceed.

**11. ENSURING IMPARTIALITY**

Any individual materially involved in the administration of the resolution process may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the Office of the President.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual’s status or participation as a Complainant, Respondent, or witness.

ICC operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

**12. INVESTIGATION TIMELINE**

Investigations are to be completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, or other potential sources of delay such as sustained inclement weather, public health concerns, etc.

ICC will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

### **13. DELAYS IN THE INVESTIGATION PROCESS AND INTERACTIONS WITH LAW ENFORCEMENT**

ICC may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The Title IX Coordinator will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. ICC will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the Title IX Coordinator will implement supportive measures as deemed appropriate.

ICC's action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

### **14. STEPS IN THE INVESTIGATION PROCESS**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
  - Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible

- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the Recipient does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
- The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report

### **15. ROLE AND PARTICIPATION OF WITNESSES IN THE INVESTIGATION**

Witnesses (as distinguished from the parties) who are employees of ICC are expected to cooperate with and participate in ICC's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break, or other needs to be away from campus) may require individuals to be interviewed remotely. Easily accessible videoconferencing technology (such as Skype, Zoom, FaceTime, WebEx, or similar platforms) may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. ICC will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

In certain rare situations witnesses may also provide written statements or choose to respond to written questions in lieu of interviews, if deemed appropriate by the Title IX Coordinator, though this is not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a



hearing, their written statement may not be used as evidence.

#### **16. RECORDING OF INTERVIEWS**

All interviews will be recorded either via audio recording or by audio or video recording of any phone or videoconference meeting. These recordings preserve evidence of what was said in these meetings so that there is no confusion or debate afterwards. All involved parties will be made aware of the recording in advance so that they may consent to the recording before moving forward with the interview. The recording will be kept secure by the Title IX Coordinator and available to review by the parties upon request during the pendency of the proceedings. No unauthorized audio or video recording of any kind is permitted during investigation meetings.

#### **17. EVIDENTIARY CONSIDERATIONS IN THE INVESTIGATION**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

#### **18. REFERRAL FOR HEARING**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the Decision-maker(s) – unless all parties and the Decision-maker(s) agree to an expedited timeline.

The Title IX Coordinator will select appropriate Decision-maker(s) from the Pool.

#### **19. HEARING DECISION-MAKER COMPOSITION**

The Title IX Coordinator will designate either a single Decision-maker or a three-member panel of Decision-makers from the Pool, at the discretion of the Title IX Coordinator. The single Decision-maker will also Chair the hearing. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision-maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision-makers. Those who are serving as Advisors for any party may not serve as Decision-makers in that matter.

The Title IX Coordinator may not serve as a Decision-maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Chair or designee.

#### **20. EVIDENTIARY CONSIDERATIONS IN THE HEARING**

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to

prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached. The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies).

After post-hearing deliberation, the Decision-maker(s) must render a determination based on a preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

## **21. NOTICE OF HEARING**

No less than ten (10) business days prior to the hearing, the Title IX Coordinator will send notice of the hearing to the parties. Once emailed and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor at least three (3) days prior to the hearing, so that the Title IX Coordinator may appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.<sup>12</sup>
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-

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<sup>12</sup> The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

maker will review during any sanction determination.

- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Notification as to whether parties will be allowed to bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by ICC and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

## **22. ALTERNATIVE HEARING PARTICIPATION OPTIONS**

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator at least five (5) business days prior to the hearing.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

## **23. PRE-HEARING PREPARATION**

The Chair or hearing facilitator after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or in rare situations have proffered a written statement or answered written questions, unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Decision-maker(s) at least five (5) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no less than two (2) business days prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at the pre-hearing meeting or at the hearing and will be exchanged between each party by

the Chair.

#### **24. PRE-HEARING MEETINGS**

The Chair may convene a pre-hearing meeting(s) with the parties and their Advisors to invite them to submit the questions or topics they (the parties and their Advisors) wish to ask about or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Chair, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant.

The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings.

At the pre-hearing meeting(s) the Chair may choose to establish time guidelines for various components of the hearing.

The pre-hearing meeting(s) will be recorded.

#### **25. HEARING PROCEDURES**

At the hearing, authority is vested in the Decision-maker(s) to hear and make determinations on all allegations of sexual harassment and/or retaliation, and also to hear and make determinations on any additional alleged policy violations that have occurred in concert with the sexual harassment and/or retaliation, even though those collateral allegations may not specifically fall within the Policy.

Participants at the hearing will include the Chair, any additional Decision-makers, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or the President and any executive officers when a student organization is the Respondent), Advisors to the parties, any called witnesses, the Title IX Coordinator (if they are not already acting as the hearing facilitator) and anyone providing authorized accommodations or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Hearing Panel and the parties and will then be excused.

#### **26. JOINT HEARINGS**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

### **27. THE ORDER OF THE HEARING – INTRODUCTIONS AND EXPLANATION OF PROCEDURE**

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s) on the basis of bias or conflict of interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Chair then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The Title IX Coordinator may serve in this role if they have no conflicts in the matter. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

### **28. INVESTIGATOR PRESENTS THE FINAL INVESTIGATION REPORT**

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

### **29. TESTIMONY AND QUESTIONING**

Once the Investigator(s) present their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors (“cross-examination”).

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request if agreed to by all parties and the Chair), the proceeding will pause to allow the Chair to consider it (and state it if it has not been stated aloud), and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may invite explanations or persuasive statements regarding relevance with the Advisors, if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance. The Chair may consult with the Title IX Coordinator and/or legal counsel on any questions of admissibility. The Chair may ask Advisors to explain why a question is or is not relevant from their perspective but will not entertain argument

from the Advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Chair may elect to address those issues, consult with legal counsel and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

### **30. REFUSAL TO SUBMIT TO CROSS-EXAMINATION AND INFERENCES**

If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The Decision-maker(s) must disregard that party's or witness's statement(s). Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some cross-examination questions, only statements related to the cross-examination questions they refuse to answer cannot be relied upon. However, if the statements of the party who is refusing to submit to cross-examination or refuses to attend the hearing are the subject of the allegation itself (e.g., the case is about verbal harassment or a quid pro quo offer), then those statements are not precluded from admission.

The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If charges of policy violations other than sexual harassment are considered at the same hearing, the Decision-maker(s) may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their Advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's Advisor of choice refuses to comply with ICC's established rules of decorum for the hearing, ICC may require the party to use a different Advisor. If an ICC-provided Advisor refuses to comply with the rules of decorum, ICC may provide that party with a different Advisor to conduct cross-examination on behalf of that party. The hearing may be stopped and rescheduled to find the new Advisor and allow them to prepare for the hearing with the party they are advising.

### **31. RECORDING HEARINGS**

Hearings (but not deliberations) are recorded by ICC for purposes of review in the event of an appeal. No unauthorized recordings are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of the ICC will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

### **32. DELIBERATION, DECISION-MAKING, AND STANDARD OF PROOF**

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in preparing a recommendation of appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker(s) may – at their discretion – consider the statements, but they are not binding.

The Decision-maker(s) will review the statements and any pertinent conduct history provided by the Vice President for Student Affairs or Vice President for Human Resources (as appropriate), and will prepare a recommendation of appropriate sanction(s). The sanctions will be finally determined by the Official with Authority in an appropriate area with respect to the Respondent.

The Chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence not relied upon in its determination, credibility assessments, and include any sanctions.

This report is typically three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within five (5) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

### **33. NOTICE OF OUTCOME**

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome. The Notice of Outcome will then be reviewed by legal counsel as needed. The Title IX Coordinator will then share the Notice, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within five (5) business days of receiving the Decision-maker(s)' deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person or emailed to the parties' ICC-issued email or otherwise approved account. Once emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will articulate the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by ICC from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent that ICC is permitted to share such information under state or federal law; any sanctions issued which ICC is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to ICC's educational or employment program or activity, to the extent ICC is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by ICC to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

### **34. STATEMENT OF THE RIGHTS OF THE PARTIES (SEE APPENDIX C)**



### **35. SANCTIONS**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

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

The sanctions will be finally determined by the Official with Authority in an appropriate area with respect to the Respondent, and will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

#### **a. Student Sanctions**

The following are sanctions that may be imposed upon students or organizations singly or in combination<sup>13</sup>:

- *Warning*: A formal statement that the conduct was unacceptable and a warning that further violation of any ICC policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling*: ICC may mandate that a student or employee meet with and engage in either ICC-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation*: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension*: Separation of the student from the College for a definite period of time, after which the student is eligible to return upon approval by the Vice President for Student Affairs. Conditions for readmission may be specified.
- *Expulsion*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend ICC-sponsored events.
- *Withholding Diploma*: ICC may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- *Revocation of Degree*: ICC reserves the right to revoke a degree previously awarded from ICC for fraud, misrepresentation, and/or other violation of ICC policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including ICC registration) for a specified period of time.

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<sup>13</sup> Subject to ICC's Student Handbook and Code of Conduct.



- *Other Actions:* In addition to or in place of the above sanctions, ICC may assign any other sanctions as deemed appropriate.

#### **b. Employee Sanctions/Responsive Actions**

Responsive actions for an employee who has engaged in harassment and/or retaliation include:

- *Warning – Verbal or Written*
- *Performance Improvement Plan/Management Process*
- *Enhanced supervision, observation, or review*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Reassignment*
- *Delay of tenure track progress*
- *Assignment to new supervisor*
- *Restriction of stipends, research, and/or professional development resources*
- *Suspension with pay*
- *Suspension without pay*
- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions/responsive actions, ICC may assign any other responsive actions as deemed appropriate.

### **36. WITHDRAWAL OR RESIGNATION WHILE CHARGES PENDING**

**a. Students:** If a student has an allegation pending for violation of the Policy, ICC may place a hold on a student’s ability to graduate and/or to receive an official transcript/diploma.

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from ICC, the resolution process ends, as ICC no longer has disciplinary jurisdiction over the withdrawn student.

However, ICC will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged sexual harassment and/or retaliation. The student who withdraws or leaves while the process is pending may not return to ICC. Such exclusion applies to all campuses of ICC. A hold will be placed on their ability to be readmitted. They may also be barred from ICC property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to ICC unless and until all sanctions have been satisfied.

**b. Employees:** Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the ICC no longer has disciplinary jurisdiction over the resigned employee.

