

3. Able to function physically, academically, and socially, while not causing significant disruption to the community or normal functioning of HT.

In such cases where an assessment is deemed necessary, the Dean of Student Affairs or his/her designee will notify parents/guardians and/or other appropriate persons. Additional conditions may be made as conditions of reinstatement.

#### ***7.2.19.2 Withdrawals Due to Significant Disruption or Interference with the Rights of Others***

Significant disruption is defined as disruption of University functions, including, but not limited to: studying, teaching, living on-campus, public speaking, research, computing services, programming, execution of faculty/staff/students working, and emergency services. Significance will be determined by the nature, duration, and severity of the risk; the probability that the disruptive behavior will actually occur; and whether mitigating measures or reasonable accommodations will sufficiently minimize the risk.

In the event the withdrawn student posed a significant disruption or interferes with the rights of others, the Dean of Student Affairs or his/her designee may require the student to be assessed off-campus by a qualified mental health professional as a condition of reinstatement. The purpose of the assessment is to assure the student is:

1. Safe to return to campus and does not pose a direct threat to him/herself or others;
2. Able to adequately care for him/herself;
3. Able to function physically, academically, and socially, while not causing significant disruption to the community or normal functioning of HT.

In such cases where an assessment is deemed necessary, the Dean of Student Affairs or his/her designee will notify parents/guardians and/or other appropriate persons. Additional conditions may be made as conditions of reinstatement.

#### ***7.2.19.3 Withdrawals Due to Inability to Engage in Basic Required Activities to Obtain an Education***

Students unable to perform basic self-care (e.g., eating, bathing, washing clothes, combing hair); attending classes; completing class work; or other activities deemed integral to obtaining an education may not have the physical, emotional, or financial resources to manage the rigors of academics and college life.

In the event the withdrawn student was unable to perform basic required activities to obtain an education, the Dean of Student Affairs or his/her designee may require the student to be assessed off-campus by a qualified mental health professional as a condition of reinstatement. The purpose of the assessment is to assure the student is:

1. Safe to return to campus and does not pose a direct threat to him/herself or others;
2. Able to adequately care for him/herself;
3. Able to function physically, academically, and socially, while not causing significant disruption to the community or normal functioning of HT.

In such cases where an assessment is deemed necessary, the Dean of Student Affairs or his/her designee will notify parents/guardians and/or other appropriate persons. Additional conditions may be made as conditions of reinstatement.

#### ***7.2.19.4 Reinstatement***

Students who have left under the above conditions may be reinstated to the University only after meeting with and being approved by the Dean of Student Affairs or his/her designee. Approval for reinstatement will typically be based on the student's ability to demonstrate a period of responsible behavior outside the University. The University may require evaluation by the

University Counselor and a statement from a qualified mental health professional that the student is ready to return to and cope with college life.

In cases where the University has determined the student to be a direct threat, the student must provide written documentation from a mental health professional that illustrates the behavior is sufficiently mitigated. The student may be asked to develop a safety plan which includes a description of specific goals, meetings, and supportive steps the student will implement to help reduce the risk of further threatening behaviors. Counseling Center staff members are available to assist with the creation and editing of this plan. If a student has been assessed as a direct threat and a mental health professional states that a particular course of treatment will mitigate the threat, the University can require the student to participate in this treatment as a condition of reinstatement.

The Dean of Student Affairs or his/her designee will examine the information presented and, when necessary, consult with appropriate University personnel (e.g., Director of Campus Safety, Dean of Enrollment Management), to determine if the student has met the criteria for reinstatement. This decision could include one of the following options:

- Immediate return to the campus, providing the student follows a plan for care with on-campus and/or off-campus providers. This may include compliance with a behavioral agreement. Failure to follow the approved plan will result in the immediate suspension of the student;
- Student's return to campus deferred until additional assessment or treatment can be obtained; or
- Student's return to campus deferred indefinitely due to significant and specific concerns about continued danger to self or others and/or disruption to the community.

