



**Policy Number and Chapter:** 16.005 **Equity and Inclusion**

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**Policy Title:** Prohibition of Sexual Misconduct, Including Sexual Harassment, Sexual Assault, Sexual Coercion, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, Failure to Report and Retaliation

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**Policy Statement.** It is the policy of the University of North Texas to maintain a safe and respectful work and educational environment that is free from sex discrimination, sexual harassment, sexual assault, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking and allows all individuals to fully participate in the benefits and privileges the University has to offer. Therefore, in accordance with federal and state law, the University prohibits discrimination on the basis of sex and prohibits sexual misconduct (including sexual harassment, sexual assault, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking) at any of its locations, programs or other associated activities.

**Application of Policy.** This policy applies to all students, faculty, staff, and applicants for employment or admission, individuals and organizations conducting business on behalf of or for the University, and visitors and participants at any location, program or other activity associated with the University. The University may act under this policy when sexual misconduct that occurs off campus adversely affects or is reasonably likely to adversely affect the academic or work environment.

**Definitions.**

1. **Complainant.** “Complainant” means an individual who may have been the subject of conduct prohibited under this policy regardless of whether the individual reports the conduct.
2. **Confidential Employee.** “Confidential employee” means a university employee who is designated by the University as a person with whom students may speak confidentially concerning sexual misconduct or who receives information regarding alleged sexual misconduct under circumstances that render the employee’s communications confidential or privileged under other law. A confidential employee is obligated to disclose reports of sexual harassment, sexual assault, dating violence and stalking as required under this policy based on the requirement of the employee’s professional licensure and the nature of their official responsibilities with the University. Confidential Employee, as defined in this policy, includes but is not limited to, licensed professional mental health counselors and health care professionals working in those capacities for the University and the employees they supervise, sexual assault advocates as defined in section 420.071 of the Texas Government Code, and attorneys and other employees in the UNT Student Legal Services office and UNT System Office of General Counsel. Faculty, staff and other employees who are licensed mental health workers, licensed medical workers, or licensed attorneys but who are not employed in that capacity by the University, such as faculty members in psychology, social work, nursing, etc., are not Confidential Employees under this policy. Staff members who are employed as Confidential Employees but become aware of alleged sexual misconduct while operating outside the confidential aspect of their work (*e.g.*, a physician in the Student Health

and Wellness Center who witnesses sexual harassment between two colleagues who are not patients) are not Confidential Employees under this policy with respect to that particular incident.

3. Consent. “Consent” means words or actions that show an active, knowing and voluntary agreement to engage in sexual activity. Consent cannot be obtained by force, coercion, manipulation, threats, or when an individual administers any substance to another person, without the person’s knowledge, that intentionally impairs the ability of the person to voluntarily consent. Consent is absent when the sexual activity in question exceeds the scope of previously given consent. Consent may be revoked at any time.
4. Dating Violence. “Dating Violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
5. Days. “Days” mean calendar days unless otherwise stated in the policy.
6. Domestic Violence. “Domestic Violence” means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; 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 in which the crime of violence occurred.
7. Employee. “Employee” means an individual who is employed part-time, full-time, or in a temporary capacity as faculty or staff, or who is required to be a student as a condition of employment.
8. Good Faith. “Good Faith” means a reasonable belief that the reported conduct was prohibited under this policy. Good faith is based on the reporting individual’s education, training, and experience.
9. Hostile Environment. “Hostile Environment” exists when sexual harassment (which is a form of sex-based harassment) is sufficiently severe, persistent or pervasive to deny or limit the individual’s ability to participate in or benefit from the University’s programs or activities or an employee’s terms and conditions of employment. A hostile environment can be created by anyone involved in a University’s program or activity (e.g., administrators, faculty members, employees, students, and University visitors). In determining whether sex-based harassment has created a hostile environment, the University considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not sufficient, that the conduct was unwelcome to the individual who was harassed. To conclude that conduct created or contributed to a hostile environment, the University must also find that a reasonable person in the individual’s position would have perceived the conduct as undesirable or offensive. To ultimately determine whether a hostile environment exists for an individual or individuals, the University considers a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment,

including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of the persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and (5) the degree to which the conduct affected an individual's education or employment. The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

