



TEXAS TECH UNIVERSITY SYSTEM

RIGHTS AND OPTIONS **Midwestern State University**

The purpose of this document is to explain Midwestern State University's (University) responsibilities under Title IX and the Violence Against Women Act (VAWA), and to provide the rights and options available to students and employees who may have been a victim of sexual assault, dating violence, domestic violence, or stalking, whether the incident occurred on or off campus. In the event of a conflict between this document and applicable law, the law will prevail. A Complainant does not need to file a formal complaint to access support.

Reports to Police

If you are experiencing an emergency, please call 9-1-1 immediately.

You have the option to report incidents of sexual misconduct to law enforcement, or you may decline to do so. The Title IX Coordinator or the System Office of Equal Opportunity will assist you with contacting law enforcement if you wish.

Wichita Falls Police Department
610 Holliday Street
Wichita Falls, Texas 76301
(940) 761-7792

MSU Police Department
6 Eureka Circle
Wichita Falls, Texas 76308
(940) 397-4239

Wichita Falls Sheriff's Department
2818 Central Freeway East
Wichita Falls, Texas 76302
(940) 766-8170

Reports to the University

You have the option to report incidents of sexual misconduct to the University and request an investigation, or you may decline to do so.

Title IX Coordinator
Laura Hetrick
MSU Sunwatcher Village Clubhouse
Suite 121
3410 Taft Boulevard
(940) 397-4213
laura.hetrick@msutexas.edu

Title IX Coordinator for Employees
System Office of Equal Opportunity
TTU System Admin Building
1508 Knoxville Avenue, Suite 309
Lubbock, Texas 79409
(806) 742-3627
eeo@ttu.edu

Medical Facilities

You may receive medical attention at any medical facility. All medical facilities are confidential and have no duty to report disclosed information to the University. However, certain facilities have staff that are specially trained to help survivors of domestic violence and sexual assault, such as

Sexual Assault Nurse Examiners (SANE) who can perform a Sexual Assault Forensic Exam (SAFE) to preserve forensic evidence, with or without police involvement.

If possible, evidence collection should be completed within approximately 120 hours of an assault. After 120 hours, it still may be helpful to receive medical attention. It is recommended that you preserve any evidence related to the incident, such as clothing, photographs, phone records, text messages, computer records, and other documents. Clothes, sheets, or towels should be placed in a paper (not plastic) bag.

The following locations have SANE on-call:

United Regional Hospital
1600 11th Street
Wichita Falls, Texas 76301
(940) 764-7000

The University also offers 24/7 virtual health and well-being services for its students through TimelyCare at no cost. To get started, create an account at timelycare.com/msutexas.

Confidential Resources on Campus

Your identity and any disclosures made to a University healthcare provider, mental health care provider, or licensed professional counselor acting in the course and scope of their employment with the University are confidential and will not be disclosed without your consent. Such University employees shall only report to the University the type of incident that occurred and shall not include any information that would violate an expectation of privacy.

In addition to any off-campus resources, the following resources are confidential:

MSU Counseling Center for Students

Corner of Hampstead Lane and

Louis Rodriguez Drive

(940) 397-4618

pam.midgett@msutexas.edu

Mandatory Reporting

All other University employees that are not designated as confidential resources above are deemed mandatory reporters. Any employee that is a mandatory reporter is required to promptly report incidents to the Title IX Coordinator or the System Office of Equal Opportunity that the employee reasonably believes constitutes sexual misconduct committed by or against a University student or employee. The Title IX Coordinator or the System Office of Equal Opportunity will then reach out to you to offer support and provide you with the opportunity to file a formal complaint, though you are not obligated to do so.

Anonymous Reports

Individuals wishing to remain anonymous may file a complaint in any manner with the University's Title IX Coordinator or the System Office of Equal Opportunity. However, electing to remain anonymous may greatly limit the ability to investigate an alleged incident, collect evidence, and/or take effective action against individuals accused of sexual misconduct in violation of University policy.

Supportive Measures

The University will offer a range of supportive measures to the parties, including, but not limited to: separation or modification of academic or working situations; mutual restrictions on contact; one-way restrictions on contact, where justified by the specific facts and circumstances; permissive withdrawal from or retake of a class without penalty; counseling; extensions of deadlines or other course-related adjustments; campus escort services; leaves of absence; increased security and monitoring of certain areas of campus; or any other similar measures tailored to the individualized needs of the parties. The Title IX Coordinator or the System Office of Equal Opportunity is responsible for coordinating the effective implementation of any remedies, including supportive measures.

Protective Orders

You may also seek protective orders, "no-contact" orders, restraining orders, or other similar lawful orders issued by a court of applicable jurisdiction. You may request that the University assist you with contacting law enforcement authorities and other external resources to seek such orders. The University will respect and assist in the implementation of protective orders to the extent practicable. You may also contact an attorney for assistance with this process.

University Policies and Procedures

After a report or complaint of sexual misconduct has been submitted to the University's Title IX Coordinator or the System Office of Equal Opportunity, the appropriate office will respond or address the report of sexual misconduct.

The University's policies and procedures for addressing incidents of sexual misconduct are detailed in Texas Tech University System Regulations [07.06A](#) and [07.06B](#).

The Respondent is presumed not responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process. For a determination of responsibility, the University uses the preponderance of the evidence standard, which means the conduct is more likely to have occurred than not.

