

## **NOTICE OF NON-DISCRIMINATION AND ABUSE**

Texas A&M University is committed to providing a safe and non-discriminatory learning, living, and working environment 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, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, or gender identity. Texas A&M University will promptly investigate and resolve all complaints of discrimination, harassment (including sexual harassment), and related retaliation in accordance with applicable federal and state laws.

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may have their relationships with the University terminated and/or their privileges of being on University premises withdrawn.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 Rules 25, 26, 27 and 47 of the Student Rules. 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. Anne Reber, Dean of Student Life, at (979) 845-3111.

**WHERE THE RESPONDENT IS AN EMPLOYEE OR THIRD PARTY:** The procedures for responding to allegations of discrimination, harassment and related retaliation are currently under review. Questions about the University's policies or procedures should be directed to Jennifer Smith, Assistant Vice President and Title IX Officer, at (979) 458-8407.

### **REPORTING RESPONSIBILITIES**

Any employee who experiences, observes, or becomes aware of discrimination, sexual harassment, and/or related retaliation must promptly report the incident(s) unless they are a licensed health care provider or a licensed counselor acting in this capacity as part of their official employment. Students and non-affiliated members of the public are encouraged, but not required to report incidents.

## **REPORTING OPTIONS:**

Any Civil Rights report can be submitted to **Jennifer Smith, Assistant Vice President and Title IX Officer**, at Medical Sciences Library, 202 Olsen Blvd, Suite 007, College Station, TX 77843. Such reports will be immediately forwarded to the Chief Compliance Officer for investigation and resolution. Her telephone number is: (979) 458-8407. Her email address is [civilrights@tamu.edu](mailto:civilrights@tamu.edu). The Title IX website can be found at: <https://titleix.tamu.edu/>.

To report incidents, request accommodations, or inquire about discrimination based on disability, you may contact **Peggy Zapalac, ADA Coordinator**, at (979-845-8116 or [ADA.Coordinator@tamu.edu](mailto:ADA.Coordinator@tamu.edu)). Such reports will be immediately forwarded to the Chief Compliance Officer for investigation and resolution. The office address is 750 Agronomy Road, Suite 2101, College Station, TX 77843. See the ADA Website [urc.tamu.edu/ada/](http://urc.tamu.edu/ada/).

## **ANONYMOUS REPORTS**

Reports may be made anonymously through the University's online reporting form: [Tell Somebody](#). 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 (979-845-2345)
- Bryan Police Department (979-209-5300)
- College Station Police Department (979-764-3600)
- Brazos County Sheriff's Office (979-361-4900)

## **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 Student Conduct Code 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 Student Conduct Code 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.

### **RIGHTS, RESOURCES, AND OPTIONS**

A student or an employee who is a **victim** of sexual harassment (including sexual misconduct or stalking), domestic violence, or dating violence, whether it occurred on or off-campus, has certain resources, rights and options available. Please see: Complainant Rights, Resources, and Options at <https://titleix.tamu.edu/get-help/resources-rights-options/for-complainants/>

A student or an employee who is **accused** of sexual harassment (including sexual misconduct or stalking), domestic violence, or dating violence, whether it occurred on or off-campus, has certain resources, rights and options available. Please see: Respondent Rights, Resources, and Options at <https://titleix.tamu.edu/get-help/resources-rights-options/for-respondents/>