The decision of the Dean of Student Affairs or his/her designee is subject to written appeal to the Provost and Vice President of Academic Affairs *within five calendar days*.

Students who have been removed from campus are not allowed to attend class, live on-campus, or attend University-sponsored events.

#### **7.2.20 Immunization Policy**

In accordance with the Texas Department of Health Immunization Schedule as informed by the Advisory Committee on Immunization Practices' (ACIP) recommendations and adopted by the Texas Board of Health, students shall show acceptable evidence of vaccination prior to entry, attendance, or transfer to a private institution of higher education. **All residential students are required to show proof of the bacterial meningitis vaccination before moving into the residence halls.** Students may not receive a housing assignment until a housing application is received, housing deposit paid, and *proof of all immunizations is supplied*.

##### **7.2.20.1 Provisional Enrollment**

All students born on or after January 1, 1957, must provide documentation of immunization against measles, mumps, and rubella. A student may be enrolled provisionally if the student has an immunization record that indicates the student has received at least one dose of each specified age-appropriate vaccine. To remain enrolled, the student must complete the required subsequent doses in each vaccine series on schedule and provide acceptable evidence of vaccination to the University. The University nurse or administrator shall review the immunization status.

##### **7.2.20.2 Exemptions**

The law allows for physicians to write a statement stating that the vaccine(s) required would be medically harmful. Parents/guardians have the right to choose an exemption from immunization requirements for reasons of conscience, including a religious belief.

**Students enrolled in Huston-Tillotson University shall have the following:**

- One dose Diphtheria Tetanus (Td) is required within the last ten years;
- Two doses of Measles, Mumps, and Rubella (MMR) are required;
- Three doses of Hepatitis B vaccine are required;
- Current TB Test;
- Bacterial Meningitis.

**7.2.21 Legal Liability of the University**

The University is not legally liable for damages or loss of personal property or failure or interruption of services due to weather or other acts of God.

The University does not assume responsibility for lost, stolen, or damaged property. This policy covers not only personal possessions but also those items in an individual's charge (e.g., keys to the residence hall room, residence hall furniture).

Students are strongly encouraged to provide their own personal and property loss insurance. Students residing on-campus are strongly encouraged to purchase renter's insurance.

**7.2.22 Lost and Found**

Lost items or items found on campus should be reported to Campus Safety (512.505.3010) as soon as possible.

**7.2.23 Mental Health Concerns**

Balancing the demands of life and college can be a very stressful time. As a result, the University provides a variety of programs and services to assist students through these difficult periods. When a student exhibits signs that she or he is not coping well with the stressors of everyday life or simply needs someone to talk to, the student is typically referred to the Counseling and Consultation Center. In some cases, when the University is concerned about the student's immediate well-being, the Dean of Student Affairs may require that the student see the Counseling and Consultation Center. The Dean of Student Affairs will request that the student sign a release form in order to ascertain that the student is attending counseling. The counselor is bound to report if he or she believes a student is an immediate threat to himself/herself to the appropriate authorities or if the welfare of a minor or elder is in danger.

Should an incident occur, however, that causes concern that the student may be a threat to herself/himself and/or others, the Dean of Student Affairs may require the student to be involuntarily withdrawn until the student has sought on-going assistance by a mental health professional, at his or her expense, for a designated period of time before re-enrolling.

A student may appeal this decision within five calendar days to the Provost and Vice President of Academic Affairs. Failure to meet the appeal deadline will result in the loss of the option for an appeal. During the appeal period, decisions as to whether the student may continue to attend class and be present on campus will be determined on a case-by-case basis and made in conjunction with the Director of Campus Safety. The decision of the Provost and Vice President of Academic Affairs shall be final.

While mental health matters are not handled in the same manner as other conduct code violations, the Code of Conduct and Community Standards (Code) clarifies the University's right to protect the welfare of individual and collective students.

