	b.	<u>Attachment 1</u> to this regulation visually depicts and summarizes the applicability of System Regulations 07.06.A and 07.06.B. In the event of any conflict between the attachment and these regulations, the text of the regulations shall control.
2.	Purpos	<u>e</u>
	a.	This regulation provides information regarding the

Texas Tech University Health Sciences Center: Leslie Bean 806.743.9861 Leslie.Bean@ttuhsc.edu 3601 4th Street UC Suite 330A, MS 6262 Lubbock, TX 79430

Title IX Website: https://www.ttuhsc.edu/title-ix/ Reporting Link: https://cm.max806.i .rae2nLQT/TT2

b.	Contents of Report.	Except as provided by Section 6

Complaining Party, disclosures to

http://www.depts.ttu.edu/hr/documents/TTU Misconduct 40.03.pdf.

- c. In addition, in complaints of Sexual Misconduct, the following provisions shall control.
 - i. While there is no deadline to file a complaint, to promote prompt and equitable review, the Texas Tech University System and University encourages individuals who believe they have experienced Sexual Misconduct to come forward as soon as possible with their complaint and to seek assistance. Delays in reporting greatly limit the ability to stop the Sexual Misconduct, collect evidence, and/or take effective action against individuals or organizations accused of violating this regulation.
 - ii. Individuals wishing to remain anonymous may file a complaint in any manner, including by telephone or written communication, with the University Title IX Coordinator,otm5getip (a)2. (di)2.t(of/377i 3()Tj 0h(C)3.3 (o73 (n)5.8 (Tw 1/26 0 Td (nd7)).

student may make a report to the University Title IX Coordinator, Title IX Deputy Coordinator, or the System Office of Equal Opportunity. University may conduct an inquiry and take action, if possible, to prevent further misconduct. However, responses may differ for complaints regarding third parties based on the level of control the University has over the third party. Even though the ability to take direct action against a third party may be limited, the University may take steps to provide appropriate remedies for the Employee or student and, where appropriate, the broader University Community.

10. Retaliation and False Information

- a. Retaliation. Retaliation against an individual who reports a potential violation in good faith under this regulation, assists someone with a report of a violation, or participates or refuses to participate in any manner in an investigation or in the resolution of a complaint made under this regulation is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to threats, intimidation, coercion, discrimination, reprisals, or adverse actions related to an individual's employment or education. The University will take appropriate steps to ensure that an individual who, in good faith, reports, complains about, or participates or refuses to participate in an investigation, proceeding, hearing, or other resolution pursuant to this regulation 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 regulation.
- b. Subsection (a) does not apply to an Employee who:
 - i. Reports an incident of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking perpetrated by the Employee;
 - ii. Cooperates with an investigation, a disciplinary process, or a judicial proceeding relating to an allegation that the Employee perpetrated an incident of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking; or
 - iii. Makes a report of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking which after investigation is found not to have been made in good faith.
- c. Individuals who are found to have retaliated under this regulation will be subject to disciplinary action, up to and including termination of employment, expulsion from the University, or being barred from the University premises and events.
- d. *False Information*. An individual found to have knowingly and in bad faith provided false or malicious information may be subject to disciplinary action up to an including dismissal or separation from the University. A determination that a Responding Party is not responsible for allegations of Sexual Misconduct does not imply information provided was false. Similarly, a determination that a Responding Party is responsible for a policy violation does not imply that a Responding Party's statements disclaiming responsibility were false.

11. <u>Interim Measures</u>

a. The Complaining Parties may request and the University may implement interim measures, as may be necessary to assure the safety and well-being of the participants in the complaint process, to maintain an environment free from harassment, discrimination, or retaliation, and to protect the safety and well-being of the University Community. Appropriate University officials will decide if and what interim measures are necessary. Such interim measures may include, but are not limited to: (i) separating the Complaining Party's and Responding Party's academic or working situations; (ii) forbidding contact between parties involved in a complaint; and (iii) suspending the right of the Responding Party to be present on campus or otherwise

- altering the University status of the Responding Party.
- b. Other interim measures may be implemented depending upon the Responding Party's relationship with the University. These interim measures may be kept in place through the conclusion of any review, investigation, or appeal process. Interim measures can be implemented regardless of whether or not the Complaining Party pursues a formal University action or criminal action.

12. Confidentiality

a. The protectidas provide 0 T-3.8 (n)-.8 (dc 0 T-3.8 (n)-.8 (dc 0 T-3.8 1 (e)2. li (p)a)4.4 (c)6Tf0 (dc 0 T4)TJ0

mental health professionals acting in their professional role of providing those services, including medical providers employed by the University. Information may be shared by the clinical and/or medical provider only with the Complaining Party's or Responding Party's consent.

13. Cooperation and Non-Interference with an Investigation or Grievance Process

committed to providing an environment for pregnant students and Parenting Students free from discrimination on the basis of pregnancy and parenting status. The University's policy regarding pregnancy and parenting status is governed by System Regulation 07.15 Pregnancy and Parental Status.

MSU: https://msutexas.edu/student-life/counseling/

TTU: http://www.depts.ttu.edu/scc/;

TTUHSC: https://www.ttuhsc.edu/centers-institutes/counseling/pas.aspx

TTUHSC EP: https://elpaso.ttuhsc.edu/studentservices/SCS.aspx

Operating Policies & Procedures:

ASU: https://www.angelo.edu/opmanual/;

MSU: https://public.powerdms.com/MidwesternState/tree/

TTU: http://www.depts.ttu.edu/opmanual/;

TTUHSC: https://www.ttuhsc.edu/administration/operating-policies/default.aspx

TTUHSC EP: https://elpaso.ttuhsc.edu/opp/

Employee Assistance Program (EAP):

TTU: https://www.ttuhsc.edu/centers-institutes/

TTUHSC: https://www.ttuhsc.edu/centers-institutes/counseling/about.aspx

19. Authoritative References

Title VII of the Civil Rights Act of 1964

Title IX of the Education Amendments of 1972

34 CFR Part 106

Texas Labor Code Chapter 21

Violence Against Women Act (VAWA)

Campus Sexual Violence Elimination Act of 2013 (Campus SaVE)

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Texas Education Code Sections 51.9363; 51.251 – 51.260; 51.281 – 51.295; 51.982 – 51.983; and 51.9357

Texas Family Code Sections 71.004 and 71.0021

Texas Penal Code Section 42.072

20. Right to Change Regulation

a. Texas Tech University System reserves the right to interpret, change, modify, amend, or rescind this regulation, in whole or in part, at any time without notice to or consent of its Employee, or other members of the University Community.

Contact Office: System Office of General Counsel 806-742-2155