
AGENDA

UNIVERSITY OF HOUSTON SYSTEM ACADEMIC AND STUDENT SUCCESS COMMITTEE MEETING

DATE: Thursday, August 20, 2015
TIME: 11:30 AM
PLACE: Conrad Hilton Ballroom, Second Floor
4450 University Drive
Houston, Texas 77204

Chair: Durga D. Agrawal
Vice Chair: Beth Madison
Members: Alonzo Cantu
John A. McCall, Jr.
Ricky A. Raven
Mielad Ziaee- Non Voting
Tilman J. Fertitta, Ex Officio

- I. **Academic and Student Success Committee**
- A. Call to Order
 - B. Approval of Master of Education in Educational Technology at the University of Houston-Victoria - University of Houston-Victoria 3
 - C. Approval of Bachelor of Science in Liberal Studies at the University of Houston - University of Houston 10
 - D. Approval of Master of Science in Pharmacy Leadership and Administration at the University of Houston - University of Houston 15
 - E. Introduction of Dean, University Libraries - University of Houston 20
 - F. Approval of Professor Emeritus Appointment - University of Houston 33
 - G. Report on University of Houston System Administrative Memorandum 01.D.08, Sexual Misconduct Policy (Interim 2) - University of Houston System 35
 - H. REEcycle Presentation/Update - University of Houston 117
 - I. Presentation of University of Houston-Downtown "Student Success Story" - University of Houston-Downtown 128
- II. **Executive Session**
- A. Texas Government Code - Section 551.071 – Consultation with System Attorneys
 - B. Texas Government Code - Section 551.072 – Deliberations Concerning Purchase, Lease or Value of Real Property
 - C. Texas Government Code - Section 551.073 – Deliberations about Negotiated Contracts for Prospective Gifts or Donations

D. Texas Government Code - Section 551.074 – Personnel Matters, Including
Appointment, Evaluation or Dismissal of Personnel

III. **Report and Action from Executive Session**

IV. **Adjourn**

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

COMMITTEE: Academic and Student Success

ITEM: Approval of Master of Education in Educational Technology at the University of Houston-Victoria

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

The proposed degree is a 30 semester credit hours online graduate program designed to prepare students for leadership roles as technology specialists and instructional designers in higher education, corporate settings, public and private schools, and human services. The emphasis of the program is to prepare professional technology leaders with the skills and knowledge to train and educate others, as well as to evaluate and incorporate current educational technologies. The degree will meet SACS Accreditation Guidelines, Texas Education Agency Accreditation Guidelines, and ISTE Technology Standards for Education Technology. According to the Department of Labor, employment of training and development specialists is projected to grow 15 percent from 2012 to 2022, faster than the average for all occupations. As for Instructional Designers, employment of instructional coordinators is projected to grow 13 percent from 2012 to 2022. Employment growth is expected as schools focus on evaluating and improving curriculums and teachers' effectiveness. Program expects to generate revenue starting in the third year.

SUPPORTING DOCUMENTATION: Program Description and Financial Pro Forma

FISCAL NOTE:

RECOMMENDATION/
ACTION REQUESTED: Administration recommends approval of this item

COMPONENT: University of Houston-Victoria

Jeffrey Curran (for R. Vic Morgan) 7/31/15
PRESIDENT Vic Morgan DATE

Paula Myrick Short 7-29-15
SENIOR VICE CHANCELLOR Paula Myrick Short DATE

Renukhator 8/13/15
CHANCELLOR Renu Khator DATE

Master of Education in Educational Technology University of Houston-Victoria

Congruence with System Goals and University Mission

The proposed School of Education and Human Development Online Educational Technology, M. Ed. is in congruence with both the University of Houston System Goals and the University of Houston-Victoria Mission. The proposed degree provides 21st century technology educational and leadership opportunities for graduate students seeking to enrich K- 12 schools, higher education settings and human services settings (Human Services support aim is to meet human needs through an interdisciplinary field of study to address problems and quality of life issues for clients with varying social, cognitive, physical and emotional needs).

The program will make student success a top priority. Results from Job Demand Surveys conducted indicate this proposed degree will contribute to community advancement and economic development due to both state and national high need demands for educational technology support service personnel. The new degree will meet SACS Accreditation Guidelines, Texas Education Agency Accreditation Guidelines and ISTE Technology Standards for Educational Technology. Such accreditations serve as benchmarks for excellence.

Program Description

The proposed Online Educational Technology, M. Ed. is a 30 hour graduate degree designed to prepare graduate students to assume leadership roles for the, a) development of educational technology programs in schools both public and private, higher education settings, and human services settings b) for implementation of educational technology training programs in public and private schools, higher education settings and human services settings c) for planning and evaluation of educational technology programs in public and private schools, higher education settings and human services settings. The 30 hour degree emphasis is to develop professional technology leaders employed in educational and human services settings with the skills and knowledge to train and educate others and evaluate educational technology.

Instructional and educational standards derived from the principal accreditation organizations will be incorporated throughout the program and include the following:

- Administrative Concentration Objectives
- Educational Technology Specialist Objectives
- Master Technology Teacher Concentration Objectives

Currently, the School of Education and Human Development is offering an approved Curriculum & Instruction, M. Ed. Educational Technology concentration that contains 5 of the proposed degree's technology courses. As the school moves forward with this proposed degree a new Educational Technology faculty hire will teach courses in the approved C&I concentration while preparing the proposed Educational Technology, M. Ed. degree for approval.

In addition, the program will contain course material to support English Language Learners and Special Education students in multiple settings. The school is in the process of submitting a US Dept. of Ed., Office of Special Education (Special Education, Autism) 1.25 million dollar 5 year grant. An outside consultant is developing an assistive technology course that will incorporate

coursework required for the grant; the assistive technology course will be incorporated into the proposed graduate degree, and is under consideration for inclusion as a course in the current Special Education, M. Ed. - Autism concentration. Note the new faculty hire will provide service support for other current degrees and the proposed degree.

Students in the proposed program will bridge the state and national high needs employment gap for qualified school and human services professionals with expertise in educational technology.

Student and Job Market Demand

The demand for this program is exceptional and a priority need for schools, higher education settings and human services settings. Three different surveys including approximately 130 educator respondents (online regional principal survey, Dean's Superintendent Advisory Committee survey and an outside consultant qualitative survey) conducted over time indicated student desire to enter the proposed program and school personnel need for qualified educational technology faculty in both public and private school settings. Results from the principal online survey and the Dean's Superintendent Advisory Committee survey indicated a high interest in this degree and unanimous support for such a University of Houston-Victoria degree.

A current Human Services report (Mileposts, 2011) suggested the need for those working in Human Services fields to have expertise in Educational Technology to assist a diverse population group of clients.

Statistics from the U. S. Bureau of Labor Statistics reported that the top 5 jobs likely to remain in demand through 2018 included Educational Technology Specialists in varying fields of employment. The Texas Education Agency reports the need for qualified Educational Technology Specialist and the U. S. Department of Education Executive Summary indicated that the key to America's economic growth is preparing learners for a global society that requires using technology for learning and in the work-place.

Program Duplication

The University of Houston-Victoria, School of Education and Human Development proposed Educational Technology, M. Ed. is a totally Online 30 hour program that meets national accreditation standards (ISTE), leads to Master Technology Certification and fills state and national high needs job demand for qualified educational technology personnel in schools, higher education settings and human services settings. Course content includes meeting the technological needs of a diverse group of learners (English Language Learners, Special Education and Autism). Program emphasis is to prepare graduate students to assume technology leadership roles and support positions to implement educational technology training, planning and evaluating curriculum and instruction for a diverse population group. Please note that according to the Texas Education Agency, English Language Learner and Special Education expertise is a high needs area. The degree emphasis also encompasses graduate students desiring to work with clients in human services areas to assist them to learn using technology and how to use technology for daily needs.

The Graduate Admission Index for full admission in the proposed program is 890 – 897 and graduate tuition for a 3 credit course is \$755.38. The proposed degree is competitive in the

current market and meets the needs of students who are eligible for either full or conditional graduate admittance or whose graduate admission index denies them admission into other programs. The proposed Online 30 hour degree is highly competitive with outside UH System Online Programs.

Proposed Degree:

UNIVERSITY	DEGREE	DELIVERY	PROGRAM HOURS
University of Houston-Victoria	School of Education and Human Development Educational Technology, M. Ed. Master Technology Certification and Meets International Society for Technology in Education (ISTE) Standards, ISTE Advanced Programs in Educational Computing Standards, and Technology Leadership Standards for Educational/Technology	Online	30

UNIVERSITY	DEGREE	DELIVERY	PROGRAM HOURS
University of Houston	College of Education C&I, M. Ed. Learning, Design & Technology A Master Technology Teacher Certification, Certificate in Designing and Developing Educational Graphics Certificate in Designing and Developing Educational Multimedia, Certificate in Online Teaching and Learning	Face to Face	30

University of Houston-Clear Lake	School of Education M. S. in Instructional Design and Technology Systematically design training and instruction	Face to Face	33
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Lamar University	Educational Leadership M. Ed. Educational Technology Leadership Provide technological leadership in a professional setting	Online	36
Texas A&M Kingsville	M. Ed. Instructional Technology School of Education Plan, develop, evaluate and advance technology	Online	36

Faculty Resources

A new Educational Technology faculty member hire is required to prepare the proposed program for final review and teach courses that are currently included as a Curriculum & Instruction, M. Ed. Educational Technology concentration and the new Special Education, Autism assistive technology course. The faculty member will provide support to other established graduate programs.

Two faculty members at 25% FTE have qualifications to teach a research course and curriculum-based course in the proposed program. Those two courses are also serving students seeking a Curriculum & Instruction, M. Ed. degree.

Brief summary of state or national need

In a survey, conducted by our outside consultant of Texas doctoral faculty and students, school Superintendents and personnel directors at regional job fairs indicated there is a tremendous shortage of qualified technology personnel in the region and the State of Texas. Seventy-five (75) percent of sixty (60) survey participants indicated that they currently fill technology positions with people that are not well prepared, fully qualified, or fully certified for the position. Texas school personnel indicated that educational technology is becoming more important in schools, there is a need for more training for professional educators in this area, and they would support the University of Houston- Victoria’ School of Education and Human Development’s proposed new degree.

In Texas, technology teachers are one of the great areas of shortage statewide that districts offer additional stipends, signing bonuses, and extra benefits. It is also one of the areas that the TEA allows retirees to return to teaching at 100% pay after one year of retirement. The need for professionals knowledgeable in the area of educational technology in the human services fields is increasing and should be a viable potential population group to recruit. Technology positions are growing at a significant rate and programs such as this proposed program are needed to meet the needs of the region and the State of Texas.

Nationally, the U. S. Bureau of Labor Statistics reported that Educational Technology Specialist is one of the top 5 education positions that is in national demand and likely to remain so.

According to the U. S. Department of Education Executive Summary education is key to America's economic growth. There is a need to transform American Education through a "Model of Learning Powered by Technology." Because of the challenging and rapidly changing demands of our global economy there is a need for educators to prepare students for this ever changing technological society. This proposed program meets these demands by reaching out to potential graduate students.

	A	B	C	D	E	F	G	H	I	J
1	PRO FORMA MED EDUCATIONAL TECHNOLOGY - UHV									
2										
3										
4					<u>FY 2016</u>	<u>FY 2017</u>	<u>FY2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	Five Year
5					Fall 2015	Fall 2016	Fall 2017	Fall 2018	Fall 2019	Total
6										
7		Enrollments			15	20	23	27	30	
8										
9	Expenses									
10		Faculty (9 month)	Salary	% effort						
11										
12		Current Faculty - Patton	61,008	25%	15,252	15,252	15,252	15,252	15,252	
13		Current Faculty - Lin	60,839	25%	15,210	15,210	15,210	15,210	15,210	
14		New Hire Associate professor	60,000	100%	60,000	60,000	60,000	60,000	60,000	
15		Adjuncts			-	-	-	5,000	5,000	
16										
17		Subtotal-Faculty			90,462	90,462	90,462	95,462	95,462	
18		Staff - Position 1			-	-	-	-	-	
19		Subtotal			90,462	90,462	90,462	95,462	95,462	
20		Benefits @ 28%		0.28	25,329	25,329	25,329	26,729	26,729	
21		Total Personnel			115,791	115,791	115,791	122,191	122,191	591,755
22										
23	Non-Personnel									
24		Marketing/Recruiting			3,000	3,000	3,000	3,000	3,000	15,000
25		Scholarships & Tuition Assistantships			5,000	8,000	10,000	10,000	10,000	43,000
26		Annual maintenance & operations			3,000	4,000	4,000	5,000	5,000	21,000
27		Library and Information Technology			7,500	5,000	5,000	5,000	7,500	30,000
28		Laboratory and other equipment			-	-	-	-	-	-
29		Total Non-Personnel			18,500	20,000	22,000	23,000	25,500	
30										
31	Total Annual Expense				\$ 134,291	\$ 135,791	\$ 137,791	\$ 145,191	\$ 147,691	700,755
32										
33	Revenue									
34										
35		UH Tuition and Fees			116,051	154,734	177,944	208,891	232,101	889,721
36		HEAF			7,500	5,000	5,000	5,000	7,500	30,000
37		Formula Funding Generated			-	-	85,985	85,985	120,379	292,348
38		Subtotal			123,551	159,734	268,929	299,876	359,980	1,212,069
39		Allocated to set aside per student	15%		(9,908)	(13,211)	(15,193)	(17,835)	(19,817)	(75,964)
40		Allocated to university operations	30%		(37,065)	(47,920)	(80,679)	(89,963)	(107,994)	(363,621)
41		Allocated to statutory	0%		-	-	-	-	-	-
42		Net Revenue			76,577	98,603	173,057	192,078	232,169	772,484
43										
44		Revenue minus expenses			(57,714)	(37,188)	35,266	46,887	84,478	71,729

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

COMMITTEE: Academic and Student Success

ITEM: Approval of Bachelor of Science in Liberal Studies at the University of Houston

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

The proposed degree program will build upon the Bachelor of Arts in Liberal Studies program, which has experienced high demand and growth since its launch in the fall of 2010. However, the proposed Bachelor of Science degree will require an additional eight credit hours in math and science instead of a foreign language. , The existing B.A. requires two minors out of the three be from the College of Liberal Arts and Social Sciences (CLASS), while the proposed B.S. degree will allow up to two minors outside of CLASS. Currently, there is no degree plan locally or nationally that allows students to combine three minors from across the university. The proposed degree offers marketable educational and professional training experience for either graduate or professional school or for entering the job market. The program is expected to generate revenue its first year.

SUPPORTING DOCUMENTATION: Program Description and Financial Pro Forma

FISCAL NOTE:

RECOMMENDATION/
ACTION REQUESTED: Administration recommends approval of this item

COMPONENT: University of Houston

Renukhatov
PRESIDENT Renu Khator

8/13/15
DATE

Paula Myrick Short
SENIOR VICE CHANCELLOR Paula Myrick Short

7-28-15
DATE

Renukhatov
CHANCELLOR Renu Khator

8/13/15
DATE

Bachelor of Science in Liberal Studies University of Houston

Congruence with System Goals and University Mission

The new Bachelor of Science in Liberal Studies addresses the University of Houston's stated mission of offering "nationally competitive and internationally recognized opportunities for learning, discovery and engagement to a diverse population of students" by means of "a full range of degree programs at the baccalaureate, master's, doctoral and professional levels." The proposed program will add opportunities for student success to a broader population of UH students beyond the College of Liberal Arts and Social Sciences (CLASS), including those in the STEM disciplines, and build upon the existing B.A. Liberal Studies program already achieving excellent student satisfaction and graduation rates.

Liberal Studies traditionally represents an approach to a well-rounded, integrated course of learning that spans the trivium (grammar, rhetoric, logic) and quadrivium (music, geometry, arithmetic, astronomy). Recognizing today's consolidation and proliferation of specialized disciplines in the academy, a Liberal Studies degree as conceived here at the University of Houston, in the B.A. and proposed B.S. versions, offers all that is best of interdisciplinary, integrative, and synergistic higher education.

Program Description

The Bachelor of Science in Liberal Studies will build upon a flourishing Bachelor of Arts Liberal Studies program. Having been launched in Fall 2010, the B.A. program has around 400 majors, and some continued growth is expected as awareness of this degree option is still not widely known among FTIC students.

The proposed B.S. in Liberal Studies will retain all of the form of the current degree plan for the B.A. with a shift in the university B.A. foreign language requirement to a B.S. math requirement. The B.S. degree plan will require an additional 6 hours in the formal sciences, i.e. mathematics, computer science, formal logic, or statistics; also required are an additional 2 credit hours in natural sciences (BIOL, BCHS, CHEM, GEOL, PHYS). These additional 8 credit hours in math and science are on top of 12 credit hours of Core math and science requirements, required equally of the B.A. students, and stand over against the 6 credit hours of sophomore level foreign language required only for the B.A. In addition, the current B.A. requires two minors out of the three be from CLASS, while the proposed B.S. degree will allow up to two minors outside of CLASS.

The B.S. degree plan offers an immediate and sustained boost to graduation times for many students either already in the Liberal Studies B.A. program or coming from other programs in CLASS or STEM.

The goal of the B.S. in Liberal Studies is to: 1) to help students struggling with finding or qualifying for a major, and 2) to help students with clear ideas about professional goals to put together an undergraduate program that would give them a strong foundation for graduate or professional school, or to enter directly into the work force.

Student and Job Market Demand

The Bachelor of Science in Liberal Studies will build upon the Bachelor of Arts in Liberal Studies program which has experienced high demand and growth since its inception in Fall 2010:

B.A. in Liberal Studies graduations:

2010/11	5
2011/12	14
2012/13	39
2013/14	50+ (projected)

We are aware of about one-third of current B.A. students who have asked about a B.S. option and who will switch to the B.S. if it is offered to facilitate their academic and professional interests. We anticipate around one-half of new Liberal Studies degree students will opt for a new B.S. degree plan.

The B.S. degree plan offers distinct advantages for graduate school, professional school, and the job market.

From the recent report by AACU on *How Liberal Arts and Sciences Majors Fare in Employment: A Report on Earnings and Long-Term Career Paths*:

Finally, consistent with its focus on wages, employability, and career trajectories, the report also includes recent findings about employers' views on the kinds of learning that make a graduate employable and promotable. Employers themselves are reminding higher education that "it takes more than a major" to both contribute to and prosper in an economy that is constantly adapting to new challenges, new technologies, and new forms of competition. Employers seek graduates who are ready to help them innovate. In this context, they privilege broad learning over narrow learning, and they seek the capacity to engage cultural diversity as one of their top three requirements for new hires. They also seek graduates with "cross-functional" proficiencies, meaning that these learners are not limited to one particular disciplinary frame of reference, but rather can work adaptively and integrate across disparate fields of expertise and enterprise.

In other words, whatever a student's undergraduate major, employers overwhelmingly agree that all college graduates need broad knowledge, a portfolio of intellectual and practical skills, and hands-on experience in order to be well prepared for successful careers. We do students a significant disservice if we convey the message that selecting the "right" major is the primary key to career opportunity and success. In that sense, the current debate about majors and career opportunity has been too narrowly framed from the outset.

Program Duplication

There is no other program at UH or anywhere besides the B.A. in Liberal Studies that offers such a degree plan.

Faculty Resources

The B.S. in Liberal Studies will operate on the same model and within the same structures as the current B.A. in Liberal Studies. Hence the bulk of faculty resources will continue to come from existing programs and curricular offerings at no extra cost to the University. However, it is anticipated that one additional tenure-track position will be needed beginning the third academic year.

Brief Summary of State or National Need

There is no degree plan locally or nationally that allows students to combine three minor from across the university, such as STEM, Bauer, and CLASS units that also fosters interdisciplinary thinking, analytical skills, and a Practicum experience. The B.S. in Liberal Studies offers marketable educational and professional training experience for graduate or professional school or for entering directly into the job market in commercial, government, or non-profit organizations.

