

KNOW
MORE
ON OUR CAMPUS



DEAN OF STUDENTS
Division of Student Affairs



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INTRODUCTION

If you have been impacted by violence, you are not alone. There are resources and services available to help. This book will discuss your rights, reporting options, and resources. If you have any questions, please reach out to a Survivor Advocate at SurvivorAdvocate@unt.edu. We are here to help.

A survivor of violence (sexual violence, dating/domestic violence, and stalking) may have a wide range of emotions following an incident. There are many resources available to receive necessary care and begin to process the events. Going to a hospital immediately following the incident provides survivors with urgent care, as well as an opportunity for valuable evidence collection.

The University of North Texas (UNT) takes acts of sexual violence, dating/domestic violence, and stalking extremely seriously. The following information, consistent with the U.S. Department of Education Title IX guidance, provides details on UNT's response and resources to these acts of violence. UNT hopes that you will help us in our efforts to maintain a safe and productive environment for all members of our community to live, learn and be successful by uniting as a community committed to ending violence.

UNT strongly encourages survivors to report all acts of violence. This booklet explains the process of filing a formal complaint with the Dean of Students Office as well as the police. Please be aware that even if an individual chooses not to file a report, UNT can assist with safety measures such as changing academic schedules and making housing arrangements.

The university will impose sanctions when an investigation determines, based on a preponderance of the evidence, that a violation of university policy occurred. These sanctions can include suspension or expulsion. Sanctions may also include permanent No-Contact orders and other requirements to redress the effects of the violation. Student conduct investigations are separate from law enforcement investigations, therefore UNT may investigate incidents even if law enforcement closes their investigation or criminal justice authorities choose not to prosecute. The university has obligations under Title IX to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects, irrespective of formal legal processes.

You are not alone. We are here to help.

THE FEDERAL CAMPUS SEXUAL ASSAULT VICTIM'S BILL OF RIGHTS

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

DEFINITIONS

Complainant

The individual who may have been the subject of conduct prohibited under this policy, regardless of whether the individual reports the conduct.

Consent

Consent means words or actions that show an active, knowing and voluntary agreement to engage in sexual activity. Consent cannot be gained by force, coercion, manipulation, threats, or by taking advantage of the incapacitation of another when the individual knows or reasonably should know of such incapacity by use of alcohol or drugs. Consent is absent when the activity in question exceeds the scope of previously given consent, or the person is unconscious or otherwise unaware that the prohibited conduct is occurring. Consent may be revoked at any time.

Sexual Harassment

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature (regardless of gender), even if carried out under the guise of humor, when:

- Submission to or tolerance of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions (including admissions and hiring) affecting that individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive employment, or educational environment.

Sexual harassment takes many forms; examples of conduct which might be considered sexual harassment under this policy include but are not limited to:

- Sexual exploitation of a relationship between individuals of unequal power and authority
- Sexual exploitation of a relationship between peers and students that could affect the workplace or educational environment
- Repeated and unwanted requests for dates, sexual flirtations, or propositions of a sexual nature
- Subtle pressure for a sexual relationship
- Sexist remarks about a person's clothing, body or sexual activities
- Unnecessary touching, patting, hugging, or brushing against a person's body
- Direct or implied threats that submission to sexual advances will affect or be a condition of employment, work status, grades, or letter of recommendation
- Physical assault
- Conduct of a sexual nature that causes humiliation or discomfort, such as use of inappropriate terms of address
- Sexually explicit or sexist comments, questions or jokes
- Conduct of a sexual nature that creates a hostile work or educational environment

Sexual Violence

Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to use of drugs/alcohol or an intellectual disability.

Sexual violence can occur between friends, classmates, spouses, romantic interests, acquaintances or strangers.

Examples of sexual violence include:

- Rape
- Sexual assault
- Sexual battery
- Sexual coercion

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Some examples include:

- Physical
 - Shoving
 - Punching
 - Slapping
 - Pinching
 - Hitting
 - Kicking
 - Hair-pulling
 - Strangling
 - Intimidation (throwing things, blocking the way of escape, etc.)

