
LAKE-SUMTER STATE COLLEGE ADMINISTRATIVE PROCEDURE

TITLE: CIVIL RIGHTS VIOLATIONS GRIEVANCE PROCESS

NUMBER: 2-07

REFERENCE: Board Rule 2.02

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Title VII of the Civil Rights Act of 1964

Florida Statutes 1000.05

Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) (the Clery Act)

Administrative Procedure 2-29

Administrative Procedure 4-15

Administrative Procedure 5-11

I. PURPOSE

Lake-Sumter State College is committed to maintaining an educational and employment environment that is free from discrimination, harassment, retaliation, and related misconduct. The purpose of this procedure is to establish a prompt, fair, impartial, and equitable process for receiving, reviewing, investigating, resolving, and, when appropriate, remedying complaints alleging discrimination, harassment, disability discrimination, failure to provide reasonable accommodations, retaliation, or other civil rights violations. The requirements and protections of this procedure apply equally regardless of sex and other protected classes in the College's non-discrimination policy. All requirements and protections are equitably provided to individuals regardless of protected class status or their status as a complainant, respondent, or witness.

II. RESPONSIBILITY

Oversight for this procedure falls under the Title IX Coordinator, the Vice President for Student Affairs, the Vice President of Facilities Planning, and the Associate Vice President of Human Resources.

III. SCOPE

This procedure provides a grievance process for complaints of civil rights violations or discrimination involving students, employees, applicants for admission, applicants for employment, contractors, visitors, volunteers, and other individuals participating in or attempting to participate in a College program, activity, service, employment opportunity, or contracted activity.

This procedure applies to the conduct of and protects Lake-Sumter State College students, employees, interns, volunteers, and visitors. These provisions also apply to contractors and other third-parties in circumstances where the College has substantial control.

This procedure applies to all prohibited conduct that occurs on campus (including any campus, center, and other property leased/owned by the College). It also applies to prohibited conduct that occurs off campus, including online or electronic conduct, if the conduct occurs in the context of an employment or education program or activity of the College, has continuing adverse effects on campus, or has continuing adverse effects in an off-campus employment or education program or activity.

Complaints alleging Title IX conduct, including sexual harassment and related misconduct, are outside the scope of this procedure and will be referred to Administrative Procedure 2-21 for review and resolution.

Regardless of when, where, and with whom the conduct occurred, the College will offer reasonably available resources and assistance to individuals covered by this procedure who report or experience prohibited conduct.

This procedure shall apply to all reports alleging violation made on or after July 1, 2026, regardless of when the conduct is alleged to have occurred.

IV. POLICY CONFLICTS

Where information in another administrative procedure conflicts with this one, the information in this procedure shall take precedence.

V. ANNUAL REVIEW

The Title IX Coordinator, the Vice President of Student Affairs, or designee, shall review this procedure on an annual basis. The review will capture evolving legal requirements, evaluate the support and resources available to the parties, and assess the effectiveness of the resolution process (including the fairness of the process, the time needed to complete the process, and the disciplinary sanctions and remedies imposed).

VI. DEFINITIONS

Definitions of applicable terms in this procedure can be found in Appendix A.

VII. NOTICE OF NON-DISCRIMINATION BASED ON PROTECTED STATUS

Lake-Sumter State College assures civil rights for its students, employees, visitors, and contractors. LSSC prohibits discrimination on the basis of race, color, national origin, ethnicity, sex, age, disability, marital status, pregnancy, veteran status, religion, sexual orientation, or genetic information in any of its programs, activities, employment, and contracts.

VIII. ANONYMITY, PRIVACY, AND CONFIDENTIALITY

a. Anonymity

1. Individuals do not have the right to anonymity regarding complaints of discrimination.

b. Privacy

1. Privacy generally means that information related to a report under this procedure will be shared only with those College employees who need to know in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.
2. Information regarding a report may be shared with parents or guardians only as authorized under the Family Educational Rights and Privacy Act (FERPA).

c. Confidentiality

1. All complaints and investigations are treated confidentially to the extent possible, and information disclosed strictly on a need-to-know basis. All records and information pertaining to a complaint or investigation under this procedure will be maintained in secure files.
2. There are no College employees with legally protected confidentiality.

d. Preserved Legal Privileges

1. Information protected by legally recognized privileges, such as attorney-client privilege, doctor-patient privilege, and other similar protections, cannot be used during an investigation or resolution process unless the individual holding the privilege has knowingly and voluntarily waived that privilege in writing.