1) Business PRO FORMA FOR BS in LIBERAL STUDIES

v.9K - September 30, 2013

		Operating Years					Five year totals for the 5 cohorts		
FY2016		Year 0	FY2016	FY2017	FY2018	FY2019	FY2020		
			Fall15	Fall16	Fall17	Fall18	Fall19		
Enrollments									
Cohort 1			50	40	20			110	
Cohort 2				75	60	20		155	
Cohort 3					75	60	20	155	
Cohort 4						75	60	135	
Cohort 5							75	75	
Cohort 6									
Total			50	115	155	155	155	630	
Expenses									
Faculty (9 month)		Salary	% effort	Year 0	FY2016	FY2017	FY2018	FY2019	FY2020
Position 1 FY 18 - Asst Prof			100%	-	-	-	55,000	55,000	55,000
Position 2			100%	-	-	-	-	-	-
Position 3			100%	-	-	-	-	-	-
Position 4			-	-	-	-	-	-	-
Adjuncts			-	-	-	-	-	-	-
Subtotal			-	-	-	55,000	55,000	55,000	165,000
Staff (12 month)									
Position 1 FY16 - Advising Assistant I		21,500	100%	21,500	21,500	21,500	21,500	21,500	
Position 2		-	-	-	-	-	-	-	-
Position 3		-	-	-	-	-	-	-	-
Graduate Students		-	-	-	-	-	-	-	-
Subtotal		21,500		21,500	43,000	64,500	107,500	172,000	408,500
Total Salaries		21,500		43,000	119,500	162,500	227,000		
Benefits @ 20.5%		4,408		8,815	14,988	24,488	33,313	46,535	121,975
Total Personnel		25,908		51,815	143,988	195,813	273,535		716,975
Non-Personnel									
Marketing/Recruiting			1,000	1,000	1,000	1,000	1,000		
Scholarships & Tuition Assistantships			-	-	-	-	-		
Annual maintenance & operations			5,000	5,000	5,000	5,000	5,000		
Library and Information Technology			7,500	7,500	7,500	7,500	7,500		
Accreditation			-	-	-	-	-		
Facilities			-	-	-	-	-		
Laboratory and other equipment			-	-	-	-	-		
Other			-	-	-	-	-		
Total Non-Personnel			13,500	13,500	13,500	13,500	13,500		67,500
Allocated to university operations	48%		177,194	407,547	563,256	563,256	565,099		
Total Annual Expense		\$ 25,908	\$ 216,602	\$ 472,862	\$ 710,754	\$ 762,569	\$ 842,134		3,030,828
Revenue									
Formula Funding Generated			-	-	119,236	119,236	174,826		
Local Tuition Applied to Formula			-	-	(111,000)	(111,000)	(162,750)		
Subtotal: State General Revenue			-	-	8,236	8,236	12,076		
UH Tuition and Fees			389,319	895,434	1,206,889	1,206,889	1,206,889		
Allocated to set aside per student			(20,164)	(46,377)	(62,508)	(62,508)	(62,508)		
Total Revenue from Enrollment			369,155	849,057	1,152,617	1,152,617	1,156,457		4,679,902
University Support for Development			-	-	-	-	-		
Philanthropy and other External Revenue			-	-	-	-	-		
Net Revenue			369,155	849,057	1,152,617	1,152,617	1,156,457		4,679,902
Net Annual Gain/(Loss)		(25,908)	\$ 152,553	\$ 376,194	\$ 441,863	\$ 390,048	\$ 314,323		1,649,074
Cumulative Gain/(Loss)		(25,908)	\$ 126,646	\$ 502,840	\$ 944,703	\$ 1,334,752	\$ 1,649,074		

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Approval of Master of Science in Pharmacy Leadership and Administration at the University of Houston

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

The proposed degree program will expand ongoing collaborations between the University of Houston College of Pharmacy, Texas Medical Center Member Institutions, and other institutions offering pharmacy practice residencies. Admission into the program will target practicing pharmacists who are interested in pharmacy leadership and administration. The curriculum will consist of leadership training, health-systems pharmacy administration, research, and business-related coursework. The objective of the program will be to deliver a comprehensive graduate education in pharmacy leadership and management; provide didactic and experiential training in pharmacy practice and administration; and train pharmacists for research and scholarly activities. There is a need for pharmacists who have clinical practice experience as well as training in pharmacy leadership and administration. The program is expected to generate revenue its first year.

SUPPORTING DOCUMENTATION: Program Description and Financial Pro Forma

FISCAL NOTE:

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston

Renu Khator
PRESIDENT Renu Khator

8/13/15
DATE

Paula Myrick Short
SENIOR VICE CHANCELLOR Paula Myrick Short

7-28-15
DATE

Renu Khator
CHANCELLOR Renu Khator

8/13/15
DATE

Master of Science in Pharmacy Leadership and Administration University of Houston

Congruence with Systems Goals and University Mission

The mission of the University of Houston is to offer nationally competitive and internationally recognized opportunities for learning and engagement to a diverse population of students in a real-world setting. The proposed program will create a master's graduate program directed towards practicing pharmacists. It will specifically build upon the residency training strength of healthcare institutions in the TMC. This will build invaluable partnerships with TMC academic institutions to impact and develop pharmacy leadership across the nation. Didactic learning from the MS program combined with the real-world experiences in these healthcare institutions will allow community advancement while fulfilling regional and state workforce needs with our graduates. The program will also increase local and national recognition of UH for its accomplishments in pharmacy leadership development.

Program Description

The University of Houston is fortunate to be a member of the Texas Medical Center (TMC), one of the most prestigious affiliations of health care delivery systems and health education programs in the world. Healthcare systems in the TMC include MD Anderson Cancer Center, Texas Children's Hospital, Houston Methodist Hospital and other highly rated healthcare institutions. All these healthcare systems offer postgraduate pharmacy training programs called residencies. These 1- or 2-year residency programs include pharmacy management residency programs. There has been a tremendous amount of interest from leaders of these institutions to offer their residents a concurrent MS to train these residents in advanced pharmacy leadership and administration. The proposed program offers an opportunity for the College of Pharmacy to move to the forefront nationwide in the education of future pharmacy leaders. Once established, it is possible that this program could be the pre-eminent program to train the next generation of pharmacy leaders.

The proposed program will target practicing pharmacists for admission into the MS degree plan to further their skill in pharmacy leadership and administration. To begin the program, we will recruit health-system pharmacy administration residents into the graduate program. Once established, we will expand our recruitment efforts to other practicing pharmacists interested in leadership development and administration. This unique program is committed to instilling leadership values and principles into our students. We will foster and promote collaboration between the University and our TMC partners. The MS program will strive to produce a seamless program in which faculty and students will perform a valuable service to their patients, institutions, and the community.

The program will expand the ongoing collaborations between the University of Houston College of Pharmacy and Texas Medical Center institutions and other institutions offering pharmacy practice residencies. Admission into the program will specifically target practicing pharmacists who are interested in pharmacy leadership and administration. The two-year MS curriculum will consist of leadership training, health-systems pharmacy administration, research, and business-related coursework. Theses and projects will be developed in conjunction with real-world

questions from healthcare institutions. The objectives of the MS program will be to deliver a comprehensive graduate education in pharmacy leadership and management, provide didactic and experiential training in pharmacy practice and administration; and train pharmacists for research and scholarly activities in pharmacy practice

Student and Job Market Demand

Pharmacy leadership positions are critical for advancing pharmaceutical care in diverse health settings. The American Society of Health-System Pharmacists or ASHP is the largest pharmacy organization in the country. ASHP recently published a survey demonstrating a significant shortage in the near future for pharmacy leaders due to an aging administrative team and lack of training sites.

There is guaranteed student demand for this program. A steering committee consisting of College of Pharmacy faculty that will teach in the program and pharmacy managers from TMC institutions was created. Practicing pharmacists currently in residency training programs in health-systems pharmacy management will be concurrently enrolled in the MS program assuming all entry requirements have been met. There are currently 14 residents in health-system pharmacy management who will enter the MS program. The number of MS students will be expected to grow in the future. A founding principles document to guide this steering committee has been drafted and is appended to this summary. Once established, we will expand our recruitment efforts to other practicing pharmacists interested in leadership development and administration.

There is significant job demand for pharmacists with residency and MS training in pharmacy leadership and administrations. A seminal paper published in 2005 predicted that 80% of pharmacy directors and 77% of middle managers anticipated leaving their jobs in the next decade. Thus in 2014, a significant gap in pharmacy leadership is expected in the coming years. In the TMC, this leadership demand is evidenced by continual recruitment of pharmacy residents specializing in management into managerial positions. During development of the proposed program, employment of past health-system pharmacy management residents was queried. One hundred percent of graduated residents were currently employed in management positions including Director of Pharmacy positions. Thus, there is extremely strong evidence for market demand for these graduates.

Program Duplication

A MS Program in Pharmacy Leadership and Administration does not currently exist at the University of Houston or any other College of Pharmacy in the State of Texas. There are comparable programs at the University of Kansas, University of Wisconsin, Ohio State University, and the University of North Carolina at Chapel Hill. In total, these other programs graduate approximately 50 students per year.

Faculty Resources

Faculty teaching in pharmacy leadership and administration currently exist in the UH College of Pharmacy. Thus, creation of this MS degree is extremely synergistic with our current strengths. Other required resources already exist at the College to administer this program including a Graduate Academic Advisor. No additional resources are requested at this time to implement the

program. However, once established, a faculty position to be appointed as Program Director would increase the prestige, growth, and success of the program.

State and National Need

There is significant job demand for pharmacists with residency and MS training in pharmacy leadership and administrations. A seminal paper published in 2005 predicted that 80% of pharmacy directors and 77% of middle managers anticipated leaving their jobs in the next decade. Thus in 2014, a significant gap in pharmacy leadership is expected in the coming years. In the TMC, this leadership demand is evidenced by continual recruitment of pharmacy residents specializing in management into managerial positions. During development of this MS program, employment of past health-system pharmacy management residents was queried. One hundred percent of graduated residents were currently employed in management positions including Director of Pharmacy positions. Thus, there is extremely strong evidence for market demand for these graduates.

Evidence of the job strength in pharmacy leadership and administration is also evident from online job search websites. Using the search strategy “pharmacy management” identified 13,000+ jobs on indeed.com; 2,770 jobs on careerbuilder.com; 27,000+ jobs at glassdoor.com. Not all these jobs would target specifically graduates of our program but the job market for pharmacy managers is currently massive.

PRO FORMA FOR BS in

v.90 - March 27, 2014

FY2016 ▼

			Year 0	Operating Years					Five year totals
				FY2016	FY2017	FY2018	FY2019	FY2020	
Enrollments				Fall15	Fall16	Fall17	Fall18	Fall19	
Cohort 1				7	7	-	-	-	
Cohort 2					7	7	-	-	
Cohort 3						8	8	-	
Cohort 4							8	8	
Cohort 5								8	
Cohort 6									
Total				7	14	15	16	16	
Expenses									
Faculty (9 month)	Salary	% effort	Year 0	FY2016	FY2017	FY2018	FY2019	FY2020	
Position 1		0%		-	-	-	-	-	
Position 2		0%		-	-	-	-	-	
Position 3		0%		-	-	-	-	-	
Position 4		0%		-	-	-	-	-	
Adjuncts		0%		-	-	-	-	-	
Subtotal				-	-	-	-	-	
Staff (12 month)									
Graduate advisor		0%		-	-	-	-	-	
Position 2				-	-	-	-	-	
Position 3				-	-	-	-	-	
Graduate Students				-	-	-	-	-	
Subtotal				-	-	-	-	-	
Total Salaries				-	-	-	-	-	
Benefits @ 20.5%				-	-	-	-	-	
Total Personnel				-	-	-	-	-	
Non-Personnel									
Marketing/Recruiting				-	-	-	-	-	
Scholarships & Tuition Assistantships				-	-	-	-	-	
Annual maintenance & operations				-	-	-	-	-	
Library and Information Technology				-	-	-	-	-	
Accreditation				-	-	-	-	-	
Facilities				-	-	-	-	-	
Laboratory and other equipment				-	-	-	-	-	
Other				-	-	-	-	-	
Total Non-Personnel				-	-	-	-	-	
Allocated to university operations	48%			30,487	60,973	185,264	189,619	230,740	
Total Annual Expense			\$ -	\$ 30,487	\$ 60,973	\$ 185,264	\$ 189,619	\$ 230,740	697,083
Revenue									
Formula Funding Generated				-	-	260,366	260,366	349,634	870,365
Local Tuition Applied to Formula				-	-	(10,500)	(10,500)	(14,100)	
Subtotal: State General Revenue				-	-	249,866	249,866	335,534	
UH Tuition and Fees				75,852	151,704	162,540	173,376	173,376	736,848
Allocated to set aside per student				(12,338)	(24,676)	(26,439)	(28,201)	(28,201)	1,607,213
Total Revenue from Enrollment				63,514	127,028	385,967	395,040	480,708	1,452,257
University Support for Development				-	-	-	-	-	
Philanthropy and other External Revenue				-	-	-	-	-	
Net Revenue				63,514	127,028	385,967	395,040	480,708	1,452,257
Net Annual Gain/(Loss)			-	\$ 33,027	\$ 66,054	\$ 200,703	\$ 205,421	\$ 249,968	755,174
Cumulative Gain/(Loss)			-	\$ 33,027	\$ 99,082	\$ 299,784	\$ 505,205	\$ 755,174	

Note: Please take out any expenses in the year that is not applicable for your program.

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Introduction of Dean, University Libraries – University of Houston

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

Introduction of Ms. Lisa German, new dean of the University Libraries. The effective date of her appointment was August 1, 2015.

SUPPORTING DOCUMENTATION: Biographical sketch and CV

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Information

COMPONENT: University of Houston

Renu Khator
PRESIDENT Renu Khator

8/13/15
DATE

Paula Myrick Short
SENIOR VICE CHANCELLOR Paula Myrick Short

7-28-15
DATE

Renu Khator
CHANCELLOR Renu Khator

8/13/15
DATE

University of Houston System Board of Regents

Introduction

Organization: University of Houston

Type of Appointment:	Appointment
Name:	Lisa A. German
To Title:	Dean, University Libraries
Effective Date:	August 1, 2015

Biographical Sketch:

Lisa German comes to the University of Houston from Pennsylvania State University. At Penn State Libraries, German served as associate dean for collections, information, and access services, where she was responsible for planning, organization, policy development, implementation, assessment, and direction. She has also published extensively in these areas.

German has participated in the Leadership Institute for Academic Librarians at Harvard University, and the Association of Research Libraries (ARL) Research Library Leadership Fellows Program. She is the recipient of several awards from the University of Illinois, Penn State University, and the American Library Association – Association for Library Collections and Technical Services.

German holds a bachelor's degree in history and a master's degree in library science, both from the University of Illinois, Urbana-Champaign.

LISA A. GERMAN

EMPLOYMENT HISTORY

Associate Dean, Penn State University Libraries, University Park, Pennsylvania. (July 1, 2011 - Present)

Manage, oversee, and coordinate the libraries' technical and public services including acquisitions, cataloging and metadata services, access services including interlibrary loan, 11 subject libraries and information technology. Serves as a member of the Libraries' administrative team for planning, administration, budgeting and development that includes developing goals, policies, procedures, and services. Administers promotion and tenure for the Libraries' faculty. Participates in research and creative activities and shared governance. Represents Penn State in collaborative initiatives with libraries across Pennsylvania through the Pennsylvania Academic Library Consortium, Inc. and in the Big 10.

Assistant Dean for Technical and Collections Services, Penn State University Libraries, University Park, Pennsylvania. (September 2005 - June 30, 2011)

Responsible for Acquisitions, Cataloging and Metadata Services, and the Information Technology Department.

Head of Acquisitions and Associate Professor of Library Administration, University of Illinois Library, Urbana, Illinois. (August 2003 - August 2005)

Administer the Acquisitions Department of the University Library. Provided oversight for the acquisitions and serial system migration. Assisted departmental librarians with collection management and coordinated several approval plans and blanket orders.

Technical Services Division Coordinator, University of Illinois Library, Urbana, Illinois. (August 2003 - August 2005)

Represented Technical Services on the Library Administrative Council. Responsible for holding regular meetings of the division, seeking advice and consent from the division in matters affecting the division, coordinating the activities of the division, assuring the implementation of general library policies and procedures, and reporting regularly on the activities of the division. Represented the library on the state-wide Systems Assessment Task Force.

Head of Acquisitions and Assistant Professor of Library Administration, University of Illinois Library, Urbana, Illinois. (August 1998 - August 2003)

Acting Head of Acquisitions and Assistant Professor of Library Administration, University of Illinois Library, Urbana, Illinois. (August 1997 - August 1998)

Assistant Acquisitions and Binding Librarian and Assistant Professor of Library Administration, University of Illinois Library, Urbana, Illinois. (November 1996 - August 1997)

Head of Acquisitions, Wright State University Library, Dayton, OH. (January 1996 - November 1996)

Acquisitions Team Leader, Wright State University Library, Dayton, Ohio. (April 1994 - December 1995)

Acting Head of Bibliographic Control, Wright State University Library, Dayton, Ohio. (June 1995 - September 1995)

Assistant Head of Acquisitions, Wright State University Library, Dayton, Ohio. (February 1993 - March 1994)

AWARDS AND HONORS, AND OTHER RECOGNITIONS

Harrassowitz Leadership in Library Acquisitions Award, Association for Library Collections and Technical Services. (2012)

ACRL Harvard Leadership Institute for Academic Librarians. (2009)

Association of Research Libraries Research Library Leadership Fellows (RLLF). Class of 2004-2006

Esther J. Piercy Award, Association for Library Collections and Technical Services. (2002)

University of Illinois Library Faculty and Staff Achievement Award, University of Illinois Library. (2002)

University of Illinois Library Faculty and Staff Achievement Award, University of Illinois Library. (2001)

EDUCATION

University of Illinois, Urbana-Champaign B.A. History (1979)

University of Illinois, Urbana-Champaign M.S.L.I.S. (1992)

RESEARCH AND SERVICE

Articles Published in Refereed Journals

- German, L. B., Alan, R., Wiley, L., & Chrzatowski, T. (2010). "Approval Plan Assessment in Two Large ARL Libraries." *Library Resources & Technical Services*, 54(2), 64-76.
- German, L. B., Owen, V., Parchuck, J., & Sandore, B. (2009). "RLLF in the Rear View Mirror: Report on the Impact and Value of the ARL Academic Library Leadership Fellows Program." *Journal of Library Administration*, 49(8), 795-809.
- German, L. B., & Schmidt, K. A. (2001). "Finding the Right Balance: Campus Involvement in the Collections Allocation Process." *Library Collections and Technical Services*, 25(4), 421-433.
- German, L. B. (1999). "Designing and Implementing a Consortial Approval Plan: The OhioLINK Experience (Report from the 1998 Charleston Conference)." *Library Acquisitions: Practice & Theory*, 23(2), 193-194.
- German, L. B., Dickstein, R., Evans, M., Grim, J., & Rivers, S. (1998). "From Zero to Four: A Review of Four New Women's Studies CD-ROM Products." *Serials Librarian*, 35(1/2), 59-84.
- German, L. B. (1997). "In or Out—In-House Innovation and Outsourcing Technical Services Alternatives for the 90s: A Report of an Association for Library Collection and Technical Services Program (at the 1996 ALA Conference)." *Library Acquisitions Practice & Theory*, 21, 77-79.
- German, L. B. (1996). "Surviving the Serials Crisis: Are E-journals an Answer: A Report of the Program Sponsored by the ACRL Journal Costs in Academic Libraries Discussion Group." *Library Acquisitions: Practice & Theory*, 20(2), 199-200.
- German, L. B. (1995). "Let the Sun Shine In: Evaluating Ethics in Publisher/Vendor Library Relations: A Report of the Program." *Library Acquisitions: Practice & Theory*. 19(1), 120-121.
- German, L. B. & Thomson, M. B. (1994). "ALCTS Acquisitions Librarians/Vendors of Library Materials Discussion Group: Vendor Discounts: A Report of ALA Midwinter 1994." *Library Acquisitions: Practice and Theory*, 18(3), 313-316.
- German, L. B. (1992). "A Closer World: A Review of Acquisitions Literature, 1992." *Library Resources and Technical Services*, 37(3), 255-260.

Books

German, L. B. & Sandore Namachchivaya (2013). *Spec Kit 339: Innovation and R&D*. Washington D.C.: Association of Research Libraries.

German, L. B., Slight-Gibney, N., Lambert, D., & Brown, K. R. (2001). *Guide to the Management of the Information Resources Budget: Collection Development and Management Series No. 9.* Lanham, MD: Scarecrow Press.

Parts of Books

German, L. B., & Schmidt, K. A. (2000). "Acquisitions." In Elizabeth A. Chapman and Frederick C. Lynden (Eds.), *Advances in Librarianship* (vol. 24, pp. 139-155). San Diego, CA: Academic Press. Invited.

German, L. B. (1999). "Acquisitions Personnel Management, Organization and Staffing Issues." In Karen Schmidt (Ed.), *Understanding the Business of Library Acquisitions* (pp. 346-359). Chicago, IL: American Library Association. Invited.

German, L. B. (1999). "Emily Dunning Barringer." In John Garraty and Mark Carnes (Eds.), *American National Biography* (pp. 237-238). New York, NY: Oxford University Press.

German, L. B. (1998). "Serials Acquisitions: Trends and Prospects." In Michael Gorman (Ed.), *Technical Services Today and Tomorrow* (pp. 43-52). Englewood, CO: Libraries Unlimited. Invited.

Articles Published in Non-refereed Journals

German, L. B. (2014). Transformational Times, Transformational Leadership." *Technicalities*, 34(1), 1-4.

German, L. B. (2012). "Less Depth, More Breadth or More Depth, Less Breadth: The Reality of Life as an Associate University Librarian in an Academic Library." *Technicalities*, 32(2), 1, 7-8. Invited.

German, L. B. (2011). "Making it Real - The Challenges and Responsibilities of Being an 'Acting Head'." *Technicalities*, 31(1), 1,6-7.

German, L. B. (2010). "Paying It Forward: Mentoring in the Workplace." *Technicalities*, 30(1), 1, 6-7. Invited.

German, L. B. (2009). "No One Plans to Fail, They Fail to Plan: The Importance of Structured Project Planning." *Technicalities*, 29(3), 1, 7-9. Invited.

German, L. B. (2008). "A Recipe for Success: Two Cups of Collaboration, Two Cups of Hard Work, and a Cup of Good Timing." *Against the Grain*, 20(1), 34.

German, L. B. (2008). "It's All About Teamwork: Working in a Consortial Environment." *Technicalities*, 28(3), 1-5. Invited.

