

## NOTICE OF NON-DISCRIMINATION ON THE BASIS OF GENDER

### UT Austin's Commitment

The University of Texas at Austin is committed to maintaining a learning environment that is free from inappropriate conduct based on gender. As required by Title IX, the University does not discriminate on the basis of sex in its education programs and activities, and it encourages any student who thinks that he or she has been subjected to sex discrimination, sexual harassment (including sexual violence) or sexual misconduct by another student, member of the faculty or staff, campus visitor or contractor, to report that action immediately to any of the persons or offices listed below.

### Where to Report

The University's Title IX Coordinator is Dr. Jennifer R. Hammat, Assistant Vice President for Student Affairs, Main Building 121, 512-471-1133, [j.hammat@austin.utexas.edu](mailto:j.hammat@austin.utexas.edu). The University encourages students to immediately consult with or report incidents of sex discrimination, sexual harassment, or sexual misconduct to Dr. Hammat, or to its Deputy Title IX coordinators:

- Dr. Latoya C. Hill, Ph.D., Assistant Dean of Students, Office of the Dean of Students, 4.104 Student Services Building, 512-471-5017, [latoya.hill@austin.utexas.edu](mailto:latoya.hill@austin.utexas.edu); and
- Ms. Katherine Antwi Green, J.D., Assistant Vice President, Office of Institutional Equity, 4.302 North Office Building, 512-471-1849, [katherine.antwi.green@austin.utexas.edu](mailto:katherine.antwi.green@austin.utexas.edu).

Students may also report incidents of sex discrimination, sexual harassment (including sexual violence) or sexual misconduct to any University Administrator, Official or Unit Supervisor, who is then responsible to promptly notify any of the above Title IX coordinators of the reported incident.

Complaints or allegations of student-to-student sex discrimination, sexual harassment (including sexual violence) or sexual misconduct will be handled by the Office of the Dean of Students. Students may also contact the U.S. Department of Education, Office for Civil Rights to complain of sex discrimination or sexual harassment including sexual violence); see: <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>;

Cases of sexual violence may also be reported to the University or city police departments; the Title IX Coordinators can assist individuals with contacting The University of Texas at Austin Police Department or the City of Austin Police Department.

Complaints of sex discrimination, sexual harassment (including sexual violence) or sexual misconduct by non-students will be handled by the University's Office of Institutional Equity, Ms. Katherine Antwi Green, J.D., Assistant Vice President, 4.302 North Office Building, 512-471-1849.

For more detailed information regarding the procedures for reporting a grievance, see Appendix D (Policy on Sex Discrimination and Sexual Harassment), Appendix E (Policy on Sexual Misconduct), Appendix H (Prohibition of Sexual Assault), and Appendix I (Nondiscrimination Policy) as contained in the *Institutional Rules on Student Services and Activities* ([Issue Number 2011/4](#)).

## **DEFINITIONS**

### **SEX DISCRIMINATION -----**

Sex discrimination can occur when conduct is directed at a specific individual or a group of identifiable individuals that adversely affects the education or employment of the individual or group because of gender. Behaviors that may be sex discrimination include, but are not limited to:

- Exclusion from educational resources or activities because of one's gender;
- Subjection to jokes or derogatory comments about one's gender; or
- Being held to different standards or requirements on the basis of one's gender.

### **SEXUAL HARASSMENT -----**

Sexual harassment is a form of sex discrimination that can occur when:

- the submission to unwelcome physical conduct of a sexual nature, or unwelcome requests for sexual favors or other verbal conduct of a sexual nature is made an explicit or implicit term or condition of education or employment; or
- the submission to or rejection of unwelcome physical conduct of a sexual nature, or to unwelcome requests for sexual favors or other verbal conduct of a sexual nature, is used as a basis for academic or employment decisions or evaluations; or
- unwelcome physical acts of a sexual nature, or unwelcome requests for sexual favors or other verbal conduct of a sexual nature, have the effect of creating an objectively hostile environment that interferes with education or employment; or
- an individual engages in acts of sexual violence - sexual violence is defined as acts of a physical or threatening nature, intended to coerce sexual behavior by another, that are perpetrated against the other person's will or in situations where a person does not give consent or is unable to give consent.