Dating violence exists in a cycle of power and control and can include emotional/verbal/psychological abuse.

Domestic Violence

Domestic violence includes felony or misdemeanor crimes of violence committed by a roommate, a current or former spouse of the victim, or by a person with whom the victim shares a child in common, or by a person who is cohabitating with, or has cohabitated with the victim as a spouse, or by a person similarly situated to a spouse of a victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Respondent

The individual or organization identified as possibly having engaged in conduct prohibited under this policy regardless of whether a formal complaint is made.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Here are a few examples of common stalking incidents:

- Show up at home or work uninvited
- Send you unwanted messages, including through text or social media
- Leave unwanted gifts
- Constantly call you and hang up

Retaliation

The University of North Texas will not tolerate retaliation. Retaliation means any action, treatment or condition likely to dissuade a reasonable person from reporting or causing to report or

participating in an investigation of a suspected violation of university policy, from filing a criminal complaint, or from accessing services provided under university policy, including any action that affects an individual's educational or other relationship with the University or an employee's compensation, promotion, transfer, work assignment, or performance evaluation. Students should report suspected retaliation for the Dean of Students or the Office of Equal Opportunity. See Policies of the University of North Texas: Prohibition of Sexual Assault and Retaliation (12.005); and Sexual Harassment (16.005) for more information.

SURVIVOR INFORMATION

If you are a survivor of sexual violence or intimate partner violence, you are not alone and you are in no way responsible for your assault.

If you are not safe, call 911. If you need help for an incident which happened on campus, call the UNT Police Department at 940-565-3000. If the incident happened elsewhere in Denton, call the Denton Police Department at 940-349-8181. If the incident happened outside Denton, call the law enforcement agency that has jurisdiction in the location where it occurred. Do what you need to do to feel safe.

You do not have to go through this alone – you can reach out to someone you trust for support. The Denton County Friends of the Family 24-hour Crisis Hotline (940-382-7273) can provide advice and options for how to proceed.

Immediate medical attention may be necessary to prevent the spread of sexually transmitted infection and possible pregnancy, as well as treat any wounds incurred. The Sexual Assault Nurse Examiners (SANE) program is available at four hospitals in Denton County: [Denton Regional Medical Center \(940-384-3535\)](#), [Texas Health Presbyterian Hospital Denton \(940-898-7000\)](#), [Baylor Carrollton \(972-492-1010\)](#) or [Flower Mound Emergency Center \(972-420-4911\)](#). The nurse will perform the examination and stay with the survivor throughout the treatment process. These three hospitals, Denton County Friends of the Family, and law enforcement collaborate to provide service and care to survivors of sexual assault.

The following information may be helpful to know regarding the SANE exam and advocacy services:

- In order to receive a sexual assault exam, you can either call the Denton County Friends of the Family crisis hotline at 940-382-7273, or go to one of the hospitals that offer the SANE program

Preserving evidence is critical for criminal prosecution.

- Do not eat, drink, smoke or chew gum; do not take any medications
- Do not remove sheets from bed; do not clean the room or place of the incident. Although you may not want to prosecute immediately following the incident, that choice may not be available later without credible evidence.
- Receiving a SANE exam does not commit you to a full prosecution. Instead, it will preserve any potential evidence if you decide you would like to prosecute at a later date.

RESOURCES

Survivor Advocate – The UNT Survivor Advocate’s role is to connect students who have been impacted by violence to resources (counseling, health, safety, academics, legal, etc.), and act as their advocate. The advocate can assist a student with filing protective orders, completing crime victim’s compensation applications, contacting professors for absences related to an assault, working with housing to facilitate a room change (if needed), and connecting students to the many other resources that are available, both on and off campus. Contact the advocate by calling the Dean of Students at 940-565-2648 or emailing SurvivorAdvocate@unt.edu.