IX. REPORTING CONCERNS OR COMPLAINTS

Any person may report alleged discrimination, harassment, disability discrimination, retaliation, or another civil rights violation to the appropriate College officials. The College encourages immediate reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Reports may be made in person, by phone, by email, through the online reporting form, by mail, or through a supervisor or other administrator.

X. NON-INVESTIGATORY MEASURES

The College retains its authority to enact the follow non-investigatory measures.

a. Supportive Measures

An individual who reports allegations that could constitute prohibited conduct have the right to receive supportive measures from the College regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive.

b. No Trespass Notification

The College has the authority to issue no trespass notifications when it determines that behavior is disruptive or represents a safety risk to the College community. No trespass notifications will be issued in accordance with Administrative Procedure 2-29.

c. Administrative Leave

The College retains its right to place an employee on administrative leave when determined to be in the best interests of the College. Administrative Procedure 5-11 provides additional information about administrative leave for employees.

XI. DISABILITY ACCOMMODATION GRIEVANCES

A student, employee, applicant, or visitor who believes they were denied a reasonable accommodation, subjected to disability discrimination, or denied equal access may file a grievance under this procedure.

For student accommodation concerns, the College may first review whether the matter can be resolved through Student Accessibility Services.

Disability related complaints may include, but are not limited to, the denial of reasonable accommodation; failure to implement an approved accommodation; delay in accommodation review or implementation; inaccessible programs, services, technology, or facilities; disability-based harassment; and retaliation for requesting accommodation or filing a disability related complaint.

Nothing in this procedure prevents an individual from filing a complaint with an external agency.

XII. GRIEVANCE PROCESS

The College intends for a prompt resolution of complaints through this procedure in a process that is free of coercion, interference, restraint, discrimination, harassment or reprisal and that affords the complainant adequate opportunity to resolve the complaint. The College will protect the privacy of the persons involved in such allegations to the fullest extent possible, while thoroughly investigating the complaint.

a. Initial Assessment

Upon receipt of a report, the Title IX Coordinator, or designee, will conduct a brief initial assessment to determine:

1. Whether the alleged conduct may fall within this procedure;
2. Whether another College procedure applies;
3. Whether immediate action or supportive measures are appropriate;
4. Whether the matter may be resolved informally;
5. Whether a formal investigation may be warranted;
6. Whether interim steps are necessary to protect access, safety, or the integrity of the process.

The College will contact the complainant to discuss available options, supportive measures, privacy considerations, and the process for filing a formal complaint.

b. Supportive Measures

Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter prohibited conduct. When a report is received, the Title IX Coordinator, or designee, may impose reasonable and appropriate supportive measures when necessary to protect the safety of the parties or witnesses involved. The range of supportive measures includes:

1. Referrals to counseling or other assistance options
2. Mutual restrictions on contact between parties
3. Rescheduling of exams and assignments
4. Providing alternative course completion options
5. Change to class schedule, including the ability to drop a course without penalty or to transfer sections

6. Change in work schedule, work location, or job assignment
7. Limiting or prohibiting access to College facilities or activities, pending resolution of the matter
8. Leave of absence (voluntary or involuntary)
9. Providing an escort to ensure safe movement between classes and activities
10. College-imposed leave, suspension, or separation for the responding party
11. Any other measure that can be tailored to the individuals involved to achieve the goals of this procedure

Supportive measures may be applied at any time for the parties involved, as appropriate to ensure their safety and well-being. Supportive measures may be requested by the parties involved or imposed by the College. Supportive measures will be kept private to the extent practical.

Supportive measures are initiated based on the information gathered and generally are not intended to be permanent resolutions. They may be amended, withdrawn, or made permanent during the course of the process.

c. Determination to Proceed to Informal Resolution or Investigation

At the conclusion of the Initial Assessment, the Title IX Coordinator, or designee, will determine the appropriate manner of resolution, which may include informal resolution, the initiation of an investigation, or referral to determine if disciplinary action is warranted.

When appropriate, the College may offer an informal resolution process. Informal resolution may include facilitated conversation, mediation, educational response, agreed-upon remedies, administrative resolution, or other voluntary resolution options. Informal resolution is not appropriate in all cases. The College has discretion to determine whether informal resolution may be offered based on the nature of the allegations, the wishes of the parties, the safety of the College community, and applicable law.

