



## Title IX Resources, Rights, and Options for Individuals Subjected to Sexual Harassment, Sexual Misconduct, Stalking, Domestic Violence, or Dating Violence

If you or someone you know has been hurt by sexual assault, domestic violence, dating violence, or stalking, the HSC is here to help. You have the right to live, learn, and/or work in a safe and welcoming environment. Violence is unacceptable, and University policy prohibits sexual assault, domestic violence, dating violence, and stalking. This document outlines steps to take depending on what services you want or need.

### **Unsure of where to start?**

You may want more information or to talk to someone confidentially as you decide what you'd like to do moving forward. You can access crisis counseling, information, and support by connecting with the resources listed below.

## First Steps: Things to Consider

### **Are you in danger?**

If yes, call 911.

**The Care Team** can also provide support by calling at 817-735-2740. We will coordinate transport to pick you up from your location and make plans for your next steps.

### **Do you need medical attention?**

You can receive medical attention at any medical facility; however, certain facilities have specially-trained staff to help survivors of sexual assault. The following locations have sexual assault nurse examiners:

**John Peter Smith Hospital (Fort Worth) 817-702-2839**  
**Harris Methodist Hospital (Fort Worth) Phone: 817-250-2000**  
**Methodist Hospital (Dallas) Phone: 214-947-8181**  
**Parkland Hospital (Dallas) Phone: 214-590-8000**

It is important to preserve evidence that may be useful in obtaining a protection order or in proceeding with a criminal investigation should you choose to do so. Completing a forensic exam does not require you to file a police report or report to the institution, although we encourage these reports if you are comfortable doing so.

In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection.

If possible, please do not bathe, douche, smoke, use the toilet or clean the bed/linen area where the incident occurred assaulted if the offense occurred within the past 96 hours so that evidence that may be necessary to the proof of criminal activity may be preserved. Save items you were wearing, sheets, or towels in a paper bag. Text messages, instant messages, social networking pages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of sexual assault, dating violence, domestic violence or stalking and useful to University hearing boards/investigators or police.

Your immediate and long-term safety is what's most important. The resources and options outlined below may be helpful as you decide what next steps are a good fit for you.

## RIGHTS OF A COMPLAINANT

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**Complainant-** An individual or a group of individuals who may have been the subject of conduct prohibited under University policy regardless whether the individual reports the conduct.

1. You have the right to report any and all incidents of prohibited conduct to the University and have that report treated seriously. You may report prohibited conduct to the University, the appropriate law enforcement agency, both, or neither. HSC is available to assist individuals who wish to report to law enforcement.
2. You have the right to choose an advisor to be present with you at any meeting, including an interview with an Investigator. Your advisor may be any person, including legal counsel. The advisor's participation will be limited to the role of an observer, although the advisor may request a break at any point to give advice or emotional support. The advisor cannot be called as a witness once they have assumed the role of advisor.
3. You have the right to request investigation and resolution of all credible complaints of prohibited conduct. You also have the right to request that the university seek no resolution.
4. You have the right to a prompt, fair and impartial process conducted by officials without a conflict of interest or bias for either party that receive annual training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
5. A prompt, fair, and impartial process from the initial investigation to the final result completed within the timeframes laid out by our policy in a manner that is transparent, provides timely notice of meetings and equal access to information to both the complainant and the respondent.
6. You have the right to be notified of (1) the identity of the Respondent; (2) the date, time (if known), location, and nature of the alleged misconduct; (3) the policy or policies alleged to have been violated; and (4) the identity of and contact information for the Investigator(s).
7. During the investigation, you and the Respondent have an equal opportunity to be heard, submit information and corroborating evidence, identify witnesses who may have relevant information, and submit questions that you believe should be directed by the Investigator to each other or any witness. The proceeding will be fair and impartial, conducted by trained individuals, and be decided by a preponderance of the evidence.
8. You have the right to have irrelevant prior sexual history excluded as evidence during an investigation.
9. You have the right to review the draft investigation report and submit a response prior to a determination.
10. You have the right to be simultaneously informed of the outcome of the investigation, and in cases of sexual assault, stalking, dating violence, or domestic violence, the sanction imposed (if any).
11. You have the right to appeal the decision based on new evidence, procedural error, or appropriateness/severity of the sanctions. You have the right to be simultaneously notified of any changes to the decision or sanctions, and when the decision becomes final.
12. You can also access orders of protection within our state as well as within the institution. Depending on the nature of the incident, the HSC may be able to issue a no contact order to prevent contact between two individuals.
13. If you have obtained a protective order, civil no-contact order, restraining order, or similar order against another member of the University community, the order should be provided to the Title IX Coordinator. In conjunction with the University Police Department and other University officials, Title IX Coordinator will take all reasonable and legal actions to implement the order.

