

request for presentation at Public Safety Commission March 5, 2018

Webber, Rebecca - BC

Thu 2/22/2018 5:00 PM

Sent Items

To: Gay, Troy <Troy.Gay@ausps.org>; Davis, Richard [FIRE] <Richard.Davis2@ausps.org>; Brown, Jasper <Jasper.Brown@ausps.org>; Hayes, Joya <Joya.Hayes@austintexas.gov>;

Cc: Jackson, Janet <Janet.Jackson@ausps.org>; Nunez, Daniela - BC <bc-Daniela.Nunez@austintexas.gov>; Landuyt, Noel - BC <BC-Noel.Landuyt@austintexas.gov>;

Dear Chief Gay, Chief Davis, Chief Brown, and Ms. Hayes:

We write to request a short presentation regarding each of the public safety departments' policies and procedures for reporting and addressing allegations of harassing workplace behavior by a member of your department's executive team.

- does your department have a written or published policy defining and prohibiting harassing behavior?
- does your department have a written or published policy requiring reporting of harassing behavior if an employee or supervisor witnesses such behavior?
- does your department have a written or published policy regarding who could accept a complaint regarding harassing behavior against a member of your department's executive team?
- does your department have a written or published policy regarding who would investigate a complaint about harassing behavior against a member of your department's executive team?
- as a practical matter, how would an allegation against a member of the executive team be handled differently than an allegation against an employee entitled to civil service protections?

Please provide copies of the relevant policies and procedures along with your presentations. We anticipate a 5 minute presentation regarding these questions from each department and 5 minutes for Human Resources to address its role.

Thank you,
Noel Landuyt
Rebecca Webber

FW: request for presentation at Public Safety Commission March 5, 2018

Jackson, Janet

Thu 3/1/2018 5:27 PM

To: Webber, Rebecca - BC <bc-Rebecca.Webber@austintexas.gov>;

Cc: Gay, Troy <Troy.Gay@ausps.org>;

FYI, below is the response from Joya Hayes' office declining the invitation to Monday's meeting.

Janet Jackson

Austin Police Department

Constituent Liaison

(512) 974-5747 (office)

(512) 974-6611 (fax)

Janet.Jackson@austintexas.gov

From: Arvelo, Monika

Sent: Thursday, March 01, 2018 5:15 PM

To: Jackson, Janet

Cc: Hethcox, Leslie

Subject: FW: request for presentation at Public Safety Commission March 5, 2018

Hi Janet,

Joya asked me to reply to your request to present to the Public Safety Commission meeting on Monday. We are currently reviewing and updating Chapter B of our Personnel Policies which applies to our sworn personnel, including the harassment policy and procedures. We hope to have the updated policy completed by the end of this month. With our current workload, we did not have time to prepare a presentation for Monday, and with the changes to the policy, we respectfully decline your request to present at the Commission meeting Monday. Please feel free to contact me with any questions or concerns.

Thank you,

Monika Arvelo

Assistant Director, HRD

512-974-3310

From: Jackson, Janet

Sent: Thursday, February 22, 2018 5:24 PM

To: Hethcox, Leslie

Subject: FW: request for presentation at Public Safety Commission March 5, 2018

Hi Leslie,

I'm forwarding this email as an fyi, so you are informed of what the PSC is asking Ms. Hayes to discuss/present. Tks



Handbook of Operating Procedures 3-3031

Prohibition of Sexual Discrimination, Sexual Harassment, Sexual Assault, Sexual Misconduct, Interpersonal Violence, and Stalking

Effective July 01, 2015

Executive Sponsor: Chief Compliance Officer and Vice President for Diversity and Community Engagement Policy Owner: University Title IX Coordinator & Office for Inclusion and Equity

I. Policy Statement

It is the policy of The University of Texas at Austin ("University") to provide an educational and working environment for its students, faculty, and staff that is free from sex and gender discrimination, sexual harassment, sexual assault, sexual misconduct, interpersonal violence (including domestic violence and dating violence), and stalking. In accordance with federal and state law, the University prohibits discrimination on the basis of sex and gender and prohibits sexual harassment, sexual assault, sexual misconduct, interpersonal violence, and stalking.

The University will not tolerate sex and/or gender discrimination (including discrimination on the basis of gender orientation, gender identity or gender expression), sexual harassment, sexual misconduct or physical abuse, threats of violence, physical assault, or any form of sexual violence, including but not limited to sexual assault, acquaintance rape, domestic violence, dating violence or stalking. These unacceptable behaviors are hereafter collectively referred to as "prohibited conduct." Individuals who alone, or in concert with others, participate or attempt to participate in prohibited conduct described in this policy are subject to disciplinary action by the University, notwithstanding any action that may or may not be taken by civil or criminal authorities.

The University strongly urges students, faculty, staff, and third-parties to promptly report incidents of prohibited conduct as provided in this policy. Responsible Employees of the University (as defined below) are **required** to promptly report incidents of prohibited conduct as provided in this policy. The University will respond to all reports of prohibited conduct. As described in this policy, the University will conduct a prompt, fair, and impartial investigation and resolution for complaints and, where appropriate, issue remedial measures and/or sanctions. The standard of evidence that will be used in investigating and resolving complaints made under this policy is the "preponderance of the evidence" standard. This standard is met if the allegation is deemed more likely to have occurred than not.

II. Reason for Policy

This policy provides information regarding the University's prevention and education efforts related to sex discrimination, sexual harassment, sexual assault, sexual misconduct, interpersonal violence, and stalking. The policy also explains how the University will proceed once it is made aware of allegations of prohibited

conduct in keeping with the University's values and in order to meet the legal obligations of Title VII and Title IX, and other applicable laws.