Dean of Students Office – DOS investigates reports of alleged misconduct by students. Survivors are not required to participate in an investigation, and can request that DOS not investigate (DOS can explain when it may not be able to agree with this request). DOS may continue to investigate this issue without your participation, per University policy, although without your participation, it will significantly impact the investigation. DOS can institute interim measures to protect Complainants from ongoing harassment, violence, or retaliation. DOS also imposes sanctions on students found responsible for misconduct. DOS investigations follow the procedures explained in the Code of Student Conduct and the Prohibition of Sexual Assault policies. Reach DOS at 940-565-2648.

Title IX Coordinator – The Title IX Coordinator is the UNT employee designated by the President to implement, monitor, and enforce UNT’s compliance with the federal law preventing discrimination on the basis of sex. The Title IX Coordinator oversees the university’s investigative processes, and can be reached at oeo@unt.edu or 940-565-2759.

UNT Police Department – You may file a police report with campus police for sexual misconduct, sexual assault, relationship violence, or stalking occurring on campus. When making a report to police, you may choose to report using a pseudonym so that your name will not appear in public files. Reach UNTPD at 940-565-3000. If the assault did not occur on the UNT Campus or in Denton, you can file a report with the respective law enforcement agency. The Survivor Advocate can also connect you to the right jurisdiction.

Denton County Friends of the Family – This non-profit agency is “**dedicated to providing compassionate, comprehensive services to those impacted by rape, sexual abuse, and domestic violence, while partnering with our community to promote safety, healing, and prevention.**” DCFOF offers individual counseling, group counseling, and advocacy services. Contact DCFOF outreach office at 940-387-5131 or www.dcfof.org.

Student Health & Wellness Center – The Student Health & Wellness Center can provide medical care for students impacted by sexual violence, including STD testing, pregnancy testing, emergency contraception, and referral to other resources. For more information or to schedule an appointment, please call 940-565-2333. SHWC does not provide sexual assault forensic exams.

Counseling & Testing Center – The UNT Counseling & Testing Center offers free counseling sessions for students. To schedule an appointment, please contact 940-565-2741 or visit Chestnut Hall 311.

Student Legal Services – UNT Legal Services provides students with free legal advice, assistance, representation and education. Schedule an appointment by calling 940-565-2614.

SAFETY MEASURES

The Survivor Advocate, Dean of Students and Title IX Coordinator can implement interim safety measures for students who have been impacted by sexual misconduct, even if the students have not filed a formal complaint. The Survivor Advocate can coordinate any reasonable arrangements that are necessary for ongoing safety. The university will maintain privacy to the fullest extent possible.

- **Assistance in Reporting:** The Survivor Advocate, the Dean of Students, or the Title IX Coordinator can assist in filing a complaint with the university conduct process and the appropriate law enforcement agencies against the individuals who caused harm.
- **No-Contact Order:** UNT can institute a *No-Contact Order* between the Complainant and the Respondent, which would prohibit contact between both parties through any means of communication. It also prohibits others from making contact on the parties' behalf.
- **Emergency Protective Order:** The Survivor Advocate can assist survivors in filing for an Emergency Protective Order with the Denton County District Attorney's Office. This is a court-ordered petition that prohibits contact between the impacted party and the accused. The decision to execute Protective Orders falls within the jurisdiction of the courts, but the Survivor Advocate can help navigate the process. The Survivor Advocate can also go to court hearings if requested.
- **Living Arrangements:** The Survivor Advocate can assist in changing on-campus living arrangements or that of the Respondent to ensure safety and a comfortable living situation.
- **Academic Arrangements:** The Survivor Advocate can assist in adjusting academic schedules, providing access to academic support services, and advocating on the survivor's behalf.
- **Other Measures:** The Survivor Advocate can coordinate reasonable arrangements to address the effects of violence, including connecting survivors to counseling, health care, transportation arrangements, or support resources.

