



TEXAS TECH UNIVERSITY

**TITLE**



**Faculty, Staff & Student Employees**

**Title IX and Gender-Based  
Harassment, Discrimination, and  
Sexual Misconduct Resources  
and Reporting**

[titleix.hr.ttu.edu](http://titleix.hr.ttu.edu)

**Texas Tech** is committed to providing its students, faculty, and staff with an educational and work-place environment free from any form of unlawful discrimination. The Texas Tech community is dedicated to fostering and supporting a culture of mutual respect and communication.

**Texas Tech University** does not tolerate discrimination or harassment of faculty, staff, students, or applicants based on or related to sex (including pregnancy), race, national origin, religion, age, disability, protected veteran status, genetic information, or other protected categories, classes, or characteristics in education programs and activities or employment decisions. While sexual orientation and gender identity are not protected categories under state or federal law, it is Texas Tech University policy not to discriminate on this basis. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, or electronically displayed or conveyed.

**Texas Tech** expects all employees to comply with the law in connection with their employment and employment decisions. Employees who violate these policies and laws are subject to disciplinary action, up to and including termination.

## TITLE IX OVERVIEW

Title IX of the Educational Amendments of 1972 provides:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving federal financial assistance."

## CLERY ACT, VAWA, CAMPUS SAVE ACT OVERVIEW

The Clery Act promotes campus safety by ensuring students, employees, parents, and the broader community are well informed about important public safety and crime prevention matters.

The Violence Against Women Reauthorization Act (VAWA) amended the Clery Act under its Campus Sexual Violence Elimination Act (SaVE Act) provision by expanding reporting requirements to include offenses involving domestic violence, dating violence, and stalking.

## RESOURCES

### OFFICE OF EQUAL OPPORTUNITY

Charlotte Bingham  
Assistant Vice Chancellor for  
Administration, Equal Opportunity  
Texas Tech University System  
Administration Building, Rm 208  
806-742-3627  
[charlotte.bingham@ttu.edu](mailto:charlotte.bingham@ttu.edu)

### TITLE IX ADMINISTRATOR

Kimberly Simón, PhD  
Title IX Administrator  
Texas Tech University  
Administration Building, Rm 163  
806-834-1949  
[kimberly.simon@ttu.edu](mailto:kimberly.simon@ttu.edu)

### TITLE IX DEPUTY COORDINATOR FOR ATHLETICS

Dr. Judi Henry  
Executive Senior Associate  
Athletics Director, Senior Woman  
Administrator  
Athletic Office  
806-834-0976  
[judi.henry@ttu.edu](mailto:judi.henry@ttu.edu)

### TITLE IX DEPUTY COORDINATOR FOR EMPLOYEES

Jodie Billingsley  
Assistant Vice President for  
Human Resources  
Texas Tech University Doak  
Conference Center, Rm 160  
806-742-3851  
[jodie.billingsley@ttu.edu](mailto:jodie.billingsley@ttu.edu)

### TITLE IX DEPUTY COORDINATOR FOR STUDENTS

Dr. Matthew Gregory  
Dean of Students  
Texas Tech University  
Student Union Building,  
Suite 201 AA  
806-742-2984  
[matt.gregory@ttu.edu](mailto:matt.gregory@ttu.edu)

### TEXAS TECH POLICE DEPARTMENT

On-campus crimes  
Emergencies: Dial 9-1-1  
Non-emergencies:  
806-742-3931

### LUBBOCK POLICE DEPARTMENT

Off-campus crimes  
Emergencies: Dial 9-1-1  
Non-emergencies: 775-2865

### COVENANT MEDICAL EMERGENCY ROOM

3615 19th Street  
Lubbock, Texas 79410

### UNIVERSITY MEDICAL CENTER EMERGENCY ROOM

602 Indiana Avenue  
Lubbock, Texas 79415

### TEXAS TECH UNIVERSITY EMPLOYEE ASSISTANCE PROGRAM (EAP)

Dr. Alan Korinek, Director  
Texas Tech University Health  
Sciences Center  
3601 4th Street  
Lubbock, Texas 79430  
806-743-1327

### VOICE OF HOPE LUBBOCK RAPE CRISIS CENTER

Hotline: 806-763-7273  
Non-hotline: 806-763-3232

## **TITLE IX AND GENDER-BASED HARASSMENT, DISCRIMINATION, AND SEXUAL MISCONDUCT INCLUDES:**

### **SEX/GENDER-BASED HARASSMENT**

Gender-based harassment may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that is sufficiently severe, persistent, or pervasive, even if those acts do not involve conduct of a sexual nature.

### **DISCRIMINATORY HARASSMENT**

Discriminatory harassment is verbal or physical conduct that shows hostility toward an employee based on or related to sex, race, national origin, religion, age, disability, sexual orientation, genetic information, or other protected categories, classes, or characteristics that is sufficiently severe, persistent, or pervasive so as to limit an individual's ability to participate in or benefit from education.