*More information can be found on the HSC Title IX website at [www.unthsc.edu/title-ix/](http://www.unthsc.edu/title-ix/).*

## PRIVACY OF INFORMATION VS. CONFIDENTIALITY

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### Privacy of Information

While the university wishes to create an environment in which individuals feel free to discuss concerns and make complaints, the university may be obligated to take action when officials are informed that sex discrimination or sexual harassment (i.e., sexual assault, sexual exploitation, dating violence, domestic violence, and stalking) may be occurring. Information shared with university personnel and officials not listed below as confidential reporting options is considered private but not confidential. Although the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complainant/survivor regarding action by the university cannot be guaranteed, they will be protected to as great a degree as is legally possible.

The University is committed to protecting the privacy of reporting parties, complainants, and respondents. Given the sensitive nature of reports, information will be maintained in a secure manner and will only be disclosed to school officials who are responsible for handling the university's response and/or have a legitimate educational interest. All students' education records are protected under the Family Educational Rights and Privacy Act (FERPA). For more information about FERPA, go to <https://www.unthsc.edu/registrar/>.

### Confidentiality

Persons gathering general information, seeking guidance, or filing a complaint may be concerned about the confidentiality of the information they are sharing. Complainants have the option to report confidentially through a university official listed as a confidential reporting option based on the official's occupation or relationship to the complainant. See Confidential Reporting Options below.

## SUPPORTIVE MEASURES AND ACCOMMODATIONS

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Complainants may have various options and assistance in changing academic, transportation, and work situations if requested by the complainant and are reasonably available. These requests will be considered regardless of whether the complainant chooses to report the incident to the university or law enforcement. Examples of potential accommodations include assistance in obtaining institutional no contact orders, parking location, or class schedules to reduce the chance of continued contact with the respondent. Please contact the Title IX Coordinator to discuss these options, 817-735-2781, [lacresha.moore@unthsc.edu](mailto:lacresha.moore@unthsc.edu), 8:00 am-5:00 pm.

Counseling, health, mental health, advocacy, and other services are available for complainants both on-campus and in the community. In most cases, psychologists/counselors are not required to, nor may, report an incident that in any way identifies students or employees concerned without their consent. However, if an imminent harm situation is present, the counselor must take action to protect whoever is at risk.

HSC employees who receive information regarding sexual misconduct under circumstances that make the communications confidential or privileged by law (for example, information received as a licensed healthcare professional), must report only the type of incident reported, but no information that would violate a student's expectation of privacy. Confidential resources are *italicized*; however, in accordance with the Clery Act, confidential resources will report de-identified information so that the University may gather statistics about the number of reports and disclosures made to the University.

### Counseling

Name	Phone	Website
<b>For Students:</b> Morneau Shepell	866-743-7732	<a href="https://us.myisspp.com/">https://us.myisspp.com/</a>
<b>For Employees:</b> Employee Assistance Program	800-343-3822	<a href="https://www.awpnow.com">https://www.awpnow.com</a> . Registration code AWP-UNT 384.

### Medical and Health Services

Name	Phone	Address	Website
<b>Student Health Clinic</b>	817-735-5051	855- Montgomery Street, 3rd Floor	<a href="https://www.unthsc.edu/students/student-health/">https://www.unthsc.edu/students/student-health/</a>
<b>John Peter Smith Hospital</b>	817-702-1110	1500 S. Main, Fort Worth, TX 76104	<a href="https://www.jpshealthnet.org/">https://www.jpshealthnet.org/</a>
<b>Texas Health Harris Methodist Hospital</b>	817-250-2000	1301 Pennsylvania Ave, Fort Worth, TX 76104	<a href="https://www.texashealth.org/fortworth/">https://www.texashealth.org/fortworth/</a>

