

KNOW
MORE
ON OUR CAMPUS



UNT | DIVISION OF STUDENT AFFAIRS
Survivor Advocacy

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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 a Survivor Advocate at SurvivorAdvocate@unt.edu. We are here to help.

A survivor of violence (sexual misconduct, dating/domestic violence, or 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.

The University of North Texas (UNT) takes acts of sexual misconduct, dating or domestic violence, harassment, and stalking extremely seriously. The following information, consistent with the U.S. Department of Education Title IX Regulations and the State of Texas regulations, provide details on UNT's response and resources to these acts of violence. UNT 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.

UNT strongly encourages survivors to report all acts of violence. This booklet explains the process of filing a formal complaint with the University as well as the police. Please be aware that even if an individual chooses not to file a report, the Survivor Advocate can assist with safety measures such as changing academic schedules and making housing arrangements, as well as connecting survivors to physical and mental health support resources.

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 UNT 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 and state law 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.

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.

DEFINITIONS

Complainant

An individual who is alleged to have been the subject of conduct prohibited under UNT policy regardless of whether the individual reports the conduct.

Consent

Words or actions that show an active, knowing, and voluntary agreement to engage in each instance of sexual activity. Consent cannot be obtained by force; coercion; manipulation; threats; or when an individual administers any substance to another person, without the person's knowledge, that intentionally impairs the ability of the person to voluntarily consent. Consent is absent when the sexual activity in question exceeds the scope of previously given consent. Consent may be revoked at any time.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to: sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

Some examples include:

- Shoving
- Punching
- Slapping
- Pinching
- Hitting
- Kicking
- Hair-pulling
- Strangulation
- Intimidation (throwing things, blocking the way of escape, etc.)

Dating violence exists in a cycle of power and control and can include emotional, verbal, and psychological abuse.

Domestic Violence

A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Hearing Officer

One of three decision-makers in a live hearing. The Hearing Officer will manage the questioning of parties and witnesses in the hearing and will issue the written determination of responsibility.

Incapacitation

A person lacks the ability to voluntarily agree to sexual activity because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, or is otherwise unaware that sexual activity is occurring. Incapacitation is not the same as intoxication. When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination. A party who engages in sexual conduct with a person who is incapacitated under circumstances in which a reasonable sober person in similar circumstances would have known the person to be incapacitated is responsible for sexual misconduct.

Respondent

An individual identified as allegedly having engaged in conduct prohibited under this policy regardless of whether a formal complaint is made.

Retaliation

The University of North Texas does not tolerate retaliation. Retaliation is defined by any adverse, treatment, or condition taken because of an individual's participation in a protected activity (*i.e.*, made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Policy 16.007), including an act intended to intimidate, threaten, coerce, or discriminate that is likely to interfere with or dissuade a reasonable person from opposing discriminatory or harassing practices, filing a sexual harassment complaint of, participating in an investigation regarding sexual harassment, or otherwise affecting any right or privilege secured by Title IX or University policy, or because the individual has. Retaliation also includes filing a complaint or other action against an individual for alleged violation of University policy unrelated to sexual harassment but arising out of the same facts or circumstances as a report of sex discrimination or sexual harassment, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or University policy.

Sexual Assault

An offense that meets the definition of rape, fondling, incest, or statutory rape.

- a. 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 victim.
- b. Fondling: the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- c. Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.

Sexual Coercion

The use of manipulation or threat to force someone to engage in a sexual act.

Sexual Exploitation

Taking non-consensual or abusive sexual advantage of an individual for the benefit or advantage of anyone other than the person being exploited. Examples of sexual exploitation include but are not limited to: non-consensual video or audio-taping of sexual activity, undetected viewing of another's sexual activity or other types of sex-based voyeurism, or the intentional removal of a condom or other prophylactic barrier during sexual activity without the consent of a sexual partner.

Sexual Harassment – State

“Sexual Harassment – State” or “State 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 – Title IX

“Sexual Harassment – Title IX” or “Title IX Sexual Harassment” means Conduct on the basis of sex that satisfies one or more of the following:

- a) Quid pro quo: An employee of the institution conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct
- b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- c) “Sexual assault,” “dating violence,” “domestic violence,” or “stalking” as defined in this Policy.