In order to proceed to an investigation, a formal written complaint must be submitted.

d. Informal Resolution

Informal resolution is a voluntary approach designed to eliminate a hostile environment without taking disciplinary action against a responding party. Where the initial assessment concludes that informal resolution may be appropriate, the Title IX Coordinator, or designee, will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the reporting party's access to educational, extracurricular, and employment activities at the College and to eliminate a hostile environment.

Participation in informal resolution is voluntary, and a complainant can request to end informal resolution and continue with an investigation at any time.

The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution, which will typically be completed within thirty (30) business days of the initial assessment.

e. Investigation

Upon completion of an initial assessment and written complaint and the Title IX Coordinator, or designee, determines that informal resolution is not an appropriate option or the complainant chooses to pursue an investigation, the formal investigation process should begin.

A formal complaint should include, when available:

1. The name of complainant
2. The name of respondent
3. A description of the alleged conduct
4. The date, time, and location of the alleged conduct
5. Names of any witnesses
6. Relevant documents, communications, or evidence

A complaint does not need to include every detail to be submitted. The College may assist individuals in documenting a complaint.

The College will assign a trained investigator who will perform a fair and impartial review. The investigator may be a College official or an outside party. The investigator must not have a conflict of interest or bias for or against any party.

At the outset of the investigation, the Title IX Coordinator, or investigator, will:

1. Establish that the complainant is comfortable with an investigation and assure the complainant that every effort will be made to protect the privacy of allegations to the fullest extent possible.
2. Create a written record of the complaint, ask the complainant to review the written record for accuracy, and to sign the written record.

The Title IX Coordinator, or investigator, will conduct a prompt and thorough investigation to determine whether there is evidence to support the complainant's allegation of policy violations.

When a formal investigation begins, the College will provide written notice to involved parties that includes:

1. A summary of the allegations
2. The name and contact information of the investigator
3. A summary of rights and responsibilities
4. A statement that retaliation is prohibited, and explaining the College's policy and definition
5. Information about available supportive measures
6. Instructions regarding evidence, witnesses, and participation

The investigation may include:

1. Individual interviews with the parties involved
2. Review of documents, emails, text messages, photographs, video, records, personnel files, accessibility records, academic records, or other relevant information
3. Collection of written statements
4. Review of applicable college policies and procedures
5. Consultation with subject matter experts

The involved parties will have an opportunity to identify witnesses and provide relevant evidence.

The investigator will have final determination on who will be interviewed.

The investigation will be thorough, impartial, and fair, and all individuals will be treated with appropriate sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns.

No person will be required to participate in a complaint process. However, the College may proceed with available information when necessary to fulfill its legal, safety, or institutional obligations.

The College will seek to complete the investigation within thirty (30) business days of the determination to proceed with the investigation, but this time frame may be extended for good cause.

The College will use the preponderance of evidence standard to determine whether it is more likely than not that a violation occurred.

f. Investigation Report

At the conclusion of the investigation, the investigator or designated official will prepare a written report or summary that includes:

1. A review of the allegations
2. A summary of relevant evidence
3. Applicable policy provisions
4. Findings of fact
5. Analysis of whether the procedure was violated
6. Recommended remedies, corrective actions, or sanctions, if applicable.

In preparing the report, the investigator will review all facts gathered to determine whether the information is relevant given the nature of the allegation.

The investigative report will be submitted to the College President, or designee, to approve, deny, or modify the recommended remedies, corrective actions, or sanctions.

This review should be completed within fifteen (15) business days.

Once a final decision is made by the President, or designee, the Title IX Coordinator, or designee, will notify involved parties of the outcome.

g. Sanctions

Sanctions may include any form of responsive action or progressive discipline as set forth in the College's Administrative Procedures for students or employees.

Sanctions for students include, but are not limited to, suspension and expulsion.

Sanctions for employees include, but are not limited to, additional training requirements, referral to counseling, written warning, formal reprimand, withholding of promotion or pay increase, reassignment, suspension without pay, and termination. The sanction(s) should address the misconduct, prevent its recurrence, and remedy its effects, while supporting the College's educational mission.

Sanctions may also include the prohibition from doing business with the College and order the issuance of a No-Trespass order for College property.

