



Resources, Rights, and Options for Survivors of Sexual Harassment including Sexual Misconduct, Stalking, Domestic Violence or Dating Violence

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

An employee who is a victim 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 more information contact Policy and Practice Review at hrpolicy@tamu.edu or 979-862-3331.

THE DIFFERENCE BETWEEN A VICTIM AND A SURVIVOR

The terms 'victim' and 'survivor' are typically interchanged words for the injured party in a sexual violence incident. However, there is a subtle difference. A victim is someone who has recently been attacked, or is currently in an abusive situation, while a survivor has begun to move past the experience and seek help. For the purposes of this resource we will use the word survivor with the understanding that individuals may be at different places on the continuum.

IMMEDIATE INTERIM MEASURES AND ACCOMMODATIONS

Survivors may have various options and assistance in changing academic, living, transportation, and work situations if requested by the survivor and are reasonably available. These requests will be considered regardless of whether or not the survivor chooses to report the incident to law enforcement. 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 offender.

REPORTING THE INCIDENT

Reporting to Law Enforcement

Survivors 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 while deciding whether to pursue criminal charges. Law enforcement is able to help survivors understand the process of obtaining orders of protection, no contact orders, 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. The Dean of Student Life or staff in Student Assistance Services is available to assist student survivors who choose to notify law enforcement authorities. Staff employees can contact Human Resources Policy and Practice Review or the Employee Assistance Program for assistance with notification to law enforcement authorities. Faculty members needing assistance can contact the Associate Provost and Dean of Faculties office.

Name	Phone
University Police Department	979-845-2345
Bryan Police Department	979-209-5301
College Station Police Department	979-764-3600
Brazos County Sheriff's Department	979-361-4100

Importance of Preserving Physical Evidence

Whether a survivor has decided or is still deciding to report, she or he should attempt to preserve all physical evidence that could aid in criminal prosecution or in obtaining a protection order. Physical evidence should be collected immediately, ideally within the first 24 hours. It may be collected later than this, but the quality and quantity of the evidence may be diminished. Survivors of sexual assault should NOT shower or bathe, wash hands, use the toilet, change clothing, or wash clothing or bedding until evidence can be collected. If the survivor has changed clothes and is at a location other than the crime scene, all clothing worn at the time (or bedding) should be carefully placed into a paper, not plastic, bag to be given to the police. If the survivor believes she or he has been drugged, traces of the drug may still appear up to 96 hours after ingestion (depending on dosage and individual metabolism) and the chances of getting proof are best when the sample is obtained quickly.

It is also helpful for survivors to retain communications and document any contact with the alleged offender. If possible, survivors 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. Individuals are encouraged to report all unwelcome conduct of a sexual nature. **Please do not wait to report conduct of concern until it becomes sufficiently severe, pervasive, or persistent harassment.** University officials can take proactive steps to address conduct, perhaps prevent conduct from continuing or escalating, and/or to protect or otherwise assist the recipient of the conduct.

An individual who witnesses, is subjected to, or is informed about incidents of sexual discrimination, sexual harassment (including sexual violence), and/or related retaliation has the option to file a Title IX complaint to the designated official below who handles alleged violations perpetrated by students, faculty, staff, or unrelated third parties.

If the Alleged Offender is a:	<ul style="list-style-type: none"> • Student (graduate, undergraduate, professional) • Student Employee 	<ul style="list-style-type: none"> • Faculty Employee • Graduate/Postdoctoral Student working in academic affairs 	<ul style="list-style-type: none"> • Non-Faculty Employee • Graduate Student or Postdoctoral Students working in other areas • Unrelated Third Party
Then the Official Contact is:	Dean of Student Life Cain Hall B 117 College Station, TX 77843-1257 TAMU Mail Stop 1257 studentlife@tamu.edu 979-845-3111	Dean of Faculties 108 YMCA Building College Station, TX 77843-1126 TAMU Mail Stop 1126 dof@tamu.edu 979-845-4274	Human Resources Policy & Practice Review 750 Agronomy Road College Station, TX 77843-1255 Mail Stop 1255 hrpolicy@tamu.edu 979-862-3331

Employees may make inquiries or file a Title IX complaint by contacting the University's Title IX Coordinator at, TitleIX.Coordinator@tamu.edu or 979-845-0977.