III. Scope & Audience

This policy applies to all University students and employees, visitors, applicants for admission to or employment with the University, as well as University affiliates and others conducting business on campus.

In addition to incidents that occur on the University campus, the University may investigate and take disciplinary action in response to incidents that take place during official functions of the University, or incidents that have a substantial connection to the interests of the University regardless of the location in which the incident(s) occur.

IV. Definitions (specific to this policy)

For purposes of this policy, the below definitions apply. However, some of these terms are also defined under federal and/or Texas State law. For more information regarding state law definitions, please refer to Section X of this policy :

Complaint:

A signed document or other report, including verbal reports (if appropriately acknowledged), alleging a violation of this policy.

Complainant:

A person who submits a complaint alleging a violation of this policy.

Consent:

A voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to engage in sexual activity.

An individual's manner of dress or the existence of a current or previous dating or sexual relationship between two or more individuals does not, in and of itself, constitute consent to engage in a particular sexual activity. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity.

Incapacitation:

A state of being that prevents an individual from having the capacity to give consent. For example, incapacitation could result from the use of drugs or alcohol, a person being asleep or unconscious, or because of an intellectual or other disability.

Interpersonal Violence:

An offense that meets the definition of domestic violence or dating violence:

Domestic Violence: Abuse or violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person with whom the complainant is cohabiting (or has cohabited) with a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the State of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.

Dating Violence: Abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the complainant's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.

Respondent:

The person designated to respond to a complaint. Generally, the respondent is the person alleged to be responsible for the prohibited conduct alleged in a complaint.

Responsible Employee:

Pursuant to Title IX, a Responsible Employee is a University employee who has the authority to take action to redress an alleged violation of this policy; who has been given the duty of reporting such allegations to the University Title IX Coordinator or designee; or whom an individual could reasonably believe has this authority or duty.

At the University of Texas at Austin, Responsible Employees include, but are not limited to:

- administrators
- academic advisors
- coaches, and other athletic staff who interact directly with students
- faculty members, including professors, adjuncts, lecturers associate/assistant instructors (AIs), and teaching assistants (TAs)
- graduate research assistants
- residence life directors
- resident assistants
- all supervisory staff

Responsible Employees have a **duty** to promptly report incidents of sex discrimination, sexual harassment, sexual assault, sexual misconduct, interpersonal violence, and stalking to the University Title IX Coordinator or Deputy Title IX Coordinators. Responsible Employees are not confidential reporting resources.

Retaliation:

Any action that adversely affects the academic, employment, or other institutional status of a student or employee of the University, visitor, applicant for admission to or employment with the University, because an individual has, in good faith, brought a complaint under this policy, opposed an unlawful practice, participated in an investigation, or requested accommodations. Examples of retaliation include, but are not limited to: denial of promotion, non-selection/refusal to hire, denial of job benefits, demotion; suspension, discharge, threats, reprimands, negative evaluations, harassment, or other adverse treatment that is likely to deter reasonable people from pursuing their rights. Retaliation is strictly prohibited and will not be tolerated.

Sex Discrimination:

Conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects the individual or group's employment or education on the basis of sex (gender).

Alleged discriminatory behavior that is not on the basis of sex (gender) is not covered by this policy; however, such discriminatory conduct is addressed by other University policies prohibiting discrimination on a variety of bases. See [HOP 3-3020 \(http://www.policies.utexas.edu/policies/nondiscrimination-policy\)](http://www.policies.utexas.edu/policies/nondiscrimination-policy). Nondiscrimination Policy.

Sexual Assault:

An offense that meets the definition of rape, fondling, incest or statutory rape:

Rape: The 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.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is younger than 17 years of age and is not a spouse of the respondent.

Sexual Harassment:

Unwelcome conduct of a sexual nature. Sexual harassment is a form of sex discrimination that can occur when

- the submission to unwelcome physical conduct of a sexual nature, or to unwelcome requests for sexual favors or other verbal conduct of a sexual nature, is made an implicit or explicit term or condition of employment or education;
- the submission to or rejection of unwelcome physical conduct of a sexual nature, or unwelcome requests for sexual favors or other verbal conduct of a sexual nature, is used as a basis for academic or employment decisions or evaluations;
- unwelcome physical acts of a sexual nature, or unwelcome requests for sexual favors or other verbal conduct of a sexual nature, that have the effect of creating an objectively hostile environment that substantially interferes with employment or education on the basis of sex; or
- such conduct is intentionally directed towards a specific individual and has the purpose or effect of unreasonably interfering with that individual's education, employment, or participation in University activities, or creating an intimidating, hostile, or offensive atmosphere.

Sexual harassment may include

1. Sexual violence, as defined under the Texas Penal Code, which includes rape, sexual assault, sexual battery, and sexual coercion.
2. Physical conduct that, depending on the totality of the circumstances present, including frequency and severity, may constitute sexual harassment includes, but is not limited to
 - unwelcome intentional touching; or
 - deliberate physical interference with or restriction of movement.
3. Verbal conduct, whether oral, written, or symbolic expression, that dependent of the totality of the circumstances present including frequency and severity, may constitute sexual harassment includes, but is not limited to
 - explicit or implicit propositions to engage in sexual activity;
 - gratuitous comments, jokes, questions, anecdotes, or remarks of a sexual nature about clothing or bodies;
 - gratuitous remarks about sexual activities or speculation about sexual experiences;
 - persistent, unwanted sexual or romantic attention;
 - subtle or overt pressure for sexual favors;
 - exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars, or other materials; or
 - deliberate, repeated humiliation or intimidation based upon sex.

This policy applies only to verbal conduct that is not necessary to an argument for or against the substance of any political, religious, philosophical, ideological, or academic idea.