German, L. B., & Schmidt, K. A. (2001). "Honoring Faculty: Book Plates to Celebrate Faculty Achievements." *College and Research Libraries News*, 62(11), 1066-1067, 1130.

Articles Published in In-House Publications

German, L. B. In Nicola Cecchino (Ed.), "HathiTrust: Your Digital Repository Available Anywhere, Anytime." *@Harrell.Lib The Official Newsletter of the George T. Harrell Health Sciences Library*. 2(2), pp. 7. Invited.

German, L. B. (2009). "ARL Statistics." *Interview*. 3(37), pp. 3. Invited.

Other Works

Abstracts

German, L. B. (Contributor to Edited Volume) (1999). In Betsy Kruger and Catherine Larson (Eds.), *On Account of Sex: An Annotated Bibliography on the Status of Women in Librarianship, 1993-1997*. Lanham, MD: Scarecrow Press.

Conference Proceeding

German, L. B. (2003). "Group Therapy." In Rosann Bazirjian and Vicky H. Speck (Eds.), *Charleston Conference Proceedings 2002*. (pp. 165). Westport, CT: Libraries Unlimited.

Conference Proceeding, Refereed

Alan, R., & German, L. B. (2012). "From My Library to Our Library: Changing a Culture in Tough Times." Charleston, SC: Against the Grain Press.

Encyclopedia Entry, Refereed

German, L. B. (2010). "Bibliographic Utilities." In Marcia J. Bates and Mary Niles Maack (Eds.), *Encyclopedia of Library and Information Sciences, Third Edition*. (pp. 506-509). Boca Raton, FL: CRC Press. Invited.

Report to Sponsor

German, L. B., Ayers, L., Camden, B. P., Johnson, P., Miller, C., & Smith-Yoshimura, K. (2009). "What We've Learned from the RLG Partners Metadata Creation Workflows Survey." Report produced by OCLC Online Computer Library Center Inc. Research. <http://www.oclc.org/programs/publications/reports/2009-04.pdf>.

Editorial and Advisory Boards

Library Resources & Technical Services (2013 - 2015)
Journal of Library Administration (January - March 2013)
ACQNET, Editorial Board. (2000 - 2005)
ACQNET, Assistant Editor. (2002 - 2004)
Against the Grain 15 (1), Guest Editor (2003)

Peer Reviewer of Grant Proposals, Manuscripts, Presentations, Etc.

College and Research Libraries (2014)
Library Resources & Technical Services (2013- Present)
Journal of Library Administration (2012)
Journal of Imaging Science and Technology (2007)

Presentations

German, L.B. (Co-Presenter), Crawford, G. (Co-Presenter), Charleston Conference, Charleston, SC, "Creating a New Collections Allocation Model for These Changing Times: Challenges, Opportunities, and Data," Refereed. (November 4, 2013)

German, L. B. (Co-Presenter), American Library Association, Association for Library Collections and Technical Services Research and Statistics Committee, Anaheim California, "Write for it! Jump Start your Research Agenda and Join the Conversation," Invited. (June, 2012)

German, L. B. (Co-Presenter, University Libraries), Furlough, M. (Co-Presenter, University Libraries), Martin, M. (Co-Presenter, Digital Library Technologies), University Libraries, University Park, PA, "Content Stewardship Program Update," (January 20, 2011)

German, L. B. (Co-Presenter, University Libraries), Schafer, C. (Co-Presenter), Ealy, J. B. (Co-Presenter), Commission for Women, University Park, PA, "What Do Female Faculty Need?," Invited. (January 12, 2011)

German, L. B. (Co-Presenter), Alan, R. (Co-Presenter), Charleston Conference, Charleston, SC, "From My Library to Our Library: Changing a Culture in Tough Times," Refereed. (November 5, 2010)

- German, L. B. (Co-Presenter), Novotny, E. C. (Co-Presenter), Arts and Humanities Library Reference and Research Training Series, Penn State University Libraries, University Park, PA, "HathiTrust: What Is It, and Why Should I Care?" (September 29, 2010)
- German, L. B. (Author and Presenter), West Virginia Library Association Conference, White Sulphur Springs, WV, "A Recipe for a Great Team: Why Some Teams Work and Others Fail," Paper and Oral Presentation, Invited (December 4, 2008)
- German, L. B. (Co-Author and Co-Presenter), Alan, R. (Co-Author and Co-Presenter), Chrzastowski, T. (Co-Author and Co-Presenter), Wiley, L. (Co-Author and Co-Presenter), Charleston Conference, Charleston, SC, "Approval Plan Assessment in Two Large ARL Libraries: The University of Illinois at Urbana-Champaign and Pennsylvania State University," Paper and Oral Presentation (November 9, 2007)
- German, L. B. (Co-Author and Co-Presenter), Davis, E. (Co-Author and Co-Presenter), Charleston Conference, Charleston, SC, "The Three C's of Library-Vendor Relations: Collaboration, Cooperation, and Communication," Paper and Oral Presentation (November 4, 2005)
- German, L. B. (Co-Author and Co-Presenter), Norman, M. (Co-Author and Co-Presenter), Shelburne, W. (Co-Author and Co-Presenter), Charleston Conference, Charleston, SC, "Building a Knowledgebase," Paper and Oral Presentation (November 3, 2005)
- German, L. B. (Co-Author and Co-Presenter), Elhard, K. C. (Co-Author and Co-Presenter), Jin, Q. (Co-Author and Co-Presenter), Weible, J. (Co-Author and Co-Presenter), Annual Association of College and Research Libraries (ACRL) Conference, Charlotte, NC, "Evaluation of User-Centered Library Technical Services and IT Support," Paper and Oral Presentation (April 11, 2003)
- German, L. B. (Co-Author and Co-Presenter), Chrzastowski, T. (Co-Author and Co-Presenter), Schmidt, D. (Co-Author and Co-Presenter), Acquisitions and Collection Development Librarians, University of Wisconsin, Madison, WI, "What Approval Plans Can Do for You," Paper and Oral Presentation, Invited (February 3, 2003)
- German, L. B. (Co-Author and Co-Presenter), Schmidt, K. (Co-Author and Co-Presenter), Timberline Conference, Timberline Lodge, OR, "Finding the Right Balance: Campus Involvement in the Collections Allocation Process," Paper and Oral Presentation (May 20, 2001)
- German, L. B. (Author and Presenter), Illinois Library Computer Systems Organization Technical Services Forum, Chicago, IL, "UIUC Preparations for DRA Implementation," Paper and Oral Presentation (October 21, 1997)

German, L. B. (Author and Presenter; Panel Member), Association of College and Research Libraries Women's Studies Discussion Group Panel, American Library Association Midwinter Conference, Washington, DC, "From Zero to Four," Paper and Oral Presentation (February 17, 1997)

German, L. B. (Author and Presenter), Machine-Readable Bibliographic Information Committee, American Library Association Annual Conference, New Orleans, LA, "Internet Resources," Paper and Oral Presentation (June 1993)

Professional Memberships

American Library Association. (1991 - Present)

Association for Library Collections and Technical Services (1993 - Present)

Acquisitions Section (1996 - Present)

Collection Development Section (1996 - Present)

Serials Section (1995 - Present)

Association of College and Research Libraries (1995 - Present)

Library Administration and Management Association (2005 - 2009)

Library Administration and Management Association (1995 - 1998)

Miami Valley Association of Health Sciences Librarians (1993 - 1996)

American Library Association of Ohio (1993 - 1994)

Consulting/Advising

Provide technical services, workflow, and collections consulting services to almost a dozen libraries with partner Carol Diedrichs from Ohio State University. (2012 – Present)

Workshop, Three-day workshop covering collections and technical services activities. United Arab Emirates University Library, (May 19, 2011 - May 26, 2011)

Service to the University Libraries

Content Stewardship Council, Co-Chair (2010 - Present)

Content Stewardship Council Communications Group, Member (2010 - Present)

Colloquia Committee, Co-Chair (2008 - Present)

Committee on Institutional Cooperation/Google Book Scanning Team, Co-Chair (2007 - Present)

Libraries Internal Campaign Committee, Member (2007 - Present)

Colloquia Committee, Member (2006 - Present)

Promotion and Tenure Reception Team, Coordinator (2006 - Present)

Dean's Library Council, Member (2005 - Present)

Information Technology Strategies Committee, Member (2005 - Present)

Library Faculty Organization, Member (2005 - Present)

Library Management Council (formerly Department Heads), Member (2005 - Present)
 Information Technology Coordination and Communication Group, Facilitator (2009 - 2012)
 Library Faculty Organization Faculty Affairs Committee, Liaison, Served Ex-Officio (September 2011 - August 2012)
 Collection Development Advisory Group, Member (2005 - 2011)
 Collection Development Council, Member, Served Ex-Officio (2005 - 2011)
 Competencies Design Team, Member (2007 - 2010)
 Manager of Libraries Human Resources, Member (2009)
 InCommon Library Services Working Group, Member (2007 - 2008)
 “InCommon is a formal federation of organizations focused on creating a common framework for collaborative trust in support of research and education.”
 (<http://www.incommonfederation.org>) The Library Services Working Group specifically addressed access to library resources and looked at how to implement EZProxy and Shibboleth to provide access to these resources.
 Shibboleth Pilot Team, Member (2007)
 Assistant Dean for Scholarly Communications Search Committee, Co-Chair (2006)
 Senior Director of Digital Library Technologies Search Committee, Co-Chair (2006)
 Web Steering Team, Member (2005 - 2006)
 Services Transition Team from the University Libraries, Member (2005)

Service to the University

Research and Cyberinfrastructure Governance Task Force (2014)
 Administrative Council on Undergraduate Education (2012-Present)
 Commission for Women, Member (2009 - 2015)
 Commission for Women, Chair (July 1, 2013 - June 30, 2014)
 Commission for Women, Mentoring Committee, Member (2010 - 2011)
 IT Connects Steering Committee, Member (2009 - 2010)
 Penn State Information Technology LEADer Program Committee, Member (2009 - 2010)
 Penn State Identity Access and Management (IAM) Committee, Governance and Policy Subcommittee, Member (2007 - 2008)
 The group’s primary charge was to create an identity and access management road map (or strategy) for Penn State. A secondary goal was to establish a community of people and organizations from across the University who understand each other’s pressures, needs, and desires for developing an IAM infrastructure that will support and enhance academic, research, business, and collaborative processes. The subcommittee created a report that outlined a possible IAM governance structure for the University.

Service to the Library Profession

American Library Association

Committee on the Status of Women in Librarianship Bibliography Task Force, Member (1993-1998)

Association for Library Collections and Technical Services

Blackwell Jury Awards Committee, Member. (2005 - 2007) Chair (2006-2007)
Board of Directors (2004-2005)
Budget and Finance Committee, Member (2002 - 2004)
Candidate for President (2007 - 2008)
Fundraising Committee, Member (2006 - 2008)
Heads of Technical Services in Large Research Libraries Discussion Group, Vice Chair/Chair Elect; Chair. (2006 - 2008)
Nominating Committee, Member (2006 - 2007)
Planning Committee, Member (2010 - 2013)
Preconference Symposium Planning Committee, Member (2009 - 2011)
Transforming Collections Task Force, Chair. (2013-2014)

Association for Library Collections and Technical Services Acquisitions Section

Chair (2004 - 2005)
Acquisitions Administrators Discussion Group, Chair (1996 - 1997)
Acquisitions Organization and Management Committee, Chair (1997 - 2001)
Business of Acquisitions Preconference Planning Committee, Member (1998 - 1999)
Executive Board Member-at-Large (1999 - 2002)
Leadership in Library Acquisitions Award Committee, Chair (2007 - 2008)
Publication Committee, Guides Subcommittee, Member (1996 - 1997)
Vice-Chair/Chair-Elect (2003 - 2004)

Association of College and Research Libraries

Annual Conference Programs Committee, Member (2010 - 2012)
Appointments Committee, Member. (2009 - 2011) Chair (2010 - 2011)
Women's Studies Section Technical Services Committee, Member (1996 - 2000)
Workshop Committee, Member (2008 - 2009)

Committee on Institutional Cooperation

Chief Collection Development Officers/Electronic Resources Officers Group (2011-Present)
Heads of Acquisitions, Chair (2000 - 2003)
Google Project Manager's Group, Member (2007 - Present)
Government Documents Digitization Implementation Team, Member (2010 - Present)
Print Journal Archiving Project Committee, Member (2007)
Public Services Directors (2011 - Present)
Technical Services Directors, Chair (2009 - 2010)

Miami Valley Association of Health Sciences Librarians

Collection Development Committee, Member (1994 - 1995)

OCLC/HathiTrust

Discovery Interface Working Group Member (2009 - 2011)
Usability Team, Member (2010)

PALINET

Finance Committee, Member (2006 - 2007).

Pennsylvania Academic Library Consortium, Inc. (PALCI)

Distributed Journal Archive Project, Member (2008)
Shared Print Steering Committee, Member (2014 - Present)

Pennsylvania Library Association

Annual Conference Fundraising Committee, Chair (2007 - 2008)
Conference Planning Committee, Member (2007 - 2008)

Research Libraries Group

Journal Preservation Project, Member (2008 - 2009)
Shared Print Coordinating Committee, Member (2008 - 2009)

Community Service

Class of 2008, Leadership Centre County, Member (2007 - 2008)
National Issues Forum, Moderator, Local. State College, PA (April 10, 2008)
Too Many Children Left Behind: How Can We Close the Achievement Gap?

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Approval of Professor Emeritus Appointment

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

Board approval is requested for a professor emeritus appointment at the University of Houston. Faculty member was inadvertently left off the May 21, 2015 recommendation list. The emeritus title is conferred only upon retired tenured faculty who have made a significant contribution to the university through a long and distinguished record of scholarship, teaching, and/or service. Emeriti faculty are expected to remain willing to assist and advise the university as requested, particularly in their areas of competence.

SUPPORTING DOCUMENTATION: Faculty member recommended for emeritus appointment with brief biography

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston

Renukhator _____ 8/13/15
PRESIDENT Renu Khator DATE

Paula Myrick Short _____ 7-28-15
SENIOR VICE CHANCELLOR Paula Myrick Short DATE

Renukhator _____ 8/13/15
CHANCELLOR Renu Khator DATE

University of Houston

Professor Ira C. Colby (Graduate College of Social Work)

It is with pleasure that the Dean and the faculty of the Graduate College of Social Work support the nomination of Professor Ira C. Colby for Professor Emeritus at the University of Houston.

Professor Colby joined the University of Houston in 1999 as dean of the Graduate College of Social Work and served as dean until 2014. During his tenure, he increased the ranking of the college nationally, on campus, and within the local community. Under his administration, the college grew to an average full-time faculty of 30, 52 full-time staff; average student FTE: 375 MSW, 30 PhD, and 100 baccalaureate students in the *National Leadership Alliance* program. Professor Colby increased fund raising approximately \$13 million. He initiated a variety of international, federal, state, and local programs including Nobel Women's Initiative, International Office for Social Work Education, Center for Drug and Social Policy Research, Child and Family Center for Innovative Research, and the GCSW Annual Research Conference. Additionally, Professor Colby served as principal investigator on many research projects, authored 65 publications, including eight books and a popular introduction to social work textbook; and presented over 70 papers at national and international forums.

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Report on University of Houston System Administrative Memorandum
01.D.08, Sexual Misconduct Policy (Interim 2)

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

HB699 of the 84th Legislature amended the Texas Education Code, Sec. 51.9363, to require the Board of Regents to approve each institution's sexual assault policy. In addition, each biennium, each institution is required to review the institution's sexual assault policy and obtain the Board of Regents' approval for all revisions to the policy.

SUPPORTING DOCUMENTATION: University of Houston System Administrative Memorandum 01.D.08, Sexual Misconduct Policy (Interim 2)

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston System

PRESIDENT	<u>Renu Khator</u> Renu Khator	<u>8/13/15</u> DATE
SENIOR VICE CHANCELLOR	<u>Paula Myrick Short</u> Paula Myrick Short	<u>8-11-15</u> DATE
CHANCELLOR	<u>Renu Khator</u> Renu Khator	<u>8/13/15</u> DATE

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: General Administration

NUMBER: 01.D.08

AREA: Legal Affairs

SUBJECT: Sexual Misconduct Policy (Interim 2)

1. PURPOSE

1.1.1.1.

1.2. This Policy provides the exclusive mechanism for managing the non-criminal reporting, processing, investigation, and resolution of complaints of sexual misconduct filed with the University of Houston System and its component institutions ("University"). For the purpose of this policy, Sexual Misconduct is defined as:

- Sexual Harassment
- Non-Consensual Sexual Contact
- Sexual Assault
- Sexual Exploitation
- Intimate Partner Violence (Domestic and Dating Violence)
- Stalking

~~The University of Houston System and its component institutions ("University") are committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff and visitors are free from sex discrimination of any kind. Sexual Misconduct (as defined in this policy), a form of sex discrimination, is antithetical to the standards and ideals of the University. The University will take appropriate action in an effort to eliminate Sexual Misconduct from happening, prevent its recurrence and address its effects.~~

1.2. The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff and visitors are free from sex discrimination of any kind. Sexual Misconduct (as defined in this policy), a form of sex discrimination, is antithetical to the standards and ideals of the University. The University will take appropriate action in an effort to eliminate Sexual Misconduct from happening, prevent its recurrence and address its effects. ~~The University aims to eradicate Sexual Misconduct through education, training, clear policies and serious consequences for violations of its policies. The University will conduct educational programs, including ongoing prevention and awareness campaigns, designed to promote awareness and prevent Sexual Misconduct. This Sexual Misconduct Policy ("Policy") defines and describes prohibited sexual conduct and establishes a procedural mechanism for processing complaints of Sexual Misconduct. (Please see the University's Discrimination and Harassment Policy, [SAM 01.D.07](#), to find the procedural recourse for~~

~~responding to unlawful discrimination and harassment incidents that do not constitute Sexual Misconduct.)~~

- 1.3. The University aims to eradicate Sexual Misconduct through education, training, policies and serious consequences for violations of its policies. The University will conduct educational programs, including ongoing prevention and awareness campaigns, designed to promote awareness and prevent Sexual Misconduct.~~Consistent with its commitment to addressing sex discrimination and harassment, the University complies with Title IX of the Education Amendments of 1972 (“Title IX”), which prohibits discrimination on the basis of sex in education programs or activities, and Title VII of the Civil Rights Act of 1964 (“Title VII”), which prohibits sex discrimination in employment. Sexual Misconduct, as defined in this Policy, constitutes a form of sex discrimination prohibited by Title IX and Title VII.~~

- 1.4. This Sexual Misconduct Policy (“Policy”) defines and describes prohibited sexual conduct and establishes a procedural mechanism for providing a prompt, fair, and impartial investigation and resolution of complaints of Sexual Misconduct. (Please see the University’s Discrimination Policy, [SAM 01.D.07](#), to find the procedural recourse for responding to unlawful discrimination and harassment incidents that do not constitute Sexual Misconduct.)~~All members of the University are expected to adhere to this policy, to cooperate with the procedures for responding to complaints and to report conduct or behavior that they believe to be in violation of this Policy (See Sections 8 and 9 for reporting procedures). The University will take seriously allegations of Sexual Misconduct by conducting an investigation, and the University will work to ensure that all persons are given appropriate support and fair treatment.~~

- 1.5. Consistent with its commitment to addressing sex discrimination and harassment, the University complies with Title IX of the Education Amendments of 1972 (“[Title IX](#)”), which prohibits discrimination on the basis of sex in education programs or activities, Title VII of the Civil Rights Act of 1964 (“[Title VII](#)”), which prohibits sex discrimination in employment, and Section 304 of the Violence Against Women Reauthorization Act of 2013 (also known as the Campus Sexual Violence Elimination Act (SaVE Act). Sexual Misconduct, as defined in this Policy, constitutes a form of sex discrimination prohibited by Title IX and Title VII. Inquiries concerning the application of Title IX may be referred to the University Title IX Coordinator or to the U.S. Department of Education Office for Civil Rights.~~This Policy provides the exclusive mechanism for handling the non-criminal investigation of any alleged Sexual Misconduct, the determination of whether this Policy was violated, and the appeal of Equal Opportunity Services’ (EOS’) finding as to violation/no violation of this Policy. The proceedings under this Policy shall provide a prompt, fair, and impartial investigation and resolution.~~

All members of the University are expected to adhere to this policy, to cooperate with the procedures for responding to complaints and to report conduct or behavior that they believe to be in violation of this Policy (See Sections 11 and 12 for reporting procedures). The University will take seriously allegations of Sexual Misconduct and will take prompt disciplinary action against any individuals within its control who violate this Policy. During its investigation into these matters, the University will work to ensure that all persons are given appropriate support and fair treatment.

- 1.7. This Policy applies to all University administrators, faculty, staff, students, and third parties within the University's control, including visitors and applicants for employment. This policy applies regardless of the complainant's or respondent's sex, sexual orientation, gender identity, gender expression, immigration or citizenship status. Moreover, acts of Sexual Misconduct can occur between strangers or acquaintances.
- 1.8. Prohibited actions defined in this policy may also constitute a violation of criminal law. Anyone who reports Sexual Misconduct will be notified of their right to speak to the appropriate law enforcement agency and file a report for possible criminal prosecution.

