



TWU

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Sexual Violence Resource Book

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Introduction

If you have been impacted by violence, you are not alone. There are resources and services available to help. This book will discuss your rights, reporting options, and resources. If you have any questions, please reach out to the Office of Civility & Community Standards (OCCS). We are here to help.

A survivor of violence (sexual violence, dating/domestic violence, and stalking) may have a wide range of emotions following an incident. There are many resources available to receive necessary care and begin to process the events. Going to a hospital immediately following the incident provides survivors with urgent care, as well as an opportunity for valuable evidence collection.

Texas Woman's University (TWU) takes acts of sexual violence, dating/domestic violence, and stalking extremely seriously. The following information, consistent with the U.S. Department of Education Title IX guidance, provides details on TWU's response and resources to these acts of violence. TWU hopes that you will help us in our efforts to maintain a safe and productive environment for all members of our community to live, learn and be successful by uniting as a community committed to ending violence.

TWU strongly encourages survivors to report all acts of violence. This booklet explains the process of filing a formal complaint with the Office of Civility & Community Standards as well as the police. Please be aware that even if an individual chooses not to file a report, TWU can assist with safety measures such as changing academic schedules and making housing arrangements.

THE FEDERAL CAMPUS SEXUAL ASSAULT VICTIM'S BILL OF RIGHTS

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

The university will impose sanctions when an investigation determines, based on a preponderance of the evidence, that a violation of university policy occurred. These sanctions can include suspension or expulsion. Sanctions may also include permanent No-Contact orders and other requirements to redress the effects of the violation. Student conduct investigations are separate from law enforcement investigations, therefore TWU may investigate incidents even if law enforcement closes their investigation or criminal justice authorities choose not to prosecute. The university has obligations under Title IX to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects, irrespective of formal legal processes.

You are not alone. We are here to help.

Definitions

COMPLAINANT

The individual or group of individuals who may have been the subject of conduct prohibited under this policy, regardless of whether the individual reports the conduct.

CONSENT

Consent means a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in sexual activity.

An individual's manner of dress or the existence of a current or previous dating or sexual relationship between two or more individuals does not, in and of itself, constitute consent to engage in a particular sexual activity. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity.

SEXUAL ASSAULT

Sexual assault means sexual contact or intercourse with a person without the person's consent, including sexual contact or intercourse against the person's will or in a circumstance in which the person is incapable of consenting to the contact or intercourse. Sexual assault includes:

A. Nonconsensual Sexual Contact – Intentional sexual touching, however slight, with any object or part of one's body of another's private areas without consent. Sexual contact includes:

1. Intentional contact with the breasts, buttock, groin, or genitals;
2. Touching another with any of these body parts;
3. Making another touch you or themselves with or on any of these body parts; or
4. Any other intentional bodily contact in a sexual manner.

B. Nonconsensual Sexual Intercourse – Sexual penetration or intercourse, however slight, with a penis, tongue, finger, or any object, and without consent. Penetration can be oral, anal, or vaginal.

The following offenses are examples of sexual assault: rape, incest, fondling, and statutory rape.

1. Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Reporting Party.
2. Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
3. Fondling – The touching of the private body parts of another person for the purpose of

sexual gratification, without the consent of the Reporting Party, including instances where the Reporting Party is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

4. Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

SEXUAL HARASSMENT

Sexual harassment means unwelcome, sex-based verbal or physical conduct that:

- a. in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or
- b. in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.

Sexual harassment may include:

1. Sexual violence, as defined under state law, which includes rape, sexual assault, sexual battery, and sexual coercion;
2. Physical conduct that, depending on the totality of the circumstances present, including frequency and severity, may constitute sexual harassment includes, but is not limited to unwelcome intentional touching; or deliberate physical interference with or restriction of movement;
3. Verbal conduct, whether oral, written, or symbolic expression, that depending on the totality of the circumstances present, including frequency and severity, may constitute sexual harassment includes, but is not limited to explicit or implicit propositions to engage in sexual activity;
4. gratuitous comments, jokes, questions, anecdotes, or remarks of a sexual nature about clothing or bodies;
5. gratuitous remarks about sexual activities or speculation about sexual experiences;
6. persistent, unwanted sexual or romantic attention;
7. subtle or overt pressure for sexual favors;
8. exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars, or other materials;
9. deliberate, repeated humiliation or intimidation based upon sex;
10. repeated and unwanted requests for dates, sexual flirtations, or propositions of a sexual nature;
11. subtle pressure for a sexual relationship;
12. sexist remarks about a person's clothing, body or sexual activities;
13. unnecessary touching, patting, hugging, or brushing against a person's body;
14. direct or implied threats that submission to sexual advances will affect or be a condition of employment, work status, grades, or letter of recommendation; or
15. conduct of a sexual nature that causes humiliation or discomfort, such as use of inappropriate terms of address, and g. sexually explicit or sexist comments, questions or jokes.