## Support, Advocacy, and Other Resources

Name	Phone	Address	Website
<b>Student Affairs Office (conduct)</b>	817-735-2505	Student Service Center, Suite 220	<a href="https://www.unthsc.edu/students/welcome-to-the-division-of-student-affairs/">https://www.unthsc.edu/students/welcome-to-the-division-of-student-affairs/</a>
<b>Victim Advocacy/Care Team</b>	817-735-2740	Student Service Center, Suite 220	<a href="https://www.unthsc.edu/care-and-civility/">https://www.unthsc.edu/care-and-civility/</a>
<b>Student Financial Aid</b>	817-735-2505	Student Service Center, Suite 150	<a href="https://www.unthsc.edu/financial-aid/">https://www.unthsc.edu/financial-aid/</a>
<b>Student Assistance Fund</b>	817-735-2740	Student Service Center, Suite 220	<a href="https://www.unthsc.edu/care-and-civility/resources-for-students/">https://www.unthsc.edu/care-and-civility/resources-for-students/</a>
<b>International Student Services (visa &amp; immigration assistance)</b>	817-735-2780	Student Service Center, Suite 220	<a href="https://www.unthsc.edu/students/international-student-and-scholar-services/">https://www.unthsc.edu/students/international-student-and-scholar-services/</a>
<b>Legal Aid of NorthWest Texas</b>	817-336-3943	600 E. Weatherford St. Fort Worth, TX 76102	<a href="https://texaslawhelp.org/directory/legal-resource/legal-aid-northwest-texas-fort-worth-office">https://texaslawhelp.org/directory/legal-resource/legal-aid-northwest-texas-fort-worth-office</a>
<b>Women's Resource Center of Tarrant County</b>	817-927-2737 817-927-4000	1723 Hemphill Fort Worth TX 76110	<a href="http://womenscentertc.org/">http://womenscentertc.org/</a>
<b>Catholic Charities of Fort Worth</b>	817-534-0814	249 West Thornhill Drive, Fort Worth, TX 76115	<a href="https://www.catholiccharitiesfortworth.org/">https://www.catholiccharitiesfortworth.org/</a>
<b>Fort Worth Police Department Victim Services</b>	817-392-4390	350 W. Belknap St, 3 <sup>rd</sup> flr, Fort Worth TX 76102	<a href="https://police.fortworthtx.gov/crime-information/victim-assitance">https://police.fortworthtx.gov/crime-information/victim-assitance</a>
<b>Safe Haven of Tarrant County</b>	817-701-7233	1100 Hemphill St, Ste 303, Fort Worth TX 76104	<a href="http://www.safehaventc.org/">http://www.safehavenct.org/</a>
<b>Tarrant County Victim Assistance Program</b>	817-884-3697	200 Taylor St, 7 <sup>th</sup> Floor, Fort Worth TX 76196	<a href="http://access.tarrantcounty.com/en/sheff/operations-bureau/criminal-investigations/victim-assistance.html">http://access.tarrantcounty.com/en/sheff/operations-bureau/criminal-investigations/victim-assistance.html</a>
<b>Recovery Resource Council</b>	877-332-6329	2700 Airport Frwy, Fort Worth TX 76111	<a href="http://www.recoverycouncil.org/">http://www.recoverycouncil.org/</a>
<b>One Safe Place</b>	817-916-4323	1100 Hemphill St, Fort Worth TX 76104	<a href="http://www.onesafeplace.org">http://www.onesafeplace.org</a>
<b>The Gatehouse</b>	817-912-0317	670 Westport Pkwy, Fort Worth TX 76051	<a href="http://www.gatehousegrapevine.com">http://www.gatehousegrapevine.com</a>
<b>National Sexual Assault Hotline</b>	800-656-4619		<a href="http://online.rainn.org">online.rainn.org</a>
<b>National Domestic Violence Hotline</b>	800-799-7233		<a href="http://thehotline.org">thehotline.org</a>
<b>Texas Advocacy Project, Sexual Assault Legal Hotline</b>	888.296.7233		<a href="http://www.texasadvocacyproject.org/index.php">http://www.texasadvocacyproject.org/index.php</a>
<b>Texas Child Protective Services Hotline</b>	1.800.252.5400		<a href="http://www.dfps.state.tx.us">http://www.dfps.state.tx.us</a>
<b>Pregnant and Parenting Students' Rights</b>	202-588-5180		<a href="https://nwlc.org/resources/pregnant-and-parenting-students-rights-toolkit/">https://nwlc.org/resources/pregnant-and-parenting-students-rights-toolkit/</a>

## REPORTING PROHIBITED CONDUCT

You may choose to report to law enforcement, you may choose to report through our campus disciplinary process, you may report to both, or may choose to access neither of these options. You also can access the accommodations regardless of where you choose to report and we will keep these accommodations confidential as well, as long as it does not limit our ability to provide them to you.

