



TEXAS TECH UNIVERSITY™

Operating Policy and Procedure

**OP 40.03: Sexual Misconduct**

**DATE:** August 14, 2020

**PURPOSE:** Texas Tech University (TTU) is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. Therefore, TTU prohibits discrimination based on sex and other types of sexual misconduct, including but not limited to sexual harassment, sexual assault, dating violence, and stalking. The purpose of this Operating Policy/Procedure (OP) is to (1) state TTU’s requirements for reporting incidents of sexual misconduct; (2) state TTU’s policy on sexual misconduct; (3) implement electronic reporting protocols for such incidents; (4) develop a comprehensive prevention and outreach program; (5) establish penalties for noncompliance with this OP; and (6) provide amnesty or immunities to students and employees who report incidents of sexual misconduct.

**REVIEW:** This OP will be reviewed in November of odd-numbered years by the TTU Title IX Coordinator, Dean of Students, and Assistant Vice President for Human Resources, in consultation with the System Offices of Equal Opportunity and General Counsel, with substantive revisions forwarded to the Associate Vice President for Administration and Chief of Staff to the President. Any substantive changes to this policy must be approved by the Board of Regents.

**POLICY/PROCEDURE**

1. Discrimination based on sex and other types of sexual misconduct (including the reporting and prevention of, and the grievance process and remedies for sexual misconduct) in the TTU community is governed by Texas Tech University [System Regulation 07.06](#), which includes two distinct policies and procedures based on applicable federal and state law:
  - a. [System Regulation 07.06.A Title IX Sexual Misconduct](#), and
  - b. [System Regulation 07.06.B Non-Title IX Sexual Misconduct](#).

The Sexual Misconduct Policy Applicability [Flowchart](#), attached to each policy, summarizes these policies’ applicability and their respective procedures. Questions regarding the applicability of these policies should be directed to the Title IX Coordinator or System Office of Equal Opportunity, whose contact information is provided in Section 2 of this OP.

2. TTU Title IX Coordinator and designated Deputy Coordinator for TTU students and employees:

| CONTACT   | PHONE        | ADDRESS   | EMAIL  |
|---|--------------|---|--|
| TTU Title IX<br>Coordinator:<br>Kimberly Simón<br>Texas Tech Office of<br>the President | 806.834.1949 | TTU Administration<br>Building, Room 115D<br>Office of the President<br>Texas Tech University<br>Box 42005<br>Lubbock, TX 79409 | <a href="mailto:kimberly.simon@ttu.edu">kimberly.simon@ttu.edu</a> |

| <b>CONTACT</b>  | <b>PHONE</b> | <b>ADDRESS</b>   | <b>EMAIL</b>   |
|---|--------------|--|--|
| <i>TTU Assistant Title IX Coordinator:</i><br>Meredith Holden,<br>Title IX Case Manager   | 806.834.5556 | Suite 232E, Student Union Building<br>Office for Student Rights & Resolution<br>Texas Tech University<br>Lubbock, TX 79409   | <a href="mailto:meredith.holden@ttu.edu">meredith.holden@ttu.edu</a>     |
| <i>TTU Title IX Deputy Coordinator for Students:</i><br>Matthew Gregory<br>Dean of Students   | 806.742.2984 | Suite 201 AA, Student Union Building<br>Office of the Dean of Students<br>Texas Tech University<br>Lubbock, TX 79409   | <a href="mailto:deanofstudents@ttu.edu">deanofstudents@ttu.edu</a>       |
| <i>TTU Title IX Deputy Coordinator for Employees:</i><br>Charlotte Bingham,<br>Assistant Vice Chancellor of Administration,<br>Texas Tech University System Office of Equal Opportunity | 806-742-3627 | TTU System Administration Building<br>1508 Knoxville Ave., Suite 309<br>Office of Equal Opportunity<br>Texas Tech University System, Box 41073,<br>Lubbock, TX 79409 | <a href="mailto:charlotte.bingham@ttu.edu">charlotte.bingham@ttu.edu</a> |
| <i>TTU Title IX Deputy Administrator for Athletics:</i><br>Judi Henry,<br>Executive Senior Associate Athletics Director and Senior Woman Administrator                                  | 806.834.0976 | Athletic Office, Room 109<br>Texas Tech University<br>2526 6th Street<br>Lubbock, TX 79409   | <a href="mailto:judi.henry@ttu.edu">judi.henry@ttu.edu</a>               |
| <i>TTU Title IX Deputy Administrator for Academic Affairs:</i><br>Sean Cunningham,<br>Associate Professor and Chair, Department of History  | 806.742.3744 | 131 Holden Hall<br>Texas Tech University<br>1011 Boston Ave<br>Lubbock, TX 79409   | <a href="mailto:sean.cunningham@ttu.edu">sean.cunningham@ttu.edu</a>     |

