

**OFFICE OF EQUAL OPPORTUNITY
RESPONDENT INTAKE CHECKLIST**

Case:
Date:
Time:
Case Manager:
Location: Via Teams
Subject: Intake

Respondent:

Other Party is:

Is any party a PI or Co-PI on any NSF and/or NIH grant?

_____ **Right to Report and Request Resolution:** The Party has the right to report any incident of discrimination, harassment, sexual and gender-based harassment, sexual assault, sexual exploitation, stalking, dating violence, domestic violence, and retaliation. The Party also has the right for the System to investigate what happened and to resolve the complaint promptly and equitably.

_____ **Options for Reporting:** The Party has the right to choose to report an incident to campus or local law enforcement. The Party may report to both, just one, or neither. The Party has the right to participate in the System resolution process or file criminal charges through the appropriate police department, or both. A criminal investigation does not relieve UNT System of its duty to respond promptly and effectively to such complaints.

The Party has the option to seek assistance from law enforcement.

_____ **Mandatory Dismissals TIX:** If the conduct alleged in the formal complaint would not constitute sexual harassment as defined even if proved, did not occur in the member's education program or activity, or did not occur against a person in the united States, then the member must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; such dismissal does not preclude action under another provision of the System's conduct standards, nor does it preclude the System proceeding with a civil rights process under this. Upon dismissal from the Title IX Coordinator, the member must promptly send written notice of the dismissal and reason(s). The parties must be given the opportunity to appeal a dismissal to the member designated appellate authority.

_____ **Persons with Disabilities:**
Employees in need of disability related accommodations should contact their Human Resource representative or should notify the Office of Equal Opportunity if assistance is needed to complete the form.

_____ **Supportive Measures:** The System will provide reasonable and appropriate supportive measures designed to:

- Protect the Party during an investigation;

- Address safety concerns for the broader System community;
- Maintain the integrity of the investigative and/or resolution process; and
- Deter retaliation.

These measures may be remedial or protective. Supportive measures are available to the Party regardless of whether the Party pursues a resolution process.

Medical Attention: If the incident pertains to sexual violence, the Party is strongly encouraged to seek medical attention. A Sexual Assault Nurse Examiner (SANE) can assess for physical trauma, sexually-transmitted infection, pregnancy, and preserve evidence of a sexual assault.

Right to Advisor of Choice: The Party has the right to an advisor of their choice to accompany and advise them throughout the process. The advisor may be any person, including an attorney. The Advisor may not speak on the Party's behalf or otherwise participate in or in any manner delay, disrupt, or interfere with meetings and/or proceedings, if applicable.

Title IX Only: During the live hearing a party MUST have an advisor. The advisor will conduct the cross examination NOT the party. If the party does not have an advisor UNT can provide one for the hearing.

Anti-Retaliation Statement: The Party has the right to report any retaliation by individuals and/or groups. Retaliation is any adverse action taken against a person for filing a complaint or otherwise participating in an investigation under this process. Examples: threatening, intimidating, harassing, coercing, or any other conduct that would discourage a reasonable person from engaging in a protected activity. Employees found to have retaliated, or intentionally provided false or materially misleading information regarding alleged discrimination and/or harassment under this process, may be disciplined, up to and including dismissal.

Confidential Support & Mandatory Reporting: The Party has the right to seek on-campus and/or off-campus confidential support services. These may include, but are not limited to, counseling, and/or medical services. Mandatory reporting under System Policy 03.901 or provided campus policy, as well as the difference between persons who are non-confidential, mandatory reporters, and those who are confidential resources was discussed. The Staff Member is a mandatory reporter and is required to make a report about this conversation. If the Party is confidentially seeking information about support services or the investigation & resolution process, they may report as a John Doe/Jane Roe or they can withhold the name of the Respondent. The Party was made aware of the persons who are confidential resources at UNT System.

DFPS Reporting: Texas law requires that any person suspecting a child (17 years of age or younger), or a person 65 years or older, or an adult with disabilities is being abused, neglected or exploited must report immediately all known information to the Department of Family and Protective Services (DFPS).

Privacy: UNT System will only disclose information to individuals who are responsible for handling the System's response to alleged discrimination,

harassment, sexual and gender-based harassment and interpersonal violence, or as otherwise required by law. While the process is not confidential, EO seeks to handle its cases as privately as possible.