### Anonymous Reporting

Individuals wishing to submit an anonymous report may use [www.unthsc.ethicspoint.com](http://www.unthsc.ethicspoint.com). The University's ability to investigate and respond to an anonymous report may be limited.

### Reporting Website

<http://www.unthsc.edu/personofconcern>. After business hours: Care Team (817) 735-2505.

### Reporting to Law Enforcement

You have the option to notify or not notify law enforcement authorities, including university and local police. Any individual may decline to notify law enforcement. An anonymous "Jane/John Doe" report can be filed with the police while deciding whether to pursue criminal charges. Law enforcement is able to help individuals understand the process of obtaining orders of protection, restraining orders, or similar lawful orders issued by the courts. Below is a list of local law enforcement agencies. Reports should be filed with the agency where the incident occurred.

Name	Phone	Name	Phone
HSC Police Department	817-735-2600	Fort Worth Police Department	817-392-4222
Tarrant County Sheriff's Department	817-884-3099	Dallas Police Department	214-744-4444

### Importance of Preserving Physical Evidence

It is important to preserve evidence that may be useful in proceedings with a University or criminal investigation. Text messages, instant messages, social networking pages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of sexual assault, dating violence, domestic violence or stalking and useful to University hearing boards/investigators or police.

If you have experienced sexual assault and choose to go to the hospital and have a forensic exam (SANE/SAFE exam) done, consider avoiding activities that could potentially damage evidence such as: bathing, showering, using the restroom, changing clothes, combing hair, brushing teeth, or cleaning up the area. You can still report to both law enforcement and the university if you choose not to have a forensic exam performed. You can also choose whether or not you wish to report the assault after the forensic exam has been performed.

### Reporting to the University (Title IX Complaint)

HSC strives to maintain a work and educational environment free from discrimination, sexual harassment, sexual misconduct and related retaliation in accordance with applicable federal and state laws. Students and unrelated third parties are encouraged to report all unwelcome conduct of a sexual nature.

An employee who witnesses, is subjected to, or is informed about incidents of sexual harassment (including sexual misconduct or stalking), domestic violence, or dating violence, and/or related retaliation must file a Title IX complaint with the designated official below who handles alleged violations perpetrated by students, faculty, staff, or unrelated third parties.

Individuals may make inquiries or file a Title IX complaint by contacting the University's Title IX Coordinator.

Name	Phone	Address	Website
Kory Levingston Title IX Coordinator <a href="mailto:kory.levingston@unthsc.edu">kory.levingston@unthsc.edu</a>	817-735-2594	Student Service Center, Suite 153 1051 Haskell Street Fort Worth, Texas 76107	<a href="https://www.unthsc.edu/title-ix/">https://www.unthsc.edu/title-ix/</a>

### Reporting to a Federal Agency

The United States Department of Education's Office for Civil Rights is a federal agency responsible for enforcing Title IX. Information regarding filing a complaint with the Office for Civil Rights can be found at:

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>

## CAMPUS DISCIPLINARY PROCESS

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### Student Disciplinary Proceedings (Allegations against students)

Upon completion of an investigation, the investigation report is forwarded to the Student Conduct Officer in the Division of Student Affairs for the disciplinary process.

The process provides that:

- 1) The Complainant and the Respondent each have the opportunity to attend a hearing with the Student Conduct Officer to review and respond to the report of investigation and all relevant evidence.
- 2) The Complainant and the Respondent each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
- 3) A student conduct decision is based on preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the Respondent student violated the university's Student Code of Conduct and Discipline?";
- 4) The Complainant and the Respondent will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final.
- 5) The Complainant and the Respondent each have the right to appeal the outcome and/or sanctions of the hearing as outlined in the Student Code of Conduct and Discipline and will be notified simultaneously in writing of the final outcome after the appeal is resolved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university's policy against [Sexual Harassment \(05.205\)](#) in order to remedy any hostile environment. All conduct proceedings against students; however, will be resolved through the Student Code of Conduct and Discipline.

University sanctions for students include:

- Verbal warning, written warning, educational sanctions, loss of privileges, disciplinary probation, suspension, administrative withdrawal, expulsion, interim suspension, restitution, and the implementation of a no-contact order, may be imposed upon those determined to have violated this policy. Sexual assault, domestic violence, dating violence, and stalking are criminal acts, which also may subject the perpetrator to criminal and civil penalties under federal and state law.