DATING VIOLENCE

Dating violence means abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the complainant's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization

between two individuals in a business or social context shall constitute a romantic or intimate relationship.

DOMESTIC VIOLENCE

Domestic violence means an act that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the complainant in fear of imminent physical harm, bodily injury, assault, or sexual assault by a former spouse or intimate partner of the complainant, a person whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the complainant as a spouse of intimate partner, or a member of a family or household against another member of the family or household.

RESPONDENT

Respondent means an individual or group of individuals identified as possibly having engaged in conduct prohibited under this policy regardless of whether a formal complaint is made.

RETALIATION

The Texas Woman's University will not tolerate retaliation. Retaliation is any action, treatment, or condition that adversely affects the academic, employment, or other institutional status of a student or employee of the University, visitor, applicant for admission to or employment with the University, because an individual has, in good faith, participated in a protected activity (e.g. brought a complaint under this policy, opposed an unlawful practice, participated in an investigation, or requested accommodations), including an act intended to intimidate, threaten, or coerce, that is likely to dissuade a reasonable person from opposing sexual misconduct, filing a charge of sexual misconduct, or participating in an investigation regarding sexual misconduct.

STALKING

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Here are a few examples of common stalking incidents:

- Show up at home or work uninvited
- Send you unwanted messages, including through text or social media
- Leave unwanted gifts
- Constantly call you and hang up

Survivor Information

If you are a survivor of sexual violence or intimate partner violence, you are not alone and you are in no way responsible for your assault. If you are not safe, call 911. If you need help for an incident which happened on campus, call the TWU Department of Public Safety:

- **TWU Denton Campus DPS** 940-898-2911
- **TWU T. Boone Pickens Institute of Health Sciences-Dallas Center DPS** 214-689-6666
- **TWU Institute of Health Sciences-Houston Center DPS** 713-794-2222

If the incident happened elsewhere in Denton, call the Denton Police Department at 940-349-8181. If the incident happened outside Denton, call the law enforcement agency that has jurisdiction in the location where it occurred. Do what you need to do to feel safe.

You do not have to go through this alone – you can reach out to someone you trust for support. Victims of sexual assault are encouraged to seek counseling and support. TWU students may receive free counseling from Counseling and Psychological Services (CAPS). CAPS has staff at every campus. CAPS can provide immediate services through their crisis counseling services and through their regular counseling services.

During normal office hours

- **TWU Denton CAPS**, West Jones Hall, 940-898-3801
- **TWU T. Boone Pickens Institute of Health Sciences-Dallas Center CAPS**, Suite 8300, 214-689-6655
- **TWU Institute of Health Sciences-Houston Center CAPS**, Suite 2250, 713-794-2059
- **TWU Domestic Violence, Sexual Assault and Stalking (DVSAS) Counselor**, Jones Hall 1st floor, 940-898-3610

After hours, the on-call therapist can be reached by calling the **TWU Department of Public Safety on the Denton campus at 940-898-2011** and ask to speak with the therapist on call.

You may wish to receive services directly from a local sexual assault care center. Each of the phone numbers listed below is a 24-hour crisis/service line.

Denton County

- Friends of the Family (800) 572-4031

Dallas County

- Rape Crisis Center (214) 590-0430
- Genesis Women's Shelter & Support (214)-946-4357
- The Family Place (214) 941-1991

Tarrant County

- Women's Center (817) 927-2737

Harris County

- Women's Center (713) 468-5463
- Houston Area Women's Shelter (713) 528-7273 or (713) 528-2121
- Cooke County - Friends of the Family (940) 665-2873

Immediate medical attention may be necessary to prevent the spread of sexually transmitted infection and possible pregnancy, as well as treat any wounds incurred.

