
Equity, Civil Rights, and Title IX Office

BAYLOR UNIVERSITY

Your Rights, Options, and Resources under the
Sexual and Interpersonal Misconduct Policy



Baylor University

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PREFACE

This brochure outlines key aspects of Baylor University's Sexual and Interpersonal Misconduct Policy (SIM Policy). The brochure is intended to provide a general overview of Baylor's Resolution processes, which are governed by the Policy.

This booklet also provides resources for members of the Baylor community should sexual and/or gender-based harassment, sexual assault, sexual exploitation, stalking, domestic violence, dating violence, retaliation, and/or complicity occur.

The most up to date Sexual and Interpersonal Misconduct Policy, in its entirety, is available online at [**baylor.edu/titleix**](https://baylor.edu/titleix). For questions regarding the content of this brochure and/or the Policy outlining the Resolution processes, contact Baylor University's Equity, Civil Rights, and Title IX Office (Equity Office).



TERMINOLOGY AND DEFINITIONS

Complainant: Individual who is reported to have experienced Prohibited Conduct, regardless of whether the individual makes a report or seeks disciplinary action.

Respondent: Individual who has been accused of Prohibited Conduct.

Third party: Individual who is not a University student, faculty member, or staff member (e.g., vendors, alumni/ae, visitors, or volunteers).

Party or parties: may also be used to refer to a complainant or respondent participating in a resolution process.

Witness: Individual who may have information relevant to a report of Prohibited Conduct.

The definitions of sexual harassment, sexual assault, domestic violence, dating violence, and stalking provided in Baylor University's Sexual and Interpersonal Misconduct Policy ("the Policy") are intended to reflect that the University prohibits those forms of misconduct and/or crime as, where applicable, they are defined in the federal Clery Act, as amended by the Violence Against Women Amendments Act of 2014 ("VAWA"), and the Department of Education regulations issued in 2020 to implement Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. The University also prohibits other forms of related misconduct and/or crime, and prohibits gender-based harassment, sexual exploitation, retaliation, and complicity, as reflected in the Policy. For greater detail regarding the definitions, please see the Policy, which is available at: baylor.edu/titleix.

Baylor's Sexual and Interpersonal Misconduct Policy contains two subsets of Prohibited Conduct, Title IX Sexual Harassment and Non-Title IX Misconduct. Title IX Sexual Harassment is Prohibited Conduct of the following types committed by or against students and/or employees in an education program or activity of the University, in the United States. Prohibited Conduct that does not fall within the definition of Title IX Sexual Harassment, either due to the nature of the conduct or because it did not reportedly occur within a program or activity of the University in the United States is considered Non-Title IX Misconduct.

Title IX Sexual Harassment

- **Title IX Quid Pro Quo Sexual Harassment** – Conduct on the basis of sex by which an employee of the University conditions the provision of an aid, benefit, or service of the University on a student's or employee's participation in unwelcome sexual conduct.

- **Title IX Severe, Pervasive and Objectively Offensive Sexual Harassment**

- Conduct on the basis of sex that constitutes unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a student or employee equal access to the University's education program or activity.

- **Title IX Sexual Assault** – Includes rape, fondling, or statutory rape.

- Rape: penile-vaginal penetration, oral or anal sexual intercourse, or using an object to penetrate (however slightly) the genital or anal opening of a person, without consent
 - Fondling: touching of the private body parts of another person for the purpose of sexual gratification, without consent
 - Statutory rape: sexual intercourse with a person who is under the statutory age of consent (17 years of age under Texas law)

- **Title IX Domestic Violence** – Conduct that constitutes a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is/was cohabitating with the complainant; by a person similarly situated to a spouse of the complainant 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 complainant 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.

- **Title IX Dating Violence** – Conduct that constitutes violence committed by a person who was/is involved in a social relationship of a romantic or intimate nature with the complainant. Dating violence does not include acts covered under the definition of domestic violence.

- **Title IX Stalking** – Conduct on the basis of sex that constitutes 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 suffer substantial emotional distress.

Non-Title IX Misconduct

- **Non-Title IX Sexual Assault** – As defined in the Title IX Sexual Assault definition above that did not reportedly occur in a program or activity of the University in the United States.

- **Non-Consensual Sexual Contact** – Any intentional touching of a person's breasts, buttocks, groin, genitals, or other intimate parts without consent. Touching may be over or under clothing and may include the respondent touching the complainant, the respondent making the complainant touch the respondent or another person, or the respondent making the complainant touch the complainant's own body.

