



TEXAS TECH UNIVERSITY SYSTEM

RIGHTS AND OPTIONS

Texas Tech University Health Sciences Center

El Paso

The purpose of this document is to explain Texas Tech University Health Sciences Center El Paso'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.

El Paso Police Department

911 N Raynor Street
El Paso, Texas 79903
(915) 212-4000

Texas Tech El Paso Police Department

5001 El Paso Drive
El Paso, Texas 79905
(915) 214-7111
ttpelpaso@ttuhsc.edu

El Paso County Sheriff's Office

3850 Justice Street
El Paso, Texas 79938
(915) 546-2280

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

Office of Title IX
3601 4th Street, UC Suite 330A
Lubbock, Texas 79430
(806) 743-9861
titleixcoordinator@ttuhsc.edu

Title IX Coordinator for Employees

System Office of Equal Opportunity
System Admin Building, Suite 309
Lubbock, Texas 79410
(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:

UMC of El Paso

4815 Alameda Avenue
El Paso, Texas 79905
(915) 521-7735

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 the medical facilities listed above and any off-campus resources, the following on-campus resources are confidential:

TTUHSC El Paso Employee Assistance Program (EAP)

4615 Alameda Avenue

El Paso, Texas 79905

(915) 215-6255

ttuhscelpasoeassistanceprogram@ttuhsc.edu

Student Support Center

137 Rick Francis Street, Room 2C201

El Paso, Texas 79905

(915) 215-8255

support.elp@ttuhsc.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 an anonymous 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, as applicable, 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

Student Services and Student Engagement (S)

137 Rick Francis Street, Room 2C201

El Paso, Texas 79905

(915) 215-4370

elp.studentservices@ttuhsc.edu

Financial Aid (S)

137 Rick Francis Street, Room 2C201

El Paso, Texas 79905

(915) 215-4370

elp.financialaid@ttuhsc.edu

Human Resources (E)

4950 Gateway Boulevard East

El Paso, Texas 79905

(915) 215-4145

elpasohr@ttuhsc.edu

Visa and Immigration Services

Administration (S) (E)

4950 Gateway Boulevard East

El Paso, Texas 79905

(915) 215-4145

elp_visa@ttuhsc.edu

Student Business Services (S)

130 Val Verde Street

El Paso, Texas 79905

(915) 215-5680

sbselp@ttuhsc.edu

Accessibility Services (S)

(915) 215-4398

norma.fuentes@ttuhsc.edu

Parking and Transportation Services (S) (E)

5310 El Paso Drive, Room 1001

El Paso, Texas 79905

(915) 215-4425

parkingelp@ttuhsc.edu

OFF-CAMPUS

Confidential Domestic and Sexual Abuse Services

Center Against Sexual and Family Violence

580 Giles Road

El Paso, Texas 79915

Crisis Hotline: (915) 593-7300

casfv.org

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

Emergence Health Network

1601 E. Yandell Street, Suite B

El Paso, Texas 79903

Office Line: (915) 599-4900

24/7 Crisis Hotline: (915) 779-1800

National Suicide Prevention: (800) 273-8255

El Paso Psychiatric Center

4615 Alameda Avenue

El Paso, Texas 79905

(915) 532-2202

National Suicide Prevention Lifeline

Call or text 988

988lifeline.org

Housing Assistance

City of El Paso Housing Programs Division

(915) 212-0139

housingprograms@elpasotexas.gov

Housing Authority of the City of El Paso

5300 Paisano Drive

El Paso, Texas 79905

(915) 849-3742

Immigration and Visa Assistance

USCIS Field Office

1545 Hawkins Boulevard

El Paso, Texas 79925

(800) 375-5283

Legal Assistance

Texas Rio Grande Legal Aid

1331 Texas Avenue

El Paso, Texas 79901

(915) 585-5100 or

(888) 988-9996

Victim/Survivor Advocacy

Victim Services Program

800 E. Overland, Suite 100

El Paso, Texas 79901

(915) 273-3344

elpasocountycscd@epcounty.com