The Sexual Assault Nurse Examiners (SANE) program is available at four hospitals in Denton County:

- Denton Regional Medical Center (940-384-3535),
- Texas Health Presbyterian Hospital (940-898-7000)
- Baylor Carrollton (972-492-1010)
- Flower Mound Emergency Center (972-420-4911)

The SANE nurse will perform the examination and will stay with the survivor throughout the treatment process. These hospitals, Denton County Friends of the Family and law enforcement collaborate to provide service and care to survivors of sexual assault.

WHAT YOU SHOULD KNOW ABOUT SANE EXAMS

- In order to receive a sexual assault exam, you can either call the Denton County Friends of the Family crisis hotline at 940-382-7273, or go to one of the hospitals that offer the SANE program
- Preserving evidence is critical for criminal prosecution.
- Do not eat, drink, smoke or chew gum; do not take any medications
- Do not remove sheets from bed; do not clean the room or place of the incident. Although you may not want to prosecute immediately following the incident, that choice may not be available later without credible evidence.
- Receiving a SANE exam does not commit you to a full prosecution. Instead, it will preserve any potential evidence if you decide you would like to prosecute at a later date

Resources

TWU Domestic Violence, Sexual Assault and Stalking (DVSAS) Counselor – The TWU DVSAS Counselor’s role is to connect students who have been impacted by violence to resources (counseling, health, safety, academics, legal, etc.). Her role also includes individual and some limited group counseling. Contact the DVSAS counselor by calling 940-898-3610 or emailing cgrady@twu.edu.

Office of Civility & Community Standards (OCCS)– OCCS investigates reports of alleged misconduct by students. Survivors are not required to participate in an investigation, and can request that OCCS not investigate (OCCS can explain when it may not be able to agree with this request). OCCS may continue to investigate this issue without your participation, per University policy, although without your participation, it will significantly impact the investigation. OCCS can institute interim measures to protect Complainants from ongoing harassment, violence, or retaliation. OCCS also imposes sanctions on students found responsible for misconduct. OCCS investigations follow the procedures explained in the Code of Student Conduct and the Prohibition of Sexual Assault policies. Reach OCCS at 940-898-2968.

Director of Civility & Community Standards/Title IX Coordinator – The Director of Civility & Community Standards/Title IX Coordinator is the TWU employee designated by the Chancellor to implement, monitor, and enforce TWU’s compliance with the federal law preventing discrimination on the basis of sex. The Director of Civility & Community Standards/Title IX Coordinator oversees the university’s investigative processes, and can be reached at TitleIX@twu.edu or 940-898-2969.

TWU Department of Public Safety – You may file a police report with campus police for sexual misconduct, sexual assault, relationship violence, or stalking occurring on campus. When making a report to police, you may choose to report using a pseudonym so that your name will not appear in public files. Reach TWU Department of Public Safety at 940-898-2991. If the assault did not occur on the TWU Campus or in Denton, you can file a report with the respective law enforcement agency. The Director of Civility & Community Standards/Title IX Coordinator can also connect you to the right jurisdiction.

Denton County Friends of the Family – This non-profit agency is “dedicated to providing compassionate, comprehensive services to those impacted by rape, sexual abuse, and domestic violence, while partnering with our community to promote safety, healing, and prevention.” DCFOF offers individual counseling, group counseling, and advocacy services. Contact DCFOF outreach office at 940-387-5131 or www.dcfof.org.

TWU Student Health Services – Student Health Services can provide medical care for students impacted by sexual violence, including STD testing, pregnancy testing, emergency contraception, and referral to other resources. For more information or to schedule an appointment, please call 940.898.3826 or stop by Jones Hall, 1st floor.. SHS does not provide sexual assault forensic exams.

TWU Counseling & Psychological Services (CAPS) – The TWU Counseling & Psychological Services offers free counseling sessions for students. To schedule an appointment, please stop by Jones Hall or contact: Denton (940)898-3801; Dallas (214) 689-6655; Houston (713) 794-2059.