Sexual Misconduct:

Behavior or conduct of a sexual nature that is unprofessional and/or inappropriate for the educational and/or working environment. Behaviors that may constitute sexual misconduct include, but are not limited to

- repeatedly engaging in sexually oriented conversations, comments, or horseplay, including the use of language or the telling of jokes or anecdotes of a sexual nature in the workplace, office, or classroom, even if such conduct is not objected to by those present;
- gratuitous use of sexually oriented materials not directly related to the subject matter of a class, course, or meeting, even if not objected to by those present;
- failure to observe the appropriate boundaries of the supervisor/subordinate or faculty member/student relationship, including the participation of a supervisor, teacher, advisor, or coach in an unreported consensual romantic or sexual relationship with a subordinate employee or student; or
- engaging in any form of sexual exploitation. Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own benefit or to benefit anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to non-consenting students/groups; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD) to another.

Stalking:

A course of conduct directed at a specific person that would cause a reasonable person to fear for his/her own safety or the safety of others or would cause that person to suffer substantial emotional distress. A “course of conduct” means two or more acts in which a person 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. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the complainant. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

V. Website (for policy)

<https://policies.utexas.edu/policies/hop/3-3031>

VI. Contacts

CONTACT	DETAILS	WEB
University Title IX Coordinator	Phone: 512-232-3992	Website: https://titleix.utexas.edu/ (https://titleix.utexas.edu/) Email: TitleIX@austin.utexas.edu (mailto:TitleIX@austin.utexas.edu)
Deputy Title IX Coordinator: Office for Inclusion and Equity	Phone: 512-471-1849	Website: http://www.utexas.edu/equity (http://www.utexas.edu/equity)

(Faculty & Staff Concerns)		Email: equity@utexas.edu (mailto:equity@utexas.edu)
Deputy Title IX Coordinator: Student Emergency Services (Student Concerns)	Phone: 512-471-5017	Website: http://deanofstudents.utexas.edu/emergency/ (http://deanofstudents.utexas.edu/emergency/) Email: studentemergency@austin.utexas.edu (mailto:studentemergency@austin.utexas.edu)
UT Counseling and Mental Health Center (CMHC)	Address: Student Services Building (SSB) 5th Floor Phone: 512-471-3515 24-Hour Telephone Counseling: 512-471-CALL (2255)	Website: http://www.cmhc.utexas.edu/index.html (http://www.cmhc.utexas.edu/index.html)
University Health Services (UHS)	Address: Student Services Building (SSB) 1st Floor Phone: 512-475-4955 Nurse Advice Line: 512-475-NURS (6877)	Website: http://www.healthyhorns.utexas.edu/index.html (http://www.healthyhorns.utexas.edu/index.html)
Employee Assistance Program (EAP)	Phone: 512-471-3366 24-hour Telephone Line: 512-471-3399	Website: http://www.utexas.edu/hr/eap (http://www.utexas.edu/hr/eap) Email: eap@austin.utexas.edu (mailto:eap@austin.utexas.edu)

VII. Responsibilities & Procedures

A. Filing a Complaint and Reporting Violations

1. Reporting

All administrators, faculty, staff, students, and third parties are strongly encouraged to promptly report any incidents of sex discrimination, sexual harassment, sexual assault, sexual misconduct, interpersonal violence, and/or stalking to the University Title IX Coordinator, a Deputy Title IX Coordinator, or through other reporting channels listed below.

Individuals wishing to file a complaint of sex discrimination, sexual harassment, sexual assault, sexual misconduct, interpersonal violence, and/or stalking are also strongly encouraged to promptly notify the University Title IX Coordinator, a Deputy Coordinator, or a Responsible Employee. Responsible Employees are in turn required to promptly notify the University Title IX Coordinator or a Deputy Title IX Coordinator of the complaint. Individuals also have the right to pursue a legal remedy for the prohibited conduct covered by this policy in addition to or instead of proceeding under this policy.

A complaint under this policy may be filed by the University, faculty, staff, student, or third party based on the alleged conduct of any University employee, including faculty, staff, student-employee, as well as visitors, University affiliates and others conducting business on campus. Complaints based on the alleged conduct of students who are not also employees of the University are addressed in the *General Information Catalog* ("GIC"), [Appendix D](http://catalog.utexas.edu/general-information/appendices/appendix-d/) (<http://catalog.utexas.edu/general-information/appendices/appendix-d/>).

- a. **Rights and Responsibilities.** The University shall provide all complainants who allege they have experienced prohibited conduct with information about
 - applicable University policies and procedures, including the University's investigation and resolution process;
 - rights and University responsibilities with respect to orders of protection, restraining orders, and/or no contact orders and how to obtain such orders;
 - options about the involvement of law enforcement authorities; and
 - available campus and community resources.
- b. **Anonymity.** Individuals wishing to remain anonymous can file a complaint in any manner, including by telephone or written communication with the University Title IX Coordinator or a Deputy Title IX Coordinator; however, electing to remain anonymous may greatly limit the University's ability to stop the prohibited conduct, collect evidence, or take effective action against individuals or organizations accused of violating the policy.
- c. **Confidentiality.** The University has an obligation to maintain an environment free of sex discrimination, thus many University employees have mandatory reporting and response obligations and may not be able to honor a complainant's request for confidentiality. Complainants who want to discuss a complaint in strict confidence may use the resources outlined in this policy.
- d. **Timeliness of Complaint.** To promote timely and effective review, the University strongly encourages individuals who believe they have experienced or witnessed prohibited conduct to come forward promptly with their inquiries, reports, or complaints and to seek assistance from the University. Responsible Employees are *required* to promptly report incidents of prohibited conduct to the University Title IX Coordinator or a Deputy Title IX Coordinator. Delays in reporting can greatly limit the University's ability to stop the prohibited conduct, collect evidence, and/or take effective action against individuals or organizations accused of violating the policy.