However, ICC will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for rehire with ICC, and the records retained by the Title IX Coordinator will reflect that status.

All ICC responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

### **37. APPEALS**

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the Notice of Outcome.

A single Appeal Decision-maker will consider the appeal. No Appeal Decision-maker will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process. In cases where there is a student or faculty Respondent, appeals will be heard by the Vice President for Academic Affairs or the Executive Vice President. In cases where there is a non-faculty employee or third-party Respondent, the appeal will be heard by the Executive Vice President. These two Appeal Decision-makers may serve as reserves for each other in cases in which either has a direct conflict of interest in hearing the appeal.

The Request for Appeal will be forwarded to the Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

#### **a. Grounds for Appeal**

Appeals are limited to the following grounds:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.
- (D) There was a clear error in factual findings that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Decision-maker and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Decision-maker will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) will be emailed, and/or provided a hard copy of the request with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Appeal Decision-maker to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed by the Appeal Decision-maker to determine if it meets the grounds in this Policy, and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in five (5) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision-maker will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and the Appeal Decision-maker will render a decision in no more than seven (7) business days, barring exigent circumstances. All decisions will be made using the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously, including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which ICC is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent ICC is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person or emailed to the parties' ICC-issued email or otherwise approved account. Once emailed and/or received in-person, notice will be presumptively delivered.

#### **b. Sanctions Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

ICC may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

#### **c. Appeal Considerations**

- Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-maker may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.

- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where a procedural or substantive error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).
- The results of a remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the four available appeal grounds.
- In cases in which the appeal results in reinstatement to ICC or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

### **38. LONG-TERM REMEDIES/OTHER ACTIONS**

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the sexual harassment and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services (for students)
- Referral to the Employee Assistance Program (for employees)
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by ICC to the Respondent to ensure no effective denial of educational access.

ICC will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair ICC's ability to provide these services.

### **39. FAILURE TO COMPLY WITH SANCTIONS AND/OR INTERIM AND LONG-TERM REMEDIES AND/OR RESPONSIVE ACTIONS**

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Decision-maker).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from ICC.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

#### **40. RECORDKEEPING**

ICC will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to ICC's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. ICC will make these training materials publicly available on ICC's Title IX website. and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent;
  - b. Any measures designed to restore or preserve equal access to ICC's education program or activity; and
  - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

ICC will also maintain any and all records in accordance with state and federal laws.

#### **41. DISABILITIES ACCOMMODATIONS IN THE RESOLUTION PROCESS**

ICC is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to ICC's resolution process.

Anyone needing such accommodations or support should contact the Associate Dean for Tutoring and Accessibility (for students) or Vice President for Human Resources (for employees), who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

#### **42. REVISION OF THIS POLICY AND PROCEDURES**

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct and/or retaliation under Title IX and will be reviewed and updated annually by the Title IX Coordinator. ICC reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background state and

federal laws which frame such policies and codes, generally. This Policy and procedures are effective August 14, 2020.

## APPENDIX A: POLICY EXAMPLES

Some examples of possible sexual harassment include:

- A professor offers for a student to have sex or go on a date with them in exchange for a good grade. This constitutes sexual harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is promised or a bad grade is threatened.
- A student repeatedly sends graphic, sexually-oriented jokes and pictures around campus via social media to hundreds of other students. Many don't find it funny and ask them to stop, but they do not. Because of these jokes, one student avoids the sender on campus and in the residence hall in which they both live, eventually asking to move to a different building and dropping a class they had together.
- A professor engages students in class in discussions about the students' past sexual experiences, yet the conversations are not in any way germane to the subject matter of the class. The professor inquires about explicit details and demands that students answer them, though the students are clearly uncomfortable and hesitant.
- An ex-partner widely spreads false stories about their sex life with their former partner to the clear discomfort and frustration of the former partner, turning the former partner into a social pariah on campus.
- Chris has recently transitioned from male to non-binary, but primarily expresses as a female. Since their transition, Chris has noticed that their African Studies professor, Dr. Mukembo, pays them a lot more attention. Chris is sexually attracted to Professor Mukembo and believes the attraction is mutual. Chris decides to act on the attraction. One day, Chris visits Dr. Mukembo during office hours, and after a long conversation about being non-binary, Chris kisses Dr. Mukembo. Dr. Mukembo is taken aback, stops the kiss, and tells Chris not to do that. Dr. Mukembo explains to Chris that they are not interested in Chris sexually or romantically. Chris takes it hard, crying to Dr. Mukembo about how hard it is to find someone who is interested in them now based on their identity. Dr. Mukembo feels sorry for Chris and softens the blow by telling them that no matter whether they like Chris or not, faculty-student relationships are prohibited by the College. Chris takes this as encouragement. One night, Chris goes to a gay bar some distance from campus and sees Dr. Mukembo at the bar. Chris tries to buy Dr. Mukembo a drink and, again, tries to kiss Dr. Mukembo. Dr. Mukembo leaves the bar abruptly. The next day, Chris makes several online posts that out Dr. Mukembo as gay and raise questions about whether they are sexually involved with students. Dr. Mukembo contacts the Title IX Office and alleges that Chris is sexually harassing him.

### Examples of Stalking

- Students A and B were "friends with benefits." Student A wanted a more serious relationship, which caused student B to break it off. Student A could not let go, and pursued student B relentlessly. Student B obtained a campus no-contact order. Subsequently, Student B discovered their social media accounts were being accessed, and things were being posted and messaged as if they were from them, but they were not. Whoever accessed their account posted a picture of a penis, making it look as if they had sent out a picture of themselves, though it was not their penis. This caused them considerable embarrassment and social anxiety. They changed their passwords, only to have it happen again. Seeking help from the Title IX Coordinator, Student B met with the IT department, which discovered an app on their phone and a keystroke recorder on their laptop, both of which were being used to transmit their data to a third party.
- A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate it if the gift deliveries stopped. The

student then started leaving notes of love and gratitude on the tutor's car, both on-campus and at home. Asked again to stop, the student stated by email, "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. If I can't have you, no one will."

#### Examples of Sexual Assault:

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00 p.m. until 3:00 a.m., Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. Despite her clear communications that she is not interested in doing anything sexual with him, Bill keeps at her, questions her religious convictions, and accuses her of being "a prude." He brings up several rumors that he has heard about how she performed oral sex on a number of other guys. Finally, it seems to Bill that her resolve is weakening, and he convinces her to "jerk him off" (hand to genital contact). Amanda would have never done it but for Bill's incessant advances. He feels that he successfully seduced her and that she wanted to do it all along but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn't want it, she could have left.
- Jiang is a junior. Beth is a sophomore. Jiang comes to Beth's residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, soon become more intimate, and start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a babysitter at the age of five and avoids sexual relations as a result, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses, and begins to have intercourse with Beth, Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop but cannot. Beth is stiff and unresponsive during the intercourse.
- Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his apartment, and John comes on to Kevin, initiating sexual activity. Kevin asks John if he is really up to this, and John says yes. They remove each other's clothes, and they end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may have even passed out briefly during the sex, but he came to again. When Kevin runs into John the next day, he thanks him for the great night. John remembers nothing and decides to make a report to the Dean.

#### Examples of Retaliation:

- Student-athlete A alleges sexual harassment by a coach; the coach subsequently cuts the student-athlete's playing time without a legitimate justification.
- A faculty member alleges gender inequity in pay within her department; the Department Chair then revokes his approval for her to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- A student from Organization A participates in a sexual harassment investigation as a witness whose testimony is damaging to the Respondent, who is also a member of Organization A; the student is subsequently removed as a member of Organization A because of their participation in the investigation.



## **APPENDIX B: A FRAMEWORK FOR INFORMAL RESOLUTION (IR)**

The following is offered as a framework for Informal Resolution (IR), including:

1. A response based on supportive measures; and/or
2. A response based on a Respondent accepting responsibility; and/or
3. A response based on alternative resolution, which could include various approaches and facilitation of dialogue.

ICC recognizes that alternative resolution approaches like mediation, restorative practices, transformative justice, etc., are likely to be used more and more often. ICC does not endorse these approaches as better or worse than other formal or informal approaches.

If IR approaches are to be used in, and effective for, sex offenses, they need to be designed and executed carefully and thoughtfully and be facilitated by well-trained administrators who take the necessary time to prepare and lay a foundation for success. Although no approach is a panacea, the framework below can help to lay that foundation, regardless of which approach(es) are used.

The following is a set of principles to be considered for supporting various approaches to informal resolution:

- IR can be applied in any sex/gender-based interpersonal conflict but may not be appropriate or advisable in cases involving violent incidents (sexual violence, stalking, domestic and dating violence, severe sexual harassment, sexual exploitation, etc.).
- Situations involving dangerous patterns or significant ongoing threat to the community should not be resolved by IR.
- The determination of whether to permit an IR-based resolution is entirely at the discretion of the Title IX Coordinator (TIXC) and in line with the requirements for IR laid out in the Title IX regulations.
- Any party can end IR early-, mid-, or late-process for any reason or no reason.
- IR can be attempted before and in lieu of formal resolution as a diversion-based resolution (although a formal complaint must be filed if you are within Section 106.30, per OCR).
- Alternative approaches can inform formal resolution, as in a formal resolution model infused with restorative practices.
- IR could be deployed after formal resolution, as an adjunct healing/catharsis opportunity (that could potentially mitigate sanctions or be a form of sanction).
- Alternate Resolution approaches to IR must be facilitated by ICC or a third-party. There may be value in creating clearly agreed-upon ground rules, which the parties must sign in advance and agree to abide by, otherwise the informal resolution process will be deemed to have failed.
- Technology-facilitated IR can be made available, should the parties not be able or willing to meet in person.
- If IR fails, a formal resolution can take place thereafter. No evidence elicited within the “safe space” of the IR facilitation is later admissible in the formal resolution unless all parties consent.
- With cases involving violence, the preferred alternative approach typically involves a minimal number of essential parties and is not a wide restorative circle approach in order to ensure confidentiality.
- Some approaches require a reasonable gesture toward accountability (this could be more than an acknowledgement of harm) and some acceptance, or at least recognition, by the Respondent that catharsis is of value and likely the primary goal of the Complainant. A full admission by the Respondent is not a prerequisite. This willingness needs to be vetted carefully in advance by the Title IX Coordinator before determining that an incident is amenable/appropriate for resolution by IR.
- IR can result in an accord or agreement between the parties (Complainant, Respondent, ICC), which is summarized in writing by and enforced by ICC. This can be a primary goal of the process.
- IR can result in the voluntary imposition of safety measures, remedies, and/or agreed-upon resolutions by the parties, that are enforceable by ICC. These can be part of the accord/agreement.
- As a secondary goal, IR can result in the voluntary acceptance of “sanctions,” meaning that a Respondent could agree to withdraw, self-suspend (by taking a leave of absence), or undertake other restrictions/transfers/online course options that would help to ensure the safety/educational access of the Complainant, in lieu of formal sanctions that would create a formal record for the Respondent. These are

enforceable by ICC as part of the accord/agreement, as may be terms of mutual release, non-disparagement, and/or non-disclosure.

