



## TITLE IX OFFICE

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

*(for Texas A&M University School of Law campus located in Tarrant County, TX)*

**Respondent** – An individual who is alleged to have engaged in sexual harassment, sexual exploitation, sexual assault, discrimination based on sex, stalking, domestic/dating abuse or violence, whether it occurred on or off-campus. A respondent has certain resources, rights, and options available. For questions and additional information, contact the Department of Civil Rights and Equity Investigations (CREI) at 979-458-8407 or email [civilrights@tamu.edu](mailto:civilrights@tamu.edu).

### **RIGHTS OF A RESPONDENT**

1. You are presumed to not have violated a Texas A&M System regulation or Texas A&M University policy or rule until the Designated Administrator determines that it is more likely than not that you have done so.
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 be assigned a Case Manager. The Case Manager is a staff member assigned to each party to help explain the rights, resources, and options that are available to them, answer any questions each party might have, and assist with providing supportive measures. You will be assigned a different Case Manager than the Complainant (the individual alleging misconduct).
4. You have the right to have an impartial Investigator, Designated Administrator (the individual who will decide whether or not Prohibited Conduct occurred and will assign appropriate sanctions), and Appellate Authority (the person who will hear an appeal) in your case. Your case and/or the appeal of your case will be decided by a person who did not participate in the investigation of the allegations.
5. You have the right for the investigation of the complaint to occur within a reasonable time frame, which is usually thirty (30) business days from your receipt of the Notice of Investigation. You will usually be notified of the Designated Administrator's decision within sixty (60) business days.
6. You have the right, before speaking to an Investigator, to be notified of (1) the identity of the Complainant; (2) the date, time (if known), location, and nature of the alleged misconduct; (3) the policy or policies alleged to have been violated; (4) the identity of and contact information for the Investigator(s); (5) the identity of the Designated Administrator; and (6) the identity of the Appellate Authority. If the Complainant has requested a pseudonym (e.g. John Doe, Jane Roe), you will be verbally notified of the Complainant's name at your intake meeting, which occurs before you speak to an Investigator.
7. During the investigation, both you and the Complainant have an equal opportunity to be heard, to submit information and corroborating evidence, to identify witnesses who may have relevant information, and to submit questions that you believe should be directed by the Investigator to each other or to 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 before the report is submitted to the Designated Administrator.
10. You have the right to be simultaneously informed of the outcome of the investigation and the sanction imposed.
11. You have the right to appeal the decision of the Designated Administrator 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 sanction, and when the decision becomes final.
12. If you believe that the other party has subjected you to prohibited conduct, you have the right to file a university complaint against the other party. You also have the right to file a criminal complaint against the other party with the appropriate law enforcement agency, if appropriate.

More information about these rights can be found on the Title IX website at [titleix.tamu.edu](http://titleix.tamu.edu). If you have questions, please contact your Case Manager or the Department of Civil Rights and Equity Investigations at 979-458-8407.

## 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 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. If charges have been issued to an accused student, a student conduct file is created. That file is part of the student's education record and is protected under the Family Educational Rights and Privacy Act (FERPA). For more information about FERPA, go to [registrar.tamu.edu](http://registrar.tamu.edu).

## SUPPORTIVE MEASURES AND ACADEMIC ACCOMMODATIONS

Accused individuals have the same right to request supportive measures and academic accommodations as the Complainant. Contact your Case Manager to request changes in academic, living, transportation, and work situations. Examples of potential accommodations include assistance in obtaining institutional "no contact" orders and/or changing residence location, parking location, or class schedules to reduce the chance of continued contact with the complainant.

Counseling, health, mental health, advocacy, and other services are available for accused individuals both on-campus and in the community. In most cases, psychologists/counselors in the Student Counseling Service (for students, [scs.tamu.edu](http://scs.tamu.edu)) or Work/Life Solutions Program (for employees, [employees.tamu.edu/eap](http://employees.tamu.edu/eap)) 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. Below is a brief list of available resources. 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
<i>For Employees: Work/Life Solutions Program by GuidanceResources</i>	866-301-9623	<a href="https://employees.tamu.edu/eap">https://employees.tamu.edu/eap</a> <a href="https://www.guidanceresources.com/groWeb/login/login.xhtml">https://www.guidanceresources.com/groWeb/login/login.xhtml</a>
<i>For Students: Student Assistance Program and Work-Life Services</i>	855-270-3349 (TTY: 711)	<a href="https://humana.your-sap.com/login?returnUrl=/">https://humana.your-sap.com/login?returnUrl=/</a>

### Medical and Health Services

Name	Phone	Address	Website
<i>JPS Hospital</i>	817-702-1110	1500 S. Main, Fort Worth, TX 76104	<a href="https://www.jpshhealthnet.org/">https://www.jpshhealthnet.org/</a>
<i>Texas Health Harris Methodist Hospital</i>	817-250-2000	1301 Pennsylvania Ave, Fort Worth, TX 76104	<a href="https://www.texashealth.org/fortworth/">https://www.texashealth.org/fortworth/</a>

No on-campus medical/health services are in place on the Law School campus.

