

Notice of Nondiscrimination

Spring 2024

Students,

Texas A&M University-Central Texas is committed to providing a safe and non-discriminatory learning, living, and working environments for all members of the University community. The University provides equal opportunity to all employees, students, applicants for employment or admission, and the public regardless of race, color, sex to include pregnancy and parental status, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, or gender identity. Texas A&M University-Central Texas will promptly investigate and resolve all complaints of discrimination, harassment (including sexual harassment), and related retaliation in accordance with System Regulation 08.01.01, University Rule 08.01.01.D1.01, and applicable federal and state laws. In accordance with Title IX and its implementing regulations, Texas A&M University-Central Texas does not discriminate on the basis of sex in any educational program or activity, including admissions and employment.

The University's response to allegations of discrimination, harassment, and related retaliation will be 1) prompt and equitable; 2) intended to prevent the recurrence of any harassment; and 3) intended to remedy its discriminatory effects, as appropriate. A substantiated allegation of such conduct will result in disciplinary action, up to and including separation from the University. Visitors, contractors, and third parties who commit discrimination, harassment or related retaliation may have their relationships with the University terminated and/or their privileges of being on university premises withdrawn.

WHERE THE RESPONDENT IS A STUDENT: The procedures for responding to allegations of discrimination, harassment, and related retaliation against students are detailed in Code of Student Conduct and the [University's 08.01.01.D1, Civil Rights Compliance Rule](#). The University's sanctioning guidance for substantiated allegations of discrimination on the basis of sex, including sexual harassment, sexual violence, and related retaliation, can be found here: [Title IX Cumulative Sanctioning Matrix](#). Questions about the student procedures can be addressed to Dr. Paul York, Associate Dean of Student Affairs and Deputy Title IX Coordinator, at (254) 501-5909.

WHERE THE RESPONDENT IS AN EMPLOYEE OR THIRD PARTY: Questions about the University's policies or procedures should be directed to Ms. Tina Flores-Nevarez, Director

of Human Resources and Deputy Title IX Coordinator, at (254) 519-8011. The procedures for responding to allegations of discrimination, harassment, and related retaliation are available from the [Office of Institutional Compliance](#) or [Office of Human Resources](#).

REPORTING RESPONSIBILITIES:

Allegations of sexual assault, sexual harassment, sex-based misconduct, dating/domestic violence, or stalking

All employees (except those identified below) who, in the course and scope of their employment, witness or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, sex-based misconduct, dating/domestic violence, or stalking and is alleged to have been committed by or against a person who was an enrolled student or an employee of the institution at the time of the incident shall promptly report all known information about the incident to the Title IX Coordinator. An employee who experiences sexual harassment, sexual assault, dating/domestic violence, or stalking may report but is not required to do so. Licensed health care providers and licensed counselors acting in the course and scope of employment when a disclosure is received must report de-identified statistics but shall not report any other information. The University will terminate an employee if, in accordance with its applicable disciplinary processes, the University determines that the employee knowingly failed to make a required report, or that the employee, with the intent to harm or deceive, knowingly made a report that is false. State law also criminalizes the failure to report and may charge an individual with a Class A Misdemeanor.

Allegations of discrimination, harassment, complicity, or related retaliation other than allegations of sexual assault, sexual harassment, sex-based misconduct, dating/domestic violence, or stalking

All employees (except licensed health care providers and licensed counselors) who, in the course and scope of their employment, experience, witness, or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes discrimination, harassment, complicity, or retaliation related to a protected class (other than allegations of sexual harassment, sexual assault, sex-based misconduct, dating/domestic violence or stalking) shall promptly report all known information about the incident to the Title IX Coordinator or their supervisor. An employee's failure to report alleged or suspected discrimination may result in disciplinary action, including dismissal. The University will terminate an employee if, in accordance with its applicable disciplinary processes, the University determines that the employee knowingly failed to make a required report, or that the employee, with the intent to harm or deceive, knowingly

made a report that is false. Licensed health care providers and licensed counselors do not report any information received in the course and scope of their employment related to discrimination, harassment, complicity, or retaliation related to a protected class (other than de-identified statistics related to allegations of sexual harassment, sexual assault, dating/domestic violence, or stalking).

Students and non-affiliated members of the public are strongly encouraged, but not required, to report incidents. Confidential Resources (who report de-identified statistics only as required by law) are available to students and employees through TAMU's counseling and medical services.

REPORTING OPTIONS:

A confidential resource for all students, regardless of their campus affiliation or location, is TELUS Health Student Support (<https://www.myssp.app/us/home>). Through the TELUS Student Support Program app, students can access virtual, confidential mental health counseling, available 24/7 as well as phone or chat options by calling 1.866.408.2828 (outside of the US or Canada call 001.416.380.6578).