- Although a non-disclosure agreement (NDA) could result from IR, it would have to be mutually agreed-upon by the parties in an environment of non-coercion verified by the Title IX Coordinator.
- Institutions must develop clear rules for managing/facilitating the conference/meeting/dialogue of alternative resolution approaches, to ensure they are civil, age-appropriate, culturally-competent, reflective of power imbalances, and maximize the potential for the resolution process to result in catharsis, restoration, remedy, etc., for the harmed party(ies).

### **APPENDIX C: STATEMENT OF RIGHTS OF THE PARTIES**

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or retaliation made in good faith to ICC officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by ICC officials.
- The right to have ICC policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by ICC officials from reporting sexual harassment or retaliation to both on-campus and off-campus authorities.
- The right to be informed by ICC officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by ICC authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by campus security and/or other ICC officials.
- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- The right to an ICC-implemented no-contact order (or a trespass order against a non-affiliated third party) when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of sexual harassment and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
  - Relocating an on-campus student's housing to a different on-campus location
  - Assistance from ICC staff in completing the relocation
  - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)

- Transportation accommodations
  - Visa/immigration assistance
  - Arranging to dissolve a housing contract and a pro-rated refund
  - Exam, paper, and/or assignment rescheduling or adjustment
  - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
  - Transferring class sections
  - Temporary withdrawal/leave of absence (may be retroactive)
  - Campus safety escorts
  - Alternative course completion options.
- The right to have ICC maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair ICC's ability to provide the supportive measures.
  - The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
  - The right to ask the Investigator(s) and Decision-maker(s) to identify and question relevant witnesses, including expert witnesses.
  - The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Chair, may be asked of any party or witness.
  - The right not to have irrelevant prior sexual history or character admitted as evidence.
  - The right to know the relevant and directly related evidence obtained and to respond to that evidence.
  - The right to fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
  - The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
  - The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
  - The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
  - The right to regular updates on the status of the investigation and/or resolution.
  - The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received relevant annual training.
  - The right to a Hearing Panel that is not single-sex in its composition, if a panel is used.
  - The right to preservation of privacy, to the extent possible and permitted by law.
  - The right to meetings, interviews, and/or hearings that are closed to the public.

- The right to petition that any ICC representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
  - The right to have an Advisor to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
  - The right to have ICC facilitate the participation of faculty and staff witnesses.
  - The right to the use of the appropriate standard of evidence, preponderance of the evidence; clear to make a finding after an objective evaluation of all relevant evidence.
  - The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
  - The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
  - The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale of the decision (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.
  - The right to be informed in writing of when a decision by ICC is considered final and any changes to the sanction(s) that occur before the decision is finalized.
  - The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by ICC.
  - The right to a fundamentally fair resolution as defined in these procedures.
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## **APPENDIX D: VIOLENCE RISK ASSESSMENT (VRA)**

Threat assessment is the process of assessing the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A **Violence Risk Assessment (VRA)** is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

The implementation of VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, and/or other Behavioral Intervention Team (TABIT) members.

A VRA occurs in collaboration with the TABIT and/or other threat assessment team and must be understood as an on-going process, rather than a singular evaluation or meeting. A VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment.

A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

When conducting a VRA, the assessor(s) use an evidence-based process consisting of:

1. an appraisal of **risk factors** that escalate the potential for violence;
2. a determination of **stabilizing influences** that reduce the risk of violence;
3. a contextual **analysis of violence risk** by considering environmental circumstances, hopelessness, and suicidality; catalyst events; nature and actionability of threat; fixation and focus on target; grievance collection; and action and time imperative for violence; and
4. the application of **intervention and management** approaches to reduce the risk of violence.

To assess an individual's level of violence risk, the Title IX Coordinator will initiate the violence risk assessment process through the TABIT. The TABIT will assign a trained individual(s) to perform the assessment, according to the specific nature of the Title IX case.

The assessor will follow the process for conducting a violence risk assessment as outlined in the TABIT manual and will rely on a consistent, research-based, reliable system that allows for the operationalization of the risk levels. One example of a formalized approach to the VRA process used by TABIT is the NaBITA Risk Rubric.<sup>14</sup> Others may be incorporated in the future.

The VRA is conducted independently from the Title IX process, free from outcome pressure, but informed by it. The individual(s) conducting the assessment will be trained to mitigate any bias and provide the analysis and findings in a fair and equitable manner.

The TABIT members conduct a VRA process and ultimately make a recommendation to the Title IX Coordinator as to whether the VRA indicates that there is a substantial, compelling, and/or immediate risk to health and/or safety of an individual or the community.

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<sup>14</sup> [www.nabita.org/tools](http://www.nabita.org/tools)

## **SECTION IV: CAMPUS SAFETY**

### **PART I: EXPOSURE CONTROL POLICY FOR BLOODBORNE PATHOGENS**

This Exposure Control Policy is established for Independence Community College in accordance with the guidelines published in the Federal Register (12-6-91) as part of Subpart Z of 29 CFR § 1910.1030. The policy applies to all at-risk faculty, employees, and students who have the potential for occupational exposure to bloodborne or other potentially infectious materials and is designed to minimize or eliminate faculty and student exposure to such materials. It is the intent of Independence Community College to establish and enforce policies and procedures to protect faculty, employees, students, and their patients. The procedures include universal precautions, at-risk faculty, employee and student education, exposure management, follow-up, and record keeping. The procedures will be published as an Exposure Control Plan and will be available for public inspection.

### **PART II: CAMPUS SAFETY AND SECURITY**

#### **CAMPUS SECURITY ACT**

In compliance with the federal Crime Awareness and Campus Security Act, Independence Community College annually prepares a Campus Security publication that includes crime statistics for the last three years, as well as safety-related policy and procedures. Also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the law requires all institutions of higher education give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crime data is collected, reported and disseminated to the campus community as well as the Department of Education. More information can be found online at:

<https://www.indycc.edu/student-life/campus-security>

#### **REPORTING CRIMES & EMERGENCIES**

People who see or know of criminal activity or emergencies on campus may report these events in several ways. Serious injury accidents and other emergencies should be reported by dialing 911. Several agencies from the city and county, including the ambulance service and fire department, will respond to the campus. The Sheriff's Department will also respond to calls for assistance 24 hours a day. When possible, after calling 911, campus safety personnel should also be contacted. For non-emergencies call the Sheriff's office at 620-330-1000 or call campus safety personnel at 620-331-8558. You may also contact the Vice President of Student Affairs to report criminal activity.

#### **EMERGENCY PROCEDURES**

In the event of an emergency such as a fire or tornado, warnings will be announced via the College's emergency notification system, Rave.

The Emergency Quick Reference Guide procedures posted in each building should be followed. Any potentially dangerous situation should be avoided, if possible, and reported at once to the nearest staff member or to Campus Security at 620-331-8558. Emergency Quick Reference Guides are located throughout the campus to guide students, faculty, staff, and visitors through emergency situations such as fire, severe weather, bomb threats, and evacuations.

#### **CAMPUS SAFETY TIPS**

Students can take simple steps to assist in protecting themselves from crime. Some useful tips that will assist in preventing crimes include:

- Travel in a group or pairs during evening hours.
- Walk in well-lit areas.
- When attending evening classes or events, students should attempt to park as close to an entrance

as possible.

- Do not carry large amounts of cash.
- Do not leave valuables unattended.
- Ensure that vehicles have windows closed and doors locked.
- If you feel you are being followed, contact 911 immediately. Attempt to move to a safe, well-lit location, or to a public area or group of people.

## **ACTIVE SHOOTER**

Independence Community College is committed to the safety, security, and well-being of all students, faculty, and staff; therefore, in the event of an active shooter scenario at ICC you should remain calm and respond in the manner that best ensures your safety, security, and survival. An active shooter scenario is a fluid and unpredictable situation; therefore, the Department of Homeland Security (DHS) and the Federal Bureau of Investigation (FBI) recommend that you should respond in one or all of these approaches that best ensures your safety, security, and survival:

1. **RUN:** If feasible and safe, then you are to immediately evacuate campus and do not return until an all clear has been issued by the Independence Police Department and the President of Independence Community College or designee.
2. **HIDE:** If evacuation is not feasible and safe, then you are to shelter in place into a safe and secure interior room. Turn off all lights, lock all doors, and silence all cell phones. Remain sheltered in a safe and secure interior room until safe to evacuate and/or until an all clear has been issued by the Independence Police Department and the President of Independence Community College or designee.
3. **FIGHT:** If feasible and safe, block all doors with furniture. Stay away from doors, windows, and all exterior walls. Be as quiet as possible. If neither evacuation nor shelter in place is feasible and safe, then utilize any means necessary to ensure your safety, security, and survival.

Should you witness alleged concerning behavior, first get to a safe location and immediately contact the Independence Police Department at 911. The only way to ensure a fun, safe, and secure community is for all members of the campus community to take a proactive approach and report alleged concerning behavior. If you see something, say something. The Independence Police Department may be contacted by dialing 911 at any time.

## **PART III: CAMPUS VISITORS**

Visitors are welcome at Independence Community College; however, visitors are not allowed to visit classrooms without prior consent of the administration and the instructor. Undesirable behavior on the part of campus guests that threatens the normal function of the College will result in the guest being asked to leave the campus.

Any person, group or organization wishing to distribute information on campus, either in written or oral form, shall be required to register with the Director of Student Life. The Director of Student Life will review the proposed materials and message contained therein to determine the proper venue, distribution method, and time. The College retains the right to control the time, place, and manner of distributed information and at all times reserves the right to protect the safety of the campus, the peacefulness of the academic environment, and the normal and efficient function of College business.