B. Prohibition on Retaliation

Retaliation against a person who reports a potential violation under this policy, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint made under this policy is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, reprisals and/or adverse actions related to an individual's employment or education. The University will take appropriate steps to assure that a person who in good faith reports, complains about, or participates in an investigation pursuant to this policy will not be subjected to

retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the University using the same procedure outlined in this policy.

C. Support Services

Any University employee who requires assistance with work arrangements and/or University-provided support services and referrals as a result of an alleged violation of this policy is encouraged to visit the Office for Inclusion and Equity (OIE) for additional information. OIE staff can assist employees with the various reporting options and support services that may be available to them.

Any University student who requires assistance with classes, living arrangements, and/or University-provided support services and referrals as a result of an alleged violation of this policy is encouraged to visit the Office of the Dean of Students - Student Emergency Services (SES) for additional information. SES staff can assist students with the various reporting options and support services that may be available to them.

If an employee or student believes he or she has experienced conduct prohibited under this policy, the individual may also contact the University Title IX Coordinator or a Deputy Title IX Coordinator for additional assistance and information. Employees/students who would like to report an alleged sexual assault, interpersonal violence (including domestic violence and dating violence) and/or stalking to the police and would like the University Title IX Coordinator or a Deputy Title IX Coordinator to accompany him/her to provide support during the reporting process, should contact the University Title IX Coordinator or a Deputy Title IX Coordinator via the contact information provided above.

The University also encourages anyone who believes they experienced or witnessed a sexual assault (or any other crime) to make a report to the University of Texas Police Department (UTPD), if the assault occurred on campus, or to local law enforcement, for assaults occurring off campus.

University of Texas Police Department (UTPD)

Phone: 512-471-4441, then enter "9" (for non-emergencies)

Emergencies: 911

Address: 2201 Robert Dedman Drive
Austin, TX 78705

Austin Police Department

Phone: 512-974-5000

Emergencies: 911

Individuals may also contact the following external, federal and state agencies:

U.S. Department of Education (Office for Civil Rights)

1999 Bryan Street, Suite 1620

Dallas, TX 75201-6810

Phone: 214-661-9600

Fax: 214-661-9587

OCR.Dallas@ed.gov (<http://OCR.Dallas@ed.gov>)

U.S. Equal Employment Opportunity Commission

Legacy Oaks, Building A

Suite 200

San Antonio, TX 78229

Phone: 800-669-4000

Fax: 210-281-7690

www.eeoc.gov (<http://www.eeoc.gov>)

Texas Workforce Commission

Civil Rights Division

101 E. 15th Street

Room 144-T

Austin, TX 78778-0001

Phone: 512-463-2642

www.twc.state.tx.us (<http://www.twc.state.tx.us/>)

D. Confidentiality and Anonymity

Individuals wishing to remain anonymous can file a complaint (by telephone or in writing) with the University Title IX Coordinator or a Deputy Title IX Coordinator. However, electing to remain anonymous may greatly limit the University's ability to investigate an alleged incident, collect evidence and/or take effective action against individuals or organizations accused of violating this policy.

The University has an obligation to maintain an environment free of sex discrimination, thus many University employees have mandatory reporting and response obligations and may not be able to honor a complainant's request for confidentiality. In the event confidentiality cannot be maintained, the University will share information only as necessary and only with people who need to know to fulfill the purposes of this policy and applicable law, such as investigators, witnesses, administrators, and the respondent. The University will comply with the Family Educational Rights and Privacy Act (FERPA), with [Texas Education Code Section 51.971](http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.51.htm#51.971) (<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.51.htm#51.971>), and other confidentiality laws as they apply to Title IX investigations.

Complainants who want to discuss a complaint in strict confidence may use the confidential support resources described in this policy.

E. Complaint Investigation and Disciplinary Process

The University strongly encourages the prompt reporting of prohibited conduct covered by this policy. Delays in reporting can greatly limit the University's ability to stop the alleged conduct, collect evidence and/or take effective action against individuals or organizations accused of violating this policy. A report of alleged violations of this policy may be made by

- a person who believes they experienced prohibited conduct (a complainant); and/or
- a person who has information that prohibited conduct may have been committed (a reporter).

Once a report of prohibited conduct is received, the University will respond promptly and investigate the report in a fair and impartial manner. Where warranted, the University will enact interim measures. The University will handle reports of prohibited conduct consistently with procedural guidelines developed to ensure prompt and equitable resolution of such reports. If a complainant chooses not to participate in the University's investigation of a report, the University may, at its discretion, pursue the report without the complainant's participation.

The purpose of an investigation, which includes interviewing the parties and witnesses, is to gather and assess evidence. The standard of evidence that will be used in investigating and adjudicating complaints made under this policy is the “**preponderance of the evidence**” standard. This standard is met if the allegation is deemed more likely to have occurred than not. All investigators shall have appropriate and ongoing training regarding issues related to domestic violence, dating violence, sexual assault, sexual misconduct and stalking, as well as, on how to conduct an investigation that protects the safety of complainants and promotes accountability.

Possible outcomes of an investigation are (1) a finding that the allegations are not warranted or could not be substantiated; (2) a finding that the allegations are substantiated and constitute a violation of the policy and, if so, (3) referral to the appropriate administrative authority for corrective action. The University will also provide interim and remedial measures, to the extent possible, to protect the reporting party and eliminate any hostile environment.