2. GENERAL DEFINITIONS

- 2.1. Complainant – A party or entity (in the case of the University) who makes a complaint of Sexual Misconduct under Section 11 of this Policy.
- 2.2 Intimate Partner Violence – A term used to describe a range of prohibited actions that occur between people who have or have had a romantic or sexual relationship. Intimate partner violence can be a single event or a pattern of behavior that includes sexual and/or physical abuse. The term encompasses domestic violence and dating violence as further described in Section 8.
- 2.32. Respondent – A party who has been accused of committing an act of Sexual Misconduct by a Complainant under Section 16 of this Policy.
- 2.4 Responsible Employee – A University employee who has the duty to report incidents of sexual misconduct to the Title IX Coordinator or other appropriate designee, or an employee whom an individual could reasonably believe has this duty. Responsible employees include all administrators, faculty, supervisory staff, resident life coordinators and graduate teaching assistants, except any employee with confidentiality obligations as defined in Section 10.7.
- 2.53. Sexual Activity – Intercourse, however slight, meaning:

- a. Vaginal penetration by a penis, object, tongue or finger,
- b. Anal penetration by a penis, object, tongue or finger,
- c. Oral copulation (mouth to genital contact or genital to mouth contact).

Sexual activity also includes:

- a. Any intentional contact with another's intimate body parts defined as the person's breasts, buttock, groin, or genitals,
- b. Touching another with any of these body parts,
- c. Making another touch a person or themselves with or on any of these body parts;
- d. Any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

~~Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact). Sexual activity also includes any intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch the Complainant or themselves with or on any of these body parts; and any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.~~

2.6. Sexual Misconduct – A broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, sexual assault, sexual exploitation, stalking, and intimate partner violence as further described in Section 6.

2.74. Student – Any person who has been accepted for admission or who is currently or was previously enrolled in the University pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

2.85. Title IX Coordinator – The person who has been designated on each component institution campus to coordinate efforts to comply with and implement this Policy. The Title IX Coordinator is responsible for conducting the administrative investigation of reports of Sexual Misconduct and is available to discuss options, provide support, explain University policies and procedures and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators. The Title IX Coordinators for each component institution campus are:

- University of Houston System/University of Houston
Assistant VC/VP for Equal Opportunity Services
(713) 743-8835

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- University of Houston – Downtown
Vice President for Employment Services and Operations
713-222-5366
Student Conduct Officer/Title IX Coordinator or
(713) 221-8056

- University of Houston – Clear Lake
Executive Director, Human Resources and Affirmative Action
(281) 283-2164;

- University of Houston- Victoria
Director, Human Resources/Equal Opportunity/Title IX Coordinator
or Assistant Equal Opportunity/Title IX Coordinator
(361) 570-4800;
(361) 570-4835;

- ~~University of Houston System/University of Houston
Assistant VC/VP for Equal Opportunity Services or Richard Anthony
Baker, M.P.A., Ph.D., J.D., Equal Opportunity Services
(713) 743-8835; rabaker4@uh.edu~~

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~~University of Houston – Downtown~~

~~Assistant VP for Employment, Training, Campus Relations and Affirmative Action Officer or Douglas J. teDuits, Ed D, SPHR, Employment Services and Operations (713) 222-5366; TeDuitsD@uhd.edu~~

~~University of Houston – Clear Lake~~

~~Executive Director, Human Resources and Affirmative Action or Katherine Justice, Human Resources and Affirmative Action (281) 283-2164; Justice@uhcl.edu~~

• ~~University of Houston – Victoria~~

~~Director, Human Resources/Affirmative Action or Laura Smith, Human Resources/Affirmative Action (361) 570-4800; SmithL@uhv.edu~~

- 2.9~~6~~. University-Affiliated Activity – Any activity on or off campus that is initiated, aided, authorized or supervised by the University or by an officially-recognized organization of the University.
- 2.10. University Community- All faculty, staff, and students of and visitors to any University premises or University-affiliated activity.
- 2.11~~7~~ University Premises – Buildings or grounds owned, leased, operated, controlled or supervised by the University.

3. ~~DEFINITION OF SEXUAL MISCONDUCT~~JURISDICTION

- 3.1. The University has jurisdiction over, and will respond to, allegations of Sexual Misconduct occurring on the University’s premises, at University Affiliated Activities, and/or where both the accused person and alleged victim are a student, faculty, or staff. The University does not have jurisdiction over allegations between visitors or non-affiliated persons.
- 3.2. The University has the discretion to investigate conduct occurring off University premises or at a non-University affiliated activity if the Complainant and Respondent are UH-affiliated.
- 3.4. The process outlined in this Policy is separate from any criminal proceeding related to the reported behavior and may occur while criminal proceedings are on-going.
- 3.5. Proceedings under this Policy will not be dismissed or delayed because criminal prosecution is pending, criminal charges have been dismissed, or the criminal charges have been reduced.

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- 3.6. Proceedings may also continue if a party is no longer employed with or a student of the University.
- 3.7. The University does not limit the timeframe for filing a complaint of Sexual Misconduct. Complaints can be submitted at any time following an incident, although the University's ability to take action may be limited by the passage of time.

~~“Sexual Misconduct” is a broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes sexual assault, sexual exploitation, sexual intimidation, sexual harassment, domestic violence, dating violence and stalking as further described in Section 6. Sexual Misconduct can be committed by men or women, strangers or acquaintances, and can occur between people of the same or opposite sex. This Policy applies regardless of the complainant’s or the respondent’s sex, sexual orientation, gender identity or gender expression. An attempt to engage in conduct that constitutes Sexual Misconduct under this Policy may be treated itself as an act of Sexual Misconduct.~~

4. ~~JURISDICTION~~ CONSENT

- 4.1. For purposes of this Policy, consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity.
- 4.2. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity.
- 4.3. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging the receipt of consent, and individuals are thus urged to seek consent in verbal form for each instance of sexual activity before they initiate the sexual activity.
- 4.4. It is the responsibility of the person who wants to initiate a sexual activity to ensure that they have the consent of the other(s) to initiate in each instance of sexual activity before they initiate the sexual activity.
- 4.5. Consent is active, not passive, and cannot be inferred from the absence of a “no.”
- 4.6. Silence or lack of protest or resistance, without actions demonstrating permission, cannot be assumed to show consent.
- 4.7. The existence of a dating relationship or a previous sexual relationship between the persons involved does not provide the basis for an assumption of consent to future sexual activity.

- 4.8. Consent must be present throughout the sexual activity, and consent to some form of sexual activity cannot be automatically taken as consent to any other sexual activity.
- 4.9. At any time, a participant can communicate that they no longer consent to continuing the sexual activity.
- 4.10. If there is confusion as to whether an individual has consented or continues to consent to sexual activity, it is essential that the initiating person stops the sexual activity until the confusion is clearly resolved.
- 4.11. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. Because consent is difficult to discern when a person has ingested alcohol and other drugs, anyone wanting to initiate sexual activity is strongly encouraged to err on the side of caution when either they or the person(s) they want to initiate the activity with appear(s) to be intoxicated.
- 4.12. Being under the influence of drugs and/or alcohol is never a defense for not obtaining consent.
- 4.13. A person cannot consent if physical force or violence is used or threatened. ~~The University has jurisdiction over, and will respond to, allegations of Sexual Misconduct occurring on the University's premises, at University Affiliated Activities, and/or where both the alleged perpetrator and victim are a student, faculty, or staff. A Sexual Misconduct complaint rising to the level of a potential criminal violation may be considered separately under this Policy and in the criminal justice system. Proceedings under this Policy will not be dismissed or delayed because criminal prosecution is pending, charges have been dismissed, or the charges have been reduced. Proceedings may also continue if a party is no longer employed with or a student of the University. Additionally, the University has the discretion to investigate conduct off University premises pursuant to Section 14.3.~~

5. ~~CONSENT~~ INCAPACITATION

- 5.1. A person is incapacitated and cannot consent to sexual activity if:
 - a. The person is unconscious or otherwise unable to resist;
 - b. The person is unaware that sexual activity is occurring;
 - c. The person does not have the legal capacity to consent;(The definition of consent in the State of Texas can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>)
- 5.2. Further, a person may be unable to consent when they are mentally or physically incapacitated due to the influence of drugs, alcohol, or medication and as a result

are rendered temporarily incapable of understanding, appraising or controlling their conduct.

- 5.3. A person's incapacity to understand, appraise or control their conduct may be analyzed based on surrounding factors including, but not limited to, hallucinations, blackouts, seizures, vomiting, slurred speech, disorientation, or incoordination.
- 5.4. When a Respondent has been accused of engaging in sexual activity with an incapacitated person, the perspective of a reasonable person will be the basis for determining whether the Respondent knew or should have known about the Complainant's ability to give consent.
- ~~5.1. For purposes of this Policy, consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity. It is the responsibility of the person who wants to engage in the sexual activity to ensure that s/he has the consent of the other to engage in each instance of sexual activity. (The definition of consent for the crime of sexual assault in Texas can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>.)~~
- ~~5.2. Consent is active, not passive, and cannot be inferred from the absence of a "no." Therefore, silence or lack of protest or resistance, without actions demonstrating permission, cannot be assumed to show consent. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging the receipt of consent, and individuals are thus urged to seek consent in verbal form for each instance of sexual activity. The existence of a dating relationship or a previous sexual relationship between the persons involved does not provide the basis for an assumption of consent to future sexual activity.~~
- ~~5.3. Consent must be present throughout the sexual activity, and consent to some form of sexual activity cannot be automatically taken as consent to any other sexual activity. Importantly, at any time, a participant can communicate that s/he no longer consents to continuing the sexual activity. If there is confusion as to whether an individual has consented or continues to consent to sexual activity, it is essential that the participants stop the sexual activity until the confusion is clearly resolved.~~
- ~~5.4. In determining whether a person gave consent, various factors are relevant. However, there is no consent when physical force or violence is used or threatened, where a person is unconscious or otherwise unable to resist, where the person is unaware that a sexual assault is occurring, or where the person does not have the legal capacity to consent. Further, a person may be unable to consent when the person is mentally or physically incapacitated due to the influence of~~

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~~drugs, alcohol, or medication and as a result is rendered temporarily incapable of understanding, appraising or controlling his or her conduct. A person's incapacity to understand, appraise or control her or his conduct may be analyzed based on surrounding factors including, but not limited to, hallucinations, seizures, vomiting, slurred speech, disorientation, incoordination and other relevant factors.~~

6. FORMS OF SEXUAL MISCONDUCT

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6.1. Sexual Harassment

Sexual harassment is a form of sex discrimination that includes verbal, written or physical behavior of a sexual nature, directed at someone, or against a particular group, because of that person's or group's sex, or based on gender stereotypes, when that behavior is unwelcome, severe or pervasive, and where it meets either of the following criteria:

- a. Submission or consent to the behavior is believed to carry consequences for the individual's education, employment, on-campus living environment or participation in a University-affiliated activity. Examples of this type of sexual harassment include, but is not limited to:
 1. Pressuring another to engage in sexual behavior for some educational or employment benefit; or
 2. Making a real or perceived threat that rejecting sexual behavior will result in a negative tangible employment or academic consequence.
- b. The behavior has the purpose or effect of substantially interfering with another's work or educational performance by creating an intimidating or hostile environment for employment, education, on-campus living or participation in a University-affiliated activity. Examples of this type of sexual harassment can include, but is not limited to:
 1. Persistent unwelcome efforts to develop a romantic or sexual relationship;
 2. Unwelcome commentary about an individual's body or sexual activities;
 3. Unwanted sexual attention;
 4. Repeatedly engaging in sexually-oriented conversations, comments or horseplay, including the use of language or the telling of jokes or anecdotes of a sexual nature in the workplace, office or classroom, even if such conduct is not objected to by those present; or
 5. Gratuitous use of sexually-oriented materials not directly related to the subject matter of a class, course or meeting even if not objected to by those present.

The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. A single or isolated instance of sexual harassment may create a hostile environment if the incident is sufficiently severe.

6.2. Non-consensual Sexual Contact

Nonconsensual sexual contact is any intentional touching in a sexual manner, however slight or momentary, or the use of an object to touch another in a sexual manner.

Examples of nonconsensual sexual contact under this Policy include, but are not limited to, the following non-consensual sexual activity:

- a. Unwanted touching of a sexual nature;
- b. Use of force or intimidation to make someone else engage in nonconsensual sexual touching;

6.3. Sexual Assault

For purposes of this Policy, sexual assault is sexual intercourse that occurs without consent.

Examples of sexual assault under this Policy include, but are not limited to, the following non-consensual sexual acts:

- a) Penetration of an orifice (anal, vaginal, oral) with the penis, finger or other object
- b) Oral sex

The definition of sexual assault as used in this Policy may constitute sexual assault in Texas. Relevant state law can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011.>)

6.4. Sexual Exploitation

Sexual exploitation occurs when a party takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other Sexual Misconduct offenses. Examples can include, but are not limited to, the following behaviors:

- a) Prostituting another;
- b) Non-consensual electronically recording, photographing or transmitting intimate or sexual utterances, sounds or images without the knowledge and consent of all parties involved;
- c) Voyeurism or watching or recording someone when that person is in a place where they would have a reasonable expectation of privacy;
- d) Going beyond the boundaries of consent (such as engaging in actions that were not consented to during an otherwise consensual encounter);
- e) Distributing intimate or sexual images about another person without that person's consent, even if the images were obtained consensually

- f) Knowingly exposing a person to and/or transmitting a sexually-transmitted infection or HIV/AIDS to another person.

6.5. Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- a. Fear for their safety and/or the safety of others; or
- b. Suffer substantial emotional distress

For the purposes of this Policy stalking is considered a severe or pervasive form of harassment. This Policy will apply to acts of stalking that:

- a. Occur between people who currently have or have had a romantic or sexual relationship or,
- b. Occur because of the accused person's desire to have a romantic or sexual relationship with the alleged victim.

For the purposes of defining stalking under this Policy:

A "course of conduct" is a pattern of behavior composed of two or more acts, whether directly by a Respondent or through third parties, over a period of time, however short, that evidence a continuity of purpose.

"Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

A "reasonable person" means a reasonable person in the Complainant's circumstances.

The University may consider multiple actions outlined in this definition as one act of stalking. A report of stalking will be considered a new and distinct report if the behavior continues after an official intervention, including, not limited to:

- a. University disciplinary action
- b. The issuance of a no-contact order, or any warning/action by the University or a court.

The definition of stalking as used in this Policy may constitute stalking in Texas. Relevant state law can be found at <http://www.statutes.legis.state.tx.us/SOTWDocs/PE/htm/PE.42.htm>

6.6. Intimate Partner Violence

For purposes of this Policy, Intimate Partner Violence includes Domestic (Family) Violence and Dating Violence.

Actions that may violate this policy include, but are not limited to:

- Acts of physical violence
- Threats of physical violence
- Abduction, restraint, or false imprisonment
- Actions that may constitute a felony or misdemeanor crime of violence according to the laws of jurisdiction where the incident occurred.

a.) Domestic Violence

Domestic Violence includes felony or misdemeanor crimes of violence committed by:

- A current or former spouse or intimate partner of an alleged victim
- A person with whom an alleged victim shares a child in common
- A person who is cohabitating with or has cohabitated with an alleged victim as a spouse or intimate partner
- A person similarly situated to a spouse of an alleged victim under the domestic or family violence laws of the State of Texas
<http://www.statutes.legis.state.tx.us/SOTWDocs/CR/htm/CR.5.htm>

b.) Dating Violence

Dating violence includes acts between people who are currently or formerly in a social relationship of a romantic or intimate nature

For the purposes of this Policy, the existence of such a relationship shall be determined by the alleged victim with consideration of the following:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

6.7 Additional Actions that Constitute a Violation of this Policy

- a) An attempt and/or threat to engage in conduct that would otherwise constitute a violation of this Policy
- b) Knowingly aiding another in violating this Policy

- c) Knowingly covering up actions by oneself or others that would constitute a violation of this Policy, including removing, hiding, altering or destroying evidence
- d) Knowingly engaging in actions that impede or obstruct a University investigation related to this Policy
- e) Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information.

~~6.1.—Sexual Assault~~

~~For purposes of this Policy, sexual assault is any form of **non-consensual** sexual activity. Sexual assault represents a continuum of conduct from forcible rape to non-physical forms of pressure that compel individuals to engage in sexual activity against their will. (The definition of sexual assault in Texas can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>.)~~

~~Examples of sexual assault under this Policy include, but are not limited to, the following non-consensual sexual activity:~~

- ~~a) Sexual intercourse (vaginal or anal);~~
- ~~b) Oral sex;~~
- ~~e) Rape or attempted rape;~~
- ~~d) Penetration of an orifice (anal, vaginal, oral) with the penis, finger or other object;~~
- ~~e) Unwanted touching of a sexual nature;~~
- ~~f) Use of coercion, manipulation or force to make someone else engage in sexual touching, including breasts, chest and buttocks;~~
- ~~g) Engaging in sexual activity with a person who is unable to provide consent; or~~
- ~~h) Knowingly transmitting a sexually-transmitted disease to another.~~

~~6.2.—Sexual Exploitation~~

~~Sexual exploitation occurs when a party takes **non-consensual** or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other Sexual Misconduct offenses. Examples can include, but are not limited to, the following behaviors:~~

- ~~a) Prostituting another;~~
- ~~b) Non-consensual electronically recording, photographing or transmitting intimate or sexual utterances, sounds or images without the knowledge and consent of all parties involved;~~

- e) ~~Voyeurism (spying on others who are in intimate or sexual situations);~~
- d) ~~Going beyond the boundaries of consent (such as letting friends hide in the closet to watch another friend having consensual sex); or~~
- e) ~~Distributing intimate or sexual information about another person without that person's consent.~~

~~6.3. Sexual Intimidation~~

~~Sexual intimidation involves:~~

- a) ~~Threatening another with a non-consensual sex act;~~
- b) ~~Stalking or cyber-stalking; or~~
- e) ~~Engaging in indecent exposure.~~

~~6.4. Sexual Harassment~~

~~Sexual harassment is a form of sex discrimination that includes verbal, written or physical behavior of a sexual nature, directed at someone, or against a particular group, because of that person's or group's sex, or based on gender stereotypes, when that behavior is unwelcome, severe or pervasive, and where it meets either of the following criteria:~~

- a) ~~Submission or consent to the behavior is believed to carry consequences for the individual's education, employment, on-campus living environment or participation in a University-affiliated activity. Examples of this type of sexual harassment include, but is not limited to:~~
 - 1) ~~Pressuring another to engage in sexual behavior for some educational or employment benefit; or~~
 - 2) ~~Making a real or perceived threat that rejecting sexual behavior will result in a negative tangible employment or academic consequence.~~
- b) ~~The behavior has the purpose or effect of substantially interfering with another's work or educational performance by creating an intimidating or hostile environment for employment, education, on-campus living or participation in a University-affiliated activity. Examples of this type of sexual harassment can include, but is not limited to:~~
 - 1) ~~Persistent unwelcome efforts to develop a romantic or sexual relationship;~~
 - 2) ~~Unwelcome commentary about an individual's body or sexual activities;~~
 - 3) ~~Unwanted sexual attention;~~
 - 4) ~~Repeatedly engaging in sexually-oriented conversations, comments or horseplay, including the use of language or the telling of jokes~~

~~or anecdotes of a sexual nature in the workplace, office or classroom, even if such conduct is not objected to by those present; or~~

- ~~5) — Gratuitous use of sexually oriented materials not directly related to the subject matter of a class, course or meeting even if not objected to by those present.~~

~~6.5. — Domestic (Family) Violence~~

~~For purposes of this Policy, domestic (family) violence includes felony or misdemeanor crimes 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 State of Texas, 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 State of Texas.~~

~~6.6. — Dating Violence~~

~~For purposes of this Policy, dating violence is violence committed by a person:~~

- ~~a) — Who is or has been in a social relationship of a romantic or intimate nature with the victim; and~~
- ~~b) — Where the existence of such a relationship shall be determined based on a consideration of the following factors:

 - ~~i. — The length of the relationship~~
 - ~~ii. — The type of relationship~~
 - ~~iii. — The frequency of interaction between the persons involved in the relationship~~~~

~~6.7. — Stalking~~

~~For purposes of this Policy, stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to~~

- ~~a) — Fear for his or her safety or the safety of others; or~~
- ~~b) — Suffer substantial emotional distress.~~

7. ~~USE OF ALCOHOL OR OTHER DRUGS~~ REPORTING RIGHTS

- 7.1. Alleged victims of a violation of this Policy have the right to decide if and when they report the incident(s) to the University, law enforcement, or to any other member of the University community. The University strongly encourages individuals to access services, such as counseling and medical help, that can respond to the immediate mental and physical impact of an act of Sexual

Misconduct. Individuals can access these services regardless of whether they report what happened.

- 7.2. The University strongly encourages reporting as soon as possible. Prompt reporting may preserve options that delayed reporting does not, including immediate police response and the preservation of physical evidence that may be necessary to prove an alleged criminal offense or to obtain a protective order.
- 7.3. Once an individual alerts the University of an alleged violation of this Policy they will be provided with information including this Policy, their rights, reporting options, and support resources.