When the Dean of Students Office becomes aware of a student who could have been impacted by sexual misconduct, the Survivor Advocate will contact the student to share these possible interim measures, reporting options, and available resources. This will be done no matter the location of the incident or if the other party is a member of the UNT Community

You are not alone. We are here to help.

POLICIES

The University of North Texas has two policies specifically addressing sexual assault and sexual harassment: The Policy for Prohibition of Sexual Assault and Retaliation (12.005) and Sexual Harassment 16.005).

The Policy for Prohibition of Sexual Assault and Retaliation (12.005) states that the University will not tolerate any form of sexual assault including, but not limited to acquaintance or date rape.

This policy is available online at: Policy for Prohibition of Sexual Assault and Retaliation (12.005), <https://policy.unt.edu/policy/12-005>.

The Sexual Harassment policy (16.005) states that acts of sexual harassment toward guests of and visitors to the campus or any member of the University community including faculty, staff, students and candidates for positions at the University will not be tolerated.

This policy is available online at: Sexual Harassment (16.005) <https://policy.unt.edu/policy/16-005>.

Other policies that might be relevant to a situation of sexual misconduct:

- Consensual relationships (05.021)
- Information and Procedural Guidelines for Resolving a Complaint of Discrimination, Including Sexual Harassment (16.006)
- Prohibition of Discrimination, Harassment, and Retaliation (16.004)

To read these policies, please visit the university policy manual website at <https://policy.unt.edu/policy-manual>.

REPORTING

Dean of Students (940-565-2648) – DOS (Union 409) can receive complaints that a student committed misconduct. DOS can explain relevant policies, its investigation procedures, other reporting options, implement interim measures to protect against ongoing harassment, violence, or retaliation, and refer survivors to support resources. If a DOS investigation finds that a student committed misconduct, DOS will impose sanctions, up to and including possible suspension and expulsion.

Title IX Coordinator (940-565-2759) – UNT's Title IX Coordinator is housed in the Office of Equal Opportunity (Hurley 175). You may file any Title IX-related complaint with the Title IX Coordinator (including sexual assault and sexual harassment). The Office of Equal Opportunity will investigate the complaint if the accused party is a staff/faculty member, guest, or visitor to campus. The Title IX Coordinator will also ensure your continued access to your educational program.

UNT Police (940-565-3000) - You may file a police report with campus police for assaults occurring on campus at the Sullivant Public Safety Center (1700 Wilshire Street). When making a report to police, you may choose to report using a pseudonym so that your name will not appear in public files.

Denton Police (940-349-8181) - You may file a police report at the Denton Police Department (601 E. Hickory Street) for assaults occurring off campus in Denton. When making a report to police, you may choose to report using a pseudonym so that your name will not appear in public files.

STUDENT CONDUCT PROCESS

The University of North Texas strictly prohibits dating violence, domestic violence, sexual harassment, sexual coercion, sexual exploitation, sexual violence, and stalking. A university community member who engages in any of these behaviors is subject to disciplinary action. Student discipline follows the procedures outlined in the Code of Student Conduct, which is administered and enforced by the Dean of Students Office.

Anyone can report prohibited conduct to the university by notifying the Dean of Students Office (940-565-2648), the UNT Police Department (940-565-3000) or the Title IX Coordinator (940-565-2759). If the person who engaged in the prohibited conduct is a student, the Dean of Students Office can initiate procedures toward disciplinary action. This involves an investigation to gather information, deciding if there was a violation of university policy, and if so, what sanction should be imposed. The disciplinary process is separate from any criminal investigation or legal action. The university will provide assistance and support to a student regardless of if they ask for disciplinary action. Assistance and support is coordinated independent of the disciplinary process.

If you require a reasonable accommodation to fully participate in the conduct process because of a disability, please contact the Dean of Students Office at 940-565-2648. Please make this request as soon as possible to allow sufficient time to arrange the reasonable accommodation.

Allegations of relationship violence, sexual assault, sexual misconduct, and stalking that involve student-Respondents are investigated by Dean of Students Office staff members. Investigators receive annual training on how to complete a full and fair investigation.