- **Sexual and Gender-Based Harassment**

- **Sexual Harassment** - Sexual harassment is any unwelcome sexual advance, requests for sexual favor, and/or other verbal or physical conduct of a sexual nature when one of the conditions outlined in (1), (2), or (3), below, is present.

- **Gender-Based Harassment** - Gender-based harassment includes harassment based on sex, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve contact of a sexual nature, when one of the conditions outlined in (1), (2), or (3), below, is present.

- 1) Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of a person's instruction, academic standing, employment, or participation in any University program, activity, or benefit, but which does not fit within the definition of Title IX Quid Pro Quo.

- 2) Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions, in circumstances that do not fit within the definition of Title IX Quid Pro Quo.

- 3) Such conduct creates a hostile environment. Under Texas Education Code §51.281(4) a hostile environment exists:

- a) in the employment context, when it unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or

- b) in the education context, when it is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from the University's educational programs or activities.

- **Sexual Exploitation** - Any act where one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another, but that does not fall within the definition of Title IX Sexual Harassment. Sexual exploitation may include, but is not limited to:

- surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
 - recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information without the knowledge and consent of all parties involved;

- providing alcohol or drugs to a complainant with the intent to facilitate Prohibited Conduct;
- exposing one’s genitals or inducing another to expose their own genitals in non-consensual circumstances; or
- knowingly exposing someone to or transmitting an STI or HIV.
- **Non-Title IX Domestic Violence** - Domestic violence as defined in the Title IX Domestic Violence definition above that did not reportedly occur in a program or activity of the University in the United States.
- **Non-Title IX Dating Violence** - Dating violence as defined in the Title IX Dating Violence definition above that did not reportedly occur in a program or activity of the University in the United States.
- **Non-Title IX Stalking** - Stalking as defined in the Title IX Stalking definition above that did not reportedly occur in a program or activity of the University in the United States, or that otherwise fits within the definition of stalking but does not fall within the Title IX Stalking definition because the reported conduct is not directed at the alleged victim on the basis of sex.
- **Retaliation** - means intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations or the SIM policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding Prohibited Conduct. Retaliation may include intimidation, threats, coercion, discrimination, harassment, or adverse employment or educational actions that would discourage a reasonable person from engaging in activity protected under the SIM Policy.
- **Complicity** - Any act that knowingly aids, facilitates, promotes, or encourages the commission of Prohibited Conduct by another person.

Consent: The voluntary, informed, and freely given agreement, through words and/or actions, to participate in mutually agreed-upon acts. Consensual activity happens when each partner willingly and affirmatively chooses to participate.

In evaluating whether consent has been freely sought and given, the University will consider the presence of any force, threat of force, threats, or coercion; whether the complainant had the capacity to give consent; and, whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular act.

Coercion: The use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual contact. When a person makes clear that they do not wish to participate in a particular activity or communicates by words or actions a decision to stop or a decision not to go beyond a certain interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider: (1) the frequency of the application of the pressure, (2) the intensity of the pressure, (3) the degree of isolation of the person being pressured, and (4) the duration of the pressure.

Incapacitation: Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the activity is occurring. In addition, an individual is incapacitated if they demonstrate that they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in an act.

CONFIDENTIALITY, PRIVACY, RESPONSIBLE EMPLOYEES, AND CLERY ACT REPORTING

Issues of privacy and confidentiality play important roles in matters involving reported Prohibited Conduct, and those issues may affect individuals differently. While they are closely related, the concepts of privacy and confidentiality are distinct terms that are discussed below and in more detail in the Policy.

Confidentiality refers to the protections provided to information disclosed in legally-protected or privileged relationships under Texas state law, including licensed professional mental health counselors, licensed medical professionals, and ordained clergy. These confidential resources can engage in confidential communications under Texas law when the information is disclosed within the scope of the provision of professional services. When an individual shares information with a confidential resource (on campus or in the community) as a confidential communication in the course of a protected relationship, the confidential resource cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission or unless required by ethical or legal obligations which compel the professional to reveal such information.