## Support, Advocacy, and Other Resources

Name	Phone	Address	Website
<b>Student Affairs Office (conduct)</b>	817-212-4020	1515 Commerce Street, Fort Worth, TX 76102	<a href="https://law.tamu.edu/current-students/student-affairs">https://law.tamu.edu/current-students/student-affairs</a>
<b>Student Assistance Services</b>	979-845-3113	College Station - See website	<a href="http://studentlife.tamu.edu/sas">studentlife.tamu.edu/sas</a>
<b>Women's Resource Center</b>	979-845-8784	College Station - See website	<a href="http://studentlife.tamu.edu/wrc">studentlife.tamu.edu/wrc</a>
<b>GLBT Resource Center</b>	979-862-8920	College Station - See website	<a href="http://studentlife.tamu.edu/glbt">studentlife.tamu.edu/glbt</a>
<b>Student Financial Aid</b>	817-212-4090 800-733-9529 979-845-3236	1515 Commerce Street, Fort Worth, TX 76102 Room 246	<a href="http://financialaid.tamu.edu">financialaid.tamu.edu</a> <a href="https://law.tamu.edu/current-students/financial-aid">https://law.tamu.edu/current-students/financial-aid</a>
<b>Texas Lawyers Assistance Program (TLAP) for Law Students</b>	800-343-8527	n/a	<a href="https://www.tlaphelps.org/">https://www.tlaphelps.org/</a>
<b>Student Assistance Program and Work-Life Services Program</b>	855-270-3349 (TTY: 711)	n/a	<a href="https://humana.your-sap.com/login?returnUrl=/">https://humana.your-sap.com/login?returnUrl=/</a>
<b>Student Legal Services</b>	979-862-4502	College Station, see website	<a href="http://studentlife.tamu.edu/sls">studentlife.tamu.edu/sls</a>
<b>International Student Services (visa &amp; immigration assistance)</b>	979-845-1824	Pavilion Room 110 College Station campus	<a href="http://iss.tamu.edu">iss.tamu.edu</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>

No on-campus support, advocacy, or legal assistance services are in place at the Law School campus, with the exception of the Student Affairs Office and the Financial Aid Office.

## REPORTING PROHIBITED CONDUCT

### Anonymous Reporting

Individuals wishing to submit an anonymous report may use [tellsomebody.tamu.edu](http://tellsomebody.tamu.edu), an electronic reporting option. The University's ability to investigate and respond to an anonymous report may be limited.

### Reporting to Law Enforcement

Individuals reporting an incident have the option of notifying or not notifying law enforcement authorities, including university and local police. An individual may decline to notify law enforcement. An anonymous "Jane/John Doe" report can be filed with the police by the alleged victim 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 agencies where the incident occurred.

Name	Phone	Name	Phone
<b>Law School Campus Security Front Desk</b>	<b>817-212-1298</b> <b>817-212-3999</b>	<b>Fort Worth Police Department</b>	<b>817-392-4222</b>
<b>Tarrant County Sheriff's Department</b>	<b>817-884-3099</b>	<b>FYPD NPO, Ron Andriotto</b> <b>Ronald.andriotto@fortworthtexas.gov</b>	<b>817-692-3152</b>

### **Importance of Preserving Physical Evidence**

Retain communications and document any contact with the involved individual(s). If possible, individuals should write down dates, times, locations of contact and preserve any text messages, emails, and/or social media site postings related to the incident.

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

Texas A&M University strives to maintain a work and educational environment free from discrimination, sexual harassment, 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 Title IX Officer, Jennifer Smith at [civilrights@tamu.edu](mailto:civilrights@tamu.edu) or 979-458-8407. Individuals may also visit the Department for Civil Rights and Equity Investigations in the Medical Sciences Library Suite 007, 202 Olsen Boulevard, College Station, TX, 77843.

<b>Name</b>	<b>Phone</b>	<b>Address</b>	<b>Website</b>
<b>Department of Civil Rights and Equity Investigations</b>	979-458-8407	Medical Sciences Library Suite 007 202 Olsen Boulevard	<a href="http://titleix.tamu.edu">titleix.tamu.edu</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>

## **RETALIATION**

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The university will take reasonable action to protect the complainant, the respondent, and those providing witness statements on behalf of either party or supporting either party from retaliation. Additionally, these individuals are encouraged to report to designated officials any acts of retaliation. Retaliation may occur at any time during or following an investigation of a sexual harassment complaint (i.e., sexual assault, sexual misconduct, dating violence, domestic violence, and stalking). Instances of retaliation can be investigated and may result in further conduct charges. If the retaliation results in a fear for your safety, please make a report with the appropriate law enforcement agency.

## **SANCTIONS**

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Individuals seeking information about sanctioning of students should consult the [Student Sanctioning Matrix](#). Information about employee sanctions may be found in [University Standard Administrative Procedure 08.01.01.M1.01](#).