The Code states:

The University reserves the right to take necessary and appropriate action to protect the safety and well being of the campus community. The Dean of Student Affairs is charged with the welfare of all students. Accordingly, in emergency situations, the Dean of Student Affairs, in consultation with the Provost and Vice President for Academic Affairs, has full authority to deal with student conduct according to the exigencies of the emergency and for its duration.

The University's primary emphasis is to protect the safety and well-being of the campus community and to protect the student. Further, the University is committed to assisting students to have successful academic careers when they have been able to demonstrate that they are healthy and able to academically compete and function.

#### **7.2.24 Parental Notification**

A fundamental aim of Huston-Tillotson University (HT) is to support and encourage students' maturity and independence by helping them to assume responsibility for their actions and choices. Although students over the age of 18 are considered legal adults, students are encouraged to communicate with their parents or guardians about issues of mutual concern. Students under the age of 18 are considered minors and the University has the discretion to notify parents or guardians regarding issues of concern.

The right of access to information in a student's educational records is governed by a federal law known as the Family Educational Rights and Privacy Act (FERPA). The right of access to other information, such as medical or counseling records, is governed by applicable state and federal law. As a general rule, students attending a college or university, regardless of age, have a right under FERPA to control disclosure of information from their educational records. The Higher Education Amendments of 1998 permit educational institutions to disclose to parents or legal guardians information regarding a student's violation of any alcohol or other drug institutional policy, federal, state, and local laws. Accordingly, it is HT policy to notify parents or guardians of students under the age of 21 when the student has been found responsible to be involved in any **second or serious** alcohol or other drug related violation of the *Code of Conduct and Community Standards*, federal, state, or local laws. All notifications are conducted by and at the discretion of the Dean of Student Affairs or his/her designee.

Serious alcohol or other drug violations may include, but are not limited to:

- Underage possession of alcohol or possession of a controlled substance;
- Hospital visits for alcohol or drug poisoning;
- Being under the unauthorized or dangerous influence of a controlled substance;
- Public intoxication (regardless of age); and
- Associated conduct with being under the influence of alcohol or drugs such as fighting and other threatening behavior.

In addition, the Dean of Student Affairs or his/her designee may notify parents or guardians when HT has knowledge of circumstances adversely affecting a student, such as:

- Hospitalization for life threatening or other serious illness, including illness that would require multiple-day stays, when the hospital does not notify parents;
- Misconduct that is likely to result in loss of housing, suspension, expulsion, or loss of the privilege to participate in commencement;
- Arrest;
- Mental health issues; and
- Any situation where HT believes the student is a danger to himself/herself and/or others.

We aim to work in partnership with parents and guardians to support students in need, to educate students about safety, healthy living, responsibility as well as respecting the rights of others. While parental notification regarding alcohol and other drug violations is an element of intervention, students remain subject to the consequences and sanctions as per the *Code of Conduct and Community Standards* as well as federal, state, and local laws.

#### **7.2.25 Political Activities Policy**

See Volume II, Campus Community Policies.

#### **7.2.26 Roof Areas**

No student is permitted on any roof area.

#### **7.2.27 Sexual Assault and Other Forms of Violence**

All people have the right to be treated with dignity and respect. The University will not tolerate sexual assault and other forms of violence. Sexual activity should be explicitly agreed upon by both parties. It is the University's policy that verbal communications of non-consent, non-verbal acts of resistance or rejection, or mental impairment of the survivor due to any cause, including alcohol or other drugs, constitute a lack of consent. The use of alcohol or other drugs will not be accepted as an explanation for the actions of any student charged with a violation of this policy.