DOS typically issues No-Contact orders to the Complainant and the Respondent. This is a notice telling both parties what allegations have been made and requests a meeting with DOS to discuss the allegations. Parties can submit written statements or give their statements orally to DOS, and DOS may ask for copies of electronic communications, phone records, or other evidence that can support or refute the allegations. The Complainant or Respondent can identify people with relevant information about the allegations who DOS should talk with.

In order to be fair, the Respondent has the right to know what allegations have been made and what evidence will be used to make a decision. All information collected in the investigation is open to review by the Complainant and the Respondent. Either party can request a copy of all records pertaining to the investigation. Any copies will have identifying information (names, email addresses, phone numbers) for students (except for the requesting student) blacked out.

DOS will provide weekly email updates on the status of the investigation. The investigation is normally completed within 60 days. If an extension is necessary, the parties will be informed. Circumstances that may lead to an extension include a semester break or extended closure of the university, or delays in obtaining information DOS deems relevant.

For sexual assault investigations:

Once DOS has collected all information, DOS will decide if the Respondent violated university policy. The standard of proof used is preponderance of the evidence. DOS will share the finding (whether the Respondent committed misconduct or not) with the Respondent and Complainant in writing. Either party can request that the Vice President for Institutional Equity and Diversity review DOS's finding. A review can result in a change of the finding or the finding being upheld.

If the Respondent is found responsible for misconduct at the conclusion of the Vice President's review, DOS will impose a sanction for the misconduct. Possible sanctions can include Loss of Privileges, Level II or Level III Conduct Probation, Suspension, Expulsion, trespass from part or all of campus, and no-contact orders. DOS will share the sanction with both parties in writing. Either party can request that the Vice President for Student Affairs review DOS's sanction. A review can result in a change of the sanction or the sanction being upheld.

If DOS did not have sufficient evidence to conclude the Respondent violated university policy, then no sanctions are imposed. This does not mean nothing happened; it simply means there is insufficient evidence to meet the preponderance of the evidence standard required to discipline a student.

For investigations involving relationship violence, stalking, or sexual misconduct:

Once DOS has collected all information, DOS will decide if the Respondent violated university policy. The standard of proof used is preponderance of the evidence. DOS will share the finding (whether the Respondent committed misconduct or not) with the Respondent and Complainant in writing, along with the option to appeal.

If the Respondent is found responsible for misconduct, DOS will impose a sanction for the misconduct. Possible sanctions can include Loss of Privileges, Level II or Level III Conduct Probation, Suspension, Expulsion, trespass from part or all of campus, and no contact orders. If the Respondent is sanctioned to Level III Conduct Probation, Suspension, or Expulsion, either party could ask the Committee on Student Conduct to review the decision. The investigators and the Respondent must attend the committee's review. The Complainant can attend in person, by phone, Skype, or other method, or choose to not attend at all. The committee will share its decision with all parties in writing. Either party can request a final review by the Vice President of Student Affairs. This review is a paper review only; the VPSA will accept written statements from each party and then notify all parties of the outcome in writing.

If DOS did not have sufficient evidence to conclude the respondent violated university policy, then no sanctions are imposed. This does not mean nothing happened; it simply means there is insufficient evidence to meet the preponderance of the evidence standard required to discipline a student.

If there is insufficient evidence to find the Respondent responsible, or if the Respondent is sanctioned to anything except Level III Conduct Probation, Suspension, or Expulsion, either party can submit a request for reconsideration by providing new information within three days. The investigators will consider all information and make a final decision, which both parties will receive in writing.

For investigations where the Respondent is not a student

The Office of Equal Opportunity will investigate the complaint if the accused party is a staff/faculty member, guest, or visitor to campus. You can file a report by emailing oeo@unt.edu or calling 940-565-2759.

We know all of this may be a bit overwhelming. No matter what the circumstances regarding your case, please know the Survivor Advocate is here to help you through any and all processes.