~~Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person will be the basis for determining whether one knew or should have known about the impact of the use of alcohol or drugs on another's ability to give consent. Being intoxicated or high is never an excuse for engaging in Sexual Misconduct.~~

8. ~~RISK REDUCTION STRATEGIES~~CONFIDENTIALITY

- 8.1. Alleged victims and others who are either not required to report or are bound by state law to remain confidential have the right to remain confidential.
- 8.2. The University will protect the confidentiality of all individuals involved in a report or a complaint by refusing to disclose their identifying information to anyone outside the University to the maximum extent permitted by law.
- 8.3. Anyone can receive information about this Policy, their rights under the Policy, reporting options, and support resources without disclosing facts related to the alleged incident.
- 8.4. The following members of the University community can provide this information:
 - Title IX Coordinator and any assistant coordinators
 - Campus law enforcement and/or security
 - Campus-based counseling staff
 - Campus-based student health center staff
 - Human Resources staff
 - Dean of Students Office staff
 - Student Housing and Residence Life professional staff
- 8.5. In addition, each component may have their own programs and services related to the issues covered in this policy.

- 8.6. University staff of campus counseling or health centers, individuals operating in the role of a pastoral counselor or a confidential advisor, and other University employees whose job is to provide medical and mental health care are exempt from required reporting.
- 8.7. Community-based programs not affiliated with the University may also be confidential resources and would follow their own policies and procedures regarding reporting duties.
- 8.8. Individuals may request that their report be investigated by the University without providing their name to the Respondent or witnesses. However, this may reduce the University's ability to thoroughly investigate a report. When the University cannot fully investigate a report or take appropriate disciplinary action because of a request for a confidential investigation, the University will pursue other steps to limit the effects of the alleged violation, attempt to prevent its reoccurrence, and respond to the impact on the involved parties and the community.
- 8.9. If an individual discloses an incident to a responsible employee but wishes to maintain confidentiality and/or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University will balance a request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for the University community.
- 8.10. Request for confidentiality will be evaluated on a case-by-case basis by the Title IX Coordinator in cooperation with appropriate administrators and will consider a range of factors, including but not limited to the following:
 - a. Whether there is an increased risk that the accused person may commit additional violations of this Policy;
 - b. Whether a weapon was used;
 - c. Whether the alleged victim is a minor;
 - d. Whether there are other means to obtain relevant evidence (e.g. security cameras or personnel, physical evidence); and,
 - e. Whether the report reveals a pattern of alleged actions.

The presence of one or more of these factors could lead the University to investigate, and, if appropriate, pursue disciplinary action against respondents under its control.

- 8.11. Information will be shared within the University only to those individuals with a legitimate need to know.

~~Acts of Sexual Misconduct not only devastate their victims, but also the campus communities where they occur. For these reasons, the University of Houston System shall engage in risk reduction strategies emphasizing the collective responsibility of the campus community to reduce the risk of Sexual Misconduct throughout the system. As a part of that effort, every new student and employee shall attend a prevention and~~

~~education program about Sexual Misconduct. The program will incorporate risk reduction strategies and include bystander intervention training which enables community members to take a role in preventing and interrupting incidents of Sexual Misconduct. The program will also provide resources, including information regarding this sexual misconduct policy.~~

~~Common sense, situational awareness and trusting your instincts will reduce your risk of being subjected to sexually misconduct.~~

~~Risk reduction strategies include, but are not limited to, the following:~~

- ~~A. — If you consume alcohol, do so in moderation;~~
- ~~B. — Do not leave your beverage unattended or accept a drink from an open container;~~
- ~~C. — When you are with someone, communicate clearly to ensure he or she knows your limits from the beginning (both verbal and nonverbal (body language) communication can be used to ensure the message is understood);~~
- ~~D. — If you go on a date with someone you do not know very well, tell a close friend what your plans are;~~
- ~~E. — You have the right to say "No" even if you first say "Yes" and then change your mind, have had sex with this partner before, have been kissing or "making out" or are wearing what is perceived to be "provocative" clothing;~~
- ~~F. — Always have extra money to get home and have a plan for someone you can call if you need help;~~
- ~~G. — if you feel uncomfortable, scared or pressured, act quickly to end the situation by saying "Stop it" and leave or call for help;~~
- ~~H. — when you go to a party, go with a group of friends, arrive together, watch out for each other and leave together;~~
- ~~I. — be aware of your surroundings at all times;~~
- ~~J. — do not allow yourself to be isolated with a person you do not know or trust;~~
- ~~K. — travel with a friend or in a group;~~
- ~~L. — walk only in lighted areas after dark;~~
- ~~M. — keep the doors to homes and cars locked;~~
- ~~N. — know where a phone is located.~~

~~Bystander Intervention~~

~~One of the most effective methods of preventing sexual assault is bystander intervention, which encourages people to identify situations that might lead to Sexual Misconduct and then safely intervene to prevent misconduct from occurring.~~

~~Recognizing when to intervene. Some people might be concerned that they are being encouraged to place themselves in jeopardy to stop crimes in progress. This is not the~~

~~ease. There are many situations and events that occur prior to Sexual Misconduct that are appropriate for intervention. Bystander intervention encourages people to watch for those behaviors and situations that appear to be inappropriate, coercive and harassing.~~

~~Responsibility to intervene. The University deems that it is every person's responsibility to take safe and reasonable actions to prevent Sexual Misconduct.~~

~~Ways to intervene:~~

- ~~A. Making up an excuse to get a person out of a potentially dangerous situation;~~
- ~~B. Letting an individual know that his or her actions may lead to serious consequences;~~
- ~~C. Not leaving a person's side who may be in trouble despite the efforts of someone else to get him/her alone or away from you;~~
- ~~D. Using a group of friends to remind someone behaving inappropriately that his or her behavior should be respectful;~~
- ~~E. Taking steps to curb someone's use of alcohol before problems occur;~~
- ~~F. Calling the authorities when the situation warrants.~~

~~Understanding how to safely implement the choice. Safety is paramount in bystander intervention. Usually, intervening in a group is safer than intervening individually. Also, choosing a method of intervention that de-escalates the situation is safer than attempting a confrontation. However, there is no single rule that can account for every situation. Please use good judgment and always put safety first.~~

9. ANONYMOUS ~~AND CONFIDENTIAL~~ REPORTING

- 9.1. Alleged victims and others not required to report may submit a report through a web-based reporting system called MySafeCampus, which allows the option of anonymity.
- 9.2. The web address for MySafeCampus is <http://www.mysafecampus.com>.
- 9.3. Reports received through this site will be reviewed and may be investigated.
- 9.4. The University will work with anyone who is identified via a My Safe Campus report or subsequent investigation to provide confidentiality to the full extent possible under this policy.

~~9.1. When considering reporting options, victims should be aware that certain University personnel can maintain strict confidentiality, while others have mandatory reporting and response obligations. University personnel who receive a report of Sexual Misconduct may be required to share the information with appropriate administrative authorities for investigation and follow up. The University will protect the confidentiality of an alleged victim by refusing to disclose the alleged victim's information to anyone outside the University to the~~

~~maximum extent permitted by law. As for confidentiality of information within the University, the University must balance a victim's request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for the University community. Where the University cannot take disciplinary action against an alleged discriminator or harasser because of a complainant's insistence of confidentiality, the University will pursue other steps to limit the effects of the alleged Sexual Misconduct and attempt to prevent its recurrence.~~

~~9.2.— Each component institution has on-campus personnel who can maintain strict confidentiality. Campus crisis counselors can assist in a crisis situation and provide information about options including medical assistance, psychological counseling, victim advocacy resources, legal resources, University disciplinary action, and criminal prosecution. The crisis counselors can provide safe and confidential support, explain common reactions to crises, and discuss coping methods that may assist immediately following the assault and later. Talking about concerns may help the victim sort through feelings and decide what to do. Victims need not reveal their names if calling for information. Crisis counselors will not reveal the victim's identity to anyone without the victim's permission except under very limited exceptions (e.g., if an immediate threat to the victim or others is present, or if the victim is a minor). To obtain contact information for victim advocacy groups as well as counseling, health, mental health, legal assistance, and other services available to victims, please contact the appropriate Title IX Coordinator listed in Section 2.5.~~

~~9.3.— In addition, a victim (or any individual who has information about an incident of alleged Sexual Misconduct) may submit a report through a secure web-based reporting system called MySafeCampus, which allows the option of anonymity. The web address for MySafeCampus is <http://www.mysafecampus.com>. However, the reporter should know that, during the course of an investigation, his or her identity may be discovered. If that occurs, the reporter will receive the same confidentiality safeguards offered to those who make a formal report under this Policy.~~

10. ~~FORMAL~~ REQUIRED REPORTING

- 10.1. All employees, students, and third parties are strongly encouraged to immediately report any incidents alleged sexual misconduct to the Title IX Coordinator and/or a Deputy Coordinator.
- 10.2. All Responsible Employees who receive a report of Sexual Misconduct must share that information with the Title IX Coordinator and/or a Deputy Coordinator and cannot maintain confidentiality with the exception of:
 - a. The staff of a counseling or health center
 - b. Individuals who are associated with the University in the role of a pastoral counselor or confidential advisor

In addition, some individuals who are not Responsible Employees who must share reports of Sexual Misconduct with the Title IX Coordinator and/or a Deputy Coordinator, including, but not limited to:

- a. Academic Advisors
- b. Resident Advisors
- c. Members of Student Government

- d. Individuals, including students, serving as responsible persons, even if they are volunteers, at a University-affiliated activity. These individuals could be teaching, graduate, and research assistants, chaperones, peer mentors and retreat counselors.

These individuals are required to report because they are either in a position to do something about the alleged actions, may be perceived to be able to do something about the alleged action, or would otherwise have to report known or suspected incidents of Sexual Misconduct.

- 10.3. Anyone who is required to report known or suspected violations of this Policy must promptly contact the Title IX Coordinator and disclose what they know about the alleged incident. Even if a required reporter is a Campus Security Authority, and must provide a report to law enforcement or other campus departments, the reporter must also notify the Title IX Coordinator as soon as possible.
- 10.4. Reports should include all relevant details including the following:
 - a. The name of the accused person (if known)
 - b. The name of the alleged victim
 - c. The names of other people who may be involved
 - d. Relevant facts, including date, time, and location of the incident(s)
- 10.5. The University will comply with all applicable state laws regarding mandatory reporting for known or suspected abuse, neglect, or exploitation of a child or a vulnerable adult.
- 10.6. Individuals who are required to report under this Policy but fail to do so may face disciplinary action by the appropriate administrator.
- 10.7. Individuals who are not required to report and who are not bound by state confidentiality laws are still encouraged to report known or suspected violations of this Policy and may do so through the confidential and non-confidential listed in Sections 11 and 12.
- 10.8. Public awareness events such as “Take Back the Night”, candlelight vigils, protests, “survivor speak outs” or other forums in which members of the community disclose incidents of violations of this Policy are not considered notice to the University for the purpose of triggering its obligation to investigate. However, information regarding rights under this Policy will be available to anyone who discloses Sexual Misconduct at one of these types of events.

- 10.10. Reporting to Outside Entities. An individual wishing to make a complaint may also contact the U.S. Department of Education, Office for Civil Rights (OCR) to complain of sex discrimination or sexual misconduct:

Office for Civil Rights
U.S. Department of Health and Human Services
1301 Young Street, Suite 1169
Dallas, TX 75202
Phone: (800) 537-76970
FAX: (214) 767-0432

Employees may also contact the U.S. Equal Employment Opportunity Commission to complain of sex discrimination or sexual harassment:

U.S. Equal Employment Opportunity Commission
Dallas District Office
207 S. Houston Street, 3rd Floor
Dallas, TX 75202
Phone: (800) 669-4000
FAX: (214) 253-2720

- ~~10.1. Although the victim of Sexual Misconduct may decline to report the incident, the University supports, encourages and will assist anyone who believes they have been the victim of Sexual Misconduct to report the incident to the reporting source of their choice, which can include, but is not limited to, any entity or individual listed in Section 2.5 above and/or in subsections A through E of this Section 10. Prompt reporting may preserve options that delayed reporting does not, including the preservation of physical evidence (which may be necessary to the proof of Sexual Misconduct or in obtaining an order of protection), the support of crisis counseling, and immediate police response. Regardless, whenever a student, faculty, staff or visitor alerts the University that she or he has been the victim of Sexual Misconduct, she or he will be provided a copy of or link to this Policy, which fully explains her or his rights and options.~~
- ~~10.2. Formal reporting as described in this section cannot provide complete anonymity, but the only persons who will be provided information relating to the report are those persons that need to know, unless additional disclosure is required by law. The University will make all reasonable efforts to maintain the confidentiality and privacy of parties involved in Sexual Misconduct investigations. Breaches of confidentiality or privacy committed by anyone involved in any investigation of alleged Sexual Misconduct, including the complainant, the accused, witnesses or the investigators, may be considered a separate violation of this Policy and may result in disciplinary sanctions.~~
- ~~10.3. When an incident of Sexual Misconduct is formally reported, the University will consider interim accommodations to protect the alleged victim while the incident~~

~~is investigated and adjudicated through this Policy. The Title IX Coordinator and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the alleged victim and the accused, as well as provide a safe overall educational or working environment until (and perhaps after) the report is investigated and any appropriate action is taken. A lawfully issued no contact, restraining order, or order of protection, will be adhered to by the University to the fullest extent permitted by law and while still maintaining a safe and non-discriminator environment at the University. Interim accommodations may include changing academic, living, transportation or working situations. Failure to adhere to the parameters of any interim accommodation may be considered a separate violation of this Policy and may result in disciplinary sanctions. In addition, the University will honor any order of protection, no contact order, restraining order or similar lawful order issued by any criminal, civil or tribal court.~~

~~10.4. As mentioned above, an individual may report an incident of Sexual Misconduct by various means, including reporting to appropriate local law enforcement agencies. Any University person receiving a report of Sexual Misconduct must promptly contact the Title IX Coordinator to discuss the report. In addition, there are specific University offices and individuals prepared to respond to incidents of Sexual Misconduct:~~

~~A. **University Police.** Reporting to the police helps protect others from future victimization, apprehend the alleged assailant and maintain future options regarding criminal prosecution, University disciplinary action and/or civil action against the alleged wrongdoer. When the victim reports the incident, a police officer will take a statement from the victim regarding what happened. A victim can request that his or her identity be kept confidential. Remember, reporting an incident is separate from choosing to prosecute. When a police report is filed, the victim is not obligated to continue with criminal proceedings or University disciplinary action.~~

~~A victim of Sexual Misconduct can make a report to their component institution's Police Department as noted below:~~

- ~~• **University of Houston Main Campus Police Department**
<http://www.uh.edu/police>
713-743-3333~~
- ~~• **University of Houston Clear Lake Police Department**
<http://www.uhcl.edu/police>
281-283-2273~~
- ~~• **University of Houston Downtown Police Department**
<http://www.uhd.edu/campus/pd/>~~

~~713-221-8911~~

- ~~• UH – Victoria Campus
<http://www.uhv.edu/handbook/campussafety.aspx>
361-570-4245~~
- ~~• UH System at Cinco Ranch
Security officers are assigned to UHS at Cinco Ranch. Should anyone need assistance concerning an escort, safety or security matter, contact the security officer on duty by calling 832-842-2877. If the security officer is not available during an EMERGENCY situation, dial 911.~~
- ~~• UH at Sugar Land
Security officer are assigned to UH at Sugar Land. Should anyone need assistance concerning an escort, safety or security matter, contact the police officer or security officer on duty by calling 281-275-3302. If the security officer is not available during an EMERGENCY situation, dial 911.~~

~~B. **Title IX Coordinator.** Any incident of Sexual Misconduct can be brought to the attention of the Title IX Coordinator (See Section 2.5 for the contact information for each Title IX Coordinator). The Title IX Coordinator will promptly inform the University of Houston System's Office of Equal Opportunity Services (EOS) and EOS will begin its review process in consultation with the Title IX Coordinator. Although the University strongly encourages reporting Sexual Misconduct to the police, a victim may request administrative action by EOS with or without the filing of a police report. The administrative review process for Sexual Misconduct complaints utilizes a team approach, with EOS serving as fact finder/investigator and the appropriate University administrator consulting on and implementing the proposed sanctions, if any.~~

~~C. **Campus Security Authority.** A complaint of Sexual Misconduct can be brought to a Campus Security Authority (CSA), who is a person that has significant responsibility for students and campus activities. The CSA will promptly inform the Title IX Coordinator and/or EOS of the complaint, and EOS will begin its review process.~~

~~D. — Dean of Students Office. A complaint of Sexual Misconduct involving a student can be brought to the Dean of Students Office, or its equivalent. The Dean of Students Office (or its equivalent) will promptly inform the Title IX Coordinator and/or EOS of the complaint and EOS will begin its review process.~~

~~E. — Human Resources. A complaint of Sexual Misconduct involving a staff person can be brought to the Human Resources Department. The Human Resources Department will promptly inform the Title IX Coordinator and/or EOS of the complaint, and EOS will begin its review process.~~

11. RETALIATION

- 11.1. The University takes reports of Sexual Misconduct very seriously and will not tolerate retaliation against those who make such reports or participate in the investigation or adjudication process.
- 11.2. Retaliation includes, but is not limited to, any adverse employment or educational action taken for making a report of Sexual Misconduct, or otherwise participating under this Policy.
- 11.3. Any actual or threatened retaliation, or any act of intimidation to prevent or otherwise obstruct the reporting of a violation of this Policy or the participation in proceedings relating to a report of Sexual Misconduct, may be considered a separate violation of this Policy and may result in disciplinary sanctions.
- 11.4. Any person who believes that they have been subjected to retaliation should immediately report this concern to their Title IX Coordinator.

~~The University takes reports of Sexual Misconduct very seriously and will not tolerate retaliation against those who make such reports or participate in the investigatory or adjudicatory process. Retaliation includes, but is not limited to, any adverse employment or educational action taken for making a report of Sexual Misconduct, or otherwise participating under this Policy. Any actual or threatened retaliation, or any act of intimidation to prevent or otherwise obstruct the reporting of Sexual Misconduct or the participation in proceedings relating to Sexual Misconduct, may be considered a separate violation of this Policy and may result in disciplinary sanctions. Any person who believes that they have been subjected to retaliation should immediately report this concern to their Title IX Coordinator.~~

12. ~~SEXUAL MISCONDUCT COMPLAINT PROCEDURES~~ IMMEDIATE ASSISTANCE

- 12.1. Medical Assistance: An individual who experiences any form of sexual, domestic, or dating violence is encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in a sexual violence case.

Victims can undergo a medical exam to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, individuals who have experienced a sexual assault may have a Sexual Assault Forensic Exam (SAFE) performed by a Sexual Assault Nurse Examiner (SANE) within 4 days of the incident. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal investigation; however, a person may undergo a SAFE even without contacting, or intending to contact, the police. To undergo a SAFE, go directly to the emergency department please go to the nearest hospital that provides SAFE services.

For more information about the SAFE, see <http://hopelaws.org/> or <https://www.texasattorneygeneral.gov/victims/sapcs.shtml#survivors>. The cost of the forensic portion of the exam is covered by the law enforcement agency that is investigating the assault or, in cases where a report will not be made to the police, the Texas Department of Public Safety. This does not include fees related to medical treatment that are not a part of the SAFE.

Step One: Filing a Complaint

~~If the victim wishes to pursue a Sexual Misconduct complaint, s/he will be asked to complete a Formal Complaint Questionnaire with their Title IX Coordinator, who will forward the Complaint Questionnaire to EOS. The University does not limit the timeframe for filing a complaint of Sexual Misconduct. Complaints can be submitted at any time following an incident, although the University's ability to take any action may be limited because of the passage of time. Once a complaint is filed, if the Complainant decides that s/he wants to withdraw the complaint, the University's investigation may still proceed.~~

12.2. **Step Two: Consideration of Interim Accommodations**

Police Assistance: Because the prohibited actions outlined in this policy may also constitute a criminal act, individuals seeking emergency assistance or who want to file a criminal report may contact their University police department or the appropriate municipal law enforcement agency. In addition to any possible criminal action, the University Police will forward the report to the Title IX Coordinator.

- a. Reporting to the police helps maintain future options regarding criminal prosecution.
- b. When the victim reports the incident, a police officer will take a statement from the victim regarding what happened.
- c. An adult victim can request that their identity be kept confidential.
- d. When a police report is filed, the victim is not obligated to participate in criminal proceedings or University disciplinary action.

Anyone wishing to file a report with University police can make a report to their component institution's Police Department as noted below:

- University of Houston Main Campus Police Department
<http://www.uh.edu/police> 713-743-3333
- University of Houston - Clear Lake Police Department
<http://www.uhcl.edu/police> 281-283-2273
- University of Houston - Downtown Police Department
<http://www.uhd.edu/police-department/Pages/default.aspx> 713-221-8911
- University of Houston- Victoria Campus
<http://www.uhv.edu/handbook/campussafety.aspx> 361-570-4245
- UH System at Cinco Ranch
Security officers are assigned to UHS at Cinco Ranch. Should anyone need assistance concerning an escort, safety or security matter, contact the security officer on duty by calling 832-842-2877. If the security officer is not available during an EMERGENCY situation, dial 911.
- UH at Sugar Land
Security officer are assigned to UH at Sugar Land. Should anyone need assistance concerning an escort, safety or security matter, contact the police officer or security officer on duty by calling 281-275-3302. If the security officer is not available during an EMERGENCY situation, dial 911.

