



EMPLOYEE REPORTING REQUIREMENTS GUIDE

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

Who is required to report?

- All employees at The University of Texas at Austin, not designated by the University as Confidential Employees, who witness or receive information about Prohibited Conduct (i.e. sexual harassment, sexual assault, dating violence, and stalking) must **promptly** report that information to the Title IX Coordinator or Deputy Title IX Coordinator while in the course and scope of their employment. 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?

- At UT Austin Confidential Employees include, but are not limited to, student confidential advocates, student ombuds, Services for Students with Disabilities (SSD), and health, medical, and mental health care providers. For a complete list of confidential resources, please visit the [Campus Resources](#) page on our website.

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 Violence:** Physical abuse, violence, or threats of abuse or violence committed by a (a) current or former spouse or intimate partner 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, (d) a person similarly situated to a spouse of the affected individual under the domestic or family violence laws of the State of Texas, or (e) 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 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.

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.

- A **"course of conduct"** means two or more acts in which a person 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.
- **"Reasonable person"** means a reasonable person under similar circumstances and with similar identities to the affected individual.
- **"Substantial emotional distress"** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Additional Prohibited Conduct

In addition to sexual harassment, sexual assault, dating violence, and stalking, HOP 3-3031 also prohibits:

- **Sex Discrimination**
- **Sexual Exploitation**
- **Unprofessional or Inappropriate Conduct of a Sexual Nature**
- **Retaliation**
- **False Information and False Complaints**
- **Interference with Grievance Processes under this Policy**
- **Failure to Report by a Non-Confidential Employee**

Please review [HOP 3-3031: The Prohibition of Sexual Assault, Interpersonal Violence, Stalking, Sexual Harassment, and Sex Discrimination](#) 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. Promptly means as soon as is practicable and without unreasonable delay.

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 campus visitors) involved in the incident?

If you answer yes to these three questions, then the incident needs to be reported to the Title IX Office.

Information received while engaged in a personal activity on personal time is NOT reportable unless the following two circumstances occur:

1. You were recognized in your official capacity as a university employee
2. You received a direct disclosure of prohibited conduct from the impacted person

Where do I Report?

Title IX Office,
University Compliance Services
512-471-0419
titleix@austin.utexas.edu
titleix.utexas.edu

Support, Resources, and Accommodations

The University will offer reasonably available individualized services, without any fee or charge, to the parties involved in a reported incident with or without the filing of a Formal Complaint, when applicable. Please contact the Title IX Office for support at titleix@austin.utexas.edu or 512-471-0419.