10. Incapacitation. "Incapacitation" means that a person lacks the ability to voluntarily agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over his or her body, or is otherwise unaware that sexual activity is occurring. Incapacitation is not the same as intoxication. When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination. A party who engages in sexual conduct with a person who is incapacitated under circumstances in which a reasonable sober person in similar circumstances would have known the person to be incapacitated is responsible for sexual misconduct.
11. Preponderance of the Evidence. "Preponderance of the Evidence" means the amount of information necessary to establish whether an alleged policy violation occurred (*i.e.*, more likely true than not true). Preponderance of the evidence is also referred to as the greater weight of the evidence.
12. Respondent. "Respondent" means an individual or organization identified as possibly having engaged in conduct prohibited under this policy regardless of whether a formal complaint is made.
13. Retaliation. "Retaliation" means any action, treatment or condition likely to dissuade a reasonable person from reporting, or causing to report, or from participating in an investigation of suspected misconduct or a related proceeding, including an action that affects an individual's enrollment or business relationship, or an employee's compensation, promotion, transfer, work assignment, or performance evaluation.
14. Sexual Assault. "Sexual Assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape.
  - a. Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - b. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- c. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - d. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
15. Sexual Coercion. “Sexual Coercion” means the use of manipulation or threat to force someone to engage in a sexual act.
16. Sexual Exploitation. “Sexual Exploitation” means taking non-consensual or abusive sexual advantage of an individual for the benefit or advantage of anyone other than the person being exploited, including but not limited to, non-consensual video or audio-taping of sexual activity or undetected viewing of another’s sexual activity.
17. Sexual Harassment. “Sexual Harassment” means unwelcome sex-based verbal or physical conduct that:
- a. in the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile or offensive work environment; or
  - b. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from educational programs or activities. For purposes of this policy, conduct is sufficiently severe, persistent or pervasive if its frequent, or threatening, or humiliating nature unreasonably interferes with or limits the student’s ability to participate in or benefit from the University’s educational program or activity, including when the conduct reasonably can be considered to create an intimidating, hostile, abusive or offensive educational environment.

Examples of conduct which might be considered sexual harassment under this policy include but are not limited to:

- a. repeated and unwanted requests for dates, sexual flirtations, or propositions of a sexual nature,
  - b. subtle pressure for a sexual relationship,
  - c. sexist remarks about a person's clothing, body or sexual activities,
  - d. unnecessary touching, patting, hugging, or brushing against a person's body,
  - e. direct or implied threats that submission to sexual advances will affect or be a condition of employment, work status, grades, or letter of recommendation,
  - f. conduct of a sexual nature that causes humiliation or discomfort, such as use of inappropriate terms of address, and
  - g. sexually explicit or sexist comments, questions or jokes.
18. Sexual Misconduct. “Sexual Misconduct” means sexual harassment, sexual assault, sexual coercion, sexual exploitation, dating violence, domestic violence, and stalking.
19. Stalking. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person’s safety or the safety of others; or (2) suffer substantial emotional distress. “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils,

threatens, or communicates to or about, a person, or interferes with a person's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

20. **Student**. "Student" means an individual who has applied for admission or readmission to the University; who is registered or enrolled in one or more courses for credit at the university; or who currently is not enrolled but has a continuing academic relationship with the university.
21. **Survivor Advocate**. "Survivor Advocate" means an individual employed by the University to provide advocacy services to survivors of sexual assault and relationship violence, including information about on and off campus resources, counseling services, health and safety programs, academic and on-campus housing options, protective orders, crime victim compensation, and other resources. The Survivor Advocate is not a confidential employee.
22. **Title IX Coordinator**. "Title IX Coordinator" means a University of North Texas employee designated by the President to implement, monitor, and enforce the university's Title IX program. In this policy, reference to the Title IX Coordinator also means a deputy Title IX Coordinator or the Coordinator's designee.