~~Although interim accommodations may have already been considered and made, EOS will consider interim accommodations at this step to protect the Complainant while the incident is investigated and adjudicated through this Policy. EOS and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the complainant and the accused, as well as provide a safe overall educational or working environment until (and perhaps after) the complaint is investigated and adjudicated. Interim accommodations may include changing academic, living, transportation or working situations. Failure to adhere to the parameters of any interim measure may be considered a separate violation of this Policy and may result in disciplinary sanctions.~~

12.3.

Counseling Assistance: A person who has experienced sexual violence is strongly encouraged to seek medical and psychological care even if he or she does not plan to request a SAFE or report the assault to the police. He or she may be prescribed medications to prevent sexually transmitted infections and/or pregnancy even if the police are not contacted or if a SAFE is not performed.

Step Three: EOS Investigation

~~EOS will begin an investigation upon its receipt of a complaint or other notice of alleged Sexual Misconduct. EOS will attempt to interview the Complainant, the Respondent and any witnesses, as appropriate. EOS will also gather and review~~

~~any information it deems pertinent, as well as any information submitted by the Complainant, the Respondent and/or any witnesses. The EOS investigators will receive training at least annually on the issues related to Sexual Misconduct, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.~~

12.4.

Interim Measures and Ongoing Assistance: When an incident of Sexual Misconduct is reported, the University will consider interim measures to protect involved persons and/or the community while the incident is investigated and adjudicated through this Policy.

- An alleged victim does not need to file a complaint to receive interim measures. Some interim measures may be implemented without an alleged victim disclosing identifying information related to the incident(s). Interim measures include, but are not limited to, changes to academic, living, transportation, or working situations. The University will assess whether an interim measure will involve making these changes to the alleged victim or accused person's circumstances on a case-by-case basis.
- When the University offers counseling through University-affiliated student counseling and employee assistance programs as an interim action, an alleged victim will not have to pay related fees for that counseling while the processes outlined in this Policy are on-going.
- If an interim measure is refused by a party it may still be available at a later date.
- No contact orders can be issued under this Policy between the parties involved in a report or others related to a report as an interim measure. No contact orders issued under this Policy can remain in effect indefinitely and are not contingent upon a formal complaint.
- Violations of interim measures may be considered a separate violation under this Policy or may be investigated and adjudicated through other relevant University policies.
- The University will honor any order of protection, no contact order, restraining order or similar lawful order issued by any criminal, civil or tribal court.

~~**Step Four: Response to a Complaint**~~

~~Within five business days after receiving a complaint, EOS will contact the Respondent to obtain the Respondent's response. The response is due to EOS within 10 business days from the Respondent's receipt of the Complaint. The response should address and respond to the specific allegations made in the Complaint and~~

~~can include any other rebuttal information. Failure to respond may be considered a separate violation of this Policy and may result in disciplinary action.~~

~~12.5. Step Five: EOS Finding~~

~~EOS will issue a finding as soon as practicable and make every effort to issue its finding within 60 business days from its receipt of the complaint. The finding will be determined by a preponderance of the evidence; that is, whether it is more likely than not that the Respondent violated this Policy. If EOS determines that this Policy was violated, EOS will recommend appropriate university action in an effort to eliminate Sexual Misconduct from happening, prevent its recurrence and address its effects. Even if EOS determines that this Policy was not violated, EOS may recommend that the Respondent undertake educational initiatives and/or trainings. EOS will simultaneously notify the Complainant and the Respondent in writing of the outcome of its finding and any appeal rights under this Policy, to the extent permissible by law. EOS will notify the appropriate university administrator of any recommended university action.~~

~~12.6. Step Six: Sanctions~~

~~12.6.1. If EOS finds a violation of this Policy against a faculty member, EOS will recommend appropriate university action, and any sanction imposed on the faculty member will be determined by and implemented by the appropriate administrator after consultation with EOS and consistent with the component institution's faculty handbook/manual.~~

~~12.6.2. If EOS finds a violation of this Policy against a non-faculty university employee, EOS will recommend appropriate university action, and any sanction imposed on the employee will be determined by and implemented by the appropriate administrator after consultation with EOS and consistent with the component institution's policies and procedures related to employee discipline.~~

~~12.6.3. If EOS finds a violation of this Policy against a student, EOS will recommend appropriate university action, and any sanction imposed on the student will be determined by and imposed by the Dean of Student's Office or its equivalent after consultation with EOS and consistent with the component institution's policies and procedures related to student conduct/discipline.~~

~~12.6.4 The sanctions for committing an act of Sexual Misconduct will be commensurate to the offense and may include discipline up to and including probation, suspension, expulsion and/or termination of employment.~~

~~13.7. Step Seven: Appeal~~

~~13.7.1. If the Complainant or the Respondent is dissatisfied with EOS' finding, the party can appeal to the component institution's appellate board ("Board"). Members of the Board will receive training at least annually on the issues related to Sexual Misconduct, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.~~

~~An appeal must be filed with the Title IX Coordinator within 10 business days of receiving EOS' finding. Absent extenuating circumstances, the Title IX Coordinator will schedule a hearing to be held within 30 business days from the filing of the appeal. Written requests for rescheduling the hearing will be considered by the Board's chairperson in consultation with the Title IX Coordinator. No later than five business days prior to the hearing, all materials that will be used at the hearing must be submitted to the Title IX Coordinator, who will forward the materials to the Board's chairperson and will simultaneously provide to the other party. The materials must include the names of any witnesses intended to be called during the hearing (along with a brief summary concerning the subject matter of the witness' expected testimony), and the name of any advisor to be in attendance at the hearing (and whether that advisor is an attorney). No witness, document/tangible evidence, or advisor will be permitted at the hearing unless such information was timely submitted.~~

~~13.7.2. Appeals/Grievances relating to sanctions assessed by the appropriate administrators are not considered under this Policy. Therefore, if the Complainant or the Respondent is dissatisfied with any sanction determined by the appropriate administrator under Sections 11.6.1 through 11.6.3 above, he/she may appeal the sanction as follows: any challenge to the sanction against a faculty member must be addressed through the component institution's faculty handbook/manual; any challenge to the sanction against an employee must be addressed through the component institution's policies and procedures related to employee grievances; any challenge to the sanction against a student must be addressed through the appeal process in the component institution's student code of conduct or its equivalent.~~

~~13.8. **Step Eight: Designation of Hearing Panel**~~

~~The hearing will be conducted by a Hearing Panel ("Panel"), which is charged with upholding or rejecting EOS' finding based on the preponderance of the evidence. The Board's chairperson is responsible for selecting the Panel members from available Board members. The Panel will be comprised of three board members. The Board's chairperson will select the Panel's chairperson. The appellant and the appellee shall be notified of the Panel's composition. Within five business days of such notification, the appellant and the appellee shall have an opportunity to challenge in writing any Panel member for cause. The Board's~~

~~chairperson, in consultation with the Title IX Coordinator, will consider any challenge and replace the Panel member if appropriate.~~

~~13.9. Step Nine: Hearing~~

~~13.9.1. The general course of the hearing procedure will be as follows, subject to the discretion of the Panel chairperson:~~

- ~~a) — The Panel chairperson will convene the hearing, introduce the individuals, give a brief description of the process and invite questions about the process and allow the appellant and appellee the opportunity to present a brief opening statement;~~
- ~~b) — The appellant shall present his or her evidence (including calling and questioning his or her own witnesses) to the Panel;~~
- ~~c) — The appellee shall present his or her evidence (including calling and questioning his or her own witnesses) to the Panel; and~~
- ~~d) — An investigative summary will be presented to the Panel by EOS.~~

~~13.9.2. The Panel chairperson and/or Panel may question any individual at any time during the hearing.~~

~~13.9.3. The Panel chairperson may impose reasonable time limits on any stage of the hearing. The Panel chairperson may also determine the relevance of, and place restrictions on, any witness or information presented.~~

~~13.9.4. The appellant and the appellee may question their own witness and the EOS representative but not the opposing party's witnesses. However, the appellant and appellee may request that the Panel chairperson ask questions of the other witnesses. Both parties may request that the Panel Chair ask questions of the other witnesses by submitting proposed questions to the Panel chairperson in writing either prior to, or during, the hearing. The Panel chairperson may determine which questions are relevant, and the Panel chairperson has the discretion to revise a question or to decline asking the question.~~

~~13.9.5. An audio recording of the hearing will be kept for the use of the Panel and for any appeal.~~

~~13.9.6. In cases where an appellant or an appellee refuses to participate in the hearing, the Panel will convene and make a decision based on the evidence and testimony available to the Panel. Any party who declines to participate in a hearing waives any additional right to appeal.~~

~~13.9.7. Because the hearing process is an internal University process and not a formal courtroom process in which rules of evidence and courtroom procedures apply, this procedure is intended to reduce the adversarial nature of the hearing and will be conducted accordingly. The appellant and the appellee may bring an advisor. Advisors may attend the hearing and sit with their respective advisee during the hearing, communicate quietly orally and/or in writing with their respective advisee during the hearing and may respond to a direct question from the Panel. However, an advisor will not be permitted to speak on behalf of the advisee, make an oral presentation, including an opening or closing argument, or to question witnesses, the EOS representative, or the Panel during the hearing.~~

~~13.9.8. Alternative testimony options will be available if determined by the Title IX Coordinator or the Panel to be necessary, such as placing a privacy screen in the hearing room, or allowing an alleged victim to testify from another room via closed circuit. Although such options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the Respondent.~~

~~13.10. **Step Ten: Panel Decision**~~

~~After the hearing has concluded, the Panel will deliberate in private. The Panel will uphold or reject EOS' finding based on the preponderance of the evidence. The Panel's decision will be by majority vote. The Panel will communicate its decision in writing to the Title IX Coordinator within three business days of the hearing. The Title IX Coordinator will then provide a copy of the decision to the appellant, the appellee, and EOS.~~

~~13.11. **Step Eleven: Final Appeal to Appropriate Administrator**~~

~~If the Panel upholds EOS' finding, the appellant may appeal the Panel's decision to the appropriate administrator. Conversely, if the Panel rejects EOS' finding, the appellee and/or EOS may appeal the Panel's decision to the appropriate administrator. Any appeal must be filed in writing within 10 business days of the Panel's decision. The administrator will render a decision within 10 business days from the date that the appeal is filed.~~

13. REPORT RESPONSE PROCEDURES

- 13.1. A report of a violation of this Policy does not automatically begin the formal complaint procedures, listed in Section 16.
- 13.2. The University will determine the appropriate response to each report based on the information available at the time of the report and, whenever possible, with the input of the alleged victim.

- 13.3. When the University receives a report from anyone regarding an alleged violation of this Policy, it will take reasonable measures to do the following:
- a. Contact the alleged victim to notify them of their rights and options under this Policy;
 - b. Implement any appropriate interim measures;
 - c. Complete a preliminary investigation, as appropriate.

14. ~~SPECIAL PROVISIONS~~ FORMAL COMPLAINT PROCEDURES

EOS, located at the University of Houston System/University of Houston, works in conjunction with each component's Title IX Coordinator to administer all aspects of this Policy. Investigations can be completed by the component's Title IX Coordinator or appointee or by EOS.

A formal complaint may be filed by the alleged victim or by the University.

The timeframes set forth in this Policy may be extended when there is good cause to do so. The Complainant (or the non-participating alleged victim in cases of the University as complainant) and the Respondent will be notified in writing of the delay and the reason for the delay.

14.1. Step One: Filing a Complaint

14.1.1. If the alleged victim wishes to pursue a formal complaint they will be asked to complete a Formal Complaint Form with their Title IX Coordinator, who will forward the Complaint to EOS. ~~Violations—Any act that falls within the definition of Sexual Misconduct constitutes a violation of this Policy.~~

14.1.2. If the alleged victim does not wish to pursue a formal complaint:

- a. The University may determine that it will serve as a complainant if the alleged victim declines to file a formal complaint.
- b. The decision to file a complaint with the University as complainant is not taken lightly and will be determined based on various factors including, but not limited to, the type of actions alleged in the report, prior reports received, and/or potential on-going risk to the alleged victim and/or the community.

~~University as Complainant. The University reserves the right to initiate a complaint, to serve as a Complainant, or to initiate proceedings under this Policy without a formal complaint by the victim of Sexual Misconduct.~~

14.1.3. The University does not limit the timeframe for filing a complaint of Sexual Misconduct. Complaints can be submitted at any time following an incident, although the University's ability to take any action may be limited because of the

passage of time. ~~Off-campus conduct. If an individual believes he or she has been subject to Sexual Misconduct off University premises at a non-University affiliated activity, the individual may file a complaint under this Policy. When a faculty, staff, or student is alleged to have engaged in Sexual Misconduct off University premises, the University reserves the right to investigate and adjudicate under this Policy.~~

14.1.4. Within five (5) business days after receiving a formal complaint, EOS will provide a copy of the complaint to the Respondent. ~~Immunity for Victims. The University encourages the reporting of Sexual Misconduct. Sometimes victims and/or witnesses are hesitant to report because they fear that they themselves may be charged with policy violations, such as underage drinking at the time of the incident. It is in the best interest of the University to report incidents of Sexual Misconduct. To encourage reporting, the University follows a policy of offering victims and witnesses of Sexual Misconduct amnesty from being charged with alcohol or drug-related University policy violations if they had been using drugs or alcohol at or near the time of the Sexual Misconduct incident.~~

14.1.5. If during the course of an investigation additional actions that may constitute a violation of this Policy are identified, the University will determine on a case-by-case basis whether to investigate those allegations as part of the original complaint or provide an additional Formal Complaint Form to the Respondent. Facts used to make this determination include the type of action identified and whether the actions occurred during the same incident or during a separate incident. ~~Notification of Outcomes. The Title IX Coordinator and/or EOS will simultaneously notify the Complainant and the Respondent (or appellant and appellee) in writing of the outcome of any disciplinary proceeding, the procedures to appeal the results of the disciplinary proceeding, any change to the results that occurs prior to the time that such results become final and when such results become final. The disclosure of the outcome of the disciplinary proceeding shall include only the name of the accused, the violation alleged, and whether any institutional rules or code sections were violated, essential findings supporting such result, and any sanction imposed including description of disciplinary action, date of imposition of such action, and the duration of such action.~~

14.1.6. Once a complaint is filed, if the Complainant decides that they want to withdraw the complaint, the University's investigation may still proceed.

14.2. Step Two: Consideration of Interim Measures

14.2.1. Although interim measures may have already been considered and implemented, EOS will again consider interim measures at this step to protect involved parties while the incident is investigated and adjudicated through this Policy.

14.2.2. EOS and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the Complainant and the Respondent, as well as provide a safe overall educational or working environment until (and perhaps after) the complaint is investigated and adjudicated.

14.3. Step Three: Response to a Complaint

14.3.1. The Respondent's response to the complaint is due to EOS within five (5) business days from the Respondent's receipt of the Complaint.

14.3.2. The response should address and respond to the specific allegations made in the Complaint and can include any other rebuttal information.

14.3.3. A response may be provided in writing or through an in-person interview with the investigator(s).

14.3.4. While a Respondent is not required to provide any response to the complaint or answer questions related to the investigation, failure to recognize the receipt of the Complaint may be considered a violation of relevant University policies and could result in an additional complaint.

14.3.5. A Respondent is not required to provide a statement or submit any rebuttal material; however, this will not stop the formal complaint process. Findings will be made based on the information gathered during an investigation.

14.4. Step Four: EOS Investigation

14.4.1. An investigation will begin upon receipt of a complaint or other notice of alleged Sexual Misconduct.

14.4.2. An investigation may begin prior to receiving a response from the Respondent.

14.4.3. The investigator(s) will attempt to interview the Complainant, the Respondent and any witnesses, as appropriate.

14.4.4. The investigator(s) will also gather and review any information it deems pertinent, as well as any information submitted by the Complainant, the Respondent and/or any witnesses.

14.5. Step Five: EOS Finding

14.5.1. A finding by EOS will be issued as soon as practicable. EOS will make every effort to issue its finding within 60 business days from its receipt of

the complaint. In investigations exceeding 60 days, a justification for the delay will be presented to and reviewed by the Title IX Coordinator or his/her supervisor. The complainant, respondent, and supervisor should be provided updates on the progress of the investigation and issuance of the report.

- 14.5.2. The finding will be determined using a preponderance of the evidence standard; that is, whether it is more likely than not that the Respondent violated this Policy.
- 14.5.3. If it is determined that this Policy was violated, appropriate university action will be recommended in an effort to eliminate Sexual Misconduct from happening, prevent its recurrence and address its effects.
- 14.5.4. Even if it is determined that this Policy was not violated, a recommendation may be made that the Respondent undertake educational initiatives and/or trainings.
- 14.5.5. The Complainant and the Respondent will be simultaneously notified in writing of the outcome of its finding and any appeal rights under this Policy.
- 14.5.6. The appropriate university administrator(s) will also be notified of any recommended university action. The appropriate administrator will depend on the status of the respondent (i.e., student, faculty or employee).
- 14.5.7. At any time after a finding has been made that the Respondent has violated the Policy, the University reserves the right to implement an interim sanction against the Respondent while the complaint is being further adjudicated.
- 14.5.8. Once a finding has been made either party to the complaint may request to meet with the investigator(s) to discuss the investigation and finding and to inspect the investigative file.

14.6. Step Seven: Sanctions and Remedies

- 14.6.1. If there is a finding of a violation of this Policy, a recommendation will be made that appropriate university action be taken, and any sanction imposed on the Respondent will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator.
 - a. If there is a finding of a violation of this Policy against a faculty member, any sanctions imposed on the faculty member will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator and consistent with the component institution's faculty handbook/manual.

- b. If there is a finding of a violation of this Policy against a non-faculty university employee, any sanction imposed on the employee will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator and consistent with the component institution's policies and procedures related to employee discipline.
- c. If there is a finding of a violation of this Policy against a student, any sanction imposed on the student will be determined by and imposed by the Dean of Student's Office or its equivalent after consultation with the Title IX Coordinator and consistent with the component institution's policies and procedures related to student conduct/discipline.

14.6.2. The sanctions for committing an act of Sexual Misconduct will be commensurate to the offense and may include but is not limited to the following:

- Probation (including disciplinary probation)
- Temporary or permanent ban from campus locations (such as residence hall communities)
- Educational programs such as state-certified batterer's intervention
- Ban from participating in campus organizations
- Disqualification from employment positions
- Withholding of transcripts, grades, diploma, or degree
- Partial or full criminal trespass
- Suspension from employment and/or enrollment
- Revocation of admission and/or degree
- Termination of employment
- Expulsion

14.6.3. If a party is dissatisfied with a sanction determined by the appropriate administrator under Section 14.6.1, they may appeal the sanction as follows:

- a. Any appeal to the sanction against a faculty member must be addressed through the component institution's faculty handbook/manual;
- b. Any appeal to the sanction against an employee must be addressed through the component institution's policies and procedures related to employee grievances;
- c. Any appeal to the sanction against a student must be addressed through the appeal process in the component institution's student code of conduct or its equivalent.

14.6.4 Remedies. Regardless of the finding, and in addition to sanctions that may be imposed pursuant to the appropriate disciplinary policy, the University will take appropriate action(s), including but not limited to those below to resolve complaints of sexual misconduct, prevent any recurrence and, as appropriate, remedy any effects:

- a. Imposing sanctions against the respondent, including attending training;
- b. Ensuring the complainant and respondent do not share classes, working environments or extracurricular activities;
- c. Making modifications to the on campus living arrangements of the respondent or complainant (if the complainant requests to be moved);
- d. Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring;
- e. Determining whether sexual misconduct adversely affected the complainant's university standing;
- f. Conducting, in conjunction with University leaders, a University climate check to assess the effectiveness of efforts to ensure that the University is free from sexual misconduct, and using that information to inform future proactive steps that the University will take;
- g. Providing targeted group training;
- h. Issuing policy statements or taking other steps to clearly communicate that the University does not tolerate sexual misconduct and will respond to any incidents and to any individual who reports such incidents.

These remedies are separate from, and in addition to, any interim measures that may have been provided before the end of the University's investigation. If the complainant did not take advantage of a specific service (e.g., counseling) when offered as an interim measure, the complainant should still be offered, and is still entitled to, appropriate final remedies that may include services the complainant declined as an interim measure.

14.7. Step Eight: New Information

14.7.1. If a party has new information they believe would have significantly impacted the finding, they may submit that information to the Title IX Coordinator.

14.7.2. If the Title IX Coordinator determines that the submitted information should be reviewed, and the information was not available for the party to present during the time of the investigation, the case may be re-opened.

14.8. Step Nine: Grounds for Appealing an EOS Finding

- 14.8.1. An appeal must be submitted in writing to the Title IX Coordinator within five (5) business days of receiving the finding.
- 14.8.2. The Complainant and the Respondent both have the right to appeal a finding for any error occurring during the investigation that could have significantly impacted the finding.
- 14.8.3. An appeal is not a new investigation of the complaint.
- 14.8.4. The non-appealing person does not have to participate.