Subsections (a) and (c) in this definition are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such conduct is sufficiently serious to deprive a person of equal access. Therefore, any instance of quid pro quo sexual harassment and any instance of sexual assault, dating violence, domestic violence, and stalking are considered sexual harassment under this Policy.

Sexual Harassment

“Sexual Harassment” without the qualifier “State” or “Title IX” refers to both State Sexual Harassment and Title IX Sexual Harassment.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress, “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalked directly, indirectly or through third parties, by any action, method, device, or means follows,

monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person'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. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. Examples of stalking include:

- Showing up at home or work uninvited
- Sending unwanted messages, including through text or social media
- Leaving unwanted gifts
- Constantly calling and hanging up

Survivor Advocate

An individual employed by the University to provide advocacy services to survivors of sexual misconduct, relationship violence and stalking, including information about on and off campus resources, counseling services, health and safety programs, academic and on campus housing options, protective orders, crime victim compensation, and other resources. The Survivor Advocate is not a confidential employee.

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 unsafe, call 911. If you need help for an incident which happened on campus, call the UNT Police Department at 940-565-3000. 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. If you are a UNT Frisco student, please contact Frisco Police Department at 972-292-6010. 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.

- Denton County: [Denton County Friends of the Family](#) – (940-382-7273) (24-hour Crisis Line)
- Collin County: [The Turning Point](#) – 800-886-7273
- Dallas County: [Dallas Area Rape Crisis Center](#) – 972-641-7273
- Tarrant County: [The Women's Center of Tarrant County](#) – 817-827-2737

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

The Sexual Assault Nurse Examiners (SANE) program is available at four hospitals in Denton County: Medical City Denton ([940-384-3535](#)), Texas Health Presbyterian Hospital Denton (940-898-7000) [Baylor Carrollton](#) (972-492-1010) or [Flower Mound Emergency Center](#) (972-420-4911). The nurse will perform the examination and stay with the survivor throughout the treatment process. These three hospitals, Denton County Friends of the Family, and law enforcement collaborate to provide service and care to survivors of sexual assault.

In the metroplex, the following hospitals offer a SANE program:

- Collin County: Texas Health Plano (214-418-4041) – 6200 West Parker Road – Plano, TX 75093
- Tarrant County: John Peter Smith Hospital (817-702-3431) – 1500 S. Main Street – Ft. Worth, TX 76104
- Dallas County: Texas Health Presbyterian – Dallas Safe Suite (214-345-6789) – 8200 Walnut Hill Lane – Dallas, TX 75231

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

Survivor Advocate – The UNT Survivor Advocate’s role is to connect students who have been impacted by sexual or relational violence to resources (counseling, health, safety, academics, legal, etc.), and act as their advocate. The Survivor Advocate can assist a student with filing protective orders, completing crime victim’s compensation applications, contacting professors for absences related to an assault, working with housing to facilitate a room change (if needed), and connecting students to the many other resources that are available, both on and off campus. Contact the advocate by calling the Dean of Students at 940-565-2648 or emailing SurvivorAdvocate@unt.edu.

Dean of Students Office – The Dean of Students (DOS) office is available to help students who may need assistance with other student behavior. DOS investigates student misconduct allegations under the Code of Student Conduct. Anyone can file a report at report.unt.edu regarding a UNT Community member who may have allegedly violated respective policies. Survivors are not required to participate in an investigation conducted by the Equal Opportunity (EO) office and can request that EO not investigate (EO can explain when it may not be able to comply with this request). EO may continue to investigate this issue without survivor’s participation, per University policy, although if the survivor chooses not to participate, it will significantly impact the investigation. DOS can institute interim measures to protect Complainants from ongoing harassment, violence, or retaliation. DOS also imposes sanctions on students found responsible for misconduct. Reach DOS at 940-565-2648.

Equal Opportunity - The Office of Equal Opportunity will review all allegations of sexual misconduct, intimate partner violence, domestic violence, and stalking for faculty, staff, and students. The reviewing office shall consult the Complainant of the alleged offense, if the individual’s identity is known, before recommending interim measures or before initiating an investigation.