The Director of Student Life will designate a time and place for the person, group, or organization to distribute its information. The distributors of information should let members of the College community approach them and should refrain from aggressively soliciting College community members to engage in any dialogue or take any unwanted materials.



Any person, group, or organization which violates any of the protocols stated above and otherwise causes a disturbance, produces continued complaints from the College, or disrupts the normal function of the College will be asked to leave immediately and may be escorted off Campus by Campus Security or Police.

## **PART IV: EMERGENCY MESSAGING**

### **EMERGENCY NOTIFICATION SYSTEM**

Independence Community College uses Rave for emergency alerts. Emergency alerts will be used to notify users of inclement weather, campus closings, active shooters, and other incidents affecting the campus. To receive active alerts for incidents, users must subscribe to Rave using the following link: <http://www.indycc.edu/student-life/campus-security>.

## **PART V: LOST AND FOUND**

The Tutoring Center serves as the central location for the campus Lost and Found. The Tutoring Center is located in the Academic Building Room 130. After a certain period of time, all buildings and offices are encouraged to forward any found items to the ICC Registrar's Office to maintain a central location for persons seeking lost property.

After six (6) months, all unclaimed items are donated to an appropriate charity (shelter, food pantry, etc.) or destroyed without value, as determined by the Registrar.

Inquiries about lost and found property can be made by calling (620) 332-5404.

## **PART VI: MOTOR VEHICLES - GENERAL INFORMATION**

### **PARKING PERMITS**

Students who reside on campus must obtain a parking permit from the housing department. Once your vehicle is registered and you have received your permit it must be placed visibly on the front or rear windshield of the vehicle.

### **GENERAL PARKING REGULATIONS**

Students are to follow all local and state laws. Parking in handicap or non-designated parking areas could result in your vehicle being ticketed or towed at the owner's expense.

## **SECTION V: DRUG-FREE CAMPUSES**

As an educational and public service institution, Independence Community College (ICC) recognizes its responsibility to promote a productive learning and work environment. The Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendment of 1989 required the establishment of anti-drug programs and prohibited the use of illicit drugs in the workplace of an educational institution that received federal funds. In order to meet its responsibilities, the College has established the following policy.

### **PART I: PHILOSOPHY**

Independence Community College is committed to social justice and the well-being of the total community, as indicated by its educational offerings and open-door policy. The maintenance of a drug-free campus is part of this commitment. The drug-free policy is designed to provide a drug-free environment for students and employees wherein intellectual, physical and social activities may occur. The long-term well-being of students and employees is the objective of the policy.

### **PART II: POLICY**

The illegal manufacture, distribution, possession or use of illicit drugs or alcohol on the Campus or anywhere else as any part of the College's activities is strictly prohibited.

Employees are forbidden to perform safety-, security- or image- sensitive functions for the College while a prohibited drug is in their system or possession. An employee must notify their supervisor in writing of a criminal conviction of a drug-related or alcohol-related offense no later than five days following the conviction.

A referral service for drug or alcohol counseling and treatment is available through the Student Affairs area to students and through Human Resources for employees. Treatment and rehabilitation programs will be conducted at the direction and the expense of the student or employee. Sick leave or other appropriate benefits may be available for treatment or rehabilitation services for benefits-eligible ICC employees. Seeking help from, being referred to or from these services is confidential and will not, alone, result in any disciplinary action. Individual privacy will be maintained in any counseling/ rehabilitation process. Satisfactory completion of a treatment or rehabilitation program may entitle the student or employee to re-enter a Campus program of study or employment. Drug and alcohol testing of applicants for regular positions (50% or more) and current employees shall be conducted in accordance with applicable federal and state law.

Students and employees will receive notification of the College's policy, applicable legal sanctions and a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

A violation of this policy will be considered a major offense, which can result in the immediate recommendation for dismissal of an employee or expulsion of a student. Employees may be required to demonstrate satisfactory participation in a drug rehabilitation program. A criminal conviction is not required for sanctions to be imposed upon an employee or student for violations of this policy.

### **PART III: HEALTH RISKS**

Serious health risks are associated with the use of illicit drugs and the abuse of alcohol and include, without limitation: a lowered immune system, damage to critical nerve cells, physical dependency, lung damage, heart problems, liver disease, physical and mental depression, increased infection, irreversible memory loss, personality changes and thought disorders. With most drugs, it is possible that users will develop psychological and physical dependence. The general categories of drugs and their effects follows:

## **ILLCIT DRUGS**

### **Amphetamines/Methamphetamine Stimulants: (Speed, Uppers, Crank, Ecstasy, etc.)**

Speed up the nervous system, which can cause increased heart and breathing rates, higher blood pressure, decreased appetite, headaches, blurred vision, dizziness, sleepiness, anxiety, hallucinations, paranoia, depression, convulsions and death due to a stroke or heart failure.

### **Anabolic Steroids**

Seriously affect the liver, cardiovascular and reproductive systems. Can cause sterility in males and females, as well as impotency in males.

**Barbiturates/Depressants/Benzodiazepines: (Downers, Quaaludes, Valium, etc.)** Slow down the central nervous system, which can cause decreased heart and breathing rates, lower blood pressure, slow reactions, confusion, distortion of reality, convulsion, respiratory depression, coma and death. Depressants combined with alcohol can be lethal.

### **Cocaine/Crack/Ice**

Stimulates the central nervous system and is extremely addictive, both psychologically and physically. Effects include dilated pupils, increased heart rate, elevated blood pressure, insomnia, loss of appetite, hallucinations, paranoia, seizures and death due to cardiac arrest or respiratory failure.

### **Hallucinogens: (PCP, angel dust, LSD, etc.)**

Interrupt the functions of the part of the brain that controls the intellect and instincts. May result in self-inflicted injuries, impaired coordination, dulled senses, incoherent speech, depression, anxiety, violent behavior, paranoia, hallucinations, increased heart rate and blood pressure, convulsions, coma and heart and lung failure.

### **Cannabinoids: (Marijuana, hashish, hash, etc.)**

Impairs short-term memory, comprehension, coordination and motivation. May cause paranoia and psychosis. Marijuana smoke contains more cancer-causing agents than tobacco smoke. The way in which marijuana is smoked – deeply inhaled and held in the lungs for a long period – enhances the risk of getting cancer. Combined with alcohol, marijuana can produce a dangerous multiplied effect.

### **Narcotics: (Heroin, Morphine, Demerol, Percodan, etc.)**

Initially produce feelings of euphoria often followed by drowsiness, nausea and vomiting. An overdose may result in convulsions, coma and death. Tolerance develops rapidly and dependence is likely. Using contaminated syringes to inject such drugs may result in AIDS.

## **OTHER ADDICTIVE SUBSTANCES**

### **Alcohol**

Causes short-term changes in behavior, impairment of judgment and coordination, greater likelihood of aggressive acts, respiratory depression, irreversible physical and mental abnormalities in newborns (fetal alcohol syndrome) and death. Long-term effects of alcohol abuse include damage to the liver, heart and brain. Alcohol may cause such conditions as: ulcers, gastritis, malnutrition, delirium tremors and cancer. Alcohol combined with other barbiturates/depressants can prove to be a deadly mixture.

### **Tobacco/Nicotine**

Causes the death of an estimated 170,000 people in the United States each year from smoking-related coronary heart disease. About 30 percent of the 130,000 cancer deaths each year are linked to smoking. Lung, larynx, esophagus, bladder, pancreas and kidney cancers strike smokers at increased rates. Emphysema and chronic bronchitis are ten times more likely among smokers.

Further information concerning health risk may be found in the Student Affairs area. One's personal physician

should also be consulted about the health risks associated with alcohol and drug use.

## **PART IV: REHABILITATION PROGRAMS**

A referral service for students and employees is maintained in the Student Affairs area. In addition, the toll-free, hotline numbers listed herein may be of use to those needing help or advice:

Alcoholic Anonymous  
620-332-9294

National Clearing House, Alcohol & Drug Info  
1-800-729-6686

Narcotics Anonymous  
<https://www.na.org/meetingsearch/>

National Council on Alcoholism  
1-800-622-2255

Four County Mental Health Center Crisis Hotline  
1-800-499-1748

National Institute on Drug Abuse  
1-800-662-HELP or [www.nida.nih.gov](http://www.nida.nih.gov)

Four County Mental Health Center  
(620) 331-1748 or <http://www.fourcounty.com>  
3751 W. Main Street, Independence KS 67301

Reach-Out Hotline  
Alcohol, drug crisis intervention, & mental health  
1-800-522-9054

Montgomery County Health Department  
(405) 321-0022

## **PART V: COLLEGE SANCTIONS**

Disciplinary sanctions for violations of the standards of conduct required by this policy will be imposed on students and employees as identified in the Student Handbook (for students) and the Policies and Procedures Manual (for employees). Courts do not excuse individuals convicted of these offenses from a prison sentence to go to college or work. A conviction for such an offense could seriously affect one's record and prevent entry into many careers. ICC requires students to abide by the terms of this policy as a condition of College attendance.

## **SECTION VI: ACADEMIC INFORMATION**

### **PART I: STUDENT GRIEVANCE PROCEDURES**

ICC values communications from its stakeholders and as such has implemented a system for electronic submission of grievances involving the College. All stakeholders, including students, employees, community members and volunteers, are actively encouraged to submit grievances to the College through ICC's electronic reporting system located on its website at <https://www.indycc.edu/student-life/student-complaints>.

### **PART II: ACADEMIC GRADE APPEALS**

There are two categories of grade appeals. Those are:

1. Assignment, tests, etc. of the course.
2. The final grade for the course.

To appeal #1: Students should have an informal conversation with the instructor for the purpose of resolving the issue. If the student does not feel that this conversation has helped to resolve the issue, the next step is to appeal the grade in writing with the Chief Academic Officer within two weeks after the conversation with the instructor. The CAO will review the information available, deliberate, and render a decision in writing to the student with a copy to the instructor within 10 days of receipt of the appeal.