14.9. Step Ten: Appeal Process

- 14.9.1. If an appeal is filed in accordance with 14.8, the appeal will automatically be presented to the University's Sexual Misconduct Hearing Board ("Board") by the Title IX Coordinator.
- 14.9.2. Members of the Board are selected from recommendations from the component's Faculty Senate, Staff Council, and Student Affairs who shall each recommend at least five individuals to the component's President. The President shall then select a Board of eight with representation from each group recommended. Except for the first Board, members shall serve staggered terms of three years.
- 14.9.3. Upon the Board's receipt of the appeal, a poll will be taken of the Board members by the Title IX Coordinator to identify four members to hear the appeal and comprise the Hearing Panel (three members of the Hearing Panel will serve as voting members and one will serve as an alternate, non-voting member). The role of the Hearing Panel is to review any evidence presented in the appeal for any error occurring during the investigation that could have significantly impacted the finding and is not for the purpose of conducting a de novo review of the complaint.
- 14.9.4. If the appeal concerns sexual assault, the appealing student may waive their right to a hearing before the Hearing Panel and have their appeal heard by an individual hearing officer not affiliated with the University ("Non-affiliated Hearing Officer"). To waive their right to a Hearing Panel, the appealing student must submit written notice to the Title IX Coordinator within five (5) business days of receiving EOS' finding.
- 14.9.5. The Hearing Panel/Non-affiliated Hearing Officer will make decisions using a preponderance of the evidence standard.

- 14.9.6. The role of the Hearing Panel/Non-affiliated Hearing Officer is to accept, or remand EOS' finding by determining by a preponderance of the evidence if any error occurred during the investigation that could have significantly impacted its finding. While the Hearing Panel/Non-affiliated Hearing Officer will have the opportunity to review any evidence presented on appeal, their role is not to reinvestigate the original complaint or to review allegations that would otherwise constitute a new complaint under this Policy or any other University policy.
- 14.9.7. Absent extenuating circumstances, the Title IX Coordinator will schedule a hearing to be held within 15 business days from the filing of the appeal.
- 14.9.8. Once the hearing is scheduled, requests to reschedule the hearing must be submitted in writing to the Title IX Coordinator and will be considered by the Hearing Panel/Non-affiliated Hearing Officer and the Title IX Coordinator.
- 14.9.9. The Complainant and Respondent will be notified of the composition of the Hearing Panel or the identity of Non-affiliated Hearing Officer for their hearing. Within five (5) business days of this notification, the Complainant and Respondent have the opportunity to object to a panel member or the Non-affiliated Hearing Officer for cause. The objection should be made in writing. The Title IX Coordinator, in consultation with the members of the panel, will consider any objection and replace the panel member or the Non-affiliated Hearing Officer if appropriate.
- 14.9.10. No later than five (5) business days prior to the hearing, all materials that will be used at the hearing must be submitted to the Title IX Coordinator, who will forward the materials to the Hearing Panel/Non-affiliated Hearing Officer and will simultaneously provide the materials to both parties. The materials must include:
 - a. The names of any witnesses and a brief summary concerning the subject matter of the witness' expected testimony
 - b. The name of any advisor to be in attendance at the hearing and whether that person is an attorney
- 14.9.11. No witness or document/tangible evidence will be permitted at the hearing unless such information was timely submitted.
- 14.9.12. It is the responsibility of the party wanting to present a witness to secure that witness.

14.10. Step Eleven: Hearing

- 14.10.1. Prior to the beginning of a hearing, the members of a Hearing Panel will select a Chairperson for the hearing.
- 14.10.2. The general course of the hearing procedure will be as follows, subject to the discretion of the Panel chairperson/Non-affiliated Hearing Officer:
 - a. The Panel chairperson/Non-affiliated Hearing Officer will convene the hearing, introduce the individuals, give a brief description of the process and invite questions about the process and allow the parties the opportunity to present a brief opening statement;
 - b. The appellant shall present their evidence (including calling and questioning their own witnesses) to the Panel. If the other party participates, they shall have the same opportunity to present their evidence.
 - c. EOS shall present their documentation related to the finding to the Panel/Non-affiliated Hearing Officer;
 - d. The Panel chairperson/Non-affiliated Hearing Officer will allow the parties the opportunity to present a brief closing statement before concluding the hearing.
- 14.10.3. During the hearing, the Panel Chairperson/Non-affiliated Hearing Officer may impose the following guidelines:
 - a. The Panel chairperson/Non-affiliated Hearing Officer may impose reasonable time limits on any stage of the hearing.
 - b. The Panel chairperson/Non-affiliated Hearing Officer may also determine the relevance of, and place restrictions on, any witness or information presented.
- 14.10.4. The Panel chairperson and/or Panel/Non-affiliated Hearing Officer may question any individual at any time during the hearing.
- 14.10.5. The parties may question their own witnesses, but they cannot directly question the other party's witnesses.
- 14.10.6. The parties may request that the Panel chairperson/Non-affiliated Hearing Officer ask questions of the other witnesses by submitting proposed questions to the Panel chairperson in writing either prior to, or during, the hearing.
- 14.10.7. The Panel chairperson/Non-affiliated Hearing Officer may determine which questions are relevant, and the Panel chairperson/Non-affiliated

Hearing Officer has the discretion to revise a question or to decline to ask the question.

- 14.10.8. The appellant may withdraw an appeal by submitting a request in writing to the Title IX Coordinator prior to the scheduled start of the hearing. A withdrawn appeal will conclude the matter.
- 16.10.9. In cases where an appellant refuses to participate in the hearing, the Panel/Non-affiliated Hearing Officer will convene and make a decision based on the evidence and testimony available to the Panel/Non-affiliated Hearing Officer.
- 14.10.10. This hearing process is an internal University process and not a formal courtroom process in which rules of evidence and courtroom procedures apply.
- 14.10.11. The appellant may bring an advisor of their choosing who may be an attorney.
- 14.10.12. Advisors may attend the hearing and sit with their advisee during the hearing, communicate quietly orally and/or in writing with their advisee during the hearing, and may respond to a direct question from the Panel/Non-affiliated Hearing Officer.
- 14.10.13. An advisor will not be permitted to speak on behalf of the advisee, make an oral presentation, including an opening or closing argument, or to question witnesses, the EOS representative, or the Panel/Non-affiliated Hearing Officer during the hearing.

14.11. Step Twelve: Panel Decision

- 14.11.1. After the hearing has concluded, the three voting members of the Panel will deliberate in private.
- 14.11.2. The Panel's decision will be by majority vote.
- 16.11.3. The Panel/Non-affiliated Hearing Officer can make the following decisions:
 - a. Affirm the original finding
 - b. Remand the case back to EOS to correct an error
- 14.11.4. The Panel will communicate its decision by completing the Hearing Decision Form and forwarding it to the Title IX Coordinator within three (3) business days of the hearing.

14.11.5. The Title IX Coordinator will then provide a copy of the decision simultaneously to all parties involved in the complaint.

15. Step Thirteen: Notification of Outcomes

- 15.1 The Title IX Coordinator and/or EOS will simultaneously notify the Complainant and the Respondent in writing of the outcome of the following stages of the process:
- a. The initial finding including a rationale
 - b. The procedures to appeal a finding
 - c. The outcome of any appeal, including any changes to the finding
 - d. Any interim sanctions imposed
 - e. Any changes to interim sanctions
 - f. The final outcome of the complaint
 - g. Any imposed sanctions including a rationale
 - h. When the outcome is final
 - i. Changes to sanctions related to the party once the outcome is finalized
- 15.2. These notifications may be combined if they occur at the same time.
- 15.3. In the case of a complaint alleging dating or domestic violence, non-consensual sexual contact, sexual assault, or stalking, both parties will be notified of all imposed sanctions.
- 15.4. In the case of a complaint alleging sexual harassment, the Complainant will be notified of any sanctions that directly relate to the Complainant.
- 15.5. A Complainant will always be notified of any individual remedies offered or provided to the Complainant and any additional steps the University has taken to eliminate the hostile environment, if one was found to exist, and to prevent recurrence.

16. Special Provisions

16.1. Immunity

To encourage reporting, the University may offer alleged victims and witnesses of Sexual Misconduct amnesty from being charged with non-violent University policy violations, such as unauthorized use of alcoholic beverages, related to the incident. The University may impose educational responses rather than sanctions, in such cases. Decisions regarding amnesty are made by the Title IX Coordinator in conjunction with the appropriate sanctioning body.

16.2. Allegations Involving University-Affiliated Organizations

- 16.2.1. If a report is made alleging that a University-affiliated organization has violated this Policy, EOS will make a referral to the appropriate administrative department and/or adjudicative body over that organization to ensure a timely, equitable process to determine if an Organization violated relevant University policies.
- 16.2.2. EOS will work in partnership with the appropriate adjudicative body should there be concurrent investigations involving individuals and organizations, including, but not limited to, sharing information with appropriate University administrators who have a legitimate need to know.
- 18.2.3. If a report is made involving an organization, EOS will seek to identify any individuals who may be involved. EOS will, in collaboration with the alleged victim whenever possible, determine whether a formal complaint will be filed against any identified individuals, as per this Policy.

16.3. Non-Participating Alleged Victims

- 16.3.1. Alleged victims who decline to serve as a complainant as per 16.1.2. will maintain certain rights as per this Policy.
- 16.3.2. When the University serves as a complainant, it will work with the alleged victim to the extent they would like to participate.
- 16.3.3. Non-complainant alleged victims do not have appeal rights as per this Policy.
- 16.3.4. Non-complainant alleged victims receive the same notifications as the Complainant and Respondent, unless they request otherwise, as outlined in Section 17 of this Policy.
- 16.3.5. Non-complainant alleged victims always maintain the right to reasonable interim measures as outlined in Sections 14 and 16.2 of this Policy.

16.4. Additional Interventions

- 16.4.1. When a report is received alleging a violation of this Policy, the University will take appropriate steps to assess whether additional actions, beyond a formal investigation and possible disciplinary sanctions, are appropriate.
- 16.4.2. These actions may be implemented regardless of whether a formal complaint is filed and regardless of whether a finding of a violation is made.

- 16.4.3. Actions may respond to the specific needs of impacted persons and/or may address the needs of the University community.
- 16.4.4. Actions may include extending interim measures provided to impacted persons such as those listed in Sections 14 and 16.2 or new actions taken the respond to immediate and long-term concerns regarding personal safety, academic success, and emotional well-being.
- 16.4.5. Actions may address the needs of the University community may include but is not limited to training, both targeted training and campus-wide programs, campus safety assessments, campus climate surveys, and evaluation of policies and procedures.

16.5. Reports Outside of University Jurisdiction

If the University is notified that a member of the University community has reported an incident of Sexual Misconduct, but the action occurred outside of the University's jurisdiction, the University will still take reasonable steps to ensure the individual's safety while on campus and to offer the individual information about resources both on campus and in the community.

16.6. Training

- 16.6.1. Investigator(s) will receive training at least annually on the issues related to Sexual Misconduct and how to conduct the processes outlined in this Policy while being both trauma-informed and impartial.
- 16.6.2. Members of the Hearing Board will receive training at least annually on the issues related to Sexual Misconduct. These individuals will also receive training on the role of EOS to enforce this Policy, best practices for hearings and hearing panelists, and how their role is to ensure and promote safety, due process and accountability.
- 16.6.3. The University will provide training for all incoming students and new employees that increase their knowledge about this Policy, their rights and resources, as well as strategies to prevent violence, promote safety, and reduce perpetration.
- 16.6.4. The University will provide on-going prevention and awareness campaigns for students and employees that will increase their knowledge about this Policy, their rights and resources, as well as strategies to prevent violence, promote safety, and reduce perpetration.

195. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Legal Affairs and General Counsel

REVISION LOG

Revision Number	Approval Date	Description of Changes
Interim	11/29/2012	Initial version (submitted as Interim)
Interim 2	08/07/2013	Added information to Section 1.2 on educational programs. Added Campus SaVE Act statement to Section 1.5. Revised Section 2.4 definition for "Student." Added additional parameters of Sexual Misconduct to Section 3. Revised Section 4 to be consistent with the Dear Colleague Letter. The web site definition for consent was added to Section 5.1, and the web site definition for sexual assault was added to Section 6.1. Sections 6.5 through 6.7 were added with information from the Campus SaVE Act. Added Section 8, Risk Reduction Strategies, including documentation on bystander intervention from the Campus SaVE Act. Information on confidentiality and services available to victims was added to Section 9 from the Campus SaVE Act. Added "Order of Protection" phrase to Section 10 from the Campus SaVE Act. Documentation on EOS investigator training was added to Section 12.3. Added Section 12.6.4. Added information on Board training to Section 13.7. A brief opening statement for hearings was added to Section 13.9.1.a. Added documentation on reporting offenses off campus to Section 14.3. Added information to Section 14.5 on notification of outcomes from the Violence Against Women Reauthorization Act of 2013 and the Campus SaVE Act

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: General Administration

NUMBER: 01.D.08

AREA: Legal Affairs

SUBJECT: Sexual Misconduct Policy (Interim 2)

1. PURPOSE

1.1.1.1.

1.2. This Policy provides the exclusive mechanism for managing the non-criminal reporting, processing, investigation, and resolution of complaints of sexual misconduct filed with the University of Houston System and its component institutions (“University”). For the purpose of this policy, Sexual Misconduct is defined as:

- Sexual Harassment
- Non-Consensual Sexual Contact
- Sexual Assault
- Sexual Exploitation
- Intimate Partner Violence (Domestic and Dating Violence)
- Stalking

1.2. The University is committed to maintaining and strengthening an educational, working and living environment where students, faculty, staff and visitors are free from sex discrimination of any kind. Sexual Misconduct (as defined in this policy), a form of sex discrimination, is antithetical to the standards and ideals of the University. The University will take appropriate action in an effort to eliminate Sexual Misconduct from happening, prevent its recurrence and address its effects.

1.3. The University aims to eradicate Sexual Misconduct through education, training, policies and serious consequences for violations of its policies. The University will conduct educational programs, including ongoing prevention and awareness campaigns, designed to promote awareness and prevent Sexual Misconduct.

1.4. This Sexual Misconduct Policy (“Policy”) defines and describes prohibited sexual conduct and establishes a procedural mechanism for providing a prompt, fair, and impartial investigation and resolution of complaints of Sexual Misconduct. (Please see the University’s Discrimination Policy, [SAM 01.D.07](#), to find the procedural recourse for responding to unlawful discrimination and harassment incidents that do not constitute Sexual Misconduct.)

1.5. Consistent with its commitment to addressing sex discrimination and harassment, the University complies with Title IX of the Education Amendments of 1972

(“[Title IX](#)”), which prohibits discrimination on the basis of sex in education programs or activities, Title VII of the Civil Rights Act of 1964 (“[Title VII](#)”), which prohibits sex discrimination in employment, and Section 304 of the Violence Against Women Reauthorization Act of 2013 (also known as the Campus Sexual Violence Elimination Act (SaVE Act)). Sexual Misconduct, as defined in this Policy, constitutes a form of sex discrimination prohibited by Title IX and Title VII. Inquiries concerning the application of Title IX may be referred to the University Title IX Coordinator or to the U.S. Department of Education Office for Civil Rights.

All members of the University are expected to adhere to this policy, to cooperate with the procedures for responding to complaints and to report conduct or behavior that they believe to be in violation of this Policy (See Sections 11 and 12 for reporting procedures). The University will take seriously allegations of Sexual Misconduct and will take prompt disciplinary action against any individuals within its control who violate this Policy. During its investigation into these matters, the University will work to ensure that all persons are given appropriate support and fair treatment.

- 1.7. This Policy applies to all University administrators, faculty, staff, students, and third parties within the University’s control, including visitors and applicants for employment. This policy applies regardless of the complainant’s or respondent’s sex, sexual orientation, gender identity, gender expression, immigration or citizenship status. Moreover, acts of Sexual Misconduct can occur between strangers or acquaintances.
- 1.8. Prohibited actions defined in this policy may also constitute a violation of criminal law. Anyone who reports Sexual Misconduct will be notified of their right to speak to the appropriate law enforcement agency and file a report for possible criminal prosecution.

2. GENERAL DEFINITIONS

- 2.1. Complainant – A party or entity (in the case of the University) who makes a complaint of Sexual Misconduct under Section 11 of this Policy.
- 2.2. Intimate Partner Violence – A term used to describe a range of prohibited actions that occur between people who have or have had a romantic or sexual relationship. Intimate partner violence can be a single event or a pattern of behavior that includes sexual and/or physical abuse. The term encompasses domestic violence and dating violence as further described in Section 8.
- 2.3. Respondent – A party who has been accused of committing an act of Sexual Misconduct by a Complainant under Section 16 of this Policy.

2.4 Responsible Employee – A University employee who has the duty to report incidents of sexual misconduct to the Title IX Coordinator or other appropriate designee, or an employee whom an individual could reasonably believe has this duty. Responsible employees include all administrators, faculty, supervisory staff, resident life coordinators and graduate teaching assistants, except any employee with confidentiality obligations as defined in Section 10.7.

2.5. Sexual Activity – Intercourse, however slight, meaning:

- a. Vaginal penetration by a penis, object, tongue or finger,
- b. Anal penetration by a penis, object, tongue or finger,
- c. Oral copulation (mouth to genital contact or genital to mouth contact).

Sexual activity also includes:

- a. Any intentional contact with another’s intimate body parts defined as the person’s breasts, buttock, groin, or genitals,
- b. Touching another with any of these body parts,
- c. Making another touch a person or themselves with or on any of these body parts;
- d. Any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

2.6. Sexual Misconduct – A broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, sexual assault, sexual exploitation, stalking, and intimate partner violence as further described in Section 6.

2.7. Student – Any person who has been accepted for admission or who is currently or was previously enrolled in the University pursuing undergraduate, graduate or professional studies, whether full-time or part-time, and a person who is registered for a future semester.

2.8. Title IX Coordinator – The person who has been designated on each component institution campus to coordinate efforts to comply with and implement this Policy. The Title IX Coordinator is responsible for conducting the administrative investigation of reports of Sexual Misconduct and is available to discuss options, provide support, explain University policies and procedures and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators. The Title IX Coordinators for each component institution campus are:

- University of Houston System/University of Houston
Assistant VC/VP for Equal Opportunity Services
(713) 743-8835

- University of Houston – Downtown
Vice President for Employment Services and Operations
713-222-5366
Student Conduct Officer/Title IX Coordinator or
(713) 221-8056
- University of Houston – Clear Lake
Executive Director, Human Resources and Affirmative Action
(281) 283-2164;
- University of Houston- Victoria
Director, Human Resources/Equal Opportunity/Title IX Coordinator
or Assistant Equal Opportunity/Title IX Coordinator
(361) 570-4800;
(361) 570-4835;

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- 2.9. University-Affiliated Activity – Any activity on or off campus that is initiated, aided, authorized or supervised by the University or by an officially-recognized organization of the University.
- 2.10. University Community- All faculty, staff, and students of and visitors to any University premises or University-affiliated activity.
- 2.11 University Premises – Buildings or grounds owned, leased, operated, controlled or supervised by the University.

3. JURISDICTION

- 3.1. The University has jurisdiction over, and will respond to, allegations of Sexual Misconduct occurring on the University’s premises, at University Affiliated Activities, and/or where both the accused person and alleged victim are a student, faculty, or staff. The University does not have jurisdiction over allegations between visitors or non-affiliated persons.
- 3.2. The University has the discretion to investigate conduct occurring off University premises or at a non-University affiliated activity if the Complainant and Respondent are UH-affiliated.
- 3.4. The process outlined in this Policy is separate from any criminal proceeding related to the reported behavior and may occur while criminal proceedings are on-going.

- 3.5. Proceedings under this Policy will not be dismissed or delayed because criminal prosecution is pending, criminal charges have been dismissed, or the criminal charges have been reduced.
- 3.6. Proceedings may also continue if a party is no longer employed with or a student of the University.
- 3.7. The University does not limit the timeframe for filing a complaint of Sexual Misconduct. Complaints can be submitted at any time following an incident, although the University's ability to take action may be limited by the passage of time.

4. CONSENT

- 4.1. For purposes of this Policy, consent is an informed and freely and affirmatively communicated willingness to participate in a particular sexual activity.
- 4.2. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity.
- 4.3. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging the receipt of consent, and individuals are thus urged to seek consent in verbal form for each instance of sexual activity before they initiate the sexual activity.
- 4.4. It is the responsibility of the person who wants to initiate a sexual activity to ensure that they have the consent of the other(s) to initiate in each instance of sexual activity before they initiate the sexual activity.
- 4.5. Consent is active, not passive, and cannot be inferred from the absence of a "no."
- 4.6. Silence or lack of protest or resistance, without actions demonstrating permission, cannot be assumed to show consent.
- 4.7. The existence of a dating relationship or a previous sexual relationship between the persons involved does not provide the basis for an assumption of consent to future sexual activity.
- 4.8. Consent must be present throughout the sexual activity, and consent to some form of sexual activity cannot be automatically taken as consent to any other sexual activity.
- 4.9. At any time, a participant can communicate that they no longer consent to continuing the sexual activity.

- 4.10. If there is confusion as to whether an individual has consented or continues to consent to sexual activity, it is essential that the initiating person stops the sexual activity until the confusion is clearly resolved.
- 4.11. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. Because consent is difficult to discern when a person has ingested alcohol and other drugs, anyone wanting to initiate sexual activity is strongly encouraged to err on the side of caution when either they or the person(s) they want to initiate the activity with appear(s) to be intoxicated.
- 4.12. Being under the influence of drugs and/or alcohol is never a defense for not obtaining consent.
- 4.13. A person cannot consent if physical force or violence is used or threatened.