In addition, any Civil Rights report may be submitted to Ms. Jacqueline Orellana, Title IX Coordinator, at Founder's Hall Suite 317B. Such reports will be immediately assessed by the Title IX Coordinator for investigation and resolution. Ms. Orellana may be reached at: (254) 519-5716. Ms. Orellana's email address is titleix@tamuct.edu. The Title IX website can be found at: <https://www.tamuct.edu/compliance/titleix.html>.

To report incidents, request accommodations, or inquire about discrimination based on disability, you may contact Ms. Chastity Gaddy, Access and Accommodations Coordinator, at (254)501-5833 or access@tamuct.edu. Such reports will be immediately forwarded to the Associate Dean for Student Affairs and Deputy Title IX Coordinator and Title IX Coordinator for investigation and resolution. The office address is Warrior Hall 212. See the Access & Inclusion website <https://www.tamuct.edu/student-affairs/access-inclusion.html>.

ANONYMOUS REPORTS

Reports may be made anonymously through the University's online reporting form: [Silent Witness](#). Anonymous reports may also be submitted to the [Office of Student Conduct](#).

Anonymous reports can be made to the university of [Potential Sexual Misconduct Violation](#). Anonymous reports may limit the University's response to an allegation.

REPORTING TO LAW ENFORCEMENT

Anyone who has experienced or witnessed discrimination, harassment, or related retaliation has the option to file a criminal complaint with the appropriate local law enforcement agency. A complainant will be assisted by campus authorities in reporting to law enforcement authorities, but a complainant may also choose to decline to notify law enforcement.

A report to law enforcement, even to the University Police Department (UPD), is separate from a report to the University. An individual pursues disciplinary remedies through the University and criminal remedies through the law enforcement. Disciplinary and criminal remedies may be pursued separately or at the same time. An individual wishing to pursue disciplinary remedies and criminal remedies simultaneously should make a report to both entities.

For emergencies, call 9-1-1. For non-emergencies, contact local law enforcement:

- University Police Department (254-501-5800)
- Killeen Police Department (254-501-8800)
- Copperas Cove Police Department (254-547-8222)
- Bell County Sheriff's Department (254-933-5412)

To report abuse or neglect of persons age 65 or older, persons with disabilities, or minors:

State law requires all persons having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect to immediately make a report (even if the belief is premised upon incomplete or dated information) to any of the following:

- any local or state law enforcement agency
- the Department of Family and Protective Services (DFPS)

- the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or the agency designated by the court to be responsible for the protection of children.

Further, all persons having cause to believe that an individual 65 years or older or a disabled person 18 years of age or older is in the state of abuse, neglect, or exploitation are required to notify the DFPS at the Texas Abuse Hotline at 1-800-252-5400 or [www.dfps.state.tx.us/Contact Us/report_abuse.asp](http://www.dfps.state.tx.us/Contact_Us/report_abuse.asp).

Reporting to Outside Agencies:

Individuals may file a complaint at any time with any local, state, or federal civil rights office, including, but not limited to, the Equal Employment Opportunity Commission, the Texas Workforce Commission's Civil Rights Division, the U.S. Department of Education's Office of Civil Rights, and the U.S. Department of Justice.

Amnesty for Code of Student Conduct Violations:

When a student reports, in good faith, being the victim of or a witness to an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, the University will not take disciplinary action against that student for violations of the Code of Student Conduct occurring at or near the time of the incident reported. The University may, however, investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking was made in good faith. The amnesty will not apply to a student who reports the student's own commission or complicity in the commission of sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

Confidentiality:

The confidentiality of a complaint of sexual misconduct and all documents, correspondence, and information collected during an investigation will be maintained by the University on a need-to-know basis to the extent permitted by law.

Retaliation:

Students, faculty and staff are prohibited from retaliating against a person for (1) making a good faith report of a violation of Texas A&M System policies, university rules, student rules, and or/the law; or (2) participating in any proceeding related to the investigation or resolution of such report. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a decision of "unsubstantiated," "insufficient information to substantiate," "not responsible" or "not guilty" on the allegations of discrimination, harassment, or related retaliation. Retaliation does not include good faith actions lawfully pursued in response to a report of discrimination, harassment, or related retaliation. Violation of an interim, remedial, or protective measure will be considered retaliation.

False Complaints

Any person who knowingly files a false complaint of discrimination, harassment or related retaliation is subject to disciplinary action, up to and including dismissal or separation from the University. A finding of "unsubstantiated" or "insufficient information to substantiate" does not imply that a complaint was false.