Individuals should consult the [Student Code of Conduct and Discipline](#) for a detailed overview of the process.

### Employee Proceedings (Allegations against Faculty and Staff)

Upon completion of an investigation, the Complainant and Respondent will be notified of the investigation findings. A determination is based on the preponderance of evidence standard. The Complainant and the Respondent each have the right to appeal the outcome and/or sanctions and will be notified simultaneously in writing of the final outcome after the appeal is resolved.

The findings will be forwarded to the department head/director and the next highest level administrative level who will consult with Office of General Counsel and Human Resources prior to determining appropriate actions and/or sanctions.

University sanctions for faculty include:

- a) In cases of misconduct, a range of corrective actions may be imposed on a faculty member. Depending on the severity of the alleged misconduct, the President or the President's designee may immediately place a faculty member on leave pending an investigation when an employee's or university community's safety or security is a concern; or when necessary to remove the person from the workplace so a thorough investigation can be conducted. Leave pending an investigation may also be imposed when a faculty member cannot perform services

due to debarment by a government authority or suspension, limitation, revocation, or cancellation of a professional license. The leave pending investigation shall commence immediately upon providing the faculty member with a written notice of the reasons.

- b) Corrective actions may include, but are not limited to, the list below. These actions do not appear in order of importance and may be imposed in combination. The type of offense or misconduct will determine specific corrective actions:
  - a. Oral or written reprimand;
  - b. Loss of merit or other raises for a period not to exceed one year;
  - c. Reduction in salary for a period of one year. The reduction may take place immediately;
  - d. Reduction in rank with loss of salary. This sanction does not abrogate tenure;
  - e. Suspension with or without pay;
  - f. Revocation of tenure and termination. Termination and revocation of tenure can only be approved by the UNT System Board of Regents

University sanctions for staff include:

- a) Oral Warning. A discussion in which the supervisor clearly explains the reason for the action being taken related to performance and/or misconduct. The supervisor should detail those steps needed to correct the performance or conduct to prevent further disciplinary action.
- b) Written Reprimand. An official memorandum or letter to the employee emphasizing the negative effect of the employee's conduct or work performance. A written reprimand should include: description and date of incident or unsatisfactory performance and action taken. Reference should be made to dates and results of prior oral warning(s), or other written reprimand(s), if any. Also included should be action that will be taken if satisfactory improvement does not occur or if employee engages in future misconduct.
- c) Suspension. The interruption (without compensation) of active employment status pending completion of an investigation and decision as to the extent of disciplinary action, if any; or for a disciplinary reason. A supervisor with authority to discharge has authority to suspend without pay, either as a disciplinary measure or to permit investigation of alleged charges. If suspension is warranted, the employee should be informed in writing that he/she is being suspended, the number of days suspended, and the reasons for the suspension. To suspend (dock) an employee, a Payroll Authorization Form must be completed to remove the employee from the payroll. Disciplinary suspensions of exempt employees under the Fair Labor Standards Act may be imposed for one or more full days for violation of a major safety rule or for a serious infraction of workplace conduct rules, including but not limited to violation of the sexual harassment, workplace violence, and drug and alcohol policies; and violation of state or federal law. Disciplinary suspension of exempt employees for any reason other than violation of major safety and workplace conduct rules must be in full work week increments.
- d) Involuntary Termination. Before involuntary termination can be considered, the supervisor must consult with Human Resources. If the supervisor determines that employment should be involuntarily terminated, then the employee will be presented with a letter of dismissal.

Individuals should consult the following for a detailed overview of the process:

- [Prohibition of Sexual Assault and Retaliation Policy \(05.212\)](#)
- [Sexual Harassment Policy \(05.205\)](#)
- [Faculty Discipline and Termination Policy \(06.005\)](#)
- [Performance Counseling and Discipline Policy \(05.901\)](#)

## **RETALIATION**

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Health Science Center policy prohibits retaliation against individuals who report suspected harassment; as well as, individuals who participate in related investigations. HSC encourages avoiding making any comments or engaging in any actions toward anyone who may be participating in an investigation that reasonably could be interpreted as an attempt to dissuade them from doing so or could reasonably be interpreted as retaliation. Behavior that reasonably could be viewed as retaliatory will result in an investigation and possible disciplinary action.