3. The following additional resources are available:

| <b>CONTACT</b>   | <b>PHONE</b> | <b>ADDRESS</b>   |
|--|--------------|--|
| Office for Student Civil Rights and Sexual Misconduct    | 806.742.7233 | Suite 232-E<br>Student Union Building<br>Lubbock, Texas 79409  |
| Office of the Dean of Students                           | 806.742.2984 | Suite 201 AA<br>Student Union Building<br>Lubbock, Texas 79409                                       |
| Texas Tech University System Office of Equal Opportunity | 806.742.3627 | TTU System Administration Building<br>1508 Knoxville Ave., Suite 309, Box 41073<br>Lubbock, TX 79409 |

| <b>CONTACT</b>               | <b>PHONE</b> | <b>ADDRESS</b>   |
|------------------------------|--------------|--|
| Human Resources              | 806.742.3851 | 160 Doak Conference Center<br>2518 15th Street<br>Lubbock, Texas 79409 |
| Student Counseling Center    | 806.742.3674 | Student Wellness Center, Room 201<br>Lubbock, Texas 79409              |
| Employee Assistance Program  | 806.743.1327 | 3601 4th Street<br>Lubbock, Texas 79430                                |
| Psychology Clinic            | 806.742.3799 | TTU Psychology Building, Room 111A<br>Lubbock, Texas 79409             |
| Family Therapy Clinic        | 806.742.3060 | TTU Human Sciences Building, Room 165<br>Lubbock, Texas 79409          |
| TTU RISE Office              | 806.742.2110 | Drane Hall, Room 247<br>Lubbock, Texas 79409                           |
| Lubbock Voice of Hope        | 806.763.7273 | P.O. Box 2000<br>Lubbock, Texas 79457                                  |
| Legal Aid of NorthWest Texas | 806.763.4557 | 1711 Avenue J<br>Lubbock, Texas 79401                                  |
| Legal Aid Society of Lubbock | 806.762.2325 | 906 Main St. #103<br>Lubbock, Texas 79401                              |
| University Medical Center    | 806.775.8200 | 602 Indiana Ave.<br>Lubbock, Texas 79415                               |
| Covenant Medical Center      | 806.725.0000 | 3615 19th Street<br>Lubbock, Texas 79410                               |

4. The following outside agencies are available as additional resources:

- a. Nothing in this OP or the incorporated regulations shall limit an individual from seeking assistance or filing a complaint with an outside agency.
- b. Administrative Agencies:

| <b>CONTACT</b>                                       | <b>PHONE</b>   | <b>ADDRESS</b>  |
|--|----------------|---|
| U.S. Equal Employment Opportunity Commission         | 1.800.669.4000 | 300 E. Main Dr.,<br>Suite 500<br>El Paso, Texas 79901   |
| Texas Workforce Commission                           | 512.463.2222   | 101 E. 15th Street<br>Austin, Texas 78778               |
| U.S. Department of Education, Office of Civil Rights | 214.611.9600   | 1999 Bryan Street,<br>Suite 1620<br>Dallas, Texas 75201 |

- c. Law Enforcement Agencies:

| <b>CONTACT</b>            | <b>PHONE</b> | <b>ADDRESS</b>                         |
|---------------------------|--------------|--|
| TTU Police Department     | 806.742.3931 | 413 Flint Ave.<br>Lubbock, Texas 79409 |
| Lubbock Police Department | 806.775.2865 | 916 Texas Ave.<br>Lubbock, Texas 79401 |

| <b>CONTACT</b>                      | <b>PHONE</b> | <b>ADDRESS</b>  |
|-------------------------------------|--------------|---|
| Lubbock County Sheriff's Department | 806.775.1400 | 811 Main Street<br>P.O. Box 10536<br>Lubbock, Texas 79407 |
| Texas Department of Public Safety   | 512.424.2000 | 5805 North Lamar Blvd.<br>Austin, Texas 78752             |

#### **AUTHORITATIVE REFERENCES**

- Title VII of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- 34 CFR Part 106
- Texas Labor Code Chapter 21
- Violence Against Women Act (VAWA)
- Campus Sexual Violence Elimination Act of 2013 (Campus SaVE)
- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
- Texas Education Code Sections 51.9363, 51.251 – 51.260, and 51.281 – 51.295
- Texas Family Code Sections 71.004 and 71.0021
- Texas Penal Code Section 42.072