##### **7.2.27.1 Sexual Assault**

Based on the State of Texas' definition of sexual assault (Penal Code 22.011), sexual assault is defined as:

The oral, anal, or vaginal penetration by a sexual organ of another against the victim's will or without the victim's consent. An individual who is mentally incapacitated, unconscious, or unaware that the sexual assault is occurring is considered unable to give consent. The type of force employed may involve physical force, coercion, intentional impairment of an individual's ability to appraise the situation through the administering of any substance, or threat of harm to the victim. Sexual assault includes, but is not limited to:

- Intentional touching of another person's intimate parts without that person's *consent*; or
- Other intentional sexual contact with another person without that person's *consent*; or
- Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's *consent*; or
- *Rape*, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person's consent.

##### **7.2.27.2 Sexual Abuse**

Sexual abuse is defined as: Attempting or making sexual contact, including but not limited to, inappropriate touching or fondling against the person's will, or in circumstances where the person is physically, mentally or legally unable to give consent.

##### **7.2.27.3 Reporting Sexual Assault and Other Forms of Violence**

Students are strongly encouraged to report any instances of sexual violence to a Residence Life staff member, Campus Safety (512.505.3010), Title IX Coordinator, or other University official. Survivors of sexual assault are strongly encouraged to seek medical attention immediately. The choice to seek medical attention is separate from pressing criminal charges and/or pursuing the

University's conduct process. Campus Safety and the Residence Life professional on-call are available to assist students to obtain medical assistance, explore options, and make other arrangements. While the University encourages survivors to pursue all criminal and University conduct processes available, the choice of whether a matter will be pursued is up to the survivor.

#### ***7.2.27.3.1 How the University Can Assist:***

With the survivor's permission, the University can:

1. Listen and provide on-going support;
2. Provide honest and accurate information to inform the survivor;
3. Contact the University Health Service (512.505.3039) for medical attention;
4. Assist with securing transportation to and from the hospital;
5. Provide counseling services through the Counseling and Consultation Center (512.505.3046 or 512.505.3044);
6. Contact Safe Place (512.267.SAFE) for a rape crisis counselor;
7. Work with the Austin Police Department to secure a safe and private location to meet with an officer;
8. Work with APD's Victim Services (512.974.5037) and other agencies to advocate for the survivor;
9. Provide off-campus referrals;
10. Contact professors to assist with missed classes;
11. Make academic and living accommodations to assist the survivor; and
12. Review the student's options to follow-up via the University's conduct process.

#### ***7.2.27.3.2 Off-campus Resources:***

Off-campus resources include: Safe Place (512.267.SAFE) and Austin Police Department's Victim Services (512.974.5037). Safe Place provides a 24-hour hotline and rape crisis counselors who advocate for survivors throughout the initial medical examination, investigation, and criminal proceedings as well as provide on-going support. APD's Victim Services has licensed social workers that advocate for survivors during the investigation and criminal proceedings.

#### ***7.2.27.4 Intimate Partner/Relationship/Dating Violence***

Intimate partner/relationship dating violence is physically, sexually, and/or psychologically abusive behavior that a household member or dating partner uses to establish and maintain control over another person. Such behavior can be violent or threaten violence and may result in physical or emotional harm or otherwise place a person's safety and productivity at risk.

Students shall report incidents to Campus Safety (512.505.3010) and the Office of the Dean of Student Affairs (512.505.3036), Davage-Durden Student Union. Interventions may include formal conduct charges and referrals to counseling and off-campus agencies as a condition of enrollment. The Office of the Dean of Student Affairs can assist by working with the student and APD regarding protective orders, child custody issues, and academic and living arrangements.

#### ***7.2.27.5 Stalking***

Stalking is defined as: Any repeated conduct directed specifically at another person that causes that person (or a member of that person's family or household) to fear for that person's safety.

Such conduct includes following another person and acts that threaten or intimidate another person through fear of bodily injury or death of self or members of that person's family or household or an offense being committed against that person's property.

Students shall report incidents to Campus Safety (512.505.3010) and the Office of the Dean of Student Affairs (512.505.3036), Davage-Durden Student Union. The matter will be investigated for University action and referred to the Austin Police Department. With the student's consent, the University may make academic and other arrangements to ensure the student's safety. Throughout the process, ongoing support will be provided.