Investigation and Resolution Process: The Party has the right to a prompt, thorough, equitable, and impartial resolution, based on the available evidence. The System will be unable to consider any evidence not in its possession. While it is not the Party's obligation to investigate, the Party has the right to present witnesses and evidence during the investigation. It is the Party's responsibility to bring to the attention of EO any information that they would like considered during the Investigation and Resolution process and/or any witnesses that they would like considered. The System cannot guarantee the outcome of any resolution process.

The System uses two processes to resolve reports of prohibited conduct: formal resolution, which involves an investigation, and, if appropriate, the imposition of sanctions; and informal resolution, which includes informal or restorative options for resolving reports and does not involve disciplinary action against a Party. The Assistant Vice Chancellor or designee will determine the appropriate resolution process after making an initial assessment of the reported information, considering the stated interest of the Party, campus safety, and the System's obligation to maintain an environment free from harassment and discrimination. If the System decides to move forward with a formal investigation, the name of the complainant will be shared with the respondent.

Preserving Evidence: It is important for the Party to preserve any evidence that may be relevant to the investigation. Relevant evidence may include documents, photographs, communication between parties (text messages, emails, social media communication, etc.), medical records, and other electronic records, as appropriate.

Standard of Review: The standard of review utilized for determining whether System Policy was violated will be a "preponderance of evidence" (i.e. more likely than not).

Right to Notification: The Party has the right to be notified regarding the timeframes for all major stages of the investigation. The Party has the right to request an update throughout the process. The Party has the right to receive a written Notice of Investigation; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome and sanction, as appropriate, and the Party may have a right to appeal the sanction, if applicable.

Resolution: Upon a finding that a violation of Policy occurred, sanctions may be necessary. The imposition of sanctions is designed to eliminate prohibited conduct, prevent its recurrence, and remedy its effects, while supporting the System's educational mission and federal obligations. When an employee is found to have violated System Policy 03.901 or provided campus policy, sanctions may be necessary up to an including termination.

Texas Public Information Act: Any information collected, assembled, or maintained by or for UNT System is generally subject to the Texas Public Information Act. The identity of an alleged victim of sexual harassment, sexual assault, dating violence, or

stalking is confidential and not subject to disclosure under the Texas Public Information Act. All other information maintained by the Office of Equal Opportunity, including the identity of someone found responsible for sexual harassment, sexual assault, dating violence, or stalking, may be disclosed in response to a request under the Texas Public Information Act.

_____ **Timing:** The System will seek to complete the investigation and resolution process in a timely manner. The System may extend any timeframe for good cause to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the System calendar, the complexity of the investigation, and/or the severity and extent of the alleged misconduct.

_____ **UNT System Policies:** All policies can be found at [Policies | UNT System](#).

_____ **Additional Information:** If the Party wants to know more about their rights, or if the Party thinks the Office of Equal Opportunity is violating federal law, they may contact the U.S. Department of Education, Office for Civil Rights, at (800) 421-3481 or ocr@ed.gov. If the Party wants to complete a complaint form online, they can do so at: <http://www.ed.gov/ocr/complaintintro.html>

The Complainant requested the following resolution:

The Party requested the following supportive measures from EO:

_____ **Personal Support** (e.g. EAP, etc.):

_____ **Other Supportive Measures requested** (e.g. Limited Contact Directive):

_____ **The Party requested no support or remedies at this time.**

The Party received the following documents:

_____ *Associated Policy per campus*

_____ *Copy of this Intake to include party's rights, resources and options*

UNT SYSTEM™

Human Resources

I certify that I met with the above-named Party at this location, date, and time. I gave the Party a copy of these documents and explained their purposes. I also explained to the Party their rights and the information outlined herein. If the Party had any questions, I answered them to the best of my knowledge. I further encouraged the Party to contact me with additional questions at any time.

Signature

Date

Printed Name

Title

I certify that I met with the above-named staff member at this location, date, and time. The staff member gave me a copy of these documents and explained my rights and the information outlined herein. If I had any questions, the staff member answered them to the best of their knowledge.

Signature

Date

Printed Name