To appeal #2: Students should appeal the grade in writing with the Chief Academic Officer within 60 days after a grade is posted. The CAO will review the information available, deliberate, and render a decision in writing to the student with a copy to the instructor within 15 days of receipt of the appeal. If the student's appeal is approved, the appropriate change will be made to the student's official transcript by the college registrar within 30 days of notification. Grade appeals that are received after the 60-day deadline will not be considered.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

### **PART III: CHANGE OF SCHEDULE**

#### **DROPPING/ADDING CLASSES**

Classes dropped prior to the refund deadline (see Academic Calendar) will not appear on the student's transcript. For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

#### **REFUND POLICY**

To receive a refund, the student must officially drop the class, and have it recorded in the Registrar's Office within the period of time outlined in the Academic Calendar. For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

#### **AUDIT STUDENTS**

Students may choose to audit a class, which means they attend a class regularly but elect not to earn credit. Regular tuition and fees will not be charged. Students must declare their intention to audit at the

time of enrollment by completing a Request to Audit a Course form and the option CANNOT be changed once the class begins. A course originally completed under the audit option cannot later be converted to a grade. Preference for available seats will be given to those students taking the course for credit.

The Request to Audit a Course form requires the student to obtain the course instructor's approval and is then submitted to the Registrar's Office for processing. The student will receive a grade of AU on the transcript, which does not affect GPA or count toward graduation requirements.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

### **WITHDRAWING FROM CLASSES**

A request for withdrawal from a course may be initiated by a student. The grade will be recorded as a "W" with no grade points or credit hours earned by the student if the withdrawal is completed prior to the posted deadline. Students who withdraw will also be required to pay the full amount for the course. Classes from which a student has withdrawn are not calculated into the student's grade point average. Students may withdraw from all courses at ICC by completing the same form.

Instructors may withdraw a student for lack of attendance, but only after the certification date and on or before the last date to withdraw for the semester. If an instructor exercises this option, a grade of WN will be recorded, and all of the course charges/fees will be applied to the student's account. Students who do not complete and submit a Withdrawal Form will receive the grade earned based on the course requirements, and that grade will be entered on the student's transcript. Please see the Academic Calendar for the last date to withdraw during a semester.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

### **PART IV: CLASS ATTENDANCE**

Students are expected to be regular and punctual in attendance of all classes. Regular class attendance is necessary for student success. There is no distinction between excused and unexcused absences. A student should inform instructors of special circumstances, such as participation in campus activities or sports, which make an absence necessary.

ICC expects students will attend a minimum of 75% of the class meetings for that particular course. The instructor, however, has the right to institute a more strict attendance policy which will be outlined in his/her course syllabus.

Any instructor may withdraw a student for lack of attendance, but only after the appropriate date of certification for the course and on or before the last date to withdraw for the semester. If an instructor does exercise this option, a grade of WN will be recorded and all of the course charges/fees will be applied to the student's account. Students will be automatically withdrawn and receive a grade of WN if they fail to meet the 75% attendance standard (e.g., if the student missed 8 times in a TR 16-week class, 11 times in a MWF 16-week class, 15 times in a M-R 16-week class, or 19 times in a M-F 16-week class). More information can be found in the ICC Course Catalog.

For more information, please visit the Independence Community College 2020-2021 Catalog at

<https://www.indycc.edu/student-life/registrar/index>

## **PART V: STUDENT PROFICIENCY IN THE ENGLISH LANGUAGE**

ICC welcomes students from around the world. If you are not a citizen of one of the countries listed above, you must submit original documentation of English proficiency from one of the options below:

- a. Provide official TOEFL scores of:
  - 500 or above on the paper-based test, or
  - 173 or above on the computer-based test, or
  - 61 or above on the internet-based test, OR
- b. Provide an official IELTS score of 4.5, or
- c. Provide an official PTE score of 70, or
- d. Provide an official TOEIC score of 525, or
- e. Submit official transcripts from a U.S. College or University documenting you have completed the equivalent of ICC's English Composition I with a grade of "C" or better, or
- f. Submit official transcripts from a U.S. College or University documenting the completion of a minimum of 12 credit hours of general education credit with a grade of "C" or better, or
- g. Submit official high school transcripts documenting the completion of one academic year of study in the U.S. with an equivalent GPA of 2.5 or better, or
- h. Official transcript documenting at least 24 credit hours of English-As-A-Second Language (ESL) coursework with a 2.5 GPA or higher.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

## **PART VI: THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

### **ACCESS TO STUDENT INFORMATION**

Students at ICC should be aware of legal rights under the Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the Buckley Amendment. By the knowledge and the exercise of these rights, students may be certain that the college is providing fair and accurate information from their records only to persons with a legitimate need and right to know and that students have free access to their own records.

Students have the right to inspect and review all their records that meet the definition of "educational records." Students may request an interpretation of what this information means and a copy of these records at their expense. Students who wish to have their information shared with parents or others must sign a Family Educational Rights and Privacy Act (FERPA) form granting access to the student's records. For more information regarding your rights, please visit our webpage at

<http://www.indycc.edu/studentlife/registrar/personal-information>.

## **PART VII: HONOR ROLL**

In order to give proper recognition for excellence in scholarship, the ICC faculty have established an honor roll program. The announcement of honor roll students will be made at the close of each semester. Two honor rolls will be announced. The highest honor roll is known as the "President's Honor Roll." This honor will be given to students whose GPA for the semester is 4.0. The second honor roll is known as the "Vice President's Honor Roll." This honor will be given to students whose GPA is 3.5-3.99 for the semester.

A student must be enrolled in a minimum of 12 semester hours to be eligible for either honor roll.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

### **PART VIII: LIBRARY**

The ICC Library is committed to supporting student achievement by facilitating access to information resources and providing instruction in research techniques.

The ICC Library, located on the top floor of the Academic Building, is not just a place to borrow books. The Library is an important social center on campus where students can meet to study together, use a computer, or find a quiet corner and study or read. The staff is available to help students use the Library's many electronic resources and to find materials that are appropriate for a given project or assignment.

In addition to around 20,000 scholarly and leisure reading books, the Library has DVDs, graphic novels, board games, study aids, magazines, journals, and newspapers -- even children's books -- all available for free check-out. Interlibrary loan services allow students to access books and journal articles from research libraries across the state. The library is also home to the William Inge Collection, the largest existing collection of writings by Pulitzer Prize winning playwright William Inge. The Collection includes more than four hundred original manuscripts, as well as correspondence, interviews, and other memorabilia. Materials in the Collection cannot be checked out, but students and community members are welcome to make an appointment for a tour or to conduct research in the Collection for class assignments or personal interest.

Regular library hours are Monday-Friday 8:00 AM to 5:00 PM. The library will offer extended hours around finals and will have different hours during school breaks and summer.

For more information, please visit the Independence Community College Library at: <https://www.indycc.edu/student-life/library/index>

### **PART IX: STUDENT RIGHTS AND RESPONSIBILITIES**

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to attainment of these goals. As members of the academic community, students engage in a sustained and independent search of truth. Freedom to teach and freedom to learn are inseparable facets of academic liberty. The freedom to learn depends upon the appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students must exercise their liberty with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. Independence Community College has a duty to develop policies and procedures which provide and safeguard this liberty. The purpose of this statement is to enumerate the essential provisions for student freedom to learn and the responsibilities which go with their liberties as established by the Board of Trustees of Independence Community College.



## **STUDENT RIGHT-TO-KNOW ACT**

Independence Community College discloses information in accordance with the Higher Education Act of 1965 as amended by the Higher Education opportunity Act (HEOA) of 2008 to provide support to prospective and current students as they make decisions regarding their college education. For more information, visit: <https://www.indycc.edu/student-life/right-to-know>

## **FREEDOM OF ACCESS TO HIGHER EDUCATION**

Under no circumstances should a student be barred from admission to Independence Community College on the basis of race, color, sex, age, national origin, religion, disability, sexual orientation, or status as a veteran. Thus, within the limits of its facilities, the College should be open to all students who are qualified according to its admission standards.

## **PROTECTION OF FREEDOM OF EXPRESSION**

Students will be free to take reasoned exception to the data or views offered in any course of study and to reserve judgement about matters of opinion, but they are responsible for learning the content of any course of study in which they are enrolled.

## **PART X: STUDENT SUPPORT SERVICES**

Student Support Services is a TRIO program funded 100% by the US Department of Education. The program focuses on providing academic support to participants to ensure their success in college. The SSS staff strives to help students improve their quality of life both academically and socially. In order to participate, ICC students must qualify for this program in one of three ways: first generation student status (neither parent nor guardian has received a bachelor's degree), income eligible (as determined by the Federal Government), and/or documented physical or learning disability. Activities and services offered are FREE to qualified students. All students who use the program must be citizens or permanent residents of the United States of America.

Student Support Services offers:

- Academic coaching;
- Individual and group tutoring;
- Test review sessions;
- Computer and printer access;
- Campus visits to 4-year colleges and universities;
- Transfer application assistance;
- Mentoring;
- Assessments of learning styles and study skills;
- Tutorials on financial and economic literacy;
- Career exploration and planning;
- Workshops for development of personal and academic skills such as: stress reduction, financial planning, goal setting, time management, personality types, procrastination, plagiarism, test taking, note taking, and resume building;
- Workshops on transfer and continued study options;
- Cultural enrichment activities;
- Community engagement/volunteerism activities;
- Advocacy for disabled students to ensure equal access to higher education opportunities; and
- Bi-monthly production of the Swashbuckler newsletter.

To learn more about Student Support Services, drop by the Tutoring Center in Room 130 of the Academic Building, call (620) 332-5423 or (620) 332-5404 or visit ICC's webpage or Facebook @ICCTRIOSSS.

#### TUTORING CENTER

The ICC Tutoring Center is located in Room 130 of the Academic Building. College Reading and Learning (CLRA) certified peer tutors are generally available Monday–Thursday from 8am–8pm and Friday 8am–5pm during the fall and spring semesters. Summer hours may vary. Tutoring is also available to online students by appointment. Walk-in tutoring appointments are available but to schedule a tutoring session you may complete an online request form at [www.indycc.edu/student-life/tutoring-center](http://www.indycc.edu/student-life/tutoring-center) or call 620.332.5457.

CRLA certified student tutors are able to assist students with a variety of subjects from basic math and English courses to accounting and chemistry. Tutors are eligible to provide tutoring for courses they have successfully completed with an A or B, consequently, the courses for which a tutor is certified varies from semester to semester. Follow the Tutoring Center on Facebook: Independence Community College – Tutoring Center or on Twitter @ICCTUTORING.