### **7.2.27.6 Sexual Harassment Policy**

The University believes that all students shall be treated with respect and should be able to pursue their education in an environment free of unwelcome sexual conduct. Sexual harassment by any person, in any form, is prohibited by the University. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

1. Submission to or rejection of such conduct is either explicitly or implicitly a condition of getting a good grade, a good reference or any other benefit, or avoiding an unfavorable consequence; or
2. A student's willingness or unwillingness to submit to such conduct is used as the basis for an academic related decision affecting the student; or
3. Such conduct creates an intimidating, hostile, or offensive education environment, or substantially interferes with the student's academic performance.
4. In addition, depending on the facts, dating violence, domestic violence, and stalking may also be forms of sexual harassment.

Conduct is considered "unwelcome" if the student did not request or invite it and considered the conduct to be undesirable or offensive.

Unwelcome conduct may take various forms, including name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex.

Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a student may have welcomed some conduct does not necessarily mean that a student welcomed other conduct. Also, the fact that a student requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

This policy applies to conduct of a faculty member, administrator, or other employee toward a student as well as conduct between students and acts of third parties, such as visitors, contractors, or the like. See Volume II, Campus Community Policies for complete policy and procedures.

#### **7.2.27.6.1 Examples of Sexual Harassment**

While this list is not exhaustive, examples of behavior include:

1. Making unwelcome comments of a sexual nature about a person's clothing, body, or person;
2. Leering at a person's body;

3. Using obscene or sexually explicit language;
4. Using a term of endearment or nickname for another that has sexual meaning or sexual overtones;
5. Telling sexual jokes or making sexual innuendos;
6. Touching, hugging, rubbing, patting, pinching, or kissing another person in an overly familiar manner;
7. Displaying sexually explicit pictures or materials (this includes flyers and on-campus publicity);
8. Pressuring a student for a date or sexual contact; or
9. Making unwelcome sexual advances or propositions.

Do not assume that behavior of the kind listed above will be acceptable to another person. Be aware of how people respond to what you do and say. If any individual objects to your behavior toward him/her, listen to and heed the objections.

#### **7.2.27.6.2 Hostile Environment**

A “hostile environment” exists when sex-based harassment is sufficiently serious to deny or limit the student’s ability to participate in or benefit from HT’s programs or activities. A hostile environment can be created by anyone involved in a University’s program or activity (e.g., administrators, faculty members, students, and/or campus visitors).

In determining whether sex-based harassment has created a hostile environment, HT considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the student who was harassed, the University will also need to find that a reasonable person in the student’s position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To make the ultimate determination of whether a hostile environment exists for a student or students, HT considers a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including:

- The type, frequency, and duration of the speech or conduct;
- The nature and severity of the speech or conduct;
- the identity and relationships of persons involved;
- the location of the conduct and the context in which it occurred;
- Whether the conduct was physically threatening;
- Whether the speech or conduct was humiliating;
- The effect of the speech or conduct on the alleged victim’s mental and/or emotional state;
- Whether the speech or conduct was directed at more than one person;
- Whether the speech or conduct arose in the context of other discriminatory conduct;
- the degree to which the conduct affected one or more student’s education;
- Whether a statement is a mere utterance of an epithet, which engenders offense in an employee or a student or offends by mere discourtesy or rudeness.

The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be



sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

First Amendment Considerations:

This policy does not impair the exercise of rights protected under the First Amendment. HT's sexual misconduct policy prohibits only sex-based harassment that creates a hostile environment. In this and other ways, HT applies and enforces this policy in a manner that respects the First Amendment rights of students, faculty, and others.

#### **7.2.27.7 Sexual Exploitation**

"Sexual exploitation" occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's *consent*;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not *consent* to such disclosure and objects to such disclosure; and,
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's *consent*, and for the purpose of arousing or gratifying sexual desire.