Sanctions will take effect immediately and will not be stayed pending the resolution of an appeal. The final report and disciplinary sanctions will be kept by Human Resources in the employee's personnel file.

For a student employee who is acting within the scope of their student employment at the time of the incident, sanctions may be imposed as both a student and employee from the Student Code of Conduct and Administrative Procedures.

h. Right to Appeal

The parties involved may appeal the decision of the hearing officer within five (5) **business** days of the receipt of the investigation report. A review of the matter will be prompt and narrowly tailored to the stated appeal grounds.

Either party may appeal only the parts of the determination or sanctions that directly related to him or her.

The limited grounds for appeal are:

1. New information that could affect the findings of the hearing officer became available and was not reasonably available through due diligence at the time of the investigation
2. Procedural irregularity that affected the outcome and/or material deviation(s) from written procedures that significantly affected the outcome
3. Title IX Coordinator, investigator(s), or President had a conflict of interest or bias that affected the outcome

The appeal shall consist of a plan, concise, written statement outlining the grounds for appeal. The appeal should be submitted to the Title IX Coordinator as outlined in the investigation report.

Upon receipt of the appeal, the Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted within five (5) business days from receipt of notice of the appeal. In the event that both parties initially appeal the findings, each party will be provided notice and a copy of the other party's appeal or response.

Upon receipt of the appeal and responses to the Title IX Coordinator, the College will assign an appeals officer. For appeals involving a responding party who is a student, the appeals officer will typically be the Vice President of Enrollment and Student Affairs. For appeals involving a responding party who is an employee, the appeals officer will typically be a Vice President or other senior administrator.

The role of the appeals officer in the appeal process shall consist of:

1. The appeals officer shall consider the facts in support of the request and clarify any facts as deemed necessary
2. The appeals officer shall consider the merits of the appeal only on the basis of the stated grounds for appeal, which must be one of the three limited grounds provided for in this section
3. Except as required to explain the basis of new information unavailable at the time of investigation, review of an investigation will be limited to the written investigation report and all supporting documentation
4. In an appeal, the burden of proof lies with the appealing party, as the original determination and sanction(s) are presumed to have been decided reasonably and appropriately
5. The appeal will be conducted in an impartial manner
6. The appeal shall not be a new review of the underlying matter

Upon review of the appeal, the appeals officer may:

1. Affirm the original findings;
2. Alter the findings;
3. Alter the disciplinary sanctions, if appropriate for the basis of the appeal;
4. If the appeal is based on procedures not having been followed in a material manner;
5. ask that a new investigation and/or adjudication, or other appropriate action, occur;
6. In the case of new and relevant information, recommend that the case be returned to the hearing officer to assess the weight and effect of the new information and render a determination after considering the new facts.

The decision of the appeals officer is final.

The appeals officer will communicate the result of the appeal to the reporting party and responding party within fourteen (14) business days from the date of submission of all appeal documentation by both parties.

i. Timely Resolution of Cases

The College will make every effort to successfully resolve all reports within sixty (60) business days. All time frames expressed in this procedure are meant to be guidelines rather than rigid requirements. Circumstances may arise that require the extension of time frames for good cause. Such circumstances may include the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening College break or planned leave (vacation/sick/personal) of involved parties, or other unforeseen circumstances.

In the event that the investigation and resolution time frames are extended for good cause, the College will notify all parties of the reason for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness, fundamental fairness, and reasonable promptness. All parties involved are entitled to periodic status updates on the process and any subsequent appeals.

j. Obligation to Present Truthful Information

The College takes the validity of information seriously because a report of prohibited conduct may have severe consequences. Any individual who makes a report or provides information as part of an investigation or hearing process that is later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action and may also violate state criminal statutes and civil defamation laws.

These provisions do not apply to reports or responses made in good faith, even if the facts alleged in the report or the response are not substantiated by an investigation.

k. Retaliation

During the investigation and resolution of violations of this procedure that are alleged in good faith, reasonable steps will be taken to protect the reporting party, the responding party, and other participants in the reporting, investigation, and resolution process from retaliation.

Any individual who engages in retaliation will be subject to prompt and appropriate disciplinary action. Individuals who have a concern about potential or actual retaliation should contact the Title IX Coordinator for assistance in addressing the concern.

