A response is not required. The following notice is required to be sent to all Texas A&M University and agency employees each semester, in accordance with federal regulations:

Notice of Nondiscrimination

Texas A&M University is committed to providing a safe and nondiscriminatory learning, living, and work environments for all members of the university community. The university provides equal opportunity to all employees, students, applicants for employment or admission, and the public, regardless of race, color, sex (including pregnancy[1] and parental status), religion, national origin, age, disability, genetic information, and veteran status. Texas A&M will promptly, thoroughly, and fairly investigate and resolve all complaints of discrimination, harassment (including sexual harassment), complicity and related retaliation based on a protected class in accordance with System Regulation 08.01.01, University Rule 08.01.01.M1, Standard Administrative Procedure (SAP) 08.01.01.M1.01, and applicable federal and state laws. In accordance with Title IX and its implementing regulations, Texas A&M does not discriminate on the basis of sex in any educational program or activity, including admissions and employment.

Responding to Allegations

The university's response to allegations of discrimination, harassment, complicity, and related retaliation will be 1) prompt, thorough, and equitable; 2) intended to prevent the recurrence of any harassment; and 3) intended to remedy its discriminatory effects, as appropriate. A substantiated allegation of such conduct may result in disciplinary action, up to and including separation from the university. Visitors, contractors, and third parties who commit discrimination, harassment, complicity, or related retaliation may have their relationships with the university terminated and/or their privileges of being on university premises withdrawn.

The procedures for responding to allegations of discrimination, harassment, complicity, and related retaliation against students, faculty, staff, and third parties are detailed in the University **SAP 08.01.01.M1.01**. The sanctioning guidance for substantiated allegations against employees and students can also be found in the **SAP**. Additional sanctioning guidance related to substantiated sex-based allegations against students can be found here: **Title IX Cumulative Sanctioning Matrix**. Questions about the university's policies or procedures should be directed to Jennifer Smith and Paul Coxe, the University's Title IX Coordinators, at **civilrights@tamu.edu**.

Reporting Responsibilities

Allegations of sexual assault, sexual harassment, sex-based misconduct, dating/domestic violence, or stalking:

All employees (except those identified below) who, in the course and scope of their employment, witness or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, sex-based misconduct, dating/domestic violence, or stalking and is alleged to have been committed by or against a person who was an enrolled student or an employee of the institution at the time of the incident shall promptly report all known information about the incident to the Title IX Coordinator. An employee

who experiences sexual harassment, sexual assault dating/domestic violence, or stalking may report but is not required to do so. Licensed health care providers and licensed counselors acting in the course and scope of employment must report de-identified statistics but shall not report any other information. The university will terminate an employee if, in accordance with its applicable disciplinary processes, the university determines that the employee knowingly failed to make a required report, or that the employee, with the intent to harm or deceive, made a report that is false. State law criminalizes the failure to report and may charge an individual with a Class A Misdemeanor.

Allegations of discrimination, harassment, complicity, or related retaliation other than allegations of sexual assault, sexual harassment, sex-based misconduct, dating/domestic violence, or stalking:

All employees (except licensed health care providers and licensed counselors) who, in the course and scope of their employment, experience, witness, or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes discrimination, harassment, complicity, or retaliation related to a protected class (other than allegations of sexual harassment, sexual assault, sex-based misconduct, dating/domestic violence or stalking) shall promptly report all known information about the incident to the Title IX Coordinator. An employee's failure to report alleged or suspected discrimination may result in disciplinary action, including dismissal. The university will terminate an employee if, in accordance with its applicable disciplinary processes, the university determines that the employee knowingly failed to make a required report, or that the employee, with the intent to harm or deceive, made a report that is false.

Students and non-affiliated members of the public are strongly encouraged, but not required, to report incidents. Confidential resources (who report de-identified statistics only as required by law) are available to students and employees through Texas A&M's counseling and medical services.

Confidential Reporting

Licensed health care providers and licensed counselors do not report any information received in the course and scope of their employment related to discrimination, harassment, complicity, or retaliation related to a protected class (other than de-identified statistics related to allegations of sexual harassment, sexual assault, dating/domestic violence, or stalking).

For students: Regardless of their campus affiliation or location, the TELUS Health Student Support app is a free and confidential resource for all Texas A&M students. The app allows students to access virtual mental health counseling, available 24/7, in a variety of languages, and a student peer support community within the app offers an enhanced element of connection.

- Download the student support app from the App Store or Google Play.

- Call 1-866-743-7732 (outside of the U.S. or Canada call 001-416-380-6578).

For employees: Licensed counselors at **GuidanceResources by ComPsych** is available 24 hours a day. Employees can call 866-301-9623, download the app GuidanceNow, or go to **https://www.guidanceresources.com/** (Web ID: TAMUS).

