



## TITLE IX OFFICE

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

(for Texas A&M campus located in Brazos County)

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A student or an employee who is accused of sexual harassment (including sexual misconduct or stalking), domestic violence, or dating violence, whether it occurred on or off-campus, has certain resources, rights and options available. For questions and more information **for accused students**, contact Student Assistance Services at 979-845-3113 or [sas@tamu.edu](mailto:sas@tamu.edu); **for accused faculty and staff**, contact the Office of Risk, Ethics, and Compliance at (979) 458-0883.

For the purposes of this resource, the term “accused” shall mean any individual (student or employee) who has allegedly engaged in sexual misconduct, sexual harassment, dating violence, domestic violence, stalking, or related retaliation regardless of whether there has been a finding of responsibility for the accused individual allegedly involved.

## 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 its officials are informed that sex discrimination or sexual harassment (i.e., sexual assault, sexual misconduct, dating violence, domestic violence, and stalking) may be occurring.

Information shared with university personnel and officials not listed below as confidential resource 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 alleged offenders. 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.

The expressed wishes of complainants regarding confidentiality will be considered in the context of the university’s obligation to act upon the information and the right of accused individuals to be informed about charges against them. If the reporting individual does not disclose any identifying information about themselves or any other party involved (e.g., names, department or unit) during the inquiry, response on the part of the university may be limited. 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: <http://registrar.tamu.edu/>.

### Confidentiality

Persons gathering general information, seeking guidance, or filing a complaint may be concerned about the confidentiality of the information they are sharing.

Victims have the option to seek guidance confidentially through a university official listed as a confidential resource option based on the official’s occupation or relationship to the victim.

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### Confidential Resource Options

In most cases, psychologists/counselors in the Student Counseling Service (for students, [scs.tamu.edu](http://scs.tamu.edu)) or Employee Assistance Program (for employees, <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.

## IMMEDIATE INTERIM MEASURES AND ACCOMMODATIONS

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Accused individuals may have various options and assistance in changing academic, living, transportation, and work situations if requested by the accused and reasonably available. Examples of potential accommodations include assistance in obtaining institutional no contact orders and/or changing living location, parking location, or class schedules to reduce the chance of continued contact with the alleged victim.

The University will maintain as confidential, to as great a degree as legally possible, any accommodations or interim measures provided to the accused individual to the extent that maintaining such confidentiality would not impair the University's ability to provide the accommodation or interim measure.

**HOW INCIDENTS MAY BE REPORTED**

**Anonymous Reporting Option:** Individuals wishing to submit an anonymous report may use [Tell Somebody](#), 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 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
University Police Department	979-845-2345	College Station Police Department	979-764-3600
Bryan Police Department	979-209-5301	Brazos County Sheriff's Department	979-361-4100

**Importance of Preserving Physical Evidence**

Once an accused individual has been notified that an investigation is underway, it is helpful to 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 discrimination, sexual harassment (including sexual 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.

<b>If the Alleged Offender is a:</b>	Student	Faculty Staff Visitor, Contractor, or Vendor Unknown
	<b>Then the Official Contact is:</b>  Dr. Anne Reber <a href="#">Dean of Student Life</a> Student Services @ White Creek Student Life 3 (Bldg. #0072) Room 101 Texas A&M University College Station, TX 77843-1257 (979) 845-3111	Kevin McGinnis Chief Compliance Officer Medical Sciences Library 202 Olsen Blvd, Suite 007 College Station, TX 77843 (979) 458-8407 <a href="mailto:civilrights@tamu.edu">civilrights@tamu.edu</a>

Individuals may also make inquiries or file a Title IX complaint by contacting the University's Title IX Coordinator, Jennifer Smith, [TitleIX.Coordinator@tamu.edu](mailto:TitleIX.Coordinator@tamu.edu), 979-845-0977, or visiting the Title IX Office at 750 Agronomy Road, Suite 2101, College Station, TX 77843-1250.

## Reporting to a Federal Agency

The United States Department of Education's Office for Civil Rights (OCR) is a federal agency responsible for enforcing Title IX. Information regarding filing a complaint with OCR can be found at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=r>

## RETALIATION

The university will take reasonable action to protect the complainant/survivor, the accused, and those providing witness statements on behalf of either party or supporting either party from retaliation. Additionally, those individuals are encouraged to report to designated officials any acts of retaliation from other parties associated with the incident. This action may come 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 will be investigated and may result in further conduct charges. Individuals are reminded that should there be fear of physical safety a report should be made to the appropriate law enforcement agency.