1. Complaints Against UT Students

Individuals may report an alleged violation of this policy by a University student to the University Title IX Coordinator, or a Deputy Title IX Coordinator, the Office of the Dean of Students, or to any Responsible Employee listed below which includes, but is not limited to:

- administrators
- academic advisors
- coaches, or other athletic staff who interact directly with students
- faculty members, including professors, adjuncts, lecturers, associate/assistant instructors (AIs), and teaching assistants (TAs)
- graduate research assistants
- residence life directors
- resident assistants
- all supervisory staff

Responsible Employees are in turn required to promptly notify the University Title IX Coordinator or a Deputy Title IX Coordinator of the reported incident. Responsible Employees are not confidential reporting resources.

Depending on the respondent’s relationship with the University, the investigation will be managed by the Office of the Dean of Students - Student Judicial Services or the Office for Inclusion and Equity according to their respective procedures.

Student Judicial Services processes complaints of violations of this policy as provided in Appendix C, Chapter 11 (<http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/>), *Student Discipline and Conduct*.

The Office for Inclusion and Equity processes complaints of violations of this policy as provided in its *Procedure and Practice Guide*, available at <https://www.utexas.edu/equity/policies/procedure-and-practice-guide> (<https://www.utexas.edu/equity/policies/procedure-and-practice-guide>).

2. Complaints Against UT Employees (faculty and staff), Visitors, or Contractors

Individuals may report an alleged violation of this policy by a University employee, including faculty, staff, and student employees, as well as visitors, or contractors to the University Title IX

Coordinator, a Deputy Title IX Coordinator, the Office for Inclusion and Equity, or to any Responsible Employee listed below which includes, but is not limited to:

- administrators
- academic advisors
- coaches, or other athletic staff who interact directly with students
- faculty members, including professors, adjuncts, lecturers, associate/assistant instructors (AIs), and teaching assistants (TAs)
- graduate research assistants
- residence life directors
- resident assistants
- all supervisory staff

Responsible Employees are in turn required to promptly notify the University Title IX Coordinator or a Deputy Title IX Coordinator of the reported incident. Responsible Employees are not confidential reporting resources.

Depending on the respondent's relationship with the University, the investigation will be managed by the Office of the Dean of Students - Student Judicial Services or the Office for Inclusion and Equity according to their respective procedures.

Student Judicial Services processes complaints of violations of this policy as provided in Appendix C ([Chapter 11](http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/) (<http://catalog.utexas.edu/general-information/appendices/appendix-c/student-discipline-and-conduct/>), Student Discipline and Conduct).

The Office for Inclusion and Equity processes complaints of violations of this policy as provided in its Procedure and Practice Guide, available at <https://www.utexas.edu/equity/policies/procedure-and-practice-guide> (<https://www.utexas.edu/equity/policies/procedure-and-practice-guide>).

3. Summary of Rights of the Complainant and Respondent in Investigations Pursuant to this Policy

Parties to an investigation initiated pursuant to this policy shall

- receive a prompt, fair, and impartial investigation and resolution of all reports of prohibited conduct by an investigator(s) who is properly trained to investigate and resolve such allegations;
- be notified of available counseling, mental health, academic, legal and other applicable support services, both at the University and in the community;
- be informed of all applicable University policies and procedures as well as the nature and extent of all alleged violations contained within the report;
- have the right to be accompanied by an advisor of the individual's choosing during all meetings, proceedings, and/or disciplinary hearings at which the individual is present. (The role of the advisor will be limited to being present only; advisors are not allowed to actively participate in the process);
- be given equal chance to participate in the investigation process, including the opportunity to identify witnesses and other relevant evidence;

- be simultaneously informed in writing of the outcome of any University disciplinary hearing arising from an allegation of prohibited conduct, of the University's procedures for appealing the results of the disciplinary hearing, of any changes in the outcome that occurs before the outcome is finalized, and of the University's final outcome.
4. Informal Resolution Options. The University recognizes that in some limited circumstances (but never in cases involving sexual violence) voluntary informal resolution options may be an appropriate means of addressing some behaviors reported under this policy. If the informal resolution process is deemed appropriate by the University Title IX Coordinator, or designee, then the complainant will be provided assistance in informally resolving the issue.
5. Interference with an Investigation. Any person who knowingly and intentionally interferes with an investigation conducted under this policy is subject to disciplinary action up to and including dismissal or separation from the University. Interference with an investigation may include, but is not limited to
- attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;
 - removing, destroying, or altering documentation relevant to the investigation; or
 - providing false or misleading information to the investigator, or encouraging others to do so.

F. Bystander Intervention

Bystanders play a critical role in the prevention of sexual assaults, domestic violence, dating violence, and stalking. For example, bystanders may have the power to stop assaults, get help for people who have been victimized, and/or alert the appropriate authorities. The University is committed to promoting a culture of shared accountability where bystanders are actively engaged in the prevention of prohibited conduct. As such, all members of the University community are encouraged to intervene or interrupt prohibited conduct they witness. Examples of bystander intervention include:

- confronting people who seclude, hit on, or sexually assault people who are incapacitated;
- speaking up when someone discusses plans to take sexual advantage of another person;
- calling the police when a person is being physically abusive towards another;
- refusing to leave the area (or call police) if a person is trying to get you to leave so they can take advantage of another;
- ensuring community members who are incapacitated are not left alone or in vulnerable situations; and
- referring people to appropriate University and community resources.

G. Ongoing Training

The University's commitment to preventing and raising awareness of the harm resulting from the conduct prohibited in this policy includes offering ongoing education to both employees and students. To that end, this policy will be published on the University's website. Information regarding this policy

and related policies will also be included in orientation materials for new students, faculty, and staff. Appropriate compliance training sessions will also be conducted on an ongoing basis. Training sessions will include information on how and where to report incidents of prohibited conduct, resources available, as well as, safe and positive options for bystander intervention that may be carried out by individuals to prevent harm or intervene when there is a risk of sexual misconduct being inflicted on another person. In addition, the University Title IX Coordinator, Deputy Title IX Coordinators, and all investigators and hearing officers receive training each academic year about offenses, investigatory procedures, due process requirements, conducting a hearing, and University policies related to or described in this policy. The University is committed to protecting the safety of complainants and the due process rights of respondents, as well as promoting accountability.