#### STUDENT ACCESSIBILITY SERVICES

Students with disabilities seeking academic accommodations should contact the Associate Dean for Tutoring and Accessibility to schedule an intake interview and complete a request form or students may also complete request form and upload documentation at [www.indycc.edu/learning/accessibility](http://www.indycc.edu/learning/accessibility). After a student has requested accommodations, the student will be contacted by the Associate Dean for a brief discussion regarding their request. During this meeting, discussion will focus on how the disability affects the student and what accommodations will be needed. Early contact is encouraged as it can take weeks (or months in the case of recorded textbooks and Assistive Technology) for academic accommodations to be arranged.

Students will be required to furnish appropriate documentation of their disability. The documentation must follow the guidelines as outlined in the Academic Accommodations Handbook. Documentation must state current functioning and include justification for the requested academic accommodation. The Associate Dean and the Accommodations Committee will determine if the documentation is adequate to both establish the existence of a qualifying disability and to support the requested accommodations. Students diagnosed prior to high school graduation may also wish to submit Individualized Education Plan (IEP) documents. Information obtained is confidential and is used solely for the purpose of identifying appropriate support services.

ICC prohibits discrimination or harassment on the basis of disability in all of its programs and activities. Individuals with questions or concerns about ICC's ADA and Section 504 policies, including its provision of reasonable accommodations for students and employees with disabilities, are encouraged to contact ICC's ADA and Section 504 Coordinator.

## **SECTION VII: RESOURCES, SERVICES & INFORMATION**

### **PART I: NAVIGATOR ADVISING**

Upon application for admission to ICC, prospective students are assigned a personal navigator to help guide them through their academic journey – from admissions to graduation. Navigators assist new students through the admissions and enrollment process, helping them complete any required admissions documentation, apply for financial aid, and enroll in classes. Navigators are also available to students year-round and follow an intrusive advising approach, working closely with students to help them adapt to their learning environment and to guide them in making informed decisions regarding their educational and career goals. Navigators are also knowledgeable in the college's financial aid and business office processes and can assist students in setting up a payment plan or obtaining scholarships and other forms of financial aid.

Navigators work closely with faculty and other academic/instructional staff and actively encourage students to connect with their professors and other resources on campus and are committed to creating an inclusive learning environment. Navigators actively advocate for the creation, enhancement, and strengthening of programs and services that recognize and holistically meet student's needs as a means of helping students effectively navigate academic, social and other life issues that might otherwise interfere with students' ability to complete their education.

### **PART II: ACCOMMODATIONS PROCEDURES**

#### **MAKING ACCOMMODATIONS**

Independence Community College is obligated under Title II and Section 504 to provide appropriate academic adjustments as necessary to ensure that it does not discriminate on the basis of disability. The College complies with Section 504 of the Rehabilitation Amendment Act and the Americans with Disabilities Act. Students with disabilities are provided with a physically accessible campus and special services designed to meet their needs. Special parking is provided for people with disabilities; and there are ramps to classroom buildings. Adaptive technology is available for student use by contacting the Associate Dean for Tutoring and Accessibility.

#### **STUDENT ACCESSIBILITY SERVICES**

Students with disabilities seeking academic accommodations should contact the Associate Dean for Tutoring and Accessibility to schedule an intake interview and complete a request form or students may also complete request form and upload documentation at [www.indycc.edu/learning/accessibility](http://www.indycc.edu/learning/accessibility). After a student has requested accommodations, the student will be contacted by the Associate Dean for a brief discussion regarding their request. During this meeting, discussion will focus on how the disability affects the student and what accommodations will be needed. Early contact is encouraged as it can take weeks (or months in the case of recorded textbooks and Assistive Technology) for academic accommodations to be arranged.

Students will be required to furnish appropriate documentation of their disability. The documentation must follow the guidelines as outlined in the Academic Accommodations Handbook. Documentation must state current functioning and include justification for the requested academic accommodation. The Associate Dean and the Accommodations Committee will determine if the documentation is adequate to both establish the existence of a qualifying disability and to support the requested accommodations. Students diagnosed prior to high school graduation may also wish to submit Individualized Education Plan (IEP) documents. Information obtained is confidential and is used solely

for the purpose of identifying appropriate support services.

ICC prohibits discrimination or harassment on the basis of disability in all of its programs and activities. Individuals with questions or concerns about ICC's ADA and Section 504 policies, including its provision of reasonable accommodations for students and employees with disabilities, are encouraged to contact ICC's ADA and Section 504 Coordinator.

### **PART III: BOOKSTORE**

ICC owns and operates its own college bookstore. To pick up books you must bring a current printed schedule to the bookstore. Also, although students receiving a textbook scholarship do not have to pay for textbooks, all consumable books such as workbooks and online codes will still have to be purchased and will be charged to the student's account.

Textbooks must be returned at the **end** of each semester. If not returned on the return date, a hold will be placed on the student's account. Five business days after finals the student will be charged full retail for any non-returned textbooks.

In addition to textbooks, the bookstore also sells official Pirate clothing, caps, and miscellaneous items. You can also purchase breakfast, a snack or a great cup of coffee, hot chocolate or cappuccino. All bookstore sales support your campus

### **PART IV: COMMUNICATIONS WITH STUDENTS**

Electronic communication is the official means for communication to the students of Independence Community College. The College will send communications to students via student email and will expect that those communications are received in a timely manner. Thus, all Independence Community College students are issued a student email account upon enrolling in classes. The College will direct all electronic communications to the college-issued email address. Students should monitor the assigned student email account on a frequent and consistent basis in order to remain informed.

### **PART V: COUNSELING SERVICES**

For the 2020-2021 academic year, Independence Community College has contracted with The Virtual Care Group to provide ICC students with unlimited access to doctors and 3 free talk therapy sessions per semester. Students should have received an invitation via their ICC email address to activate their accounts. Students who have not received this invitation can request assistance in setting up their account by emailing [questions@indycc.edu](mailto:questions@indycc.edu).

ICC also partners with the following local agencies to provide mental health and other health services to its students. Students can arrange to receive counseling and other health services from these agencies by contacting their ICC Navigator, the Compliance/Title IX Department at (620) 332-5672, or by submitting a request through ICC's complaints/concerns system at <https://www.indycc.edu/student-life/student-complaints>.

#### **Hotline Numbers:**

Alcoholic Anonymous

National Clearing House, Alcohol & Drug Info

620-332-9294

1-800-729-6686

Narcotics Anonymous  
<https://www.na.org/meetingsearch/>

National Council on Alcoholism  
1-800-622-2255

Four County Mental Health Center Crisis Hotline  
1-800-499-1748

National Institute on Drug Abuse  
1-800-662-HELP or [www.nida.nih.gov](http://www.nida.nih.gov)

Four County Mental Health Center  
(620) 331-1748 or <http://www.fourcounty.com>  
3751 W. Main Street, Independence KS 67301

Reach-Out Hotline  
Alcohol, drug crisis intervention, & mental health  
1-800-522-9054

Montgomery County Health Department  
(405) 321-0022

## **PART VI: FINANCIAL AID & PAYMENT INFORMATION**

The ICC Office of Student Financial Aid (OSFA) assists students with getting financial aid to pay for the cost of attending school. The OSFA provides students with access to Pell Grants, Supplement Education Opportunity Grants (SEOG), Stafford Loans, PLUS Loan for Parents, Federal Work Study, on-campus employment and scholarships. The OSFA is located in the Administration Building and is open Monday through Friday 8:00 a.m. to 5:00 p.m. (during the summer the office may have an alternate work schedule). Information about our office and your financial aid options can be viewed on the OSFA webpage at [www.indycc.edu/financial-aid/](http://www.indycc.edu/financial-aid/). Our webpage is a great source of information including the financial aid process for grants, loans and working on campus.

### **ICC Financial Aid at a Glance**

The first step to the financial aid process at ICC is to complete the applicable FAFSA at [www.fafsa.ed.gov](http://www.fafsa.ed.gov). During the summer term, the applicable FAFSA may be different for each student, so please contact our office about which FAFSA you should complete in the summer. The FAFSA is required to determine eligibility for all Federal Student Aid programs and ICC scholarships.

Students interested in receiving any ICC scholarship must submit a scholarship application online at [www.indycc.edu](http://www.indycc.edu) or through the online financial aid system located on the OSFA webpage. The priority deadline for scholarship applications is June 1st for the Fall semester and November 1st for the Spring semester. Although ICC awards hundreds of thousands of dollars in institutional scholarships, if you apply for scholarships after this date, you may not receive scholarship funds. The qualifications for each scholarship type, which you must meet every term, are published on our webpage.

After ICC receives your FAFSA, you will be contacted via mail and/or email about the next steps to receive your financial aid. *The FAFSA is merely an application.* In order to receive financial aid, you must complete additional documentation with our office. The documentation you are required to submit will be listed on your online financial aid system account. It is your responsibility to regularly check your online financial aid system account, available at <https://selfservice.indycc.edu/netpartnerstudent>, and provide the requested documents in a timely manner. You must meet any applicable financial aid

deadlines in order to receive your financial aid in a timely manner. Deadlines and corresponding disbursement dates are published on the OSFA webpage. You must also be meeting Satisfactory Academic Progress (SAP) in order to receive financial aid. ICC's SAP policy is published on our webpage.

### **Basic Financial Aid Requirements for All Students**

The following is a list of basic requirements all students must meet in order to receive financial aid with ICC:

1. Complete the appropriate FAFSA;
2. Complete verification (if selected) through Inceptia's Verification Gateway;
3. Submit final high school transcript(s), or the equivalent, to the Office of Admissions;
4. Submit official college transcript(s) to the Registrar;
5. Submit the scholarship application to be considered for/receive your scholarship;
6. Choose whether to (or not to) authorize ICC to utilize Federal Student Aid for certain charges/prior balances (FSA Authorization Form); and
7. Accept your awards!

This is not intended to be an exclusive list of everything required of you; each student is unique and their financial aid is tailored to their needs. Therefore, each student may have different requirements. You can check your individual requirements in the online financial aid system at <https://selfservice.indycc.edu/netpartnerstudent>.

### **Completing Verification**

Some students' FAFSAs are selected for verification by the U.S. Department of Education. ICC has partnered with Inceptia to complete the federal verification process utilizing Inceptia's Verification Gateway. Students selected for verification will be contacted by Inceptia via email to begin the verification process. Dependent students that provided parental information on the FAFSA are required to have one parent also authenticate and create an account. The parent must complete their part of the verification process. ICC does not award financial aid to students who are selected for verification and have not yet completed the verification process.

