



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

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**Respondent** – “Respondent” means an individual who is alleged to have engaged in prohibited conduct.

### **RIGHTS OF A RESPONDENT**

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1. You have the right to a presumption of not-responsible for alleged Prohibited Conduct unless a System official determines that it is more likely than not that you are responsible for violating a UNT System or Member 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. 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. If you do not have an advisor, the System or Member 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 the sex-based misconduct 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, if applicable, and Appellate Authority (the person(s) who will hear an appeal) in your case, if applicable. Your case and/or 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/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 in Title IX cases only, you will be notified of the sanction(s) imposed (if any).
12. For Title IX cases only, you have the right to appeal the decision of the Hearing Officer based on new evidence;

procedural irregularity; bias or conflict of interest on the part of the Title IX Coordinator, Investigator(s), or Hearing Officer; or, appropriateness/severity of the sanction(s). 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.

## PRIVACY OF INFORMATION

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### Privacy of Information

Most 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. Counselors and Medical providers report de-identified statistics only.

The 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 System officials who are responsible for handling the System's response.

## SUPPORTIVE MEASURES

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Accused individuals have an equitable right to request assistance with work 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/counselors in the Employee Assistance Program are not required to, nor may, report an incident that in any way identifies employees concerned without their consent. However, if an imminent harm situation is present, the counselor must take action to protect whoever is at risk. Below is a brief list of available resources.

### Counseling

Name	Phone	Address	Website
<i>Employee Assistance Program</i>	855-784-1806		<a href="https://hr.untsystem.edu/employee-assistance-program-0">https://hr.untsystem.edu/employee-assistance-program-0</a>

### Medical and Health Services

Name	Phone	Address	Website
<i>Methodist Health System Dallas</i>	214 947-8181	1441 N. Beckley Ave.	<a href="http://www.methodisthealthsystem.org/quicker">http://www.methodisthealthsystem.org/quicker</a>
<i>Parkland Memorial Hospital</i>	214 590-8000	5200 Harry Hines Blvd.	<a href="http://www.parklandhospital.com/phhs/vip-rape-crisis-center.aspx">http://www.parklandhospital.com/phhs/vip-rape-crisis-center.aspx</a>
<i>Texas Health Presbyterian Hospital of Dallas</i>	214 345-7886	8200 Walnut Hill Lane	<a href="https://www.texashealth.org/dallas/Pages/Services/Emergency-Services/Sexual-Assault-Nurse-Examiner-SANE-Program.aspx">https://www.texashealth.org/dallas/Pages/Services/Emergency-Services/Sexual-Assault-Nurse-Examiner-SANE-Program.aspx</a>
<i>JPS (John Peter Smith Hospital)</i>	817-702-1100	1500 S. Main Street	<a href="https://www.jpshealthnet.org/health_care_services/sexual_assault_nurse_examiner_program">https://www.jpshealthnet.org/health_care_services/sexual_assault_nurse_examiner_program</a>
<i>Texas Health Harris Methodist Fort Worth</i>	817-250-4293	1301 Pennsylvania	<a href="https://www.texashealth.org/fortworth/Pages/Services/Emergency-">https://www.texashealth.org/fortworth/Pages/Services/Emergency-</a>

			<a href="https://www.texashealth.org/fortworth/Pages/Services/Sexual-Assault-Forensic-Exam-Suite.aspx">Services/Sexual-Assault-Forensic-Exam-Suite.aspx</a>
<b>Texas Health Harris Methodist Southwest Hospital</b>	817-250-4293	6100 Harris Parkway	<a href="https://www.texashealth.org/fortworth/Pages/Services/Emergency-Services/Sexual-Assault-Forensic-Exam-Suite.aspx">https://www.texashealth.org/fortworth/Pages/Services/Emergency-Services/Sexual-Assault-Forensic-Exam-Suite.aspx</a>

### Support, Advocacy, and Other Resources

Name	Phone	Address	Website
Dallas Area Rape Crisis Center	972-641-7273		<a href="http://www.dallasrapecrisis.org/what-we-do/services/">http://www.dallasrapecrisis.org/what-we-do/services/</a>
The Women's Center of Tarrant County	817-927-2737		<a href="http://womenscentertc.org/">http://womenscentertc.org/</a>
Texas Association Against Sexual Assault	1-844-303-SAFE (7233)		<a href="http://taasa.org/crisis-center-locator/">http://taasa.org/crisis-center-locator/</a>
National Sexual Assault Hotline	1-800-656-HOPE (4673)		
SAFE Haven	1-877-701-7233		<a href="http://www.safehaventc.org/">http://www.safehaventc.org/</a>
Texas Attorney General Crime Victim Services			<a href="https://www.texasattorneygeneral.gov/cvs/sexual-assault-prevention-and-crisis-services">https://www.texasattorneygeneral.gov/cvs/sexual-assault-prevention-and-crisis-services</a>
U.S. Department of Health & Human Services			<a href="http://womenshealth.gov/violence-against-women/get-help-for-violence/resources-by-state-violence-against-women.html">http://womenshealth.gov/violence-against-women/get-help-for-violence/resources-by-state-violence-against-women.html</a>
National Network to End Domestic Violence			<a href="http://nnedv.org/resources/coalitions.html">http://nnedv.org/resources/coalitions.html</a>
National Domestic Violence Hotline			<a href="http://www.thehotline.org/resources/victims-and-survivors/">http://www.thehotline.org/resources/victims-and-survivors/</a>
MALE Survivor			<a href="http://www.malesurvivor.org/index.php">http://www.malesurvivor.org/index.php</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/anonymous-reporting-form>. 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 Science Center) Police Department	817.735.2211

<b>University of North Texas (Dallas) Police Department 972.780.3000</b>	<b>City of Dallas Police Department 214.671.4500</b>
<b>City of Fort Worth Police Department 817.392.4200</b>	<b>Dallas County Sheriff's Office 214.749.8641</b>

### **Importance of Preserving Physical Evidence**

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

### **Reporting to the System**

Individuals may make inquiries or file a complaint by contacting the System's Office of Equal Opportunity and/or System Administration's Title IX Coordinator, Penny Dempsey, at [HRS.EO@untsystem.edu](mailto:HRS.EO@untsystem.edu) or 972.338.1125 or may also visit the Office of Equal Opportunity at 1901 Main Street, Dallas, TX 75201.

<b>Name</b>	<b>Phone</b>	<b>Address</b>	<b>Website</b>
<b>Office of Equal Opportunity</b>	972.338.1125	1901 Main Street Dallas, TX 75201	<a href="https://hr.untsystem.edu/equal-opportunity-office-title-ix">https://hr.untsystem.edu/equal-opportunity-office-title-ix</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](http://ed.gov).

### **RETALIATION**

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The System or Member will take reasonable action to protect the complainant, the respondent, and those providing witness statements on behalf of either party or supporting either party from retaliation. Additionally, those individuals are encouraged to report any acts of retaliation from other individuals associated with the incident. This action may come at any time during or following an investigation of a complaint. Individuals are reminded to contact law enforcement immediately if there is a threat to physical health or safety.

### **SANCTIONING**

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Information about employee sanctions may be found in System Policy 03.901 or related Campus Policy.