The University will not access, consider, disclose, or otherwise use a party's privileged records or require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Confidential resources submit non-personally-identifying information about Clery-reportable crimes to the Baylor University Police Department for purposes of anonymous statistical reporting under the Clery Act. Confidential resources will report non-personally-identifiable information about incidents of sexual harassment, sexual assault, dating violence, and stalking to the Equity Office for purposes of statistical reporting. Confidential resources are identified in the Resources and Support Services section at the end of this brochure.

Privacy refers to the discretion that will be exercised by the University in the course of any investigation or other processes under the SIM Policy. Information related to a report of Prohibited Conduct will be shared with a limited circle of University employees who need to know in order to assist in the assessment, investigation, and resolution of the report and related issues. University employees receive training in how to safeguard private information. Information may be disclosed to participants in an investigation as necessary to facilitate the thoroughness and integrity of the investigation. In all such proceedings, the University will take into consideration the privacy of the parties to the extent reasonably possible.

Responsible Employees. Except for confidential resources, all University employees are designated Responsible Employees and thereby mandatory reporters of potential SIM Policy violations. Responsible Employees include all staff (hourly and salary), faculty, instructors, teaching assistants, and student workers who have supervisory responsibility or responsibility for the welfare of other students and learn of potential violations of this policy in the scope of their employment. Student workers who are Responsible Employees include but are not limited to Campus Living & Learning Community Leaders, Resident Chaplains, Athletics Team Managers, Peer Educators, and Line Camp Leaders. Responsible Employees must report immediately any information about suspected sexual or gender-based harassment, sexual assault, sexual exploitation, stalking, domestic/dating violence, or retaliation regardless of when (both prior to or during their time at Baylor) or where (both on and off campus) the alleged misconduct occurred. Reports must include any known details such as identities of the parties and the date, time, and location of the incident.

Clery Act Reporting. Pursuant to the Clery Act, the University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally-identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to campus safety. Consistent with the Clery Act, the University withholds the names and other personally-identifying information of complainants when issuing timely warnings to the University community.

FIRST STEPS AND OPTIONS

If you have experienced Prohibited Conduct as previously described, you should consider the following:

Reporting the Incident(s)

All involved parties have many options, including seeking counseling or assistance from a confidential resource, making a report under the Policy, and/or making a report to law enforcement. The University recognizes that deciding among these options can be difficult and is an intensely personal decision. Individuals are encouraged to seek assistance from a confidential resource and to explore all potential reporting and support options. Students can access confidential resources on campus through the Baylor University Counseling Center, Baylor University Health Services, the University Chaplain Burt Burleson, and the Louise Herrington School of Nursing in Dallas Chaplain Sahr Mbrwa; employees can access confidential resources through Baylor's Employee Assistance Program. More detailed contact information for confidential resources is provided in the Resources and Support Services section at the end of this brochure.

A. Emergency law enforcement assistance

Law enforcement assistance is available both on and off campus. Individuals are encouraged to contact law enforcement and seek help as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense. To contact law enforcement, call the Baylor University Police Department or Waco Police Department. Contact information is provided in the Resources and Support Services section.

B. Reporting options and related information

The University encourages all individuals to report Prohibited Conduct or a potential violation of this policy to the Equity Office, the Baylor University Police Department, and/or to local law enforcement. A complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a complainant in contacting law enforcement at any time. Under limited circumstances that appear to pose a threat to the health or safety of any University community member, the University may independently notify law enforcement.

An individual may make a report to the University, to law enforcement, to neither, or to both. Campus resolution processes and law enforcement investigations operate independently of one another, although the University will coordinate information with the Baylor University Police Department as appropriate. Anyone can make a report as follows:

- Make a report to the Equity Office in person, by telephone, by email, or online at baylor.edu/titleix/report.
- If on campus, contact the Baylor University Police Department for assistance in filing a criminal complaint and preserving physical evidence (254-710-2222).
- If off campus, contact local law enforcement to file a criminal complaint (dial 911 or, if in Waco, 254-750-7500).

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a SIM report and a criminal complaint). When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to the Equity Office, an individual can also request supportive measures.

1. Anonymous reporting

Anonymous reports can be made by submitting information on the Baylor Equity website: baylor.edu/titleix/report. Based on the nature of the information submitted, the University's ability to respond to an anonymous report will likely be limited.