**Conduct prohibited by this policy.**

This policy prohibits sexual misconduct and the following conduct as defined or otherwise referred to herein:

- a. sexual harassment,
- b. sexual assault,
- c. sexual coercion,
- d. sexual exploitation,
- e. dating violence,
- f. domestic violence,
- g. stalking,
- h. retaliation related to reports or investigation of behavior prohibited by this policy,
- i. false reports related to behavior prohibited by this policy, and
- j. failure to report on the part of an employee related to behavior prohibited by this policy

**Procedures for reporting alleged sexual misconduct.**

- I. **Reporting Sexual Misconduct**
  - A. Call 911 to report imminent danger of harm or to report criminal activity. It is important that victims of sexual harassment, sexual assault, dating violence or stalking go to a hospital for treatment and preservation of evidence, if applicable, immediately after the incident.
  - B. Sexual misconduct may be reported to the University at Report.unt.edu.
  - C. An individual who believes they have been subjected to sexual misconduct, should also immediately report the conduct to the Title IX Coordinator. A student who

wishes to report sexual misconduct may report to the Dean of Students, the Title IX Coordinator, or a Deputy Title IX Coordinator.

- D. Individuals wishing to remain anonymous may report suspected violations of this policy via the University website at [report.unt.edu](http://report.unt.edu) or to a Confidential Employee.

## II. Duty to Report

- A. Employees who, in the course and scope of their authorized duties, witness or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual misconduct and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident shall promptly report the incident to the Title IX Coordinator in the Office of Equal Opportunity or a deputy Title IX Coordinator. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including whether an alleged victim has expressed a desire for confidentiality in reporting the incident. Students and other individuals, including guests of the University, are strongly encouraged to report sexual misconduct to the Title IX Coordinator in the Office of Equal Opportunity or a deputy Title IX Coordinator.
- B. Exceptions to Duty to Report.
  - 1. Confidential employees, as defined in this policy, are obligated to report sexual misconduct, under this policy to the Title IX Coordinator in the Office of Equal Opportunity or a deputy Title IX Coordinator. When reporting, these individuals shall state only the type of incident reported and shall not include other information that would violate a student's expectation of privacy.
  - 2. a person is not required to make a report under this section concerning an incident in which the person was a victim of sexual misconduct.
  - 3. a person is not required to make a report pursuant to this policy concerning an incident of which the person received information due to a disclosure made at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by the University or by a student organization affiliated with the University.
- C. Ramifications of failure to report.
  - 1. The University will terminate the employment of an employee whom the institution determines in accordance with the University faculty grievance procedure or employee grievance procedure to have knowingly failed to report sexual misconduct as required in this policy (*i.e.*, the employee is required to make a report of sexual assault, sexual coercion, sexual exploitation, sexual harassment, dating violence, domestic violence or stalking and knowingly fails to do so) or with the intent to harm or deceive, knowingly makes a report of sexual misconduct that is false.

## III. Protection against Retaliation

Retaliation against any person who reports or encourages another to report any behavior prohibited by this policy; who participates in an investigation conducted under this policy; or who seeks assistance or guidance from any University department or external official

or organization authorized to remediate conduct prohibited under this policy. This protection against retaliation does not apply to a student or employee who:

- A. reports an incident of sexual misconduct under this policy that was perpetrated by that person or the person assisted in the sexual misconduct; or
- B. cooperates with an investigation, a disciplinary process, or a judicial proceeding relating to an allegation that person perpetrated an incident prohibited under this policy.