On the main campus, other confidential resources for students include:

- Counselors and medical providers at University Health Services. Students can **schedule an appointment online** or by phone at 979-458-4584. **Emergency and after-hours care resources** are also available.
- At Texas A&M, every student is entitled to complimentary legal consultations with our dedicated student attorney, Nicole Miller. You can call 979-862-4502 or email StudentLegalServices@tamu.edu to schedule an appointment.

Students and employees at locations other than the main campus may report confidentially through their counseling and health care providers. **Contact information for providers at branch** campuses and teaching sites can be found online.

Where to Report an Incident

- Designated Official: The university has designated Jennifer Smith and Paul Coxe, TAMU's Title IX Coordinators, to receive all reports of discrimination, harassment, complicity, and retaliation related to a protected class or status. Protected classes or statuses include race, color, sex (including pregnancy[2] and parental status), religion, national origin, age, disability, genetic information, and veteran status. To file a report with the university, please contact:

Office of Civil Rights and Title IX
YMCA Building, Suite 108
979-458-8407
civilrights@tamu.edu

You may also **submit a report or an anonymous report online** through the Office of Civil Rights and Title IX website. Anonymous reports usually limit the university's ability to respond to or resolve an allegation.

Disability and Pregnancy

- To request disability accommodations or inquire about discrimination based on disability, you may contact **Julie Kuder, ADA Coordinator,** at 979-458-8407 or **ADA.Coordinator@tamu.edu**. Her office is located in the YMCA Building, Suite 101A, 1268 TAMU, College Station, TX 77843. **You can also visit the Americans with Disabilities Act website**.

- To request pregnancy accommodations as a staff or faculty member, you may contact your HR professional or Employee Relations at 979-845-4141.
- To request pregnancy accommodations as a student, you may contact Jessica Mata at 979-458-9115 or **TIX.Pregnancy@tamu.edu**.
    - Law school students may contact **studentaffairs@law.tamu.edu**.
    - Texas A&M University at Qatar students may contact Miguel Trevino at **Miguel.trevino@qatar.tamu.edu** or Sabina Uzakova at **sabina.uzakova@qatar.tamu.edu**.

Reporting to Law Enforcement

Anyone who has experienced discrimination, harassment, complicity, or related retaliation has the right to choose whether to report the behavior to law enforcement instead of or in addition to reporting to the university. The Office of Civil Rights and Title IX can assist in making a report to law enforcement authorities. A complainant may also choose to decline to notify law enforcement.

A report to law enforcement, even to the University Police Department (UPD), is separate from a report to the university. An individual pursues administrative disciplinary remedies by reporting to the university and criminal remedies by reporting to law enforcement. Disciplinary and criminal remedies may be pursued separately or at the same time. An individual wishing to pursue disciplinary remedies and criminal remedies simultaneously should make a report to both the Office of Civil Rights and Title IX and to the appropriate law enforcement agency.

For emergencies, call 9-1-1. For non-emergencies, contact local law enforcement:

In and around the main campus:

- University Police Department (979-845-2345)
- Bryan Police Department (979-209-5300)
- College Station Police Department (979-764-3600)
- Brazos County Sheriff's Office (979-361-4900)

In and around Texas A&M University at Galveston campus:

- Texas A&M at Galveston Police Department (409-740-4545)
- Galveston Police Department (409-765-3702)
- Galveston County Sheriff's Office (409-766-2300)

To report abuse or neglect of persons aged 65 or older, persons with disabilities, or minors:

State law requires all persons having cause to believe that a child's physical or mental health or

welfare has been adversely affected by abuse or neglect to immediately make a report (even if the belief is premised upon incomplete or dated information) to any of the following:

- Any local or state law enforcement agency;
- The Department of Family and Protective Services (DFPS); or
- The state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred.
- The agency designated by the court to be responsible for the protection of children.

Further, all persons having cause to believe that an individual 65 years or older or a disabled person 18 years of age or older is being abused, neglected, or exploited are required to notify the DFPS at the Texas Abuse Hotline at 1-800-252-5400 or online on the **Texas Department of Family and Protective Services website**.

Reporting to Outside Agencies

Individuals may file a complaint at any time with any local, state, or federal civil rights office, including, but not limited to, the Equal Employment Opportunity Commission, the Texas Workforce Commission's Civil Rights Division, the U.S. Department of Education's Office of Civil Rights, and the U.S. Department of Justice.

Inquiries about the application of Title IX and its implementing regulations may be referred to the university's Title IX Coordinator or the U.S. Department of Education's Office of Civil Rights' Assistant Secretary, or both.

Amnesty and Immunities

A person acting in good faith who:

- reports or assists in the investigation of a report of an incident of sexual harassment, sexual assault, dating violence or stalking;
- testifies or otherwise participates in a judicial proceeding arising from a report of sexual harassment, sexual assault, dating/domestic violence or stalking; or,
- participates in the university's investigation or resolution processes related to an allegation of sexual harassment, sexual assault, dating violence or stalking

will not be subjected to any disciplinary action by the university where the person is enrolled or employed for any violations of the university's code of conduct reasonably related to the incident. Such amnesty shall not be given for violations of the university's code of conduct if the sanction for the violation is suspension or expulsion from the institution.

