



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

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, please contact

Main Campus:

- The Department of Civil Rights and Equity Investigations, 979-458-8407 or civilrights@tamu.edu.

Galveston Campus:

- *Complaints against Students* – Department of Student Affairs, 409-740-4598 or titleixstudents@tamug.edu.
- *Complaints against Employees or Third Parties* – Department of Human Resources, 409-740-4503 or titleix@tamug.edu.

RIGHTS OF A RESPONDENT

A respondent has the following rights:

1. You are presumed to not have violated a Texas A&M System regulation or Texas A&M University at Galveston policy or rule until the Designated Authority 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 selected by you, 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 Authority (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 Authority'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 Authority; 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 Authority.

10. You have the right to be simultaneously informed of the outcome of the investigation and the sanction imposed (if any).
11. You have the right to appeal the decision of the Designated Authority 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 (main campus) and tamug.edu/hrd/Title%20IX.html (Galveston campus). 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.

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, counselors in the Student Counseling Service (for students, tamug.edu/counsel) or the Employee Assistance Program (for employees, tamug.edu/hrd/Employees/EAP.html) 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	Address	Website
<i>TAMUG Employee Assistance Program (Staff and Faculty)</i>			http://www.tamug.edu/hrd/Employees/EAP.html
<i>TAMUG Student Counseling Office</i>	409-740-4736	Seibel Student Services Center #104 Galveston Campus	tamug.edu/counsel

Medical and Health Services

Name	Phone	Address	Website
<i>John Sealy Hospital at UTMB</i>	409-772-2222	301 University Blvd., Galveston, TX	utmbhealth.com/oth/Page.asp?PageID=OTH000004
<i>Mainland Medical Center</i>	409-938-5000	6801 Emmett F Lowry Expressway Texas City, TX	mainlandmedical.com
<i>Clear Lake Regional Medical Center</i>	281-332-2511	500 Medical Center Blvd. Webster, TX	clearlakermc.com

Support, Advocacy, and Other Resources

Name	Phone	Address	Website
<i>TAMUG Employee Assistance Program (Staff and Faculty)</i>			http://www.tamug.edu/hrd/Employees/EAP.html
<i>TAMUG Student Counseling Office</i>	409-740-4736	Seibel Student Services Center #104 Galveston Campus	tamug.edu/counsel
<i>Resource & Crisis Center of Galveston County</i>	409-765-7233	1802 Broadway, Suite 122, Galveston, TX	rccgc.org
<i>Bay Area Turning Point, Inc.</i>	281-286-2525	210 South Walnut St., Webster, TX	bayareaturningpoint.org
<i>Houston Area Women's Center</i>	713-528-7273	1010 Waugh Drive, Houston, TX	hawc.org
TAMU International Student Services (visa and immigration assistance)	979-845-1824	1st Floor Bizzell Hall East, College Station Campus, TX	iss.tamu.edu
TAMU International Faculty and Scholarly Services	979-862-1719	1111 Research Pkwy, College Station Campus, TX	ifss.tamu.edu
TAMUG Office of Financial Aid	409-740-4500	MAIN #108 (Bldg 3034) Galveston Campus	tamug.edu/finaid
TAMUG Aggie Allies			tamug.edu/diversity/students/aggieally

REPORTING PROHIBITED CONDUCT

Anonymous Reporting

Individuals wishing to submit an anonymous report may use tamug.edu/care/Tell_Somebody.html, 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
TAMUG Police Department	409-740-4545
Galveston Police Department	409-765-3702
Galveston County Sheriff's Office	409-766-2300

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 at Galveston strives to maintain a work and educational environment free from discrimination, sexual harassment, and related retaliation in accordance with applicable federal and state laws.

Any employee who observes or has knowledge of incidents of sexual harassment (including sexual misconduct or stalking), domestic violence, or dating violence, and/or related retaliation must promptly report all known information about the incident(s) to the University's Designated Official. Pursuant to state law, the sanction for failure to report an incident of sexual harassment, sexual assault, dating violence, or stalking is termination of employment.

Students who are not employed by the University and non-affiliated members of the public are encouraged, but not required, to report incidents.

Main Campus Contact:

- The University has designated Ms. Jennifer Smith, TAMU Assistant Vice President and Title IX Coordinator to receive all Title IX complaints. To file a complaint, please contact Ms. Smith at civilrights@tamug.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.

Name	Phone	Address	Website
TAMU Department of Civil Rights and Equity Investigations	979-458-8407	Texas A&M University Medical Sciences Library, #007 202 Olsen Boulevard College Station, TX 77840	titleix.tamug.edu

Galveston Campus Contacts:

- Individuals seeking information about procedures for filing a Title IX complaint against **students** may contact Dr. Todd Sutherland, Associate Vice President of Student Affairs, Texas A&M University at Galveston, Seibel Student Services Center #101G, Galveston, TX 77553 at 409-740-4598 or TitleIXStudents@tamug.edu.

Name	Phone	Address	Website
TAMUG Department of Student Affairs	409-740-4598	Texas A&M University at Galveston, Seibel Student Services Center #101G, Galveston, TX 77553	tamug.edu/studentaffairs/

- Individuals seeking information about procedures for filing a Title IX complaint against **employees or third parties** may contact Mr. Jeff Boyer, Executive Director of Human Resources, Texas A&M University at Galveston, Aggie Special Events Center #115E, Galveston, TX 77553 at 409-740-4503 or titleix@tamug.edu.

Name	Phone	Address	Website
TAMUG Department of Human Resources	409-740-4503	Texas A&M University at Galveston, Aggie Special Events Center #115E, Galveston, TX 77553	tamug.edu/hrd/Title%20IX.html

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

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

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](#).