

# UNT System<sup>TM</sup>

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## Human Resources

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### **Rights, Resources, and Options for Individuals Accused of Discrimination, Harassment, Sexual Misconduct, and Related Retaliation (Including Sexual Harassment, Sexual Assault, Dating & Domestic Violence, and Stalking)**

#### **RIGHTS OF A RESPONDENT**

1. You have the right to a presumption of not-responsible for alleged prohibited conduct until a System or Campus official determines that it is more likely than not that you are responsible for violating a UNT System or Campus policy.
2. You have the right to choose an advisor to be present with you at any meeting, including an interview with an investigator(s) or a live hearing, if applicable. Your advisor may be any person, including legal counsel, but they may not be a witness to the investigation. Except at a formal hearing, the advisor's participation will be limited to providing support and guidance to you. At a formal hearing, the advisor will conduct cross-examination and may give opening or closing statements. If you do not have an advisor, the System or Campus will appoint one to assist you at a formal hearing, if applicable.
3. You have the right to meet with a staff member to be informed of your rights, resources, and options for resolving the complaint; to answer any questions you might have; and to provide supportive measures.
4. If a Title IX formal complaint is dismissed prior to a formal or informal resolution, you have the right to a prompt notification of the reason for the dismissal, even if the complaint is going to be reclassified and investigated under another process. You have the right to appeal the decision to dismiss the complaint.
5. You have the right to have an impartial investigator, hearing officer, and appellate authority (the person(s) who will hear an appeal) in your case, if applicable. Your case and the appeal of your case will be decided by a person(s) who did not participate in the investigation of the allegations.
6. You have the right to be notified of (1) the receipt of the formal complaint stating the allegation of prohibited conduct; (2) the identity of the appointed investigator(s); (3) the identity of the appointed hearing officer and appellate authority, if applicable; (4) the option to request supportive measures, if any; and, (5) the availability of any informal resolution processes. You have the right to a thorough and fair investigation of the allegations.
7. You have the right to be notified in writing of the date, time, location, participants, and purpose of all hearings, investigative interviews, and other meetings in which you are invited or expected to participate, with such notice allowing you sufficient time to prepare to participate.
8. During the investigation, both you and the complainant have the right to receive equitable treatment in all facets of the complaint investigation and resolution process including, but not limited to, the right to submit evidence and the right to suggest witnesses to be interviewed. You have the right to discuss the allegations under investigation with anyone you to choose.
9. You have the right to have irrelevant prior sexual history excluded as evidence during a hearing, if applicable.
10. For Title IX cases only, you have the right to review the draft investigation report, including all inculpatory and exculpatory evidence gathered during the investigation. You may submit a response to the report before the report is finalized and submitted to the hearing officer.
11. You have the right to be informed of the outcome of the investigation at the same time as the complainant, and you will be notified of the sanction(s) imposed (if any) upon you.
12. For Title IX cases only, you have the right to appeal the decision of the hearing officer based on new evidence; procedural irregularity; and bias or conflict of interest on the part of the Title IX Coordinator, Investigator(s), or Hearing Officer. You have the right to be notified if the case is appealed by either party and the outcome of the appeal.
13. If you believe that the other party has subjected you to prohibited conduct, you have the right to file a complaint against the other party. You also have the right to file a criminal complaint against the other party with the appropriate law enforcement agency, if appropriate.

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### PRIVACY OF INFORMATION

#### Privacy of Information

Most UNT System employees are mandatory reporters, which means that if an employee experiences, observes, or becomes aware of an alleged or suspected incident of discrimination or harassment in the course and scope of their employment, the employee must report all known information to the Office of Equal Opportunity or Title IX Coordinator. Confidential employees, such as counselors and medical providers, report de-identified statistics only.

The UNT System is committed to protecting the privacy of reporting parties, complainants, and respondents to the extent allowed by law. Given the sensitive nature of reports, information will be maintained in a secure manner and will only be disclosed to UNT System officials who are responsible for handling the UNT System's response.

### SUPPORTIVE MEASURES

Respondents may request assistance with work and academic situations. Supportive measures may not unreasonably burden either party.