The university may, however, investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating/domestic violence, or stalking was made in good faith. The

amnesty will not apply to a person who reports the person's own commission or complicity in the commission of sexual harassment, sexual assault, dating/domestic violence, or stalking.

Privacy of Records

Office of Civil Rights and Title IX records will be maintained in accordance with the university's record retention policy. Records will be disclosed by the university on a case-by-case basis to the extent permitted by law.

Retaliation

Students, faculty, and staff are prohibited from retaliating against a person for (1) making a good faith report of a violation of Texas A&M System policies, university rules, student rules, and or/the law; or (2) participating in any proceeding related to the investigation or resolution of such report. Retaliation includes threatening, intimidating, harassing, coercing, or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a decision of "unsubstantiated," "insufficient information to substantiate," "not responsible," or "not guilty" on the allegations of discrimination, harassment, complicity, or related retaliation. Retaliation does not include good faith actions lawfully pursued in response to a report of discrimination, harassment, or related retaliation. Violation of an interim, remedial, or protective measure may be considered retaliation.

Resources, Rights, and Options for Sexual Harassment

Sexual harassment is a form of sex discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature constitute sexual harassment when 1) an employee of the university conditions the provision of an aide, benefit, or service of the member on an individual's participation in the unwelcome sexual conduct; or 2) the conduct would be determined by a reasonable person to be so severe, persistent, and objectively offensive that it effectively denies a person equal access to the university's education program or activity; or (3) the conduct meets the definition of sexual assault, dating violence, domestic violence, or stalking based on sex. The university also prohibits sex-based misconduct, which is unwelcome conduct of a sexual nature that is severe, persistent, or pervasive enough to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive.

A misconception regarding sexual assault is that most of the time the perpetrator is a stranger. However, research indicates that approximately 2/3 of sexual assaults are committed by someone known to the victim. Sexual assault is an act of violence; the perpetrator is asserting power and control over another person. Tactics may include force, threats, intimidation, or physical violence. Many victims struggle with identifying whether they have been sexually assaulted due to tactics such as manipulation, restraint, victim-blaming, and taking advantage of another's level of incapacitation.

A student or employee who has been a victim of sexual harassment, sex-based misconduct, sexual assault, stalking, domestic violence, or dating violence, whether it occurred on or off

campus, has certain resources, rights, and options available, including the right to a prompt, thorough, and equitable resolution. Even if you choose not to report the incident to the university or to law enforcement, you are encouraged to take steps to preserve evidence. This will ensure that evidence is available if you later decide to proceed with a criminal or university investigation. You are encouraged to go to a hospital as soon as practicable after an incident and have a Sexual Assault Nurse Examiner (SANE) assess you for physical trauma, sexually transmitted infections, and pregnancy. A SANE can also collect and preserve evidence of a sexual assault.

Resources, including advocacy and counseling services, are available through the university. Students and employees may also have access to supportive measures (e.g., "no contact" restrictions or changes in housing, parking, work location, or class schedule) that may be needed until the resolution of the complaint. Complainants and respondents are afforded equitable opportunities to supportive measures and access to information regarding the investigation.

A student or an employee who has **experienced** sexual harassment, sexual assault, sex-based misconduct, stalking, or dating/domestic violence, whether it occurred on or off campus, has certain resources, rights, and options available. Please see: **Resources, Rights, and Options for Complainants**. Employees and students who are located at branch campuses or teaching sites can find their Resources, Rights, and Options document under the "Get Help Now" menu on the **Title IX website**.

A student or an employee who is **accused** of sexual harassment, sexual assault, sex-based misconduct, stalking, or dating/domestic violence, whether it occurred on or off campus, has certain resources, rights, and options available. Please see: **Resources, Rights, and Options for Respondents**. Employees and students who are located at branch campuses or teaching sites can find their Resources, Rights, and Options document under the "Get Help Now" menu on the **Title IX website**.

For more information, contact:

Jennifer Smith or **Paul Coxe**
Texas A&M's Title IX Coordinators

Division of Risk, Ethics and Compliance | Office of Civil Rights and Title IX
YMCA Building, Suite 108 | College Station, TX 77843-1243
979-458-8407
civilrights@tamu.edu

[1] Title IX prohibits discrimination on the basis of sex, including pregnancy and related conditions, in educational programs and activities. This includes harassment and discrimination against a student based on pregnancy, childbirth, false pregnancy, or recovery from any of these conditions.

[2] Title IX prohibits discrimination on the basis of sex, including pregnancy and related conditions, in educational programs and activities. This includes harassment and discrimination against a student based on pregnancy, childbirth, false pregnancy, or recovery from any of these conditions.