

Employee Reporting Requirements Guide

Prohibition of Sexual Assault, Interpersonal Violence, Stalking, Sexual Harassment, and Sex Discrimination (HOP 3-3031)

Who is required to report?

- All employees at The University of Texas at Austin who, in the course and scope of employment, witness or receive information about Prohibited Conduct (i.e., sexual harassment, sexual assault, dating violence, and/or stalking) shall promptly report the incident to the Title IX Coordinator or Deputy Title IX Coordinator.
 - Course and scope of employment is defined as an employee performing duties in the furtherance of the institution's interests.
 - Promptly means as soon as is practicable and without unreasonable delay.

Who is a Confidential Employee?

- The Title IX Coordinator designates Confidential Employees who, while in the course and scope of their confidential role, are only required to report census-level data and may not include any information that would violate a student's expectation of privacy.
- Confidential Employees include, but are not limited to, the Confidential Case Manager for Students, Student Ombuds in the University Ombuds Offices, Disability and Access (D&A), and health, medical, and mental health care providers.
- For a complete list of confidential resources, please see [Campus Resources on the Title IX Office website](#).

Prohibited Conduct Definitions

Sexual Harassment

- Quid Pro Quo - An employee of the institution conditioning the provision of university aid, benefit, service or term of employment or educational experience on an individual's participation in unwelcome sexual conduct.
- Hostile Environment - A hostile environment exists when the conduct is unwelcome and so sufficiently severe, pervasive, and offensive that it effectively denies a person equal access to an education program or activity.

Sexual Assault

Conduct that meets the definition of Rape, Fondling, Incest, or Statutory Rape.

- 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 affected individual.
- Fondling - The intentional touching of private body parts (including the genitalia, anus, groin, breast, inner thigh, or buttocks) of another person for the purpose of sexual gratification without the Consent of an affected individual.
- Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape - Sexual intercourse with a person who is younger than 17 years of age and is not a spouse of the Respondent.

Interpersonal Violence

Violence committed in a relationship that meets the definition of Domestic Violence or Dating Violence:

- Domestic (Family) Violence - Includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the domestic or family violence laws of the state of Texas, including the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior by a: (a) current or former spouse or intimate partner of the affected individual, or a person similarly situated to a spouse of the affected individual; (b) a person with whom the affected individual shares a child in common; (c) a person with whom the affected individual is cohabiting (or has cohabited) with; or, (d) 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 state of Texas.
- Dating Violence - Physical abuse, violence, or threats of abuse or violence, including economic or technological abuse that may or may not constitute criminal behavior, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the affected individual. The existence of such a relationship will be determined based on (a) the type and length of the relationship and (b) the frequency of interaction between the persons involved in the relationship.
- Domestic Violence and Dating Violence can include Economic Abuse. Economic Abuse means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation.

Stalking

- A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or would cause that person to suffer substantial emotional distress.

Technological Abuse

- In the context of sexual assault, interpersonal violence, and stalking, Technological Abuse means an act or pattern of behavior that is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology.

Additional Prohibited Conduct

The following are additional categories of conduct that are prohibited by the University and will result in disciplinary action:

- Sex Discrimination
- Sexual Exploitation
- Unprofessional or Inappropriate Conduct
- Retaliation
- False Information and False Complaints
- Interference with Grievance Processes under this Policy
- Failure to Report by a Non-Confidential Employee
- Failure to Adhere to Interim Measures
- Pregnancy or Parenting Discrimination

Please review [HOP 3-3031](#) for additional information, definitions, and examples of Prohibited Conduct.

Identifying When to Report

Employees are required to promptly report all information concerning an incident of Prohibited Conduct. Please use the following assessment questions to determine when you need to report:

1. Is it Prohibited Conduct?
2. Are you or were you in the course and scope of your employment when you received the information or witnessed the incident?
3. Was at least one University affiliate (faculty, staff, students, contractors, applicants, and/or campus visitors) involved in the incident?

If you answer yes to these three questions, you must [submit a report](#) to the Title IX Office.

Information received or incidents witnessed while engaged in a personal activity on personal time does not mandate reporting **unless** the following two circumstances occur:

1. You were recognized in your capacity as a University employee; and
2. You received a direct disclosure of Prohibited Conduct.

How to Report

- Student Services Building (SSB), 4.204
- Phone: (512) 471 - 0419
- Submit a report [via email](#)
- Submit a [report online](#)

Support and Resources

A Title IX Case Manager for Support and Resources may work with any individual impacted by Prohibited Conduct that was reported to the Title IX Office. A Case Manager may provide accommodations, support, and resources in a variety of ways.

- [Contact Support and Resources](#) to connect with a Case Manager.