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:

<table>
<thead>
<tr>
<th>CONTACT</th>
<th>PHONE</th>
<th>ADDRESS</th>
<th>EMAIL</th>
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<tbody>
<tr>
<td>TTU Title IX Coordinator:</td>
<td>806.834.1949</td>
<td>TTU Administration Building, Room 115D</td>
<td><a href="mailto:kimberly.simon@ttu.edu">kimberly.simon@ttu.edu</a></td>
</tr>
<tr>
<td>Kimberly Simón</td>
<td></td>
<td>Office of the President</td>
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<tr>
<td>Texas Tech Office of the</td>
<td></td>
<td>Texas Tech University Box 42005</td>
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<tr>
<td>President</td>
<td></td>
<td>Lubbock, TX 79409</td>
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OP 40.03
### CONTACT

**TTU Assistant Title IX Coordinator:**  
Meredith Holden,  
Title IX Case Manager  
806.834.5556  
Suite 232E, Student Union Building  
Office for Student Rights & Resolution  
Texas Tech University  
Lubbock, TX 79409  
meredith.holden@ttu.edu

**TTU Title IX Deputy Coordinator for Students:**  
Matthew Gregory,  
Dean of Students  
806.742.2984  
Suite 201 AA, Student Union Building  
Office of the Dean of Students  
Texas Tech University  
Lubbock, TX 79409  
deanofstudents@ttu.edu

**TTU Title IX Deputy Coordinator for Employees:**  
Dawn Payne, Assistant Vice Chancellor and Director,  
Texas Tech University  
System Office of Equal Opportunity  
806-742-3627  
TTU System Administration Building  
1508 Knoxville Ave., Suite 309  
Office of Equal Opportunity  
Texas Tech University System, Box 41073, Lubbock, TX 79409  
dawn.payne@ttu.edu

**TTU Title IX Deputy Administrator for Athletics:**  
Judi Henry,  
Executive Senior Associate Athletics Director and Senior Woman Administrator  
806.834.0976  
Athletic Office, Room 109  
Texas Tech University  
2526 6th Street  
Lubbock, TX 79409  
judi.henry@ttu.edu

**TTU Title IX Deputy Administrator for Academic Affairs:**  
Sean Cunningham,  
Associate Professor and Chair, Department of History  
806.742.3744  
131 Holden Hall  
Texas Tech University  
1011 Boston Ave  
Lubbock, TX 79409  
sean.cunningham@ttu.edu

### Additional Resources

#### CONTACT

**Office for Student Civil Rights and Sexual Misconduct**  
806.742.7233  
Suite 232-E  
Student Union Building  
Lubbock, Texas 79409

**Office of the Dean of Students**  
806.742.2984  
Suite 201 AA  
Student Union Building  
Lubbock, Texas 79409

**Texas Tech University System Office of Equal Opportunity**  
806.742.3627  
TTU System Administration Building  
1508 Knoxville Ave., Suite 309, Box 41073  
Lubbock, TX 79409

3. The following additional resources are available:
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:

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<tr>
<td>U.S. Equal Employment Opportunity Commission</td>
<td>1.800.669.4000</td>
<td>300 E. Main Dr., Suite 500, El Paso, Texas 79901</td>
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<tr>
<td>Texas Workforce Commission</td>
<td>512.463.2222</td>
<td>101 E. 15th Street, Austin, Texas 78778</td>
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<tr>
<td>U.S. Department of Education, Office of Civil Rights</td>
<td>214.611.9600</td>
<td>1999 Bryan Street, Suite 1620, Dallas, Texas 75201</td>
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   c. Law Enforcement Agencies:

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<tr>
<td>TTU Police Department</td>
<td>806.742.3931</td>
<td>413 Flint Ave., Lubbock, Texas 79409</td>
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<td>Lubbock Police Department</td>
<td>806.775.2865</td>
<td>916 Texas Ave., Lubbock, Texas 79401</td>
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<tr>
<td>Lubbock County Sheriff’s Department</td>
<td>806.775.1400</td>
<td>811 Main Street</td>
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<td>P.O. Box 10536</td>
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<td></td>
<td></td>
<td>Lubbock, Texas 79407</td>
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<tr>
<td>Texas Department of Public Safety</td>
<td>512.424.2000</td>
<td>5805 North Lamar Blvd.</td>
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<td>Austin, Texas 78752</td>
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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