2. Requests for anonymity

Once a report has been shared with the Equity Office, a complainant may also directly request that their identity remain private (request for anonymity), that no investigation occur, or that no disciplinary action be taken. The University will carefully balance this request with the University's commitment to provide a non-discriminatory environment, and the respondent's right to have specific notice of the allegation(s) if the University were to take action that affects the respondent. In such circumstances, the Title IX Coordinator may arrange for preliminary fact-finding by an investigator to gain a better understanding of the context of the complaint or take other appropriate steps, including consulting with the University's threat assessment group. More information about Balancing Complainant Autonomy with University Decision to Respond is provided in the Policy.

3. Amnesty

The University wishes to encourage good faith reports of conduct prohibited under this policy. Therefore, the University will not pursue disciplinary action against a student enrolled at the University who makes a good faith report to the University as a complainant or a witness to an incident of Prohibited Conduct for a violation by the student of the University's Student Conduct Code. Similarly, the University will not pursue disciplinary action against a complainant, respondent, or witness for disclosure of a violation of Campus Living and Learning's visitation policy or of personal consumption of alcohol or other drugs (underage or illegal) where the disclosure is made in connection with a good faith report or resolution process and the personal consumption did not place the health or safety of any other person at risk, regardless of the outcome of the University's resolution process.

Additionally, the University will not pursue disciplinary action against students (complainants, respondents, or witnesses) for conduct in violation of the Sexual Conduct Policy (<https://www.baylor.edu/risk/doc.php/339238.pdf>). Under no circumstances will a complainant or witness who makes a report of sexual assault or other Prohibited Conduct, or a respondent who participates in a resolution process be charged with violating the Sexual Conduct Policy, regardless of the outcome.

The University may investigate to determine whether a report of Prohibited Conduct was made in good faith. A student will not receive amnesty for reporting an incident involving their own commission or assistance in the commission of Prohibited Conduct. A student who makes a report but is later found responsible for Prohibited Conduct at or near the time of the incident, may not be entitled to a determination that the report was made in good faith. Granting of amnesty is final and may not be revoked. Even when amnesty is extended, the University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

Getting Medical Attention

Any necessary medical attention should be sought as soon as possible. This is necessary to mitigate the risk of sexually transmitted infections, test for pregnancy, and to determine the existence or extent of physical injury and the need for treatment. Additionally, forensic evidence can be collected if criminal prosecution or a protective order is desired or may be desired in the future.

Preserving Evidence of the Incident(s)

It is important to preserve evidence as it may be necessary in providing proof of criminal sexual assault, intimate partner violence or stalking, or in obtaining a protective order. Evidence is best collected as soon as possible. If the incident involved sexual assault or other physical contact, try (if possible) to preserve any evidence before a medical exam by not washing or changing clothes, brushing teeth or hair, eating, or other actions that might compromise evidence. Even if more time has passed, it may still be possible to collect evidence, and it is certainly possible to be evaluated for other injuries and tested for sexually transmitted infections and/or pregnancy. Related electronic evidence (e.g., text messages, photographs) and documents should be preserved as well.

Some people may wish to report Prohibited Conduct as a crime, while others may not want to report. The decision can be difficult. No one should be forced into making a choice right away. Having evidence collected in no way obligates you to file a complaint with the University or to make a report to law enforcement agencies that could lead to criminal prosecution, or to seek a protective order, but would preserve this information in the event that you decide to take such actions at a later date, or decide later to ask the University to initiate disciplinary proceedings.

Seeking Counseling Support

Self-care is important when coping with events that would be prohibited under the Policy. You are encouraged to seek confidential counseling and support from offices and/or entities identified in the Resources and Support Services section of this brochure. If you have additional questions or need further assistance, the Equity Office can assist you in navigating these resources and options.

SUPPORTIVE MEASURES AND PROTECTIVE ORDERS

Supportive Measures: Upon receipt of a report of Prohibited Conduct, the University will consult initially with the complainant and may provide reasonable and appropriate supportive measures designed to preserve the parties' educational experiences; protect the parties during an investigation; address safety concerns for the broader University community; maintain the integrity of the resolution process; and/or deter retaliation. At the appropriate time, the University will also consult with the respondent regarding supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party. Supportive measures may be provided at any time, regardless of whether an investigation and resolution process has been initiated or completed. These may include but are not limited to:

- assistance in accessing support services as available, including counseling, victim advocacy, academic support, disability services, health or mental health services, visa and immigration assistance, and student financial aid services, both on and off campus
- assistance in requesting academic accommodations, such as extensions of deadlines or other course-related adjustments, course schedule changes, and late drops
- mutual restrictions on contact between the parties (no contact directives)
- assistance navigating on and off-campus housing concerns
- assistance with safety planning, including security escorts and referrals to resources that can assist in obtaining a protective or restraining order
- assistance in obtaining medical attention, including a sexual assault forensic examination (SAFE)

Additional details surrounding supportive measures can be found in the Sexual and Interpersonal Misconduct Policy.



