



**TITLE IX**  
**Removal Challenge**  
**Officer Training**

**Fall 2023**

# Training Overview

- **Review Role and Responsibilities**
- **Review Documents**
- **Discuss Common Pitfalls**
- **Question and Answer Session**

# Interim Action and Temporary Removal

- If, after engaging in an individualized safety and risk analysis, the Investigator(s) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegation of prohibited conduct justifies the temporary removal of the Respondent, the Investigator(s) may recommend interim action(s) to the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee.
  - The Investigator(s) may consult with other Collin College departments (e.g., Collin College Police Department, SOBI Care Team, SOBI Threat Assessment Management Team) to assist in the individualized assessment and risk analysis.
- If the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee approves the interim action(s), the Investigator(s) will provide the Respondent with written notice of the interim action(s).

# Interim Action and Temporary Removal (Cont.)

- The Investigator(s) will meet with the Respondent to discuss and explain the interim action(s).
- If the interim action(s) include a temporary removal (e.g., Temporary Immediate Suspension, temporary removal from Collin College Student Housing, temporary employee administrative leave):
  - The Investigator(s) will explain to the Respondent their right to challenge the interim action(s) immediately after the temporary removal.
  - The Investigator(s) will provide to the Respondent the *Notice to Challenge a Temporary Removal* form.
- If the Respondent chooses to challenge the temporary removal and completes the *Notice to Challenge a Temporary Removal* form, the Investigator(s) will submit it to the designated Removal Challenge Officer along with a brief rationale explaining the individualized safety and risk analysis utilized to arrive at the interim action(s).

# Removal Challenge Officer's Role

- Title IX Coordinators, Deputy Title IX Coordinators, Informal Resolution Facilitators, Investigators, Live Hearing Advisors, Live Hearing Officers, and Appeal Decision Makers cannot serve as Removal Challenge Officers.
- Collin College maintains a pool of trained Removal Challenge Officers.
- When a Removal Challenge Officer is needed to serve on a case, the appropriate Title IX Coordinator, Deputy Title IX Coordinator, or designee will assign a Removal Challenge Officer from the pool.
- The Removal Challenge Officer must conduct a **prompt, fair, impartial, unbiased, and equitable** process from the beginning of the removal challenge review to the submission of their *Removal Challenge Officer's Decision* form.

# Removal Challenge Officer's Role (Cont.)

- The Removal Challenge Officer will review the *Notice to Challenge a Temporary Removal* and all documentation received from the Investigator(s).
- The Removal Challenge Officer will consider whether the removal is appropriate and will write a rationale explaining their decision.
- The Removal Challenge Officer will complete the *Removal Challenge Officer's Decision* form.
- The Removal Challenge Officer will then notify the parties and Investigator(s) in writing whether the removal is upheld or overturned.

# Safety and Risk: Things to Consider

- Is there an **immediate threat** to the physical health or safety of a student or other individual?
- Would the behavior cause a **reasonable** person to fear for their safety or the safety of others?
- Will the temporary removal **unfairly deprive** a party of equal access to Collin College's education program or activity?
  - Alternatively, will **not** imposing the temporary removal unfairly deprive a party of equal access to Collin College's education program or activity?
- Did any **stalking** behaviors occur before, during, or after the alleged incident(s)? If so, have the stalking behaviors continued to occur?
- Have the Respondent threatened **violence** or made any other communications about intent or plans for violence?
  - Does the Respondent appear to have the resources, intent, and motivation to carry out the threat?
- Were any **weapons** used during the alleged incident(s) or has the Respondent threatened to use any weapons?

# After the Decision

- The Removal Challenge Officer will notify the Complainant, Respondent, and Investigator(s) simultaneously in writing whether the removal is upheld or overturned.
- The Removal Challenge Officer's decision is final and non-appealable.
- The Removal Challenge Officer's obligation ends once they send the *Removal Challenge Officer's Decision* form to both parties.

# Question & Answer Session