#### IV. Confidentiality

- A. **Protection of Non-Confidential Information:** As permitted by section 51.971 of the Texas Education Code, information may be protected from disclosure when it is not confidential if the information is collected or produced as part of an investigation conducted under this policy and disclosing the information would interfere with an ongoing investigation.
- B. **Authorized Disclosure of Alleged Victim's Identity:** The identity of an alleged victim of conduct prohibited under this policy, solely with the written and signed consent of the individual whose identity would be disclosed or when released to the following:
  - 1. persons employed by or under contract with the postsecondary educational institution to which the report is made who are necessary to conduct an investigation of the report or any related hearings;
  - 2. a law enforcement officer as necessary to conduct a criminal investigation of the report;
  - 3. a health care provider in an emergency situation, as determined necessary by the institutions;
  - 4. the person or persons alleged to have perpetrated the incident, to the extent required by other law; or potential witnesses to the incident as necessary to conduct an investigation of the report.
- C. **Authorized disclosure of the Identity of other Individuals Involved in Reports of Sexual Misconduct:** The identity of an individual who reports sexual misconduct under this policy, who sought guidance from the University concerning such alleged conduct, or who participated in the University's investigation of alleged conduct prohibited under this policy; or the identity of a person who is alleged in a report made to the University to have engaged in conduct or assisted in the commission of conduct prohibited under this policy but found not responsible for such conduct after a University investigation, is confidential and not subject to disclosure under Chapter 552, Texas Government Code, and may be disclosed only to:
  - 1. University officials as necessary to conduct an investigation of the report;
  - 2. a law enforcement officer as necessary to conduct a criminal investigation of the report, or
  - 3. a health care provider in an emergency situation, as determined necessary by relevant University officials.

#### V. False or Bad Faith Reports

Any individual who makes a false report under this policy is subject to disciplinary action in accordance with applicable UNT disciplinary policies and procedures. A report

is not false or made in bad faith simply because an investigation did not find sufficient evidence to substantiate the alleged violation.

VI. Rights of Victims of Alleged Sexual Misconduct

- A. The right to report the incident to the University and to receive a prompt and equitable resolution of the report;
- B. The right to choose whether to report the alleged conduct to law enforcement if it constitutes a crime, and the right to decline to report the crime to law enforcement
- C. The right to be assisted by the University in reporting the alleged conduct to law enforcement if it constitutes a crime

VII. Protocol for Responding to Reports of Sexual Misconduct, Including Interim Measures

- A. Reviewing Reports. The Office of Equal Opportunity will review all allegations of sexual misconduct, relationship violence, and stalking when the Respondent is not a student. The Dean of Students Office is designated to perform this function for alleged violations of this policy when the Respondent is a student. The reviewing office shall consult the Complainant of the alleged offense, if the individual's identity is known, before recommending interim measures or before initiating an investigation. This consultation must include informing the Complainant that:
  - 1. the Complainant may file a criminal complaint with law enforcement officials at any time;
  - 2. the University has an obligation to remediate sexual misconduct, and that an investigation may be conducted whether or not a criminal complaint is filed;
  - 3. the University can take measures to protect against continued sexual misconduct, relationship violence, stalking, and retaliation;
  - 4. voluntary withdrawal of an allegation will not necessarily result in termination of an investigation; and
  - 5. the Complainant should contact the reviewing office if retaliation is suspected.

B. Interim Measures

The University may take administrative action to protect the Complainant, the Respondent, and any other individual against prohibited conduct including retaliation, or to ensure the prompt and efficient completion of an investigation. Interim measures are not disciplinary in nature and must be consistent with other University policies. Interim measures may be initiated only after consultation with Human Resources, the Dean of Students, the Provost, or the Office of General Counsel as appropriate. Interim measures for students may include but are not limited to administrative directives for no contact, housing reassignments, and altered academic arrangements.

C. Investigating Reports

- 1. Anyone who believes the threat of violence is imminent should immediately call 911. Individuals may file a police report with campus police for criminal activity occurring on campus or with local police for violence occurring off campus.