Contact information for those who can help with supportive measures is provided in the Resources and Support Services section in this brochure and in the Policy. Individuals who wish to make requests for assistance may always direct their requests initially to the Equity Office.

Protective Orders. In addition to (or instead of) Baylor's processes, individuals who are being or who may have been subjected to Prohibited Conduct may also have the right to pursue orders of protection and/or restraining orders. The University will support individuals if they wish to have the University's assistance in making contact with 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.

EXPLANATION OF UNIVERSITY RESOLUTION OPTIONS

The University uses two processes to resolve reports of Prohibited Conduct: **Adaptable Resolution**, which includes informal or restorative options for resolving reports, and **Disciplinary Resolution**, which involves an investigation, adjudication, and, if appropriate, the imposition of sanctions. In cases where neither Adaptable or Disciplinary Resolution processes are pursued, the report could still be addressed through an Educational Response. The Title IX Coordinator will determine the appropriate resolution process after making an initial assessment of the reported information and after considering the stated interest of the complainant, campus safety, and the University's obligation to maintain an environment free from harassment and discrimination.

As detailed in the Policy, Baylor's procedures for cases that fall within the scope of the Policy:

- provide the complainant and respondent with the same opportunities to be accompanied by an advisor of their choice at any meeting or proceeding related to the investigation or resolution of a report under this policy;
- provide for simultaneous notification, in writing, to both parties of: the result of Baylor's disciplinary proceedings, Baylor's procedures for the complainant and the respondent to appeal/contest the result of institutional disciplinary procedures (if available), any change to the result before it becomes final, and when the result becomes final;
- are completed within reasonably prompt timeframes designated by Baylor's policy, including a process that allows for the extension of timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay;
- are conducted in a manner that is consistent with Baylor's policies and transparent to the complainant and respondent;
- include timely notice of meetings that the complainant and/or respondent may be requested or required to attend;
- provide timely and equal access to the complainant, the respondent,

and appropriate officials any information that may be used during the process; and

- are conducted by officials who do not have a conflict of interest or bias for or against the complainant or the respondent.

After completing an initial assessment (described in more detail in the SIM Policy), the Title IX Coordinator may: 1) initiate an investigation; 2) proceed with Adaptable Resolution; 3) if the reported conduct is deemed to be outside the scope of the Policy, refer the matter to another appropriate office or department for resolution under the relevant policy; or 4) close the report with the option to re-open it at another time. The University will not offer or facilitate an Adaptable Resolution process to resolve allegations that an employee engaged in Prohibited Conduct against a student.

Adaptable Resolution:

This process is a voluntary and remedies-based resolution option designed to eliminate the Prohibited Conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the parties while still maintaining the safety of the campus community. Participation in Adaptable Resolution is voluntary and either party can request to end Adaptable Resolution at any time. The University will not compel a party to engage in any particular form of Adaptable Resolution.

Adaptable Resolution does not include an investigation or adjudication by the University under the disciplinary resolution process outlined in the Policy, but may involve the respondent's agreement to appropriate and reasonable remedies, including supported direct conversation or interaction with the complainant, education, training, and/or other remedies agreed to by the parties.



Disciplinary Resolution:

This process is utilized to determine if Baylor's policy was violated, and if so, assign sanctions. When an individual (complainant) requests Disciplinary Resolution, they will be given the opportunity to meet with an investigator to share their perspective of what occurred and to provide evidence and/or names of witnesses they would like the investigator to speak to. The investigator provides the same opportunity to the individual who has been accused of Prohibited Conduct (respondent). Each party (complainant and respondent) will have the option to have an advisor present at any meetings related to the investigation. The investigator will interview relevant witnesses and gather documentary evidence. Once the investigator has gathered all available information, he or she will write a report to summarize the information. Both the complainant and respondent are provided the opportunity to review and respond to the report. Then, the case moves forward to a hearing where an adjudicator (hearing officer) will determine, based on the available evidence and statements, whether it is more likely than not that the respondent violated the University's Policy. Through their advisors, each party will be permitted to ask questions of the other party (if participating) and available witnesses. The hearing officer may also ask his or her own questions. The hearing officer may consider statements of a party or witness made before or at a hearing and/or other information, regardless of whether the party or witness appears at or answers questions at the hearing. If the respondent is found to have violated the Policy, the hearing officer will determine the appropriate sanctions. Each party will have an opportunity to appeal the finding, which will be reviewed by an appellate officer. Throughout this process and even after it has concluded, parties can seek support and resources through the Equity Office for academic and personal needs.