H. Academic, Living, Travel, or Work Accommodation(s)

In some instances, when an individual reports an alleged violation of this policy to the University, the University may take emergency action to protect the emotional health or physical safety of the reporting individual and/or of the larger University community. Such arrangements will be facilitated through the appropriate University officials and all decisions will be based upon the evidence then available.

I. Interim Measures and Final Sanctions

1. Interim and remedial measures. The University may implement interim measures, as may be necessary to assure the safety and well-being of the complainant, to maintain an environment free from harassment, discrimination, or retaliation, and to protect the safety and well-being of community members. Appropriate University officials will decide if and what interim measures are necessary. Such interim measures may include, but are not limited to, separating the complainant's and respondent's academic or working situations, forbidding contact between parties involved in a complaint, suspending the right of the respondent to be present on campus or otherwise altering the University status of the respondent. Other interim measures may be implemented given the respondent's relationship with the University. These interim measures may be kept in place through the conclusion of any review, investigation, or appeal process.
2. Final sanctions. If a respondent is found responsible for violating this policy, the University may impose a sanction on the respondent and initiate additional remedial actions.

Disciplinary action against faculty and staff will be handled under the University's policies for discipline and dismissal of faculty and staff. Disciplinary actions may include, but are not limited to, written reprimands, the imposition of conditions, reassignment, suspension, and dismissal.

Disciplinary action against a student will be imposed by the Office of the Dean of Students in accordance with University's student disciplinary procedures. Student disciplinary actions may include, but are not limited to, probation, suspension, or expulsion.

J. Options and Resources

Below is a list of educational and preventive programs and support services on and off campus that provide information relating to sexual assault, interpersonal violence (including domestic violence and dating violence), and stalking. Brochures and other printed materials are available from each office. Additional information may be obtained by calling the numbers or visiting the web sites listed below.

1. Police and Medical Resources

An individual who experiences any form of sexual assault is strongly encouraged to seek immediate medical care. Individuals can undergo a medical exam to properly collect and preserve physical evidence of the sexual assault with or without the police's involvement. It is important to preserve forensic and other physical evidence that may assist in proving the alleged criminal offense occurred and such evidence may be helpful in obtaining a protection order against the respondent. Therefore, a medical exam should be performed immediately after the event, if possible. If a medical exam is not or cannot be performed immediately after the event, individuals may still obtain a Sexual Assault Forensic Exam (SAFE) within five (5) days of the sexual assault if law enforcement is involved and within four (4) days if they are not. With the individual's consent, the physical evidence collected during this medical exam can be used as part of a criminal investigation; however, an individual may undergo a SAFE regardless of whether he/she has contacted, or intends to contact, the police. To obtain a SAFE exam, contact SafePlace at 512-267-SAFE. For additional information, see <http://hopelaws.org/> (<http://hopelaws.org/>). An individual may also seek an exam from their own physician.

The cost of the forensic portion of the exam is covered by the law enforcement agency that is investigating the assault or, in cases where a report will not be made to the police, the Texas Department of Public Safety. This does not include fees related to medical treatment that are not a part of the SAFE. For more information about financial resources available for individuals who experience any form of sexual assault, please see the information about Voices Against Violence and Student Emergency Services below.

Reporting an assault to law enforcement does not mean the case will automatically go to criminal trial or through University disciplinary processes. If the police are called, a uniformed officer will be sent to the scene to take a detailed statement. A ride to the hospital may be provided by a police department counselor. A report may be filed with the police regardless of whether or not the accused was a UT student.

If a decision is made to make a report to the police, it is important to note that police jurisdictions depend on where the sexual assault occurred.

If the alleged incident occurred on campus, a report may be filed with the UT Police Department (UTPD) by calling (512) 471-4441, enter "9" (for non-emergencies) or in person at UTPD headquarters at 2201 Robert Dedman Drive, Austin, TX 78705 (across from the Manor Garage and Darrell K Royal-Texas Memorial Stadium).

If the alleged incident occurred in Austin but off-campus, a report may be filed with the Austin Police Department (APD), regardless of time elapsed since the assault occurred. If a report is made to APD, a uniformed officer will be dispatched to the location to make a written report.

- Emergency: 911
- Victim Services (bilingual operators available): 512-974-5037
- Relationship violence (Family Protection Team): 512-974-8535
- Non-emergency stalking reports: 311

An individual who has experienced a sexual assault is strongly encouraged to seek medical and psychological care regardless of whether he/she intends to request a SAFE or report the assault to

the police. He/she may be prescribed medications to prevent sexually transmitted infections and/or pregnancy regardless of whether the police were contacted or a SAFE was performed. Medical care can be provided at University Health Services (for students), at a local emergency room, or by a private physician. Psychological support can be provided by the UT Counseling and Mental Health Center (for students), SafePlace, or by a care provider of the individual's choosing.

UHS Nurse Advice Line is staffed 24 hours a day, every day of the year. Students may call 512-475-6877 (NURS) for free advice and guidance about health-related questions.

An individual who experiences any form of sexual assault may pursue any civil or criminal remedies provided by state law. An individual does not need to file a criminal police report to either use on or off-campus resources or to file a complaint with the University.

2. Confidential On-Campus Resources

If an individual would like the details of the incident to remain confidential, he/she should speak with a campus mental health counselor, campus health service providers, Employee Assistance Program (EAP) counselors, and/or off-campus rape crisis resources who can maintain confidentiality. Campus counselors may be seen on an emergency basis.

