

# Texas Tech University System

## Regulation 07.18

### TITLE VI: REPORTING AND INVESTIGATION PROCEDURES (DISCRIMINATION BASED ON RACE, COLOR, OR NATIONAL ORIGIN INCLUDING SHARED ANCESTRY)

Effective: May 13, 2025

Next Scheduled Review: April 2026

#### 1. Purpose

- a. The Texas Tech University System (“System”) and its component universities (each a “University”) are Equal Employment Opportunity (“EEO”) employers and are committed to compliance with federal and state nondiscrimination laws and regulations; providing and strengthening an educational, working, and living environment where students, faculty, and staff are free from discrimination, harassment, and/or retaliation; and fostering and supporting a culture of mutual respect and communication.

#### 2. General Provisions

- a. *Applicability.* This regulation applies to all members of the University Community. Each University shall adopt this regulation through an Operating Policy and Procedure expressly referencing this regulation.

*Scope.* This regulation sets forth the procedures to address concerns of discrimination, harassment, and/or retaliation based on race, color, or national origin, including actual or perceived shared ancestry or ethnic characteristics, as prohibited by Title VI of the Civil Rights Act of 1964. Complaints of discrimination in employment, which are based on or related to any protected category, including sex, race, color, national origin, religion, age, disability, protected veteran status, or genetic information, are governed under [System Regulation 07.10](#), Non-Discrimination and Anti-Harassment Policy and Complaint Procedure. Complaints of Sexual Misconduct are governed by [System Regulation 07.06A](#), Title IX Sexual Misconduct, and [System Regulation 07.06B](#), Non-Title IX Sexual Misconduct.

- b. *Right to Change Policy.* System reserves the right to interpret, change, modify, amend, or rescind this regulation, in whole or in part, at any time, without prior notice or the consent of employees or other members of the University Community.

#### 3. Definitions

For purposes of this regulation, the definitions below apply.

- a. *Affected Individual.* A person who is directly (Complainant) or indirectly affected by conduct, while participating in an education program or activity, that could constitute a violation of this regulation.
- b. *Color.* A person’s skin pigmentation, complexion, shade, or tone.
- c. *Complainant.* An individual who was allegedly subjected to a violation of this regulation.

- d. *Complaint.* A written request to the University that objectively can be understood as a request for the University to investigate alleged Title VI Misconduct under this regulation.
- e. *National Origin.* A place where an individual or their ancestors are from and any shared physical, cultural, or linguistic characteristics of that place. Protections against national origin discrimination extend to individuals who experience discrimination, including harassment or related retaliation, based on an individual's actual or perceived: (i) shared ancestry or ethnic characteristics, or (ii) citizenship or residency in a country with a dominant religion or distinct religious identity. National origin discrimination does not include discrimination based solely on religion. Discrimination based on national origin may include ethnic or ancestral slurs or stereotypes; harassment based on how individuals look or dress in ways linked to ethnicity or ancestry (e.g., skin color, religious attire); and discrimination based on language associated with a shared ancestry, including an individual's accent or name.
- f. *Race.* A person's actual or perceived race, or association with a person of a certain race. Protections against race discrimination extend to individuals who experience discrimination based on a person's actual or perceived race, association with a person of a certain race, and physical appearance and/or physical characteristics (such as hair texture, skin color, or certain facial features).
- g. *Report.* Information received by the TTUS Office of Equal Opportunity (OEO) from a student, faculty, staff, or non-University Community member, regarding an alleged occurrence of Title VI Misconduct.
- h. *Reporter.* An individual who provides information to OEO regarding an alleged occurrence of Title VI Misconduct. Reporters may include students, faculty, staff, or non-University Community members.
- i. *Respondent.* A person who is alleged to be responsible for the prohibited conduct alleged in a Complaint or Report.
- j. *Title VI Misconduct.* Discrimination, harassment, or related retaliation on the basis of race, color, or national origin including shared ancestry and ethnic characteristics, as protected by Title VI, whether it occurs on or off campus, on social media, or involves students, University personnel, and/or members of the public who enter the University's campus. Hostile Environment harassment is another form of intentional discrimination prohibited by Title VI. A Hostile Environment is created when, based on the totality of the circumstances, the conduct is unwelcome; is based on race, color, or national origin, including shared ancestry or ethnic characteristics; is subjectively and objectively offensive; and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity.
- k. *University Community.* All University students and employees, visitors, applicants for admission or employment with the University, as well as University affiliates and others conducting business on campus.