In cases where the respondent is a staff member or faculty member and an investigation is initiated, the Title IX Coordinator will work with the Provost's Office and/or Human Resources to investigate in a manner consistent with the SIM policy, Baylor personnel policies, and all applicable law. The resolution process will follow the procedures for student respondent cases outlined above. The Title IX Coordinator will have the authority to exercise oversight of the resolution process.

Educational Response:

In cases that do not proceed with Adaptable or Disciplinary Resolution, an educational response could include notifying the respondent of the alleged misconduct. The level of detail shared will be at the discretion of the Title IX Coordinator. In these instances, the respondent will not be required to make a statement or accept/deny responsibility for the alleged conduct.



RESOURCES AND SUPPORT SERVICES

Services for Students

* Services for Faculty & Staff

ON-CAMPUS NON-CONFIDENTIAL

Baylor University Campus Living & Learning #

Penland Residence Hall
254-710-3642
living@baylor.edu
baylor.edu/cll

Baylor University Human Resources *

Clifton Robinson Tower,
Suite 200
254-710-2000
askHR@baylor.edu
baylor.edu/hr

Baylor University Police Department #*

254-710-2222

Baylor University Student Life #

McLane Student Life Center,
1st Floor
254-710-1314
baylor.edu/student_life

Baylor University Equity, Civil Rights, and Title IX Office #*

Clifton Robinson Tower,
Suite 285
254-710-8454
baylor.edu/equity

Center for Global Engagement #

Hankamer H160
254-710-2657
baylor.edu/globalengagement

NATIONAL HOTLINES

National Domestic Violence Hotline

800-799-SAFE (7233)

Center for Academic Success and Engagement (CASE) #

Sid Richardson, West Wing
254-710-8696
case@baylor.edu
baylor.edu/case

Office of Access & Learning Accommodation (OALA) #

Sid Richardson, East Wing
254-710-3605
OALA@baylor.edu
baylor.edu/oala

Office of Financial Aid Student Financial Services #

Clifton Robinson Tower,
Suite 150
254-710-2611
financial_aid@baylor.edu
baylor.edu/sfs

Office of the Provost *

Pat Neff 109
254-710-3601
baylor.edu/provost

Paul L. Foster Success Center #

Sid Richardson, West Wing
254-710-8212
success_center@baylor.edu
baylor.edu/successcenter

Rape, Abuse, and Incest National Network (RAINN)

800-656-4673

ON-CAMPUS CONFIDENTIAL

Baylor University Counseling Center #

McLane Student Life Center,
2nd Floor
24 Hour Hotline 254-710-2467
baylor.edu/counseling_center

Baylor University Health Services #

McLane Student Life Center,
2nd Floor
254-710-1010
baylor.edu/healthservices

Burt Burleson, University Chaplain #

The Bobo Spiritual Life Center
254-710-3517
Burt_Burleson@baylor.edu
baylor.edu/spirituallife

Sahr Mbriwa, Chaplain and Coordinator of Campus Ministry Louise Herrington School of Nursing (Dallas) #

972) 576-9222
Sahr_Mbriwa@baylor.edu

Employee Assistance Program (EAP) *

888-628-4844
baylor.edu/hr/eap

COMMUNITY RESOURCES

2-1-1 Texas

Resource-Finding Service
2-1-1
211texas.org

Advocacy Center for Crime Victims and Children

Counseling, Case Management,
Advocates, Prevention
24 Hour Hotline 888-867-7233
254-752-9330
advocacycntr.org

Baylor Scott & White Medical Center – Hillcrest

100 Hillcrest Medical Blvd.
Waco, TX 76712
254-202-2000

Family Abuse Center

Counseling, Legal Assistance, Case
Management, Housing Assistance,
Emergency Shelter
24 Hour Hotline 800-283-8401
info@familyabusecenter.org
familyabusecenter.org