Examples of physical conduct that might constitute sexual harassment include, but are not limited to:

- unwelcome intentional touching;
- deliberate physical interference with or restriction of movement; or
- violent conduct of a sexual nature is any sexual act in which force, express or implied, or coercion is used upon the victim. Such conduct can include rape or attempted rape or the intentional and unwelcome touching of an intimate area of the body; or the involvement in any sexual act where the victim does not consent or is unable to give consent.

Verbal conduct is defined as oral, written, or symbolic expressions that:

- Personally describe or are personally directed at a specific individual or group of identifiable individuals; and

- Are not necessary to an argument for or against the substance of any political, religious, philosophical, ideological, or academic ideas.

Examples of verbal conduct that might constitute sexual harassment include but are not limited to:

- Explicit or implicit propositions to engage in sexual activity;
- Gratuitous comments, jokes, questions, anecdotes or remarks of a sexual nature about clothing or bodies;
- Gratuitous remarks about sexual activities or speculation about sexual experiences;
- Subtle or overt pressure for sexual favors;
- Exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials;
- Repeated humiliation or intimidation based upon sex; or
- Threats made with the intent of coercing sexual acts.

The examples of verbal conduct on the above list will rarely, if ever, be considered constitutionally protected expression.

Conduct that may not rise to the level of sexual harassment or sexual violence may be covered by the Sexual Misconduct policy. <http://www.utexas.edu/policies/hopppm/04.A.03.html>.

### **CONSENSUAL RELATIONSHIPS -----**

The University strongly discourages any of its employees who have direct teaching, supervisory, advising or evaluation responsibilities from engaging in consensual romantic or sexual relationships with persons they teach, supervise, advise or evaluate. Such relationships create conflicts of interest and appearances of impropriety that impair the integrity of academic or employment decisions. Should such a relationship develop the individual with the responsibility for the subordinate party is required to disclose its existence to an immediate supervisor and cooperate in making alternative arrangements for the supervision, evaluation, instruction, grading or advising of that person. For more information on the Consensual Relationships Policy, please refer to <http://www.utexas.edu/policies/hopppm/04.A.02.html>.

### **CONFIDENTIALITY-----**

The confidentiality of a complaint of sex discrimination, sexual harassment or sexual misconduct, and all documents, correspondence, and notes of interviews and discussions related to the investigation of a complaint will be maintained, on a need-to-know basis, to the extent permitted by law. Documentation related to the resolution of complaints or incidents of sex discrimination, sexual harassment and sexual misconduct will be maintained by the Office of the Dean of Students, and the Office of Institutional Equity as appropriate.

### **PROHIBITION OF RETALIATION-----**

Students, faculty and staff members are prohibited from retaliating in any way against an individual who has brought a complaint of sex discrimination, sexual harassment or sexual misconduct; or who has participated in an investigation of such a complaint.

**FILING OF FALSE COMPLAINTS -----**

Any person who knowingly and intentionally files a false complaint of sex discrimination, sexual harassment or sexual misconduct is subject to disciplinary action, up to and including dismissal from the University.

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For more information about sex discrimination, sexual harassment (including sexual violence) or sexual misconduct, please contact Dr. Jennifer R. Hammat, Assistant Vice President for Student Affairs, Main Building 121, 471-1133, [j.hammat@austin.utexas.edu](mailto:j.hammat@austin.utexas.edu); Dr. LaToya Hill, Assistant Dean of Students, Student Services Building 4.104, 512-471-5017, [Latoya.hill@austin.utexas.edu](mailto:Latoya.hill@austin.utexas.edu); or Ms. Katherine Antwi-Green J.D, Assistant Vice President , Office of Institutional Equity, 4.302 North Office Building , 512-471-1849, [Katherine.antwi.green@austin.utexas.edu](mailto:Katherine.antwi.green@austin.utexas.edu).