#### **7.2.27.8 Reporting Sexual Harassment or Other Kinds of Discrimination**

It is important that you report sexual harassment and other kinds of discrimination to the University. We cannot do anything to remedy the situation if we do not know it exists. Any student who believes that he/she has been sexually harassed or subject to other discrimination should take the following actions:

1. Tell the offender firmly that you do not like the behavior;
2. Report the incident immediately to the Dean of Student Affairs, Title IX Coordinator, or other University official; and
3. If harassed by a third party who is neither a student nor an employee of the University, notify the Dean of Student Affairs, Title IX Coordinator, and/or any University official immediately. The University cannot control the offensive behavior of all third parties, but a demonstrable effort will be made to remedy the situation.

Any faculty member, administrator, or staff member who observes sexual harassment of a student or receives a report of sexual harassment or other discrimination from a student must report it to the Dean of Student Affairs or Title IX Coordinator, no matter how insignificant the incident may seem. If the matter involves an employee of the University, the Director of Human Resources or Title IX Coordinator must be notified immediately. Official allegations of harassment or discrimination are to be made to the appropriate administrator in writing within 180 calendar days of the allegedly harassing or discriminatory event. No student will be subjected to retaliation for complaining about sexual harassment or other kinds of discrimination. Additional information regarding the Policy on Discrimination and Harassment is included in Volume II, Campus Community Policies.

The University will investigate all reports of sexual harassment or other discrimination. Confidentiality will be maintained during the investigation to the extent possible without jeopardizing the investigation.

If it is determined that sexual harassment or other discrimination has occurred, the University will take immediate and appropriate corrective action to end the problem and prevent its recurrence. Employees or students who have engaged in harassing or discriminatory conduct will be subject to appropriate disciplinary action, up to and including termination of employment or dismissal from the University. The student making the complaint will be advised of the results of the investigation as allowed by law.

#### **7.2.28 Sexual Misconduct**

Sexual misconduct is unacceptable and will not be tolerated at Huston-Tillotson University or institution sponsored events. Accordingly, Huston-Tillotson University urges an individual to make a formal report if that individual is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct. A report of sexual misconduct will be dealt with promptly. Confidentiality will be maintained to the greatest extent possible.

All members of the Huston-Tillotson University community, including but not limited to students, faculty (including adjunct faculty), staff, volunteers and independent contractors are subject to this policy.

Violators will be subject to disciplinary action that may include termination, expulsion, suspension, removal from campus, cancellation of contract, other appropriate institutional sanctions or any other means necessary to address the behavior. Prosecution by civil and/or criminal authorities may also occur.

##### **7.2.28.1 Definition**

This policy defines sexual misconduct as the threat or the commission of behavior used to obtain sexual gratification against another's will or at the expense of another such as inducing fear, shame or mental suffering. Sexual misconduct includes unwanted sexual acts or actions, whether by an acquaintance, a person in the position of authority, or a stranger, that occurs without indication of consent of both individuals or under threat or coercion. Sexual misconduct can occur either forcibly and/or against a person's will, or when a person is incapable of giving consent. Silence does not in and of itself constitute consent. The victim of sexual misconduct may be anyone, including but not limited to adults, adolescents, minors, the developmentally disabled and vulnerable individuals regardless of age.

Sexual misconduct may include, but is not limited to, rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling and threat of sexual assault.

This policy does not address acts of sexual harassment which is also considered sexual misconduct, but is dealt with in a separate policy.

##### **7.2.28.2 Confidentiality of Information**

Huston-Tillotson University will make every effort reasonably possible to preserve the privacy of an individual who makes a report under this policy and to protect the confidentiality of the information reported. The degree, to which confidentiality can be protected, however, depends upon the institution's legal duty to respond to the information reported and the professional role of the person being consulted.