Title IX Coordinator – The Title IX Coordinator is the UNT employee designated by the President to implement, monitor, and enforce UNT’s compliance with the federal law preventing sex-based discrimination. The Title IX Coordinator oversees the university’s investigative processes, and

determines which policy applies to the individual case. They can be reached at oeo@unt.edu or 940-565-2759.

UNT Police Department – 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 UNTPD at 940-565-3000 or by email at UNT.Police@unt.edu. If the assault did not occur on the UNT Campus or in Denton, you can file a report with the respective law enforcement agency. The Survivor Advocate can also connect you to the proper 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.

The Turning Point Plano – Aims to “deliver the highest quality of comprehensive treatment services for survivors of all forms of sexual violence and to set the standard for prevention education that promotes social change to end bullying, sexual harassment, and sexual violence. Turning Point offers counseling services, crisis support, education, and a free clinic for forensic exams. Contact their crisis line at 800-886-7273 or <https://www.theturningpoint.org/>.

Student Health & Wellness Center – The Student Health & Wellness Center (SHWC) can provide medical care for students impacted by sexual violence, including STD/ STI testing, pregnancy testing, emergency contraception, and referral to other resources. For more information or to schedule an appointment, please call 940-565-2333 or email AskSHWC@unt.edu. SHWC does not provide sexual assault forensic exams.

Counseling & Testing Center – The UNT Counseling & Testing Center offers free counseling sessions for students, as well as group counseling workshops. To schedule an appointment, please contact 940-565-2741, email CounselingAndTestingServices@unt.edu, or visit Chestnut Hall 311.

Student Legal Services – UNT Legal Services provides students with free legal advice, assistance, representation, and education. Schedule an appointment by calling 940-565-2614 or email StudentLegal@unt.edu.

SAFETY MEASURES

The Survivor Advocate, Dean of Students, and 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 Survivor Advocate can coordinate any reasonable arrangements that are necessary for ongoing safety. The university will fully maintain privacy possible.

- **Assistance in Reporting:** The Survivor Advocate, the Dean of Students, or the 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:** UNT can implement 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 Survivor Advocate 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 Survivor Advocate can help navigate the process. The Survivor Advocate can also go to court hearings if requested.
- **Living Arrangements:** The Survivor Advocate can assist in changing on-campus living arrangements to ensure safety and a comfortable living situation.
- **Academic Arrangements:** The Survivor Advocate can assist in adjusting academic schedules, contacting instructors, providing access to academic support services, and advocating on the survivor's behalf.
- **Other Measures:** The Survivor Advocate can coordinate reasonable arrangements to address the effects of violence, including connecting survivors to counseling, health care, transportation arrangements, or support resources.

When the Dean of Students Office becomes aware of a student who could have been impacted by sexual misconduct, the Survivor Advocate 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 UNT Community

You are not alone. We are here to help.

POLICIES

The University of North Texas has a policy specifically addressing sexual assault, sexual harassment, and retaliation: UNT Policy 16.005 (Prohibition Against Sexual Misconduct and Retaliation)

This policy is available online at:

Policy 16.005: Prohibition of Sexual Misconduct and Retaliation–
https://policy.unt.edu/sites/default/files/16.005_ProhibitionAgainstSexMisandRetal.Pub_.pdf

Policy 07.012: Code of Student Conduct: <https://policy.unt.edu/policy/07-012>

Other policies that might be relevant to a situation of sexual misconduct:

- Policy 05.021: Consensual relationships – <https://policy.unt.edu/policy/05-021>
- Policy 16.004: Prohibition of Discrimination, Harassment, and Retaliation – <https://policy.unt.edu/policy/16-004>

To read these policies, please visit the university policy manual website at <https://policy.unt.edu/policy-manual>.

REPORTING

Anyone can file a report with the University at report.unt.edu:
<https://studentaffairs.unt.edu/dean-of-students/report>

Duty to Report

Employees who, in the course of performing their authorized duties, witness or receive information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment or other sexual misconduct and is alleged to have been committed by or against a person who was a student enrolled at or an employee of UNT at the time of the incident shall promptly report the incident to the Title IX Coordinator or a Deputy Title IX Coordinator. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including whether an alleged victim has expressed a desire for confidentiality in reporting the incident. Students and other individuals, including visitors, are strongly encouraged to report sexual harassment and other sexual misconduct to the Title IX Coordinator in the Office of Equal Opportunity or a Deputy Title IX Coordinator.