Counseling and Mental Health Center

512-471-3515

<http://www.cmhc.utexas.edu/> (<http://www.cmhc.utexas.edu/>)

- Provides information about safety, legal, housing, academic, and medical options and manages the VAV Survivor Emergency Fund
- Offers individual and group counseling service
- Operates 24 hour telephone counseling service at 512-471-CALL (471-2255)

University Health Services

Appointments: 512-471-4955

<http://www.healthyhorns.utexas.edu/> (<http://www.healthyhorns.utexas.edu/>)

24 hour Nurse Advice Line: 512-475-NURS (475-6877)

- Provides general exams to treat injuries, both internal and external

University Employee Assistance Program [eap/](http://www.utexas.edu/hr/eap/) (<http://www.utexas.edu/hr/eap/>)

Appointments: 512-471-3366

<http://www.utexas.edu/hr/> (<http://www.utexas.edu/hr/eap/>)

For emergency situations outside normal working hours call: 512-471-3399

- Provides short term, problem solving counseling sessions.
- Available following any trauma or crisis experienced by an employee.

3. Non-Confidential On-Campus Resources (with Title IX Reporting Obligations)

You are **strongly encouraged** to report an alleged violation of this policy to a University Responsible Employee (e.g., an administrator, academic advisor, coach, faculty member). When a Responsible Employee is informed of an alleged violation of this policy, the Responsible Employee is **required** to notify the University Title IX Coordinator or a Deputy Title IX Coordinator of the allegation. The University takes reports of alleged violations of this policy very seriously and will investigate such allegations. Formal reporting to a Responsible Employee means that only people

who need to know of the alleged violation will be informed, and such information will be shared only as necessary with relevant University employees, witnesses, and the accused individual.

University Title IX Coordinator

University Compliance Services

512-232-3992

titleix@austin.utexas.edu (<mailto:titleix@austin.utexas.edu>).

www.utexas.edu/TitleIX (<http://www.utexas.edu/TitleIX>).

Deputy Title IX Coordinator for Faculty/Staff

Office for Inclusion and Equity

512-471-1849

equity@austin.utexas.edu (<mailto:equity@austin.utexas.edu>).

www.utexas.edu/TitleIX (<http://www.utexas.edu/TitleIX>).

Deputy Title IX Coordinator for Students

Student Emergency Services

Office of the Dean of Students

512-471-5017

[studentemergency@austin.utexas.edu](http://www.utexas.edu/TitleIX) (<http://www.utexas.edu/TitleIX>).

www.utexas.edu/TitleIX (<http://www.utexas.edu/TitleIX>).

Student Emergency Services

512-471-5017

<http://deanofstudents.utexas.edu/emergency/> (<http://deanofstudents.utexas.edu/emergency/>).

- May provide limited emergency funds
- Assists with academic issues
- Provides referrals within the University and in the Austin area when necessary
- Serves as an advocate for students while working with other campus departments

Student Judicial Services

512-471-2841

<http://deanofstudents.utexas.edu/sjs/> (<http://deanofstudents.utexas.edu/sjs/>).

- Provides information about how the University's investigation and student disciplinary process works
- Investigates allegations that a student respondent may have violated University policy and administers the University disciplinary process
- Issues no contact directives to students involved in a complaint

University of Texas Police Department:

512-471-4441, enter "9" (for non-emergencies)

<http://www.utexas.edu/police/> (<http://www.utexas.edu/police/>).

- Offers crime prevention presentations that include issues related to assault
- Publishes crime statistics information
- Teaches free Rape Aggression Defense (RAD) classes to University students, staff members, and faculty members

Behavior Concerns Advice Line (BCAL)

512-232-5050

<https://www.utexas.edu/safety/bcal/> (<https://www.utexas.edu/safety/bcal/>).

- Allows members of the University community to discuss their concerns about an individual's behavior
- Offers a centralized resource available 24 hours a day for anyone who is not sure how to help a person he or she is concerned about

New Student Services

512-471-3304

<http://deanofstudents.utexas.edu/nss/> (<http://deanofstudents.utexas.edu/nss/>)

- Provides programs to raise awareness of sexual assault on campus and resources for prevention and support
- Trains Orientation advisers about issues related to sexual assault and interpersonal violence

Sorority and Fraternity Life

512-471-9700

<http://deanofstudents.utexas.edu/sfl/> (<http://deanofstudents.utexas.edu/sfl/>)

- Conducts educational workshops for individual fraternities and sororities
- Provides sexual assault education to all incoming pledges

Student Ombuds Services

512-471-3825

<http://www.utexas.edu/students/ombuds> (<http://www.utexas.edu/students/ombuds>)

- Provides information about University resources and University processes to students

Faculty Ombuds Services

512-471-3535

<http://www.utexas.edu/students/ombuds> (<http://www.utexas.edu/students/ombuds>)

- Provides information about University resources and University processes to faculty

Staff Ombuds Services

512-471-8205

<http://www.utexas.edu/students/ombuds> (<http://www.utexas.edu/students/ombuds>)

- Provides information about University resources and University processes to staff

University Residence Halls

512-471-8631

<http://www.utexas.edu/student/housing/> (<http://www.utexas.edu/student/housing/>)

- Trains resident assistants on issues related to sexual assault
- Publishes an online safety handbook
- Offers individual and group support and follow-up

4. Austin Community Resources

SafePlace

512-267-SAFE

<http://www.safeplace.org/> (<http://www.safeplace.org/>)

- Operates a twenty-four-hour hotline
- Helps individuals who have experienced a sexual assault navigate the forensic medical exam
- Offers individual and group therapy for individuals who have experienced sexual assault and/or domestic violence
- Provides domestic violence shelter services

Austin Police Department

911

<http://www.austintexas.gov/departments/police> (<http://www.austintexas.gov/departments/police>)