## CONDUCT PROCEEDINGS AND POSSIBLE SANCTIONS

### Purpose of the University Investigation

An investigation is a process to collect information regarding a reported incident. An investigation is conducted in order to determine whether additional action may need to be taken. The investigation also provides an opportunity for the complainant(s) and accused(s) to give their perspectives on the situation under investigation. Once an investigation is conducted, it is routed to the appropriate university officials for review.

### Role of an Advisor

An advisor in the context of a university complaint relating to the topics referenced above is an individual who lends support to an individual through the process. An advisor may be anyone, including an attorney, family member, or friend, that the individual chooses to serve in that role.

### Applicable Rules

For more information regarding the filing and processing of a sexual harassment and/or sexual misconduct report **for students**, please visit:

- Student Rule 47. <http://student-rules.tamu.edu/rule47> for specific information about the investigation and resolution of sexual harassment complaints
- Student Rule 26. <http://student-rules.tamu.edu/rule26> for specific information about the student conduct process, including the role of an advisor
- Student Rule 27. <http://student-rules.tamu.edu/rule27> for specific information about possible sanctions resulting from a student conduct proceeding

For more information regarding the filing and processing of a sexual harassment and/or sexual misconduct report **for employees**, please visit –

- [University Standard Administrative Procedure 08.01.01.M1.01](#)

## COUNSELING AND OTHER SUPPORT RESOURCES

Counseling, health, mental health, advocacy, legal and other services are available for accused individuals both on-campus and in the community. Below is a brief list of available resources.

### Counseling

Name	Phone	Address	Website
Employee Assistance Program (Staff and Faculty)	979-845-3711	3608 E. 29 <sup>th</sup> Street Suite 101 Bryan, Texas	<a href="http://employees.tamu.edu/eap">employees.tamu.edu/eap</a>
Student Counseling Service (only available to students)	979-845-4427	White Creek, Texas A&M Campus	<a href="http://scs.tamu.edu">scs.tamu.edu</a>

**Medical and Health Services**

<b>Name</b>	<b>Phone</b>	<b>Address</b>	<b>Website</b>
<b>Student Health Services (only available to students)</b>	979-458-8250	A.P. Beutel Health Center, Texas A&M Campus	<a href="http://shs.tamu.edu">shs.tamu.edu</a>
<b>College Station Medical Center</b>	979-764-5100	1604 Rock Prairie Road, College Station, TX	<a href="http://csmedcenter.com">csmedcenter.com</a>
<b>Scott &amp; White Hospital</b>	979-207-0100	700 Scott & White Drive, College Station, TX	<a href="http://sw.org/location/college-station-hospital">sw.org/location/college-station-hospital</a>
<b>St. Joseph Hospital</b>	979-776-3777	2801 Franciscan Drive, Bryan, TX	<a href="http://st-joseph.org">st-joseph.org</a>

**Support, Advocacy, and Other Resources**

<b>Name</b>	<b>Phone</b>	<b>Address</b>	<b>Website</b>
<b>Employee Assistance Program</b>	979-845-3711	3608 E. 29 <sup>th</sup> Street Suite 101 Bryan, Texas	<a href="http://employees.tamu.edu/eap">employees.tamu.edu/eap</a>
<b>Student Assistance Services</b>	979-845-3113	Bizzell West, Texas A&M Campus	<a href="http://studentlife.tamu.edu/sas">studentlife.tamu.edu/sas</a>
<b>GLBT Resource Center</b>	979-862-8920	Bizzell West, Texas A&M Campus	<a href="http://studentlife.tamu.edu/glb">studentlife.tamu.edu/glb</a>
<b>Student Counseling Service HelpLine (after hours)</b>	979-845-2700		<a href="http://scs.tamu.edu">scs.tamu.edu</a>
<b>Student Legal Services</b>	979-862-4502	Bizzell West, Texas A&M Campus	<a href="http://studentlife.tamu.edu/sls">studentlife.tamu.edu/sls</a>
<b>International Student Services (visa and immigration assistance)</b>	979-845-1824		<a href="http://iss.tamu.edu">iss.tamu.edu</a>
<b>Student Financial Aid</b>	979-845-3236		<a href="http://financialaid.tamu.edu/">financialaid.tamu.edu/</a>