Student Legal Services – TWU Legal Services provides students with free legal advice, assistance, representation and education. Schedule an appointment by calling 940-898-3691, visiting Jones Hall 101, or requesting an appointment online at <https://twu.edu/legal-services/>.

Safety Measures

The Director of Civility & Community Standards/Title IX Coordinator can implement interim safety measures for students who have been impacted by sexual misconduct, even if the students have not filed a formal complaint. The Director of Civility & Community Standards/Title IX Coordinator can coordinate any reasonable arrangements that are necessary for ongoing safety. The university will maintain privacy to the fullest extent possible.

Assistance in Reporting: The Director of Civility & Community Standards/Title IX Coordinator can assist in filing a complaint with the university conduct process and the appropriate law enforcement agencies against the individuals who caused harm.

No-Contact Order: TWU can institute a No-Contact Order between the Complainant and the Respondent, which would prohibit contact between both parties through any means of communication. It also prohibits others from making contact on the parties' behalf.

Emergency Protective Order: The Director of Civility & Community Standards/Title IX Coordinator can assist survivors in filing for an Emergency Protective Order with the Denton County District Attorney's Office. This is a court-ordered petition that prohibits contact between the impacted party and the accused. The decision to execute Protective Orders falls within the jurisdiction of the courts, but the Director of Civility & Community Standards/Title IX Coordinator can help navigate the process.

Living Arrangements: The Director of Civility & Community Standards/Title IX Coordinator can assist in changing on-campus living arrangements or that of the Respondent to ensure safety and a comfortable living situation.

Academic Arrangements: The Director of Civility & Community Standards/Title IX Coordinator can assist in adjusting academic schedules, providing access to academic support services, and advocating on the survivor's behalf.

Other Measures: The Director of Civility & Community Standards/Title IX Coordinator can coordinate reasonable arrangements to address the effects of violence, including connecting survivors to counseling, health care, transportation arrangements, or support resources.

When the Office of Civility & Community Standards becomes aware of a student who could have been impacted by sexual misconduct, the Director of Civility & Community Standards/Title IX Coordinator will contact the student to share these possible interim measures, reporting options, and available resources. This will be done no matter the location of the incident or if the other party is a member of the TWU Community

You are not alone. We are here to help.

Policies

The Sexual Misconduct Policy states that TWU will not tolerate any form of sexual misconduct including, but not limited to, sexual harassment, dating/domestic violence, and acquaintance or date rape. This policy is available online at Sexual Misconduct Policy, <https://servicecenter.twu.edu/TDClient/1956/Portal/KB/ArticleDet?ID=113599>

Other policies that may be relevant to a situation of sexual misconduct include the following and can be found at twu.edu/policy:

- Student Code of Conduct (URP:IV.10.b)
- Faculty Standards of Conduct Corrective Action Guidelines (URP:III.10.b)
- Sexual Misconduct Regulation and Procedures Guide (URP: V.17.b)
- TWU Nondiscrimination Statement

Reporting

Symone Osieko, the Director of Civility & Community Standards/Title IX Coordinator (940-898-2969) as well as the staff of the OCCS (Jones Hall 101) can receive complaints that a student committed misconduct. OCCS can explain relevant policies, its investigation procedures, other reporting options, implement interim measures to protect against ongoing harassment, violence, or retaliation, and refer survivors to support resources. If an OCCS investigation finds that a student committed misconduct, OCCS will impose sanctions, up to and including possible suspension and expulsion.

Reports for sexual misconduct, Student Code of Conduct, and academic integrity violations can all be reported at twu.edu/civility/report-an-incident/

Deputy Title IX Coordinators – You may also file any Title IX-related complaint with the Deputy Title IX Coordinators (including sexual assault and sexual harassment).

Amy Hall
Title IX Deputy: Executive Director of Human Resources
ahall@twu.edu
940-898-3544

Tony Yardley
Title IX Deputy: Director Employee Relations, HR Compliance & Equity
ayardley@twu.edu
940-898-3563

Charolette Hunt
Title IX Deputy: Assistant Director Athletics, Compliance & Academic Services
chunt2@twu.edu

TWU Department of Public Safety (940) 898-2991 - You may file a police report with campus police for assaults occurring on campus at the Oakland Street Parking Garage (NEED ADDRESS). When making a report to police, you may choose to report using a pseudonym so that your name will not appear in public files.