#### 4. Complaints or Reports of Title VI Misconduct

- a. OEO is responsible for the initial intake and Preliminary Review of Complaints or Reports of Title VI Misconduct and will receive all such Complaints or Reports.
- b. The University encourages people who believe they have experienced Title VI Misconduct to come forward promptly with their Complaints or Reports, and to seek assistance from OEO.
- c. A Complaint or Report may be submitted online, via email, by phone, or in-person to OEO. The contact information for OEO is below.

EMAIL & PHONE	OFFICE ADDRESS	WEBSITE & REPORTING LINK
<b><i>Texas Tech University System:</i></b> Office of Equal Opportunity 806.742.3627 eeo@ttu.edu	Office of Equal Opportunity System Administration Building 1508 Knoxville Ave, Suite 309 Lubbock, TX 79409	<i>Office of Equal Opportunity Website:</i> <a href="https://www.texastech.edu/offices/equal-employment/">https://www.texastech.edu/offices/equal-employment/</a>  <i>Reporting Links:</i> ASU: <a href="https://cm.maxient.com/reporting.php?AngeloStateUniv">https://cm.maxient.com/reporting.php?AngeloStateUniv</a> MSU: <a href="https://cm.maxient.com/reportingform.php?MSUTexas&amp;layout_id=23">https://cm.maxient.com/reportingform.php?MSUTexas&amp;layout_id=23</a> TTU: <a href="https://cm.maxient.com/reportingform.php?TexasTechUniv&amp;layout_id=54">https://cm.maxient.com/reportingform.php?TexasTechUniv&amp;layout_id=54</a> TTUHSC: <a href="https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&amp;layout_id=4">https://cm.maxient.com/reportingform.php?TexasTechUnivHSCSS&amp;layout_id=4</a> TTUHSC EP: [forthcoming]

- d. In addition, any University employee, who receives information regarding Title VI Misconduct or observes an instance of Title VI Misconduct, will be required to promptly report all such information to OEO, including names and details, if known.
- e. Individuals may contact OEO to speak generally about a concern without revealing their identity to better understand the options for addressing the situation. While anonymous Complaints and Reports may limit the University's ability to investigate, respond, and provide remedies, OEO may still conduct a Preliminary Review.
- f. If an individual has an immediate safety concern, the individual should report the incident to campus law enforcement or emergency services for necessary action.
- g. A written Complaint should include the following information:
  - i. Whether the Complainant is a student, faculty, staff, or non-University Community member;

- ii. The name and contact information of the Complainant, Respondent, and any other Affected Individuals or witnesses (if known);
  - iii. The date, time, and location of the incident(s);
  - iv. A detailed description of the alleged Title VI Misconduct;
  - v. Any supporting documentation (e.g., emails, social media posts, photographs); and
  - vi. A description of any immediate safety concerns.
- h. OEO may conduct a Preliminary Review even if an Affected Individual does not file a written Complaint or respond to OEO's outreach.
  - i. Upon submission of a Complaint or Report, OEO will respond by email to acknowledge receipt. OEO will contact any known Affected Individuals to schedule a meeting and provide information about the process outlined in this regulation.

## 5. Preliminary Review

- a. Upon receipt of a Complaint or Report alleging Title VI Misconduct, OEO will begin a Preliminary Review of the reported conduct to determine whether a formal investigation is warranted. In making this determination, OEO will consider:
  - i. Whether the allegation falls within the scope of this regulation;
  - ii. Whether the individuals are affiliated with the University;
  - iii. Whether the University has jurisdiction over the forum in which the conduct occurred;
  - iv. Whether the allegation, if assumed to be true, describes conduct which could constitute Title VI Misconduct in violation of this regulation; and
  - v. Whether the allegation warrants further action by the University.
- b. As part of the Preliminary Review, OEO may contact Affected Individual(s), if identified, to gather additional information about the alleged Title VI Misconduct, the individuals involved, and how Affected Individual(s) have been impacted. OEO will review all evidence submitted, including but not limited to statements from Affected Individual(s), emails, texts, social media posts, photographs, and messages. OEO may conduct additional interviews of witnesses or request additional evidence, if necessary.
- c. If alleged Title VI Misconduct potentially implicates free speech and academic freedom, OEO will confer with the TTUS Office of General Counsel (OGC) to determine whether the speech is protected. The University recognizes that expressive activity protected by the First Amendment or principles of academic freedom may still create a Hostile Environment and

warrant further action by the University. Expressive activity is defined in [TTUS Regulation 07.04](#), Freedom of Expression.