2. All allegations of sexual misconduct that the Office of Equal Opportunity determines to be viable shall be investigated promptly. The Dean of Students is designated to perform this function for allegations where the Respondent is a student. If the complainant of the alleged offense asks the University not to investigate or to delay investigating the allegation, that no disciplinary action be taken, or that the person who allegedly violated the policy not be notified of the allegation, the institution may investigate the alleged conduct in a manner that complies with the confidentiality requirements under Section IV of this policy.
3. In determining whether a request not to investigate can be granted, the Title IX Coordinator shall consider the following factors:
  - i. the seriousness/nature of the allegation;
  - ii. whether the institution has received other reports of sexual misconduct committed by the alleged perpetrator or perpetrators
  - iii. whether the alleged behavior or conduct presents a threat to individuals other than the person who is making the request;
  - iv. whether effective measures can be put in place to protect the individual against continued harm or retaliation;
  - v. whether delaying an investigation could reasonably result in the destruction or deterioration of potential evidence to corroborate or refute the allegation; and
  - vi. any other information that has a reasonable bearing on the decision.
4. A Complainant will be informed in writing regarding the University's decision whether to investigate an incident after the Complainant has requested that there be no investigation or for the investigation to be delayed. . . If the University decides not to investigate, then the University may take steps to protect the health and safety of the University community in relation to the alleged incident.

D. Obligation to Participate in Investigations under this Policy

Individuals are expected to be cooperative in investigations conducted under this policy, and any person who knowingly interferes with an investigation is subject to disciplinary sanctions. Interference with an investigation includes, but is not limited to:

1. attempting to coerce, compel, or prevent an individual from providing information related to the investigation;
2. removing, destroying, or altering information that relates to the investigation;
3. failing to produce university records that relate to the investigation; or
4. providing false or misleading information in the course of an investigation or encouraging others to do so.

Responsible Party: Office of Equal Opportunity, Dean of Students, and Human Resources

VIII. Complaint and Review Procedures

- A. Timeline and Notifications. Best efforts will be made to complete the complaint process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. Parties will be updated on the status of their investigation with reasonable regularity.
- B. Procedures for Resolving a Complaint when the Respondent is a Student. The Dean of Students is responsible for investigating reports when the alleged offender is a student. The Dean of Students will investigate using the procedures outlined in the Code of Student Conduct and must consult with the Office of Equal Opportunity in advance of issuing a determination in an investigation.
  - 1. The Dean of Students office shall prepare a written report setting out the findings of the investigation and whether the Respondent violated this policy. The Title IX Coordinator shall review all final investigation reports.
  - 2. The Complainant and Respondent shall be notified, in writing, of the Dean of Students' findings, determination and rationale.
  - 3. The Complainant and Respondent may request a review of the findings and determination by the Vice President for Equity and Diversity or delegee.
  - 4. A request for review must be submitted to the reviewing official within five business days from the date of the notice and include the reason(s) for the review and any new information the individual wishes the reviewing official to consider. The decision of the reviewing official regarding the finding and determination is final.
- C. Procedures for Pursuing and Resolving a Complaint when the Alleged Offender is an Employee (including a student employee acting in their employment status), Visitor, or Individual Acting on Behalf of or Doing Business with the University. The Office of Equal Opportunity will follow the steps outlined in its Investigative Procedure.
  - 1. The Office of Equal Opportunity shall prepare a written report setting out the findings of the investigation and whether the Respondent violated this policy.
  - 2. The Complainant, Respondent, and the Respondent's supervisor(s) (when the Respondent is an employee) shall be notified, in writing, of the Office of Equal Opportunity's findings, determination and rationale. The Vice President for Institutional Equity and Diversity will determine whether another University official will be notified when the Respondent is a visitor or person acting on behalf of the University.
  - 3. The decision of the Office of Equal Opportunity regarding the finding and determination may be appealed pursuant to OEO resolution procedures.
  - 4. In the event that a finding of sexual misconduct is reached under this policy, then the finding shall be referred to an appropriate University representative to determine if disciplinary action should be taken in accordance with this policy and other applicable disciplinary policies and procedures.

Responsible Party: Office of Equal Opportunity and Dean of Students

IX. Record Retention

Records created under this policy shall be confidentially maintained in accordance with the University's record retention schedule. In all cases, access to complaint and investigation records is strictly limited to officials with a direct operational need to know unless otherwise authorized by law.

