

1. Title

Sexual Harassment, Sexual Misconduct, and Consensual Relationships

2. Rule and Regulation

Sec. 1 Environment. The educational and working environments of The University of Texas System and all of the institutions shall be free from sexual harassment, sexual misconduct, inappropriate consensual relationships, and other inappropriate sexual conduct, as defined by U. T. Systemwide model policies referenced below. Engaging in such conduct or relationships is unprofessional and unacceptable.

Sec. 2 Adoption of Policies. Each U. T. System institution and U. T. System Administration shall adopt policies and procedures prohibiting sexual harassment, sexual misconduct, other inappropriate sexual conduct, and regarding consensual relationships in compliance with state and federal law and in substantial compliance with model policies and procedures promulgated by the U. T. System Office of Systemwide Compliance. In accordance with state law, each institution's policy must include definitions of prohibited behavior, sanctions for violations, the protocol for reporting and responding to reports of prohibited behavior, interim measures to protect victims during the pendency of the institution's disciplinary process, and a statement regarding (a) the importance of a victim going to the hospital for treatment and preservation of evidence, (b) the right of a victim to report to the institution and receive a prompt and equitable resolution of the report, and (c) the right of a victim of a crime to choose to report the crime to law enforcement, to be assisted by the institution in reporting the crime to law enforcement, or to decline to report the crime to law enforcement. Each institution must review the policy each biennium and submit changes to the Board for approval.

Sec. 3 Publication of Policies. The institution's policies and procedures must be published through the institution's website on a web page dedicated solely to the policy through the institution's website and in the institution's *Handbook of Operating Procedures* after review and approval by the appropriate Executive Vice Chancellor and the Board.

3. Definitions

None

4. Relevant Federal and State Statutes

Equal Employment Opportunity Commission, *Guidelines on Discrimination Because of Sex* (defining sexual harassment), [29 Code of Federal Regulations Section 1604.11\(a\)](#)

Texas Penal Code [Ann. Section 39.03](#) – Official Oppression

Texas Education Code [Section 51.282](#) – Policy on Sexual Harassment

[Campus Sexual Violence Elimination Act \(SaVE Act\)](#), Pub. L. No. 113-4, Section 304, 127 Stat. 89 (2013)

5. Relevant System Policies, Procedures, and Forms

The University of Texas Systemwide Policy [UTS 105](#), *Sexual Orientation Nondiscrimination Policy*

The University of Texas Systemwide Policy [UTS 184](#), *Consensual Relationships*

The University of Texas System [HOP 3.7.1](#), *Sexual Harassment and Misconduct*

[Sexual Misconduct](#), U. T. System Office of Compliance Model Policy

[Consensual Relationships](#), U. T. System Office of General Counsel Model Policy

6. Who Should Know

Employees

7. System Administration Office(s) Responsible for Rule

Office of Academic Affairs
Office of Health Affairs
Office of General Counsel
Office of Human Resources

8. Dates Approved or Amended

Editorial amendments made January 8, 2020
Editorial amendment to Number 7 made March 7, 2017
Editorial amendment to Number 4 made March 29, 2016
Editorial amendment to Number 4 made March 17, 2016
November 5, 2015
May 14, 2015
August 21, 2014
December 10, 2004

9. Contact Information

Questions or comments regarding this Rule should be directed to:

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