Both the Complainant and the Respondent have the right to be accompanied by an advisor of the individual's choosing during all meetings, proceedings, and/or disciplinary hearings at which the individual is present. However, advisors are not allowed to actively participate in the process.

After the investigation is complete, both parties will be simultaneously notified of the outcome and any appeals. A student or employee found responsible for a violation of University policy may be subject to disciplinary action or sanctions by the University, up to and including termination of employment, expulsion from the University, or being barred from the University premises and events.

DEFINITIONS

Complainant:

An individual who was allegedly subject to conduct that could constitute a violation of Texas Tech University System Regulations 07.06A or 07.06B.

Consent:

Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly convey permission for a specific activity. 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.

Dating Violence:

Physical, sexual, or verbal abuse or violence, or a threat of abuse or violence, committed by an individual who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on the type and length of the relationship and the frequency of interaction between the individuals involved in the relationship. A casual acquaintanceship or ordinary socializing between two individuals does not constitute a romantic or intimate relationship. This definition does not include acts covered under the definition of Domestic or Family Violence.

Domestic or Family Violence:

Physical, sexual, or verbal abuse or violence committed (a) by a current or former spouse or intimate partner of the victim; (b) by an individual with whom the victim shares a child in common; (c) by an individual with whom the victim is

cohabitating (or has cohabitated) with a spouse or intimate partner; (d) by an individual similarly situated to a spouse of the victim under the Domestic or Family Violence laws of the State of Texas; or (e) by any other individual against an adult or youth victim who is protected from that individual's acts under the Domestic or Family Violence laws of the State of Texas.

Incapacitation:

A state of being that prevents an individual from having the capacity to give Consent. For example, an incapacitation could result from an individual using drugs or alcohol, being asleep or unconscious, or having an intellectual or other disability.

Respondent:

An individual who has been reported to be the perpetrator of conduct that could constitute a violation of Texas Tech University System Regulations 07.06A or 07.06B.

Sexual Assault:

Sexual contact or intercourse with an individual without that individual's consent, including sexual contact or intercourse against an individual's will or in a circumstance in which an individual is incapable of consenting to the contact or intercourse. The following offenses are examples of Sexual Assault:

Incest: Sexual intercourse between individuals who are related to each other within the degrees wherein marriage is prohibited by law.

Fondling: The touching of the private body parts of another for the purpose of sexual gratification, without the consent of the victim, including instances where the

victim is incapable of giving consent because of the victim's age or because of the victim's temporary or permanent incapacity.

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 individual, without the consent of the victim.

Statutory Rape: Sexual intercourse with an individual who is under the statutory age of consent.

Stalking:

A course of conduct directed at a specific individual that would cause a reasonable individual to fear for the individual's safety or the safety of others or would cause that individual to suffer substantial emotional distress. A "course of conduct" means two or more acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows monitors, observes, surveils, threatens, or communicates to or about an individual or interferes with an individual's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For definitions of any other terms not defined herein, please refer to Texas Tech University System Regulations 07.06A and 07.06B.

QUICK GUIDE TO ADDITIONAL RESOURCES

ON-CAMPUS

(S) Services for Students

(E) Services for Employees

Dean of Students (S)

MSU Clark Student Center, Room 108
(940) 397-7500
student.affairs@msutexas.edu

Financial Aid (S)

Hardin Administration Building, Room 102
(940) 397-4214
financial-aid@msutexas.edu

Human Resources (E)

Hardin Administration Building, Room 210
(940) 397-4221
human.resources@msutexas.edu

Global Education Office (S)

(940) 397-4568
globalscholars@msutexas.edu

Disability Support Services (S)

Clark Student Center, Room 168
(940) 397-4140
disabilityservices@msutexas.edu

Parking (through MSU Police) (S) (E)

(940) 397-4310
parking@msutexas.edu

Office of Residence Life & Housing (S)

Main Office: (940) 397-4217
TDD: (940) 397-4515
After-Hours Contact: (940) 397-6600
housing@msutexas.edu

OFF-CAMPUS

Confidential Domestic and Sexual Abuse Services

First Step of Wichita Falls

624 Indiana Avenue, Suite 304
Wichita Falls, Texas 76308
Crisis Hotline: (800) 658-2683
Office: (940) 723-7799

Patsy's House

1411 10th Street
Wichita Falls, Texas 76301
(940) 322-8890
<https://www.patsyshouse.org/contact>

Love is Respect

(866) 331-9474
loveisrespect.org

National Domestic Violence Hotline

(800) 799-7233
thehotline.org/get-help/

National Sexual Assault Hotline

(800) 656-4673
rainn.org

Counseling and Mental Health

Helen Farabee Center

1000 Brook Avenue
Wichita Falls, Texas 76301
Crisis Helpline: (800) 621-8504
Office Line: (940) 397-3100

National Suicide Prevention Lifeline

Call or text 988
988lifeline.org

Housing Assistance

Wichita Falls Housing Authority

501 Webster
Wichita Falls, Texas 76306
(940) 723-8389
https://www.wfha.com/contact/contact_us.php

Immigration and Visa Assistance

USCIS Field Office

6500 Campus Circle Drive East
Irving, Texas 75063
(800) 375-5283

Legal Assistance

Legal Aid of Northwest Texas

710 Lamar Street, Suite 300
Wichita Falls, Texas 76301
(940) 723-5542 or
(800) 926-5542
info@lubbocklegalaids.org

Victim/Survivor Advocacy

Wichita Falls Victim Assistance Coordinator

(940) 766-8113