### BUSINESS OFFICE

Business office hours are: Monday-Friday, 8 AM- 5 PM during the fall and spring semester and summer hours are: Monday-Thursday, 7 AM- 5:30 PM. The Business office is located in Room 108 of the Administration Building.

### **Tuition and Fees**

- See current schedule of tuition and fees based on legal residency of students. <http://www.indycc.edu/admissions/costs-to-attend>
- Payment may be made in the Business Office, which is located in the Administration Building. Visa, MasterCard, Discover and checks are all accepted forms of payment.
- Students who fail to pay or setup a payment plan by the first day of class will be dropped from all classes. (See payment policy)

### **Billing Policies**

- All students enrolling in courses at ICC agree to pay the costs associated with their program of study, including but not limited to, tuition, fees, meal plans (not optional if living on campus), housing costs, consumables, and course fees.
- Students who are enrolled in courses after the last day to drop courses are responsible for the charges, even if they do not attend class after the last day to drop courses and regardless of the grade earned in the course. Students must understand and comply with all requirements to drop courses from their schedule.
- All charges are final after ninety (90) days from the date the charges and/or credits appear on your account. After ninety (90) days, all charges and/or credits are final and will not be adjusted.

### **Payment Policy**

- Students must be paid in full or have set up payment plans on all accounts with the College prior to the first day of class each semester to avoid being dropped from classes.
- Beginning with registration each semester, tuition, fees, and other charges not covered by financial aid will be due and payable by the first day of class.
- If a student leaves the College with unpaid accounts, his/her academic records will be withheld, and no transcript of record or academic recommendation will be issued until the account is paid in full.
- See Payment Policy for full details and payment plan options.  
[www.indycc.edu/student-life/business-office/payment-policy](http://www.indycc.edu/student-life/business-office/payment-policy)

### **Payment Plan**

- Students who wish to enroll but are unable to pay 100% of their expenses by the first day of class may elect to utilize the Payment Plan option.
- Students may set up a payment plan or they may authorize a parent, guardian or other individual to set up a payment plan on their behalf.
- A non-refundable fee will be assessed to establish a payment plan. Students defaulting on payments will have a hold placed on their account. Until the account is paid in full, students will not be able to enroll or receive academic records.
- Balances that are more than 6 months past due will be sent to collections.

## **PART VII: FOUNDATION**

### **ICC Foundation Scholarships**

The ICC Foundation annually awards thousands of dollars of endowed scholarships. The ICC Foundation is responsible for assessing and awarding scholarships to applicants. You may apply for an ICC Foundation scholarship online through the ICC Scholarship Application located on our webpage. You must also submit a letter of recommendation to the ICC Foundation in order to be considered for their scholarships. Criteria may include, but need not be limited to, prior academic performance, performance on tests designed to measure ability and aptitude for college work, recommendations from instructors, financial need, and the conclusions that the selection committee might draw from information regarding an individual's motivation, character, ability, and potential.

## **PART VIII: RESPONSE TO COVID-19**

ICC will continue to focus on the safety and well-being of our students in the midst of the COVID-19 pandemic. As the pandemic situation evolves, the College will steadily review policies and plans and update them when necessary in accordance with government agencies, public health officials, and the Centers for Disease Control and Prevention (CDC). Stay up-to-date with ICC's response to the COVID-19



pandemic by visiting: <https://www.indycc.edu/alert/1605878/campus-closed-iccs-response-to-coronavirus>

### **COVID-19 Awareness & Prevention Training**

All students are required to complete the COVID-19 Awareness & Prevention Training from our partners at Get Inclusive. For access to this training, please email [questions@indycc.edu](mailto:questions@indycc.edu).

### **ICC Face Mask/Shield Policy:**

All students, faculty, staff and visitors - including contractors and vendors - must wear face coverings over their mouths and noses while on ICC campuses, in all hallways, public spaces, classrooms and other common areas of campus buildings, and when in offices or other work spaces or outdoor settings when 6-feet social distancing cannot be maintained, including inside offices or outdoors on campus.

Additionally, employees and students who are asymptomatic and report to campus after a close contact with a known COVID-19 case - which is allowed if social distancing can be maintained and the person does not have symptoms - will be required to wear a face covering for at least 14 days after the exposure occurred. Employees and students who show symptoms of illness MUST remain off-campus until the symptoms subside. Any employee or student with a positive COVID-19 diagnosis - even if asymptomatic - must remain off-campus and quarantined for at least a 14-day period after receiving the test results. Limited quarantine space will be available for students in need who reside on the ICC campus.

Individuals who need reasonable accommodations related to the use of face coverings may contact Taylor Crawshaw (for students) at [tcrawshaw@indycc.edu](mailto:tcrawshaw@indycc.edu) or Lori Boots (for employees) at [lboots@indycc.edu](mailto:lboots@indycc.edu).

Students shall be given two reusable masks at the start of the semester and will be required to complete a COVID-19 Mask Use Safety Training which outlines proper face mask protocol, including the risks of sharing face coverings, and the proper handling and cleaning.

All students, faculty, staff and visitors are expected to adhere to this policy. Failure to comply with face covering requirements may result in denial of access to designated areas or participation in programs or activities, and/or discipline in accordance with applicable college policies. In classrooms, faculty have the right to deny a student entry into the room if the student is not wearing a face mask/covering. Violations of this policy by faculty, staff or visitors, including contractors and vendors, should be reported to Human Resources; violations by students should be reported to Student Affairs. Additional information regarding policy enforcement will be provided in the coming weeks.

The face mask policy will remain in effect through the duration of any pandemic declared by the President or designee.

## **PART IX: INTERNATIONAL STUDENT INFORMATION**

International students are welcome at Independence Community College. Applications will be evaluated by the Primary Designated School Official, but the following specific conditions must be completed before an I-20 form will be issued:

- Candidates must submit an application form to the Admissions Office along with a non-refundable application/processing fee of \$75.00.



- If you are NOT a citizen of one of the following countries, you will need documentation of your English proficiency:
  - Commonwealth Caribbean (does not include the Dominican Republic, Haiti, or the Dutch Isles)
  - English-speaking Canada
  - United Kingdom
  - Australia
  - South Africa
  - New Zealand
  - Republic of Ireland
  
- If you are not a citizen of one of the countries listed above, you must submit original documentation of English proficiency from one of the options below:
  - Provide official TOEFL scores of:
    - 500 or above on the paper-based test, or
    - 173 or above on the computer-based test, or
    - 61 or above on the internet-based test, or
  - Provide an official IELTS score of 4.5, or
  - Provide an official PTE score of 70, or
  - Provide an official TOEIC score of 525, or
  - Submit official transcripts from a U.S. College or University documenting you have completed the equivalent of ICC's English Composition I with a grade of "C" or better, or
  - Submit official transcripts from a U.S. College or University documenting the completion of a minimum of 12 credit hours of general education credit with a grade of "C" or better, or
  - Submit official high school transcripts documenting the completion of one academic year of study in the U.S. with an equivalent GPA of 2.5 or better, or
  - Official transcript documenting at least 24 credit hours of English-As-A-Second-Language (ESL) coursework with a 2.5 GPA or higher.
  
- Though you may be from an English-speaking country not listed above, ICC follows the recommendations of the American Association of Collegiate Registrars and Admissions Officers (AACRAO). These recommendations identify countries recognized as using English predominantly for industry, government, and education.
  
- Candidates must submit a bank statement indicating they have adequate funds to pay for one year of college (\$14,000 or more) and sign the official ICC form agreeing to payment of balance.
- Candidates must submit an official high school transcript translated into English mailed in with the official seal.
- International students are required to have proof of health insurance.
- International students must submit admission materials to the Admissions Office by July 1st for the fall semester, November 1st for the spring semester, and May 1st for the summer semester.
- International students will be classified as non-residents and will be required to pay international tuition and fees. International students will also be required to take a TB skin test within one week of arrival. The cost of the TB skin test will be the student's responsibility.
- All new students are required to take ACCUPLACER before enrolling in courses unless they have transferred from another American Institution. Depending on the results of the placement test, international students will be required to enroll in the appropriate courses according to the placement policy.

- International students wanting to transfer credit to ICC from a foreign college are required to provide the Registrar's Office with a certified English translation of their transcript. This evaluation must be completed on a course-by-course basis through an organization recognized by The National Association of Foreign Student Educators (NAFSE). Students are responsible for all fees involved in having the evaluation completed.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

#### **INTERNATIONAL ADVISOR POLICY**

All international students are required to have their schedule approved by the main academic advisor. First semester international students must schedule an appointment for testing and advising. All international students need the main academic advisor to review any changes that are being made to their academic schedules (to add, drop, or swap a class).

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

#### **INTERNATIONAL STUDENT ADDRESS CHANGES**

International students are required to report any address change to the college within 10 days of the address change. You can do this in the Admissions Office located in the Administration Building. If you have any questions about reporting changes of address, please see the Director of Admissions.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

#### **INTERNATIONAL STUDENT DISTANCE LEARNING RESTRICTIONS**

There are restrictions for F-1 students who wish to take online courses. Under federal regulations, only three credit hours of online or distance learning courses may count toward the number of credit hours required for full-time enrollment. Violation of this policy will constitute under-enrollment, which is a violation of F-1 status.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

#### **INTERNATIONAL STUDENT EMPLOYMENT**

International students who have a valid, current F-1 visa are eligible for part-time (10 hours per week) employment on campus. F-1 students must maintain good Department of Homeland Security status to be eligible for on-campus employment. If you are interested, please see the Financial Aid Department located in the Administration Building.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

## **PART X: PLACEMENT ASSESSMENT**

ICC enforces a mandatory placement policy for English and mathematics. To ensure the success of students at Independence Community College, all students are required to take developmental courses if placement testing, ACT, SAT, and/or Accuplacer has indicated they are not fully prepared for college work. All students, full and part-time, are required to take the placement testing prior to enrolling. Test results must be available at the time of enrollment. To meet academic needs, Independence Community College offers developmental courses in reading skills, writing, English, and mathematics. These courses are designed to give students the needed skills to succeed in their college-level classes and do not count toward graduation or transfer. Please refer to the ICC website for the ACT and Accuplacer placement score requirements.