- d. The University will offer appropriate supportive measures to the Affected Individual(s) in a Complaint or Report of Title VI Misconduct. Supportive measures can be implemented by a variety of different offices on campus and may include, but are not limited to:
  - i. Counseling services;
  - ii. Academic accommodations;
  - iii. Employment modifications;
  - iv. Changes in housing, extracurricular, or activities;
  - v. Leaves of absence;
  - vi. Training and education programs;
  - vii. Transportation or parking modifications;
  - viii. Increased security and monitoring of certain areas of campus; and
  - ix. No contact orders.
- e. If the University is unable to identify Affected Individuals or if Affected Individuals do not want to participate in the investigation process, OEO may be limited in how it proceeds. However, OEO may still determine that the allegation warrants further action by the University.
- f. If, during the Preliminary Review, OEO determines that immediate threats to physical safety exist, OEO will notify University police and may also notify other appropriate University departments.
- g. If, following the Preliminary Review, OEO determines that a formal investigation is warranted, OEO will refer the matter to the appropriate University office for formal investigation.
  - i. For conduct alleged against students, OEO will forward the Complaint or Report to the University's Title IX Office for formal investigation.
  - ii. For conduct alleged against employees, OEO will investigate the Complaint or Report.
- h. If, following the Preliminary Review, OEO determines that a formal investigation is not warranted, OEO may still refer the matter to another University office to address the concerns, as appropriate.
  - i. OEO may determine that a formal investigation is not warranted for various reasons, including but not limited to the following:

1. Lack of jurisdiction;
2. Insufficient information;
3. The matter has already been addressed by the University;
4. Inability to identify Respondent;
5. Respondent is not affiliated with the University; and
6. The conduct alleged in the complaint, even if true, would not constitute Title VI Misconduct.

#### 6. Informal Resolution

- a. OEO will determine when an informal resolution process (e.g. mediation) is appropriate. An informal resolution process will only proceed if both parties agree to participate. OEO will refer the matter to the appropriate University office to facilitate the informal resolution process. An informal resolution process may not be offered for allegations involving violence, threats, or other serious misconduct that would require formal investigation.
- b. If the informal resolution process results in an agreement, the agreement will be documented in writing and signed by both parties. The University shall promptly provide a copy of the agreement to OEO.
- c. The agreement may include remedies such as apologies, educational requirements, no-contact orders, or other appropriate remedies without a formal finding of responsibility.
- d. If no agreement is reached or if either party withdraws from the informal resolution process, then the matter shall proceed to a formal investigation.
- e. In limited circumstances, even if the parties come to an agreement during informal resolution, OEO may determine that a formal investigation is still warranted.

#### 7. Formal Investigation Process

- a. Designation of Investigative Office
  - i. Complaints or Reports against employees will be investigated by OEO.
  - ii. Complaints or Reports against students will be forwarded to the respective University's Title IX Office for formal investigation.
  - iii. OEO may consolidate complaints in situations that arise out of the same facts or circumstances and involve more than one Affected Individual or more than one Respondent. If a group of Respondents includes both students and employees, the matter will be investigated jointly by OEO and the University's Title IX Office.

b. Notice of Investigation

- i. Notification to Parties: The Complainant and Respondent will receive a written notice of investigation, including:
  1. A summary of the allegations, including sufficient details known at the time;
  2. Information about the investigation process and a link to the applicable System Regulation(s) under which the allegations will be investigated;
  3. A statement encouraging the parties' cooperation in the investigation; and
  4. A statement against retaliation.
- ii. Notification to Administrators: Relevant administrators will be notified of formal investigations against employees. The University's Office of the Provost will be notified of any investigations involving faculty.

c. Information Gathering

- i. The assigned investigator will:
  1. Conduct interviews with relevant individuals and any identified material witnesses.
  2. Collect and review relevant evidence and documentation related to the complaint.
  3. Maintain detailed records of interviews, evidence collected, and all communication related to the investigation.

d. Conclusion of Investigation

- i. Complaints or Reports Against Employees
  1. At the conclusion of the investigation, the investigator will determine whether the reported conduct constitutes a violation of this regulation.
  2. The standard of review will be preponderance of the evidence (i.e. whether the findings are more likely than not).
  3. The findings of the investigation under this regulation are final.
  4. The investigator will provide written notification to the Complainant and Respondent regarding the findings of the investigation.
  5. The investigator will prepare a written report, a copy of which will be provided to the appropriate University official.