Responsible Party: Office of Equal Opportunity and Dean of Students

X. Education and Resources

- A. Required Education for First Year and Transfer Students. Each entering first year and transfer student in an undergraduate degree program must participate in a University educational program on the prevention of sexual assault and relationship violence before or during the first semester or term in which the student enrolls in the University.
- B. Employee Education and Training. New employees shall receive training on this policy no later than the 30th day after their employment begins. Employees are individually responsible for completing the training every two years. The Office of Equal Opportunity will make the training available to all employees.
- C. Recording and Notification of Education and Training. Supervisors are responsible for ensuring employees under their supervision are in compliance with the education and training requirement and certifying when each employee completes the requirement. Supervisors shall clearly note on the employee's annual performance evaluation whether training has been completed.
- D. Enforcement of Training Responsibilities. An employee who fails to complete education and training as required under this section may be subject to discipline according to applicable University policies and Regent's Rules.
- E. Resources and Services. Resources and services for those involved in sexual misconduct, relationship violence and stalking situations can be found at the Office of Equal Opportunity and the Survivor Advocate's Office.

Responsible Party: Office of Equal Opportunity/Dean of Students

XI. Sanctions and Legal Implications

Any violation of this policy may result in sanctions imposed by the University or federal or state authorities, or legal action.

- A. In an effort to encourage reporting of sexual misconduct, the University will grant immunity from student and/or employee disciplinary action to a person who acts in good faith in reporting a complaint, participating in an investigation, or participating in a disciplinary process. This immunity does not extend to the person's own violations of this Policy.
- B. University Imposed Sanctions. Any individual who violates this policy is subject to disciplinary action, including but not limited to: involuntary termination of employment under the Staff Employee Discipline and Involuntary Termination Policy (05.033); revocation of tenure for moral turpitude or gross neglect of academic responsibilities under the University's Faculty Misconduct and Discipline Policy (06.025); and termination of a business relationship, the privilege to come onto

University property or to participate in its programs and activities. Students who violate this policy are subject to disciplinary action pursuant to the Code of Student Conduct (07.012), including but not limited to suspension or expulsion. All units must consult with the Office of Equal Opportunity prior to the issuance of sanctions or disciplinary action for violations of this policy.

- C. Federal or State Sanctions. Federal or State agencies may impose fines and other sanctions against the University for violations of federal or state anti-harassment laws.
- D. Civil Action. Individuals may take court action against individuals and the University that could result in financial liability.
- E. Criminal Sanctions. Sexual harassment by a public servant is a criminal offense under Texas law and could result in imprisonment. Failure to report sexual misconduct by a non-student employee is a criminal offense under Texas law and could result in a fine or jail time.

### **References and Cross-references.**

[UNT Policy 05.033 Staff Employee Discipline and Involuntary Termination Policy](#)

[UNT Policy 05.042, Grievance Policy](#)

[UNT Policy 06.025, Faculty Misconduct and Discipline](#)

[UNT Policy 07.012, Code of Student Conduct](#)

[UNT Policy 16.004, Prohibition of Discrimination, Harassment, and Retaliation](#)

Tex. Educ. Code §51.282, Policy On Sexual Harassment, Sexual Assault, Dating Violence, and Stalking

Tex. Educ. Code Subchapter E-2, §§51.251-51.259, Reporting Incidents of Sexual Harassment, Sexual Assault, Dating Violence, and Stalking

Tex. Educ. Code Subchapter E-3, §§51.281-51.291, Sexual Harassment, Sexual Assault, Dating Violence, and Stalking

Tex. Educ. Code § 51.9363, Sexual Assault Policy

Tex. Educ. Code § 51.9365, Electronic Reporting Option for Certain Offenses

Tex. Educ. Code § 51.9366, Amnesty for Students Reporting Certain Incidents

### **Forms and Tools.**

Title IX Coordinator Contact Information

[Survivor Advocate Contact Information](#)

[Office of Equal Opportunity Complaint Form](#)

Resolution Procedures for Complaints of Discrimination, Harassment, or Retaliation filed with the Office of Equal Opportunity

**Revision History**

<b>Policy Contact:</b>	Joanne Woodard
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