For more information regarding the filing and processing of a sexual harassment and/or sexual misconduct report please visit <http://employees.tamu.edu/ppr> online.

Confidentiality

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

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 expressed wishes of the complainant/survivor regarding confidentiality will be considered in the context of the university's obligation to act upon the information and the right of the charged party to be informed about charges against him/her. If the individual does not disclose any identifying information about him/herself or any other party involved (e.g., names, department or unit) during the inquiry, response on the part of the university may be limited.

- **Confidential Reporting Option:** In most cases, psychologists/counselors in the Employee Assistance Program (<http://employees.tamu.edu/eap/>) and Student Counseling Services are not required to, nor may, report an incident that in any way identifies the employee or student concerned without their consent. However, if an imminent harm situation is present, the counselor must take action to protect whoever is at risk.

RETALIATION

The university will take reasonable action to protect the complainant/survivor, the alleged offender, 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. 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.

COUNSELING AND OTHER SUPPORT RESOURCES

Counseling, health, mental health, advocacy, legal and other services are available for survivors 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 th Street Suite 101 Bryan, Texas	employees.tamu.edu/eap
Student Counseling Services (only available to students)	979-845-4427	Cain Hall	scs.tamu.edu

Medical and Health Services

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

Support, Advocacy, and Other Resources

Name	Phone	Address	Website
Employee Assistance Program	979-845-3711	3608 E. 29 th Street Suite 101 Bryan, Texas	employees.tamu.edu/eap
Women's Resource Center	979-845-8784	Cain Hall, Texas A&M Campus	wrc.tamu.edu
GLBT Resource Center	979-862-8920	Cain Hall, Texas A&M Campus	studentlife.tamu.edu/glb
National Sexual Assault Hotline	1-800-656-HOPE		
Sexual Assault Resource Center (SARC)	979-731-1000		sarcbv.org
Domestic Violence Services, Twin City Mission	979-775-5355		twincitymission.org/phoebeshome.shtml
The National Domestic Violence Hotline	1-800-799-7233 1-800-787-3224 (TTY)		thehotline.org

DEFINITIONS

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 this conduct is so severe, persistent or pervasive that it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work or educational performance, or creates an intimidating, or hostile work or educational environment. The university will use a reasonable person standard to determine these elements.

Sexual harassment occurs when a person is the recipient of conduct of a sexual nature where:

- Submission to or toleration of such conduct is made either explicitly or implicitly a term or condition of an individual's education (including co-curricular activities) or employment;
- Submission to or rejection of such conduct by an individual is used as the basis for academic, co-curricular, or employment decisions affecting the individual's welfare; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's welfare, academic or work performance, or creates an intimidating, hostile, offensive or demeaning education (including co-curricular activities) or work environment.

Sexual harassment also includes sexual misconduct (non-consensual sexual intercourse and non-consensual sexual contact) and sexual exploitation. System Policy 08.01, Civil Rights Protections and Compliance, and System Regulation 08.01.01 Civil Rights Compliance outline civil rights protections provided by the system to employees, students, applicants for employment and the public.

CONDUCT PROCEEDINGS AND POSSIBLE SANCTIONS

The Human Resources Policy & Practice Review office is available to assist survivors who have questions about the investigation, resolution, or appeal process.

The process if the alleged offender is a non-teaching or non-research graduate student employee, non-faculty employee, or third party is outlined in the University Standard Administrative Procedure 08.01.01.M1.01 - Investigation and Resolution of Complaints Against Non-Faculty Employees and Unrelated Third Parties for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges.

<http://rules.tamu.edu/PDFs/08.01.01.M1.01.pdf>

The process if the alleged offender is a teaching/research graduate student employee or a faculty employee is outlined in the University Standard Administrative Procedure 08.01.01.M1.02 - Investigation and Resolution of Complaints Against Faculty Members for Illegal Discrimination, Sexual Harassment, or Related Retaliation Charges

<http://rules.tamu.edu/PDFs/08.01.01.M1.02.pdf>

Complaints where the alleged offender is a Texas A&M student should be filed with the Dean of Student Life.