All required developmental courses must be passed with a “C” or higher grade prior to enrolling in a higher level course in the curricular continuum. Students must enroll in required developmental courses during the first session of attendance at ICC and continue to enroll in required developmental courses until all required developmental classes are passed. Developmental courses will count in the calculated grade point average for the student. Students who are exempt from placement testing include:

1. Students who have earned an associate degree or a bachelor’s degree.
2. Students who have successfully completed (“C” or higher) a college credit level or above in mathematics are exempt from the requirement for assessment in mathematics.
3. Students who have taken the ACT/SAT/Accuplacer test within two years prior to enrollment and have scores within the acceptable range are exempt from placement testing in that subject area only.

Any exceptions to placement requirement must be approved by the Chief Academic Officer.

Students may take the Accuplacer one time at no charge. Students may retake the Accuplacer at a cost of \$15.00, paid to the Business Office prior to the time of testing, per section for the following reasons:

- Students feel placement results do not accurately reflect their abilities.
- Students feel they have improved their skills through refresher work or previous developmental coursework.

For more information, please visit the Independence Community College 2020-2021 Catalog at <https://www.indycc.edu/student-life/registrar/index>

## **PART XI: STUDENT EMAIL**

All students enrolled at Independence Community College receive a school email address. ([Firstname.lastname@indycc.edu](mailto:Firstname.lastname@indycc.edu)) It is the responsibility of students to monitor and check their email regularly for important information from the college.

ICC also encourages students to set up their college email so that information can be forwarded to an email account they check regularly.

## **PART XII: VETERAN STUDENT SERVICES**

All students who may be eligible for Veterans Education Benefits should visit the ICC Financial Aid Office in the Administration building.

Students who qualify for Veterans Educational Benefits must have their enrollment certified by ICC to the Department of Veterans Affairs every semester. It is the student's responsibility to inform ICC if the number of credit hours changes during a semester.

- Montgomery GI Bill – Active Duty (Chapter 30)
- Montgomery GI Bill – Selected Reserve (Chapter 1606)
- Veterans Educational Assistance Program (VEAP) (Chapter 32)
- Survivors' and Dependents' Educational Assistance Program (DEA) (Chapter 35)
- Reserve Educational Assistance Program (REAP) (Chapter 1607)
- Post-9/11 GI Bill (Chapter 33)
- Veterans Retraining Assistance Program (VRAP)
- If you are a Chapter 31 student, contact your Vocational Rehabilitation case manager for authorization.
- If you have received VA education benefits before, complete form 22-1995 at [www.gibill.va.gov](http://www.gibill.va.gov) or 22-5495 if you are a Chapter 35 student.
- If you are a veteran researching online education opportunities and would like to view an additional resource, please visit [Accredited Online Schools and Colleges](#), an online database designed for veterans.

For more information, please visit: <https://www.indycc.edu/student-life/veterans>

## **SECTION VIII: CAMPUS LIFE**

### **PART I: ATHLETICS**

ICC maintains a comprehensive intercollegiate athletic program that includes men's football, basketball, women's volleyball, softball, women's basketball, cheerleading, and stunt. The college is a member of Region VI of the National Junior College Athletic Association and competes in the Eastern Division of the Kansas Jayhawk Community College Conference. Potential student-athletes are encouraged to contact the athletic department about tryouts or scholarship opportunities. Many "walk-on" student-athletes have played important roles on current and past Pirate teams.

For more information go to <https://www.indyirates.com>

## **PART II: STUDENT ACTIVITIES**

### **STUDENT ACTIVITIES**

Student Affairs aspires to enrich campus life and complement the classroom experience by providing our students with meaningful programs, services, and opportunities that foster personal growth and help acquire skills that are vital to the development of engaged citizens and future leaders.

### **STUDENT GOVERNMENT ASSOCIATION (SGA)**

Advisors: Marg Yaroslaski (620-332-5467) and Cody Westerhold (620-332-5496)

The Student Government Association serves as the voice of the student body and allows a forum for all students to influence their environment. SGA serves as the official representative body for ICC students, acting as a liaison between students and administration. SGA may present formal resolutions to the administration recommending changes in the operation of the campus. All students are eligible for membership in SGA.

### **STUDENT CLUBS AND ORGANIZATIONS**

Student clubs and organizations may be formed whenever there is a worthwhile purpose and sufficient interested is indicated. A current list of clubs and information concerning organizational procedures may be obtained from the Director of Student Life. All student clubs and organizations wishing to use College facilities or property, solicit membership, or raise funds on campus must be either sponsored or recognized by the college.

1. **Variety of interests.** Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the ICC community. ICC students shall have freedom to organize and join associations to promote their common interests in accordance with the policies established by Student Affairs and the policies regarding organizations established by the Board of Trustees of Independence Community College.
2. **Advisor.** Each organization will be free to choose its own faculty/staff advisor. Advisors may advise organizations in the exercise of responsibility, but they will not have the authority to control the policy of such organizations. Advisors will act in accordance with the policies established for organizational advisors in this Handbook.
3. **Affirmative action.** All student organizations will be open to all students without regard to race, color, sex, age, national origin, religion, disability, sexual orientation, or status as veteran.

A list of student clubs and organizations can be found at: <https://www.indycc.edu/student-life/clubs-and-organization>

### **PROCEDURE FOR ESTABLISHING A NEW CLUB OR ORGANIZATION**

Students interested in establishing a new club or organization at ICC should meet with the Director of Student Life in the lower level of the Student Union.

### **POSTERS AND ANNOUNCEMENTS**

All signs (posters, flyers, advertisements, announcements, etc.) must be stamped with "Approved for Posting" by the Director of Student Life. Signs should only be posted on the appropriate bulletin boards. Do not post signs on glass doors or painted walls. It is the responsibility of the club, organization, or individual to post and remove approved signs.

## **THE WILLIAM INGE THEATER FESTIVAL**

Independence Community College is home to the William Inge Theater Festival – the Official Theater Festival of the State of Kansas, by proclamation of the state legislature. It is named for the late Pulitzer Prize and Academy Award-winning playwright William Inge, who is a native of Independence and an alumnus of ICC.

The Inge Festival has brought world-renowned playwrights to campus to accept the prestigious William Inge Distinguished Achievement in American Theatre Award. Neil Simon, Stephen Sondheim, August Wilson, Arthur Miller, Beth Henley, and Paula Vogel are just some of the internationally acclaimed writers who have been guests of ICC during the Festival.

All ICC students are encouraged to attend the many workshops, panels, and performances during the Inge Festival. Students are given the opportunity to meet and learn from the professional actors, writers, and directors who visit. There is no charge for students.

In addition, the Inge Center hosts professional playwrights as Playwrights-in-Residence at the historic Inge House and teach playwriting at ICC. Professional directors and actors also visit campus as a part of the residencies. Throughout the year, ICC students have multiple opportunities to participate in other programs, such as the Anna Plays, whereby students direct and produce their own productions, as well as numerous theatrical productions throughout the semester.

## **PART III: STUDENT UNION**

The ICC Student Union is the “living room” of the ICC main campus. The Student Union has several areas where students can relax, watch TV, study, play games, or socialize. The Student Union features a movie theater on the lower level that runs movies on a monthly basis. The Student Union is also home to socializing spaces that feature board games, shuffle-board, table tennis, and multiple console games for video gaming enjoyment.

## **PART IV: STUDENT HOUSING**

The Student Housing at ICC is a premiere on-campus student housing community. Student housing offers fully furnished units and utilities are included in one price. Our community offers student centric social areas, controlled access buildings, laundry facilities, on-site maintenance, 24-hour surveillance and more! Unlike other on-campus housing options, ICC student housing offers individual leases, a roommate matching program and academic year leasing. For more information, visit <http://www.indyvillas.com/> or call at (620) 331-8332.

For policies and procedures governing Student Housing and the Indy Villas see the Indy Villas Handbook as incorporated in the Student Housing Contract. For comprehensive information regarding policies and procedures at the Indy Villas, please visit <http://www.indyvillas.com/>.

## **PART V: STUDENT IDENTIFICATION CARD**

Independence Community College issues a student identification card to all students. This card serves as a photo I.D. and controls access to meal plans. Students may use their student identification card to gain entry to ICC activities and events. Students must be enrolled for the current semester and show some form of government issued photo identification in order to obtain a student identification card. A \$10.00 fee will be charged for replacement identification cards. Student identification cards may be obtained in the Admissions Office in Administration Building Room 100.

## **PART VI: VOTER REGISTRATION**

To satisfy the requirements of the Higher Education Amendments of 1998 and in an effort to encourage civic responsibility, Independence Community College has partnered with TurboVote to make voter registration forms available to all students. Students are encouraged to register with TurboVote to receive election reminders, get registered to vote, and apply for absentee ballots by visiting: <https://indycc.turbovote.org/>

To learn more about voter registration, visit: <https://www.indycc.edu/student-life/right-to-know>

## **PART VII: STUDENT SUCCESS & NEED RESOURCES**

### **FOOD SERVICE**

All meals in the cafeteria are provided by Consolidated Management Company. The food management staff works with students to provide delicious food to meet dietary and personal needs. Students enjoy a variety of foods and an unlimited plan allows for seconds and thirds of most items on the menu. Students may even request a favorite recipe from home! Residence Hall students will receive three meals each class day plus two meals each weekend day as part of their housing contract. **The Director of Food Services has the right to refuse service to anyone whose conduct, language, appearance, or dress is inappropriate for the College dining and serving areas.**

#### **Hours of service:**

##### Monday-Friday

Hot Breakfast .....7:30am-9:00am  
Continental Breakfast .....9:00am-9:30am  
Lunch .....11:00am-1:30pm  
Dinner .....5:00pm-7:30pm

##### Saturday

Brunch.....11:00am-12:00pm  
Dinner ..... 5:00pm- 7:30pm

##### Sunday

Brunch.....11:00am-1:00pm  
Dinner ..... 5:00pm- 7:00pm

### **CLOTHING CLOSET**

The ICC Clothing Closet provides a way for students to access free professional and business casual attire appropriate for career fairs, interviews, and the workplace. Visit the Clothing Closet for suits, blazers, skirts, button-down shirts, and more to help you look your best and make a lasting positive impression as you enter the professional world. For more information on this service, visit the Clothing Closet in Student Union room 108.

### **FOOD PANTRY**

ICC provides a comprehensive food and toiletries pantry for students, faculty, and staff. Through partnerships with local and regional businesses, ICC community members can obtain food and personal hygiene items at no cost. The Food Pantry is located in Student Union room 108.

#### **Hours of service:**

Tuesday – 9:00am-1:00pm  
Wednesday – 1:00pm-3:00pm  
Thursday -11:00am-1:00pm