### **SEXUAL MISCONDUCT**

Sexual misconduct is any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome that is sufficiently severe, persistent, or pervasive so as to limit an individual's ability to participate in or benefit from education programs and activities or employment at Texas Tech University. Sexual misconduct offenses include, but are not limited to sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and sexual exploitation.

### **SEXUAL HARASSMENT**

Sexual harassment is a form of discriminatory harassment and is defined as unwelcome verbal, written, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive so as to limit an individual's ability to participate in or benefit from education programs and activities or employment at Texas Tech University.

### **SEXUAL VIOLENCE**

Sexual violence is a form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to age or use of drugs or alcohol or an intellectual or other disability that prevents the student from having the capacity to give consent). Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

### **SEXUAL ASSAULT**

Sexual Assault is a form of sexual violence and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.

### **DOMESTIC VIOLENCE**

Domestic Violence includes asserted violent misdemeanor or felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

### **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.

### **STALKING**

Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

### **CONSENT**

Consent means mutually understandable words or actions, actively communicated both knowingly and voluntarily, so they clearly convey permission for sexual activity. Consent may be either clear words or actions, must be active and not passive or implied, must be informed and knowingly, and must be given voluntarily and freely. Consent can be withdrawn or revoked at any time.

## **WEBSITES**

### **Title IX resources for Faculty, Staff and Student Employees**

[www.titleix.hr.ttu.edu](http://www.titleix.hr.ttu.edu)

### **Title IX Administrator website**

<http://www.ttu.edu/administration/president/unicounsel/titleIX.php>

### **Title IX resources for Students**

[www.depts.ttu.edu/sexualviolence/index.php](http://www.depts.ttu.edu/sexualviolence/index.php)

## **MANDATORY REPORTING AND RESPONSIBLE EMPLOYEE**

The university must take immediate action when notice of sexual misconduct is received.

### **NOTICE**

The university has notice if a Responsible Employee knew or, in the exercise of reasonable care, should have known about the misconduct.

### **RESPONSIBLE EMPLOYEE**

A Responsible Employee includes any faculty, staff, or student employee who has the authority to take action to redress the harassment, has the duty to report sexual harassment or other misconduct to appropriate university officials, or whom a student could reasonably believe has this authority or responsibility.

All university faculty, staff, or student employees who are either the subject of, witness to, or receive a report of gender-based harassment, discrimination, or sexual misconduct, including sexual harassment, sexual violence, domestic violence, dating violence, and stalking are considered Responsible Employees and have the obligation to report such information.

This does not mean the individual's name or other personally identifying information must be shared as sometimes the individual will request that the Responsible Employee not tell anyone of the report. Rather, by contacting either the Title IX Administrator, or a Title IX Deputy Coordinator listed in the Resources section of this brochure, a Responsible Employee may both satisfy the reporting and notice requirements as well as obtain information about remedies, resources, and university processes that he or she can then pass along to the individual as a follow-up. In this way, Responsible Employees can provide reluctant individuals with valuable information while still protecting the individual's confidence, trust, and anonymity. Alternatively, when individuals do wish to report, Responsible Employees are instrumental in referring them to the administrators who can most effectively assist them.

## **CONFIDENTIAL REPORTING**

Texas Tech University will protect the confidentiality of the identities of and the statements made by parties and witnesses involved in a report or complaint to the extent permitted by law and to the extent that continued protection does not interfere with the university's ability to investigate allegations of misconduct and to take corrective action. The willful and unnecessary disclosure of confidential information by anyone, including the employee filing the grievance, regarding a complaint of discrimination or violation of law to any person outside of the investigation process may result in appropriate disciplinary measures against the offending party.

### **RETALIATION**

Retaliation against an employee who reports discrimination or other violations of the law or who participates in an investigation under this policy is strictly forbidden. Any manager, supervisor, other employee who is found to have taken any adverse employment action against an employee because of the employee's good faith report of discrimination or other violation of the law or participation in an investigation under this policy is subject to severe penalties, including immediate termination. This may apply even if it is determined that the underlying grievance is not a violation of TTU policy or law.

### **GRIEVANCE PROCEDURES**

Grievance procedures are applicable to all employees, whether faculty or staff. Please refer to OP 40.02 Anti-Discrimination, Sexual Harassment, and Title IX Policy and Grievance Procedure for Violations of Employment and Other Laws for Employees.

### **PURPOSE AND DISCLAIMER**

*The purpose of this brochure is to provide you with a general understanding of The Clery Act and Title IX federal laws. This brochure is not intended to be all encompassing, but rather to give you knowledge about where to find additional information and who to call for assistance if you are a victim of or witness to discriminatory behavior or harassment. In the event of a conflict between this brochure and federal or state law, the law will prevail.*



TEXAS TECH UNIVERSITY  
Human Resources