Denton Police (940) 349-8181 - You may file a police report at the Denton Police Department (601 E. Hickory Street) for assaults occurring off campus in Denton. When making a report to police, you may choose to report using a pseudonym so that your name will not appear in public files.

Student Conduct Process

The Texas Woman's University strictly prohibits dating violence, domestic violence, sexual harassment, sexual coercion, sexual exploitation, sexual violence, and stalking. A university community member who engages in any of these behaviors may be subject to disciplinary action. Student discipline follows the procedures outlined in the Student Code of Conduct, which is administered and enforced by the Office of Civility & Community Standards (OCCS). Additional guidelines for faculty, staff, and students regarding investigations of sexual misconduct can be found in the Resolution Procedures for Complaints of Prohibited Conduct.

Anyone can report prohibited conduct to the university by notifying the Office of Civility & Community Standards (940) 898-2968, the TWU Department of Public Safety (940) 898-2991 or the Director of Civility & Community Standards/Title IX Coordinator (940) 898-2969. If the person who engaged in the prohibited conduct is a student, the Office of Civility & Community Standards can initiate procedures toward disciplinary action. This involves an investigation to gather information, deciding if there was a violation of university policy, and if so, what sanction should be imposed. The disciplinary process is separate from any criminal investigation or legal action. The university will provide assistance and support to a student regardless of if they ask for disciplinary action. Assistance and support is coordinated independent of the disciplinary process.

If you require a reasonable accommodation to fully participate in the conduct process because of a disability, please contact the Office of Civility & Community Standards at (940) 898-2968. Please make this request as soon as possible to allow sufficient time to arrange the reasonable accommodation.

Allegations of relationship violence, sexual assault, sexual misconduct, and stalking that involve student-Respondents are investigated by Office of Civility & Community Standards and/or Office of Human Resources staff members. Investigators receive annual training on how to complete a full and fair investigation.

OCCS typically issues No-Contact orders to the Complainant and the Respondent. This is a notice telling both parties what allegations have been made and requests a meeting with OCCS to discuss the allegations. Parties can submit written statements or give their statements orally to OCCS, and OCCS may ask for copies of electronic communications, phone records, or other evidence that can support or refute the allegations. The Complainant or Respondent can identify people with relevant

information about the allegations for OCCS to contact.

In order to be fair, the Respondent has the right to know what allegations have been made and what evidence will be used to make a decision. All information collected in the investigation is open to review by the Complainant and the Respondent. Either party can request a copy of all records pertaining to the investigation. Any copies will have identifying information (names, email addresses, phone numbers) for students (except for the requesting student) blacked out.

OCCS will provide weekly email updates on the status of the investigation. The investigation is normally completed within 90 days. If an extension is necessary, the parties will be informed. Circumstances that may lead to an extension include a semester break or extended closure of the university, or delays in obtaining information OCCS deems relevant.

For sexual misconduct investigations:

Once OCCS has collected all information, the adjudication process will take place as per the Student Code of Conduct and/or the Resolution Procedures for Complaints of Prohibited Conduct. If the complaint is deemed a violation of Title IX, then the appropriate process will be followed as per state and/or federal guidelines. The standard of proof used is preponderance of the evidence. OCCS will share the finding (whether the Respondent committed misconduct or not) with the Respondent and Complainant in writing.

If the Respondent is found responsible for misconduct at the conclusion of the adjudication process, OCCS will impose a sanction for the misconduct. Possible sanctions can range from a disciplinary warning to suspension or expulsion. OCCS will share the sanction with both parties in writing. Either party can appeal the finding. An appeal can result in a change of the finding or the finding being upheld.

If OCCS did not have sufficient evidence to conclude the Respondent violated university policy, then no sanctions are imposed. This does not mean nothing happened; it simply means there is insufficient evidence to meet the preponderance of the evidence standard required to discipline a student.

For investigations where the Respondent is not a student:

The OCCS will investigate the complaint in conjunction with the Office of Human Resources if the accused party is a staff/faculty member, guest, or visitor to campus. You can file a report by emailing TitleIX@twu.edu or calling (940) 898-2969.

We know all of this may be a bit overwhelming. No matter what the circumstances regarding your case, please know that resources are here to help you through any and all processes.