Counseling, health, mental health, advocacy, and other services are available for respondents in the community. In most cases, psychologists or counselors in the Employee Assistance Program are not required to, nor may, report an incident that in any way identifies employees without their consent. However, if an imminent harm situation is present, the counselor must take action to protect whomever is at risk. Below is a brief list of available resources.

#### Resources

Name	Website
<i>Employee Assistance Program</i>	<a href="https://hr.untsystem.edu/employee-assistance-program-0">https://hr.untsystem.edu/employee-assistance-program-0</a>
<i>UNT Denton Resources</i>	<a href="https://titleixeo.unt.edu/eotix-resources.html">https://titleixeo.unt.edu/eotix-resources.html</a>
<i>UNT Health Fort Worth Resources</i>	<a href="https://www.unthealth.edu/title-ix/support-and-resources/">https://www.unthealth.edu/title-ix/support-and-resources/</a>
<i>UNT Dallas Resources</i>	<a href="https://www.untdallas.edu/title-ix/index.php">https://www.untdallas.edu/title-ix/index.php</a>
<i>UNT System Administration Resources</i>	<a href="https://hr.untsystem.edu/office-of-eo/title-ix/sexual-assault-support-resources.php">https://hr.untsystem.edu/office-of-eo/title-ix/sexual-assault-support-resources.php</a>
<i>Resources by County</i>	<a href="https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fhr.untsystem.edu%2Fsites%2Fdefault%2Ffiles%2Fcommunity-based%20sexual%20misconduct%20resources%20by%20county.xlsx&amp;wdOrigin=BROWSELINK">https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fhr.untsystem.edu%2Fsites%2Fdefault%2Ffiles%2Fcommunity-based sexual misconduct resources by county.xlsx&amp;wdOrigin=BROWSELINK</a>

### REPORTING PROHIBITED CONDUCT

#### Anonymous Reporting

Individuals wishing to submit an anonymous report may use the reporting form found on the Office of Equal Opportunity web page: <https://hr.untsystem.edu/office-of-eo/title-ix/index.php>. The System's ability to investigate and respond to an anonymous report may be limited.

#### Reporting to Law Enforcement

You have the option to notify or not notify law enforcement authorities, including university and local police. Any individual may decline to notify law enforcement. 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 individuals understand the process of obtaining orders

of protection, restraining orders, or similar lawful orders issued by the courts. Below is a list of local campus and law enforcement agencies. Reports should be filed with the law enforcement agency that is located where the incident occurred.

Name	Phone	Name	Phone
University North Texas (Denton) Police Department	940.565.3000	University of North Texas Health (Fort Worth) Police Department	817.735.2211
University of North Texas (Dallas) Police Department	972.780.3000	City of Dallas Police Department	214.671.4500
City of Fort Worth Police Department	817.392.4200	Dallas County Sheriff's Office	214.749.8641

### Importance of Preserving Physical Evidence

Retain communications and document any contact with the involved individual(s). If possible, individuals should write down dates, times, and locations of contact and preserve any text messages, emails, and social media communications related to the incident.

### Reporting to the Campus Office Equal Opportunity or Campus Title IX Coordinators

Individuals may make inquiries or file a complaint by contacting the Campus Office of Equal Opportunity or Campus Title IX Coordinator.

Name	Phone	Address	Website
Office of Equal Opportunity	855-878-7650 Option 4 or 940-565-2759	1901 Main Street Dallas, TX 75201 or 1501 Chestnut St, Denton, TX, 76201	<a href="https://hr.untssystem.edu/office-of-eo/title-ix/index.php">https://hr.untssystem.edu/office-of-eo/title-ix/index.php</a>

### Reporting to a Federal Agency

The U.S. Department of Education's Office for Civil Rights is a federal agency responsible for enforcing Title IX. Information regarding filing a complaint with the Office for Civil Rights can be found at: [ed.gov](https://ed.gov).

### RETALIATION

The System or Campus will take reasonable action to protect the complainant, the respondent, and witnesses from retaliation. All individuals are encouraged to report any acts of retaliation from other individuals associated with the incident. Individuals are reminded to contact law enforcement immediately if there is a threat to physical health or safety.

### SANCTIONING

Information about student and employee sanctions may be found in the related campus regulations, policies and codes of conduct.