Retaliation is a violation of the College's Student Code of Conduct and Administrative Procedures and will be handled appropriately as outlined in those procedures.

l. Communication

College-issued is the primary means of communication used by the College. The Title IX Coordinator, Deputy Coordinators, investigator(s), and others will deliver notice to students and employees to College-issued email.

In the event that an individual is prohibited access to their College-issued email, communications will occur by postal mail or alternate email address.

XIII. RECORDS RETENTION & RELEASE OF INFORMATION

The Title IX Coordinator will retain records of all investigations, hearings, informal resolutions and related processes for seven years.

If a report of prohibited conduct discloses a serious and continuing threat to the campus community, the College will issue a timely warning notification to protect the health and

safety of the community as required by the Clery Act. This notification will not include identifying information about a reporting party.

Pursuant to the Clery Act, information regarding criminal incidents reported to Campus Security Authorities must be shared with Campus Safety for inclusion in the Daily Crime Log. This information will also be included in the College's Annual Security Report available at www.lssc.edu/safety/.

The College may also share aggregate and not personally identifiable data about reports, outcomes, and disciplinary sanctions. All College proceedings are conducted in accordance with the requirements of Title IX, the Clery Act, FERPA, state statute, and College procedures. No information, including the identity of the parties, will be released from such proceedings except as required or permitted by law.

REVISED: 09/27/2020, 06/30/2026

APPENDIX A – DEFINITIONS**College/Campus Community**

This term refers to students, employees, interns, volunteers, and visitors of Lake-Sumter State College. In the physical sense, this applies to all any campus, center, and other location that is leased/owned/operated by the College.

Complainant

An individual who is alleged to have experienced discrimination, harassment, disability discrimination, retaliation, or another civil rights violation.

Confidentiality

Information that cannot be disclosed without the individual's express written permission. College employees cannot maintain confidentiality, but external confidential resources can and will not share information with anyone, including the College.

Disability Discrimination

Discrimination against a qualified individual on the basis of disability, including but not limited to denial of reasonable accommodation, denial of access, unequal treatment, failure to engage in an interactive process when required, or the use of eligibility standards or practices that unlawfully screen out individuals with disabilities.

Discrimination

Different treatment, exclusion, limitation, denial of access, denial of benefits, adverse action, or other unequal treatment based on a person's protected status.

Formal Complaint

A written or documented complaint requesting that the College investigate and make a determination regarding alleged discrimination, harassment, disability discrimination, retaliation, or another civil rights violation.

Harassment

Unwelcome verbal, physical, written, visual, electronic, or other conduct based on protected status that is sufficiently severe, pervasive, or persistent to interfere with or limit a person's ability to participate in or benefit from a College program, activity, service, employment opportunity, or educational environment.

Supportive Measures

Non-disciplinary, non-punitive individualized services or adjustments offered as appropriate and reasonably available to restore or preserve equal access to College programs, activities, services, or employment while a matter is being reviewed or resolved.

Privacy

Privacy means that information related to a report or complaint is shared only with individuals who have a legitimate need to know in order to assist in the response, investigation, or resolution process.

Protected Status

A legally protected characteristic, including race, color, national origin, ethnicity, sex, age, disability, marital status, pregnancy, veteran status, religion, sexual orientation, genetic information, or any other factor protected under applicable federal, state, or local civil rights law.

Reasonable Accommodation

A modification, adjustment, auxiliary aid, service, or other support that enables a qualified individual with a disability to access, participate in, or benefit from College programs, services, activities, or employment, unless such accommodation would fundamentally alter the nature of the program or impose an undue burden.

Respondent

An individual, office, department, program, or third party alleged to have violated this procedure.

Retaliation

Any adverse action, intimidation, threat, coercion, harassment, discrimination, or other negative action taken against an individual because the individual made a report, filed a complaint, participated in an investigation, supported another person's complaint, or otherwise exercised rights under this procedure.

Title IX Coordinator

Title IX Coordinator is the individual designated by the institution to coordinate compliance with Title IX, including receiving reports, overseeing investigations, coordinating supportive measures, and ensuring institutional response obligations are met.

Title IX Deputy Coordinator

Title IX Deputy Coordinator is an individual designated to assist the Title IX Coordinator in carrying out compliance responsibilities and may act on behalf of the Coordinator in specific areas or campus locations.

APPENDIX B – TITLE IX TEAM

Title IX Coordinator

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Title IX Hearing Officer

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