Title IX Coordinator (940-565-2759) – UNT’s Title IX Coordinator is housed in Equal Opportunity (Hurley 175). You may file any Title IX-related complaint with the Title IX Coordinator (including sexual assault and sexual harassment). Equal Opportunity will investigate the complaint. The Title IX Coordinator will also ensure your continued access to your educational program.

UNT Police (940-565-3000) - You may file a police report with campus police for assaults occurring on campus at the Sullivant Public Safety Center (1700 Wilshire Street). 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 University of North Texas 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 is subject to disciplinary action. Student discipline follows the procedures outlined in the Code of Student Conduct, which is administered and enforced by the Dean of Students Office. The Equal Opportunity and Title IX Office will investigate allegations of sexual misconduct and intimate partner violence and if there are findings, transfer the case to the Dean of Students office for sanctions.

Anyone can report prohibited conduct to the university by notifying the Dean of Students Office (940-565-2648), the UNT Police Department (940-565-3000) or the Title IX Coordinator (940-565-2759). If the person who engaged in the prohibited conduct is a student, the Dean of Students Office can initiate procedures toward disciplinary action. The Equal Opportunity and Title IX Office will

investigate allegations of sexual misconduct and intimate partner violence and if there are findings, transfer the case to the Dean of Students office for sanctions. Both offices work together to address the issue, investigate appropriately and fairly. 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 assist and support a student regardless of if they ask for disciplinary action. Assistance and support are coordinated independent of the disciplinary process.

If you require a reasonable accommodation to fully participate in the investigation process because of a disability, please contact Equal Opportunity at 940-565-2759. 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 Equal Opportunity staff members. Investigators receive annual training on how to complete a full and fair investigation.

EO 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 EO to discuss the allegations. Parties can submit written statements or give their statements orally to EO, and EO 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 who EO should talk with.

To be fair, the Respondent has the right to know what allegations have been made and what evidence will be used in the decision-making process. 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.

EO will provide email updates on the status of the investigation. 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 EO deems relevant.

For sexual assault investigations:

Once EO has collected all information, the appropriate person (investigator, hearing panel, third party, etc.) will decide if the Respondent violated university policy. The standard of proof used is preponderance of the evidence. EO will share the finding (whether the Respondent committed misconduct or not) with the Respondent and Complainant in writing. Either party can request that the Vice President for Institutional Equity and Diversity review finding. A review can result in a change of the finding or the finding being upheld.

If the Respondent is found responsible for misconduct at the conclusion of the Vice President's review, the case will be transferred to DOS to impose a sanction for the misconduct. Possible sanctions can include Loss of Privileges, Conduct Probation, Suspension, Expulsion, trespass from part or all of campus, and no-contact orders. DOS will share the sanction with both parties in writing. Either party can request that the Vice President for Student Affairs review DOS's sanction. A review can result in a change of the sanction or the sanction being upheld.

If EO 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 involving relationship violence, stalking, or sexual misconduct:

Once EO has collected all information, the appropriate person (investigator, hearing panel, third party, etc.) will decide if the Respondent violated university policy. The standard of proof used is preponderance of the evidence. EO will share the finding (whether the Respondent committed misconduct or not) with the Respondent and Complainant in writing, along with the option to appeal.

If the Respondent is found responsible for misconduct, DOS will impose a sanction for the misconduct. Possible sanctions can include Loss of Privileges, Conduct Probation, Suspension, Expulsion, trespass from part or all of campus, and no contact orders. If the Respondent is sanctioned to Suspension, or Expulsion, either party could ask the Vice President for Student Affairs.

If EO 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.

If there is insufficient evidence to find the Respondent responsible, or if the Respondent is sanctioned to anything except Suspension, or Expulsion, either party can submit a request for reconsideration by providing new information within three days. The investigators will consider all information and make a final decision, which both parties will receive in writing.

We know all of this may feel overwhelming. No matter what the circumstances regarding your case, please know the Survivor Advocate is here to help you through all processes.