Heart of Texas Region Mental Health Mental Retardation (MHMR) Center

Mental Health, Rehabilitation,
Psychiatric Care
24 Hour Hotline 254-752-3451
Toll Free 1-866-752-3451

Lone Star Legal Aid

Legal Assistance and/or Visa/
Immigration Assistance
900 Austin Ave.
Waco, TX 76701
254-756-7944
800-299-5596
lonestarlegal.com

McLennan County District Attorney's Office

Victim Assistance Program (Victim
Services and Protective Orders)
219 N 6th Street, Suite 200
Waco, TX 76701
254-757-5084

McLennan County Courthouse

501 Washington Ave.
Waco, TX 76701
254-757-5000

Providence DePaul Center

Psychiatric and Substance
Abuse Services
254-776-5970

Ascension Providence Hospital

6901 Medical Parkway
Waco, TX 76712
254-751-4180

Waco Police Department

254-750-7500
9-1-1

THE PATH OF A REPORT OF PROHIBITED CONDUCT

Baylor University's Sexual and Interpersonal Misconduct Policy

Initial Assessment of Report

Threat Assessment of Report

Conclude or Begin Resolution Process

Resources and support are available throughout this process

A report to law enforcement may be made at any point throughout this process

1
Upon receiving a report of Prohibited Conduct, the University will:

Provide support and assistance in obtaining University and community resources.

Provide information about preserving evidence, obtaining medical treatment, and contacting police.

Evaluate safety of individuals and the University community.

2
Complainant may request:

A
Anonymity and/or that **no further University action** be taken at this time.

B
Disciplinary Resolution
See page 18 for more information.

C
Adaptable Resolution
See page 17 for more information.

D
Educational Response
See page 18 for more information.

3
Next, the University will conduct an assessment to determine University actions.

The University will seek to honor the Complainant's request if possible to do so while also **protecting the health and safety of individuals and the University community.**

Process either concludes or moves to Disciplinary Resolution or Adaptable Resolution. Resources and assistance may still be available even if process concludes here.

An Advisor of Choice may accompany, support, and advise each party throughout the resolution process. Advisors may not speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt, or interfere with meetings and/or proceedings, except as specifically permitted by the hearing procedures.

DISCIPLINARY RESOLUTION PROCESS

Investigative Process

1
To commence the investigative process:

A
Notice of Investigation will be sent to the Complainant and Respondent by the Title IX Coordinator or designee.

B
Investigator(s) will conduct a prompt, thorough, fair, and impartial investigation. Both parties will have an equal opportunity to be heard, to submit evidence, to identify witnesses, and to submit questions they believe should be directed by the Investigator to each other or to any witness.

2
At the conclusion of the investigative process:

Investigator will prepare **Preliminary Investigative Report** summarizing the information gathered for review and response by each party. After the review period, the Investigator will prepare a Final Investigative Report.

3
Parties and witnesses will be invited to participate in a live hearing before a hearing officer.

The hearing officer will make a decision as to whether or not the Respondent violated the policy based on a preponderance of the evidence.

Either party may appeal the finding(s):

A
If a finding is not appealed, the process is concluded. If the finding was "Responsible," the sanctions assigned by the hearing officer will be imposed.

B
If a finding is appealed, an appellate officer will review the appeal.

4
Next steps for appeals:

If either party appeals the investigative finding, an appellate officer will be appointed to determine whether: (1) there was a procedural irregularity that affected the outcome; (2) there is new evidence that was not reasonably available at the time that could affect the outcome; (3) the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the outcome; and/or (4) the decision was arbitrary or capricious.

The appellate officer may deny the appeal, or if one or more of the appeal grounds have been met, may:

- (1) return the case to the hearing officer for reconsideration; or
- (2) appoint an alternate decision maker to review the case; or
- (3) change or modify the decision.

The decision made by the appellate officer to grant or deny the appeal is final. If an appeal is granted, the subsequent determination and/or sanction is/are final.
A written decision will be issued to both parties.

Hearing

Appeals and Final Outcome

Resources and support are available throughout this process

A report to law enforcement may be made at any point throughout this process

An Advisor of Choice may accompany, support, and advise each party throughout the investigative process

**If you or someone you encounter
has an emergency situation,
call 9-1-1
for immediate assistance**



Baylor University

EQUITY, CIVIL RIGHTS, AND TITLE IX OFFICE

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