##### **7.2.28.3 Education and Prevention**

###### **7.2.28.3.1 Student Educational Programs**

Huston-Tillotson University provides resources for education about and prevention of sexual misconduct. Members of the campus community are urged to take advantage of the following on-campus prevention and educational resources:

- New student orientation
- Programming throughout the year geared toward prevention
- Personal counseling in the University Center for Counseling and Consultation.

#### **7.2.28.3.2 Employee Training**

Sexual misconduct often takes place when there is a power imbalance. A sound sexual misconduct prevention training program prioritizes awareness directly tied to prevention, along with strategies for a proactive response once a warning sign emerges.

Sexual misconduct prevention training is required for members of the Huston-Tillotson University campus community according to the following schedule:

- New faculty and staff, within six months of hire;
- All faculty, staff and volunteers who come in contact with protected persons – biennially;
- Key students, camp counselors and program leaders prior to performing the duties or participating in the qualifying activity;
- Additional training is provided for Student Affairs staff including Resident Assistants.

#### **7.2.28.4 Options Following an Act of Sexual Misconduct**

A member of the Huston-Tillotson University community who is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct as defined by this policy, is urged to make a formal report to the police and the appropriate campus administrator.

Whether or not the individual makes a formal report, all victims of sexual misconduct are urged to seek appropriate help, which may include a medical evaluation, and obtain information, support and counseling, either on or off campus. Victims should use the resources listed in this policy to assist them in accessing the full range of available services.

##### **7.2.28.4.1 Medical Treatment**

A person who is the victim of sexual misconduct is urged to seek appropriate medical evaluation as promptly as possible.

- For life-threatening conditions, call 911.

Individuals may be treated at various medical facilities across the city. Below is the name of a conveniently located hospital.

University Medical Center Brackenridge  
601 East 15th Street  
Austin, TX 78701  
Phone: 512.324.7000

#### **7.2.28.4.2 Medical-Legal Evidence Collection**

A person who believes he/she is the victim of sexual misconduct (particularly rape, forcible oral copulation or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action.

#### **7.2.28.4.3 Obtaining Information, Support and Counseling**

Whether or not one makes a formal report, a person who is the victim of sexual misconduct is encouraged to obtain information, counseling and support. Counselors at a variety of agencies, both on and off campus, can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, and/or filing a report with authorities.

Information, support and advice are available for anyone who wishes to discuss issues related to sexual misconduct, whether or not an act of sexual misconduct has actually occurred, and whether or not the person seeking information has been assaulted, accused of an act of sexual misconduct or is a third-party.

The degree to which confidentiality can be protected depends upon whether Huston-Tillotson University has a legal duty to respond to the allegations and the professional role of the person consulted. The scope of confidentiality should be addressed by that professional person before specific facts are disclosed.

Faculty & Staff: Employee Assistance Plan (EAP) 1.800.343.3822

Students: Huston-Tillotson University Counseling and Consultation Center 512.505.3046

Community Resources: Austin Police Department Victim Services 512.974.5000  
[www.ci.austin.tx.us/police/victim.htm](http://www.ci.austin.tx.us/police/victim.htm)

SAFEPLACE-Ending Sexual and Domestic Violence  
512.267.7233  
[www.safeplace.org](http://www.safeplace.org)

National Sexual Violence Resource Center (NSVRC)  
877.739.3895 Toll Free  
[www.nsvrc.org](http://www.nsvrc.org)

Rape, Abuse & Incest National Network (RAINN) 800.656.HOPE  
[www.rainn.org](http://www.rainn.org)

#### **7.2.28.5 Formally Reporting an Act of Sexual Misconduct**

Huston-Tillotson University has policies and procedures in place for the confidential reporting by faculty, staff and students of ethics related issues such as sexual misconduct. A person who is the victim of sexual misconduct, has knowledge of another person being the victim of sexual misconduct or believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct is urged to make a formal report to:

- The designated campus administrator; and
- Local law enforcement authorities.
- Huston-Tillotson University Campus Safety

512.505.3010