- At 911, provides emergency response and takes reports of sexual assaults
- Offers Victim Services counselors at 512-974-5037

St. David's Hospital Emergency Room

512-544-4240

<http://www.stdavidshospital.com/locations-facilities/st-davidshospital-medical-center.aspx>
(<http://www.stdavidshospital.com/locations-facilities/st-davidshospital-medical-center.aspx>)

- Operates emergency room, located at 919 East 32nd Street, Austin, TX 78705

Dell Seton Medical Center of the University of Texas

512-324-7000

<http://www.seton.net/locations/dell-seton/> (<https://www.seton.net/locations/dell-seton/>)

Operates emergency room, located at 1500 Red River Street, Austin, TX 78701

K. State Law Definitions

If a person would like to press criminal charges for an alleged violation of any of the below criminal laws, or would like to seek an order of protection, the definitions contained in the Texas Penal Code would apply; not the internal definitions used in this policy.

Dating Violence: “an act, other than a defensive measure to protect oneself, by an individual that is committed against a victim with whom the actor has or has had a dating relationship; or because of the victim’s marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault. ‘Dating relationship’ means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of the length of the relationship; the nature of the relationship; and the frequency and type of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a ‘dating relationship.’” Texas Family Code, Chapter 71, **Section 71.0021** (<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.0021>).

Domestic (Family) Violence: “an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself, or abuse by a member of a family or household toward a child of the family or household, or dating violence.” Texas Family Code, Chapter 71, **Section 71.004** (<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.004>).

Sexual Assault: “a person commits an offense if the person (1) intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or (2) intentionally or knowingly causes the penetration of the anus or sexual organ of a child by any means; causes the

penetration of the mouth of a child by the sexual organ of the actor; causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

A sexual assault is without the consent of the other person if: the actor compels the other person to submit or participate by the use of physical force or violence; the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat; the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it; the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; the actor is a public servant who coerces the other person to submit or participate; or the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor. 'Child' means a person younger than 17 years of age. 'Spouse' means a person who is legally married to another." Texas Penal Code, Chapter 22, **Section 22.011**

(<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>).

Stalking: "a person who, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that: (1) the person knows or reasonably believes the other person will regard as threatening including bodily injury or death for the other person, bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship, or fear that an offense will be committed against the other person's property, and (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property, and (3) would cause a reasonable person to fear bodily injury or death for himself or herself, or bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship, or fear that an offense will be committed against the person's property. A fact finder may find that different types of conduct described above, if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct." Texas Penal Code, Chapter 42, **Section 42.072** (<http://www.statutes.legis.state.tx.us/SOTWDocs/PE/htm/PE.42.htm#42.072>).

VIII. Forms & Tools

For a complete list of University and community resources see below or the University's Title IX Resource Guide at: <http://www.utexas.edu/sites/default/files/files/Title IX Resource Guide Sexual Assault-2014.pdf> (<http://www.utexas.edu/sites/default/files/files/Title IX Resource Guide Sexual Assault-2014.pdf>).

IX. Frequently Asked Questions

None

X. Related Information

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681–1688 and its implementing regulations, 34 C.F.R. Part 106. (<http://www.gpo.gov/fdsys/pkg/USCODE-2013-title20/pdf/USCODE-2013-title20-chap38.pdf>).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e–2000e-17 and its implementing regulations 29 C.F.R. § 1604.11. (<http://www.gpo.gov/fdsys/pkg/USCODE-2013-title42/pdf/USCODE-2013-title42-chap21-subchapVI.pdf>).

Clery Act, 20 U.S.C 1092(f) and its implementing regulations 34 C.F.R. Part 668
(<http://www.gpo.gov/fdsys/pkg/USCODE-2013-title20/pdf/USCODE-2013-title20-chap28-subchapIV-partF-sec1092.pdf>).

FERPA Regulations, 34 C.F.R. Part 99. (<http://www.gpo.gov/fdsys/pkg/CFR-2013-title34-vol1/pdf/CFR-2013-title34-vol1-part99.pdf>).

Texas Education Code, Chapter 51, **Section 51.971**
(<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.51.htm#51.971>).

Texas Penal Code, Chapter 22, **Section 22.01**. (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm>).

Texas Penal Code, Chapter 22, **Section 22.011**
(<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>).

Texas Penal Code, Chapter 42, **Section 42.072**. (<http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.42.htm>).

Texas Family Code, Chapter 71, **Section 71.004**
(<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.004>).

Texas Family Code, Chapter 71, **Section 71.0021**
(<http://www.statutes.legis.state.tx.us/docs/FA/htm/FA.71.htm#71.0021>).

UT System Policy **UTS184** (<https://www.utsystem.edu/board-of-regents/policy-library/policies/uts184-consensual-relationships>), Consensual Relationships

Board of Regents' **Rule 31008**. (<http://www.utsystem.edu/board-of-regents/rules/31008-termination-faculty-member>), Termination of a Faculty Member

HOP 2-2150. (<http://www.policies.utexas.edu/policies/annual-review-and-periodic-evaluation-tenured-faculty>).
Annual Review and Periodic Evaluation of Tenured Faculty

HOP 5-2420. (<http://www.policies.utexas.edu/policies/policies-and-procedures-discipline-and-dismissal-employees>).
Policies and Procedures for Discipline and Dismissal of Employees

Student Discipline is found in the General Information Catalog

XI. History

Last review date: July 10, 2015

Editorial changes made February 17, 2016

Editorial changes made July 10, 2015 and July 17, 2015

Next scheduled review: July 2017

This policy replaces the former HOP 3-3030 "Sex Discrimination and Sexual Harassment" and HOP 3-3040 "Sexual Misconduct" retired effective July 1, 2015 when this policy became effective.