6. If no violation of this regulation is found, the investigator will work with the University to determine whether ongoing supportive measures and other educational programs are required to address the concerns.
7. If a violation of this regulation is found:
  - a) Appropriate disciplinary action will be determined by the appropriate administrator.
    - i. Disciplinary action may range from counseling up to and including termination. Termination procedures for tenured faculty will be conducted pursuant to University's applicable operating policies and procedures regarding faculty non-reappointment, dismissal, or tenure revocation.
    - ii. Any disciplinary action imposed in connection with a complaint filed pursuant to this policy shall be reported in writing to OEO by the responsible University administrator at the time the disciplinary action is implemented. Confirmation of the disciplinary action can be provided via a copy of a counseling or other written disciplinary action, resignation, termination document, etc.
    - iii. An employee may appeal the disciplinary action imposed in accordance with the University's applicable operating policies and procedures regarding faculty or staff complaint procedures. The University will forward a copy of the appeal and the final determination regarding the disciplinary action to OEO.
  - b) OEO will work with the University to identify prompt and effective steps to end the harassment, eliminate the hostile environment and its effects, and prevent the harassment from recurring. The University may provide potential remedial actions, such as:
    - i. Counseling or academic support for the Affected Individual(s);
    - ii. Educational programs and training for the broader campus community;
    - iii. Measures to restore or preserve access of Affected Individual(s) to educational programs and activities; or
    - iv. Other corrective measures, as determined by the University.



a. Complaints or Reports Against Students

1. At the conclusion of the investigation, the investigator will prepare a written report of the investigation. The investigator shall refer the investigation report to a hearing panel to determine findings and appropriate disciplinary action, as set forth below.
2. Hearings will be conducted in accordance with the procedure set forth in Attachment 1.
3. After the hearing, the hearing panel will issue a written determination of findings and appropriate disciplinary action.
4. The University will provide the written determination to the parties simultaneously. For hearings pursuant to this section, student may appeal on the grounds and in accordance with the procedure set forth in Attachment 1.
5. If no violation of this regulation is found, the investigator will work with the University to determine whether ongoing supportive measures and other educational programs are required to address the concerns.
6. If a violation of this regulation is found, the designated investigative office will work with the University to identify prompt and effective steps to end the harassment, eliminate the hostile environment and its effects, and prevent the harassment from recurring. The University may provide potential remedial actions, such as:
  - a. Counseling or academic support for the Affected Individual(s);
  - b. Educational programs and training for the broader campus community;
  - c. Measures to restore or preserve access of Affected Individual(s) to educational programs and activities; or
  - d. Other corrective measures (restrictions, policy changes to prevent recurrence etc.).
7. A copy of the investigation report and findings, the written determination of the hearing panel, and a copy of the outcome of any appeal will be provided to OEO.

8. Retaliation

- a. Retaliation against a person who opposes a discriminatory practice, reports a potential violation under this regulation, assists someone with a Report of a violation, or participates in

any manner in an investigation or in the resolution of a complaint made under this regulation is strictly prohibited and will not be tolerated.

- b. Retaliation includes, but is not limited to threats, intimidation, reprisals, and/or adverse actions related to an individual's employment or education.
- c. The University will take appropriate steps to ensure that a person who, in good faith, reports, complains about, or participates in an investigation pursuant to this regulation will not be subjected to retaliation.
- d. Individuals who believe they are experiencing retaliation are strongly encouraged to lodge a complaint with the University using the same procedure outlined in this regulation.
- e. Individuals who are found to have retaliated under this regulation will be subject to disciplinary action, up to and including termination of employment, expulsion from the University, or being barred from University premises and events.

## 9. Confidentiality

The confidentiality of the parties will be honored by the University to the extent allowed by law and to the extent possible without compromising the University's commitment and obligation to investigate allegations under this regulation. The willful and unnecessary disclosure of confidential information by anyone may affect the integrity of the investigation.

Contact Office: System Office of General Counsel  
806-742-2155  
System Office of Equal Opportunity  
806-742-3627