5. INCAPACITATION

5.1. A person is incapacitated and cannot consent to sexual activity if:

- a. The person is unconscious or otherwise unable to resist;
- b. The person is unaware that sexual activity is occurring;
- c. The person does not have the legal capacity to consent;

(The definition of consent in the State of Texas can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011>)

- 5.2. Further, a person may be unable to consent when they are mentally or physically incapacitated due to the influence of drugs, alcohol, or medication and as a result are rendered temporarily incapable of understanding, appraising or controlling their conduct.
- 5.3. A person's incapacity to understand, appraise or control their conduct may be analyzed based on surrounding factors including, but not limited to, hallucinations, blackouts, seizures, vomiting, slurred speech, disorientation, or incoordination.
- 5.4. When a Respondent has been accused of engaging in sexual activity with an incapacitated person, the perspective of a reasonable person will be the basis for determining whether the Respondent knew or should have known about the Complainant's ability to give consent.

6. FORMS OF SEXUAL MISCONDUCT

6.1. Sexual Harassment

Sexual harassment is a form of sex discrimination that includes verbal, written or physical behavior of a sexual nature, directed at someone, or against a particular group, because of that person's or group's sex, or based on gender stereotypes, when that behavior is unwelcome, severe or pervasive, and where it meets either of the following criteria:

- a. Submission or consent to the behavior is believed to carry consequences for the individual's education, employment, on-campus living environment or participation in a University-affiliated activity. Examples of this type of sexual harassment include, but is not limited to:
 1. Pressuring another to engage in sexual behavior for some educational or employment benefit; or
 2. Making a real or perceived threat that rejecting sexual behavior will result in a negative tangible employment or academic consequence.

- b. The behavior has the purpose or effect of substantially interfering with another's work or educational performance by creating an intimidating or hostile environment for employment, education, on-campus living or participation in a University-affiliated activity. Examples of this type of sexual harassment can include, but is not limited to:
 1. Persistent unwelcome efforts to develop a romantic or sexual relationship;
 2. Unwelcome commentary about an individual's body or sexual activities;
 3. Unwanted sexual attention;
 4. Repeatedly engaging in sexually-oriented conversations, comments or horseplay, including the use of language or the telling of jokes or anecdotes of a sexual nature in the workplace, office or classroom, even if such conduct is not objected to by those present; or
 5. Gratuitous use of sexually-oriented materials not directly related to the subject matter of a class, course or meeting even if not objected to by those present.

The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. A single or isolated instance of sexual harassment may create a hostile environment if the incident is sufficiently severe.

6.2. Non-consensual Sexual Contact

Nonconsensual sexual contact is any intentional touching in a sexual manner, however slight or momentary, or the use of an object to touch another in a sexual manner.

Examples of nonconsensual sexual contact under this Policy include, but are not limited to, the following non-consensual sexual activity:

- a. Unwanted touching of a sexual nature;
- b. Use of force or intimidation to make someone else engage in nonconsensual sexual touching;

6.3. Sexual Assault

For purposes of this Policy, sexual assault is sexual intercourse that occurs without consent.

Examples of sexual assault under this Policy include, but are not limited to, the following non-consensual sexual acts:

- a) Penetration of an orifice (anal, vaginal, oral) with the penis, finger or other object
- b) Oral sex

The definition of sexual assault as used in this Policy may constitute sexual assault in Texas. Relevant state law can be found at <http://www.statutes.legis.state.tx.us/Docs/PE/htm/PE.22.htm#22.011.>)

6.4. Sexual Exploitation

Sexual exploitation occurs when a party takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other Sexual Misconduct offenses. Examples can include, but are not limited to, the following behaviors:

- a) Prostituting another;
- b) Non-consensual electronically recording, photographing or transmitting intimate or sexual utterances, sounds or images without the knowledge and consent of all parties involved;
- c) Voyeurism or watching or recording someone when that person is in a place where they would have a reasonable expectation of privacy;
- d) Going beyond the boundaries of consent (such as engaging in actions that were not consented to during an otherwise consensual encounter);
- e) Distributing intimate or sexual images about another person without that person's consent, even if the images were obtained consensually
- f) Knowingly exposing a person to and/or transmitting a sexually-transmitted infection or HIV/AIDS to another person.

6.5. Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- a. Fear for their safety and/or the safety of others; or
- b. Suffer substantial emotional distress

For the purposes of this Policy stalking is considered a severe or pervasive form of harassment. This Policy will apply to acts of stalking that:

- a. Occur between people who currently have or have had a romantic or sexual relationship or,
- b. Occur because of the accused person's desire to have a romantic or sexual relationship with the alleged victim.

For the purposes of defining stalking under this Policy:

A "course of conduct" is a pattern of behavior composed of two or more acts, whether directly by a Respondent or through third parties, over a period of time, however short, that evidence a continuity of purpose.

"Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

A "reasonable person" means a reasonable person in the Complainant's circumstances.

The University may consider multiple actions outlined in this definition as one act of stalking. A report of stalking will be considered a new and distinct report if the behavior continues after an official intervention, including, not limited to:

- a. University disciplinary action
- b. The issuance of a no-contact order, or any warning/action by the University or a court.

The definition of stalking as used in this Policy may constitute stalking in Texas. Relevant state law can be found at <http://www.statutes.legis.state.tx.us/SOTWDocs/PE/htm/PE.42.htm>

6.6. Intimate Partner Violence

For purposes of this Policy, Intimate Partner Violence includes Domestic (Family) Violence and Dating Violence.

Actions that may violate this policy include, but are not limited to:

- Acts of physical violence

- Threats of physical violence
- Abduction, restraint, or false imprisonment
- Actions that may constitute a felony or misdemeanor crime of violence according to the laws of jurisdiction where the incident occurred.

a.) Domestic Violence

Domestic Violence includes felony or misdemeanor crimes of violence committed by:

- A current or former spouse or intimate partner of an alleged victim
- A person with whom an alleged victim shares a child in common
- A person who is cohabitating with or has cohabitated with an alleged victim as a spouse or intimate partner
- A person similarly situated to a spouse of an alleged victim under the domestic or family violence laws of the State of Texas
<http://www.statutes.legis.state.tx.us/SOTWDOcs/CR/htm/CR.5.htm>

b.) Dating Violence

Dating violence includes acts between people who are currently or formerly in a social relationship of a romantic or intimate nature

For the purposes of this Policy, the existence of such a relationship shall be determined by the alleged victim with consideration of the following:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

6.7 Additional Actions that Constitute a Violation of this Policy

- a) An attempt and/or threat to engage in conduct that would otherwise constitute a violation of this Policy
- b) Knowingly aiding another in violating this Policy
- c) Knowingly covering up actions by oneself or others that would constitute a violation of this Policy, including removing, hiding, altering or destroying evidence
- d) Knowingly engaging in actions that impede or obstruct a University investigation related to this Policy

- e) Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information.

7. REPORTING RIGHTS

- 7.1. Alleged victims of a violation of this Policy have the right to decide if and when they report the incident(s) to the University, law enforcement, or to any other member of the University community. The University strongly encourages individuals to access services, such as counseling and medical help, that can respond to the immediate mental and physical impact of an act of Sexual Misconduct. Individuals can access these services regardless of whether they report what happened.
- 7.2. The University strongly encourages reporting as soon as possible. Prompt reporting may preserve options that delayed reporting does not, including immediate police response and the preservation of physical evidence that may be necessary to prove an alleged criminal offense or to obtain a protective order.
- 7.3. Once an individual alerts the University of an alleged violation of this Policy they will be provided with information including this Policy, their rights, reporting options, and support resources.

8. CONFIDENTIALITY

- 8.1. Alleged victims and others who are either not required to report or are bound by state law to remain confidential have the right to remain confidential.
- 8.2. The University will protect the confidentiality of all individuals involved in a report or a complaint by refusing to disclose their identifying information to anyone outside the University to the maximum extent permitted by law.
- 8.3. Anyone can receive information about this Policy, their rights under the Policy, reporting options, and support resources without disclosing facts related to the alleged incident.
- 8.4. The following members of the University community can provide this information:
 - Title IX Coordinator and any assistant coordinators
 - Campus law enforcement and/or security
 - Campus-based counseling staff
 - Campus-based student health center staff
 - Human Resources staff
 - Dean of Students Office staff
 - Student Housing and Residence Life professional staff

- 8.5. In addition, each component may have their own programs and services related to the issues covered in this policy.
- 8.6. University staff of campus counseling or health centers, individuals operating in the role of a pastoral counselor or a confidential advisor, and other University employees whose job is to provide medical and mental health care are exempt from required reporting.
- 8.7. Community-based programs not affiliated with the University may also be confidential resources and would follow their own policies and procedures regarding reporting duties.
- 8.8. Individuals may request that their report be investigated by the University without providing their name to the Respondent or witnesses. However, this may reduce the University's ability to thoroughly investigate a report. When the University cannot fully investigate a report or take appropriate disciplinary action because of a request for a confidential investigation, the University will pursue other steps to limit the effects of the alleged violation, attempt to prevent its reoccurrence, and respond to the impact on the involved parties and the community.
- 8.9. If an individual discloses an incident to a responsible employee but wishes to maintain confidentiality and/or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University will balance a request for confidentiality with its responsibility to provide a safe and non-discriminatory environment for the University community.
- 8.10. Request for confidentiality will be evaluated on a case-by-case basis by the Title IX Coordinator in cooperation with appropriate administrators and will consider a range of factors, including but not limited to the following:
 - a. Whether there is an increased risk that the accused person may commit additional violations of this Policy;
 - b. Whether a weapon was used;
 - c. Whether the alleged victim is a minor;
 - d. Whether there are other means to obtain relevant evidence (e.g. security cameras or personnel, physical evidence); and,
 - e. Whether the report reveals a pattern of alleged actions.

The presence of one or more of these factors could lead the University to investigate, and, if appropriate, pursue disciplinary action against respondents under its control.

- 8.11. Information will be shared within the University only to those individuals with a legitimate need to know.

9. ANONYMOUS REPORTING

- 9.1. Alleged victims and others not required to report may submit a report through a web-based reporting system called MySafeCampus, which allows the option of anonymity.
- 9.2. The web address for MySafeCampus is <http://www.mysafecampus.com>.
- 9.3. Reports received through this site will be reviewed and may be investigated.
- 9.4. The University will work with anyone who is identified via a My Safe Campus report or subsequent investigation to provide confidentiality to the full extent possible under this policy.

10. REQUIRED REPORTING

- 10.1. All employees, students, and third parties are strongly encouraged to immediately report any incidents alleged sexual misconduct to the Title IX Coordinator and/or a Deputy Coordinator.
- 10.2. All Responsible Employees who receive a report of Sexual Misconduct must share that information with the Title IX Coordinator and/or a Deputy Coordinator and cannot maintain confidentiality with the exception of:
 - a. The staff of a counseling or health center
 - b. Individuals who are associated with the University in the role of a pastoral counselor or confidential advisor

In addition, some individuals who are not Responsible Employees who must share reports of Sexual Misconduct with the Title IX Coordinator and/or a Deputy Coordinator, including, but not limited to:

- a. Academic Advisors
- b. Resident Advisors
- c. Members of Student Government
- d. Individuals, including students, serving as responsible persons, even if they are volunteers, at a University-affiliated activity. These individuals could be teaching, graduate, and research assistants, chaperones, peer mentors and retreat counselors.

These individuals are required to report because they are either in a position to do something about the alleged actions, may be perceived to be able to do something about the alleged action, or would otherwise have to report known or suspected incidents of Sexual Misconduct.

- 10.3. Anyone who is required to report known or suspected violations of this Policy must promptly contact the Title IX Coordinator and disclose what they know about the alleged incident. Even if a required reporter is a Campus Security Authority, and must provide a report to law enforcement or other campus departments, the reporter must also notify the Title IX Coordinator as soon as possible.
- 10.4. Reports should include all relevant details including the following:
 - a. The name of the accused person (if known)
 - b. The name of the alleged victim
 - c. The names of other people who may be involved
 - d. Relevant facts, including date, time, and location of the incident(s)
- 10.5. The University will comply with all applicable state laws regarding mandatory reporting for known or suspected abuse, neglect, or exploitation of a child or a vulnerable adult.
- 10.6. Individuals who are required to report under this Policy but fail to do so may face disciplinary action by the appropriate administrator.
- 10.7. Individuals who are not required to report and who are not bound by state confidentiality laws are still encouraged to report known or suspected violations of this Policy and may do so through the confidential and non-confidential listed in Sections 11 and 12.
- 10.8. Public awareness events such as “Take Back the Night”, candlelight vigils, protests, “survivor speak outs” or other forums in which members of the community disclose incidents of violations of this Policy are not considered notice to the University for the purpose of triggering its obligation to investigate. However, information regarding rights under this Policy will be available to anyone who discloses Sexual Misconduct at one of these types of events.
- 10.10. Reporting to Outside Entities. An individual wishing to make a complaint may also contact the U.S. Department of Education, Office for Civil Rights (OCR) to complain of sex discrimination or sexual misconduct:

Office for Civil Rights
U.S. Department of Health and Human Services
1301 Young Street, Suite 1169
Dallas, TX 75202
Phone: (800) 537-76970
FAX: (214) 767-0432

Employees may also contact the U.S. Equal Employment Opportunity Commission to complain of sex discrimination or sexual harassment:

U.S. Equal Employment Opportunity Commission
Dallas District Office
207 S. Houston Street, 3rd Floor
Dallas, TX 75202
Phone: (800) 669-4000
FAX: (214) 253-2720

11. RETALIATION

- 11.1. The University takes reports of Sexual Misconduct very seriously and will not tolerate retaliation against those who make such reports or participate in the investigation or adjudication process.
- 11.2. Retaliation includes, but is not limited to, any adverse employment or educational action taken for making a report of Sexual Misconduct, or otherwise participating under this Policy.
- 11.3. Any actual or threatened retaliation, or any act of intimidation to prevent or otherwise obstruct the reporting of a violation of this Policy or the participation in proceedings relating to a report of Sexual Misconduct, may be considered a separate violation of this Policy and may result in disciplinary sanctions.
- 11.4. Any person who believes that they have been subjected to retaliation should immediately report this concern to their Title IX Coordinator.

12. IMMEDIATE ASSISTANCE

- 12.1. Medical Assistance: An individual who experiences any form of sexual, domestic, or dating violence is encouraged to seek immediate medical care. Also, preserving DNA evidence can be key to identifying the perpetrator in a sexual violence case. Victims can undergo a medical exam to preserve physical evidence with or without police involvement. If possible, this should be done immediately. If an immediate medical exam is not possible, individuals who have experienced a sexual assault may have a Sexual Assault Forensic Exam (SAFE) performed by a Sexual Assault Nurse Examiner (SANE) within 4 days of the incident. With the examinee's consent, the physical evidence collected during this medical exam can be used in a criminal investigation; however, a person may undergo a SAFE even without contacting, or intending to contact, the police. To undergo a SAFE, go directly to the emergency department please go to the nearest hospital that provides SAFE services.

For more information about the SAFE, see <http://hopelaws.org/> or <https://www.texasattorneygeneral.gov/victims/sapcs.shtml#survivors>. The cost of the forensic portion of the exam is covered by the law enforcement agency that is investigating the assault or, in cases where a report will not be made to the police, the Texas Department of Public Safety. This does not include fees related to medical treatment that are not a part of the SAFE.

12.2.

Police Assistance: Because the prohibited actions outlined in this policy may also constitute a criminal act, individuals seeking emergency assistance or who want to file a criminal report may contact their University police department or the appropriate municipal law enforcement agency. In addition to any possible criminal action, the University Police will forward the report to the Title IX Coordinator.

- a. Reporting to the police helps maintain future options regarding criminal prosecution.
- b. When the victim reports the incident, a police officer will take a statement from the victim regarding what happened.
- c. An adult victim can request that their identity be kept confidential.
- d. When a police report is filed, the victim is not obligated to participate in criminal proceedings or University disciplinary action.

Anyone wishing to file a report with University police can make a report to their component institution's Police Department as noted below:

- University of Houston Main Campus Police Department
<http://www.uh.edu/police> 713-743-3333
- University of Houston - Clear Lake Police Department
<http://www.uhcl.edu/police> 281-283-2273
- University of Houston - Downtown Police Department
<http://www.uhd.edu/police-department/Pages/default.aspx> 713-221-8911
- University of Houston- Victoria Campus
<http://www.uhv.edu/handbook/campussafety.aspx> 361-570-4245
- UH System at Cinco Ranch
Security officers are assigned to UHS at Cinco Ranch. Should anyone need assistance concerning an escort, safety or security matter, contact the security officer on duty by calling 832-842-2877. If the security officer is not available during an EMERGENCY situation, dial 911.
- UH at Sugar Land
Security officer are assigned to UH at Sugar Land. Should anyone need assistance concerning an escort, safety or security matter, contact the police officer or security officer on duty by calling 281-275-3302. If the security officer is not available during an EMERGENCY situation, dial 911.

12.3.

Counseling Assistance: A person who has experienced sexual violence is strongly encouraged to seek medical and psychological care even if he or she does not plan to request a SAFE or report the assault to the police. He or she may be prescribed medications to prevent sexually transmitted infections and/or pregnancy even if the police are not contacted or if a SAFE is not performed.

12.4.

Interim Measures and Ongoing Assistance: When an incident of Sexual Misconduct is reported, the University will consider interim measures to protect involved persons and/or the community while the incident is investigated and adjudicated through this Policy.

- An alleged victim does not need to file a complaint to receive interim measures. Some interim measures may be implemented without an alleged victim disclosing identifying information related to the incident(s). Interim measures include, but are not limited to, changes to academic, living, transportation, or working situations. The University will assess whether an interim measure will involve making these changes to the alleged victim or accused person's circumstances on a case-by-case basis.
- When the University offers counseling through University-affiliated student counseling and employee assistance programs as an interim action, an alleged victim will not have to pay related fees for that counseling while the processes outlined in this Policy are on-going.
- If an interim measure is refused by a party it may still be available at a later date.
- No contact orders can be issued under this Policy between the parties involved in a report or others related to a report as an interim measure. No contact orders issued under this Policy can remain in effect indefinitely and are not contingent upon a formal complaint.
- Violations of interim measures may be considered a separate violation under this Policy or may be investigated and adjudicated through other relevant University policies.
- The University will honor any order of protection, no contact order, restraining order or similar lawful order issued by any criminal, civil or tribal court.

13. REPORT RESPONSE PROCEDURES

- 13.1. A report of a violation of this Policy does not automatically begin the formal complaint procedures, listed in Section 16.
- 13.2. The University will determine the appropriate response to each report based on the information available at the time of the report and, whenever possible, with the input of the alleged victim.
- 13.3. When the University receives a report from anyone regarding an alleged violation of this Policy, it will take reasonable measures to do the following:
 - a. Contact the alleged victim to notify them of their rights and options under this Policy;
 - b. Implement any appropriate interim measures;
 - c. Complete a preliminary investigation, as appropriate.

14. FORMAL COMPLAINT PROCEDURES

EOS, located at the University of Houston System/University of Houston, works in conjunction with each component's Title IX Coordinator to administer all aspects of this Policy. Investigations can be completed by the component's Title IX Coordinator or appointee or by EOS.

A formal complaint may be filed by the alleged victim or by the University.

The timeframes set forth in this Policy may be extended when there is good cause to do so. The Complainant (or the non-participating alleged victim in cases of the University as complainant) and the Respondent will be notified in writing of the delay and the reason for the delay.

14.1. Step One: Filing a Complaint

14.1.1. If the alleged victim wishes to pursue a formal complaint they will be asked to complete a Formal Complaint Form with their Title IX Coordinator, who will forward the Complaint to EOS.

14.1.2. If the alleged victim does not wish to pursue a formal complaint:

- a. The University may determine that it will serve as a complainant if the alleged victim declines to file a formal complaint.
- b. The decision to file a complaint with the University as complainant is not taken lightly and will be determined based on various factors including, but not limited to, the type of actions alleged in the report, prior reports received, and/or potential on-going risk to the alleged victim and/or the community.

- 14.1.3. The University does not limit the timeframe for filing a complaint of Sexual Misconduct. Complaints can be submitted at any time following an incident, although the University's ability to take any action may be limited because of the passage of time.
- 14.1.4. Within five (5) business days after receiving a formal complaint, EOS will provide a copy of the complaint to the Respondent.
- 14.1.5. If during the course of an investigation additional actions that may constitute a violation of this Policy are identified, the University will determine on a case-by-case basis whether to investigate those allegations as part of the original complaint or provide an additional Formal Complaint Form to the Respondent. Facts used to make this determination include the type of action identified and whether the actions occurred during the same incident or during a separate incident.
- 14.1.6. Once a complaint is filed, if the Complainant decides that they want to withdraw the complaint, the University's investigation may still proceed.

14.2. Step Two: Consideration of Interim Measures

- 14.2.1. Although interim measures may have already been considered and implemented, EOS will again consider interim measures at this step to protect involved parties while the incident is investigated and adjudicated through this Policy.
- 14.2.2. EOS and other appropriate University administrators will work together to identify alternative arrangements that will preserve the rights of both the Complainant and the Respondent, as well as provide a safe overall educational or working environment until (and perhaps after) the complaint is investigated and adjudicated.

14.3. Step Three: Response to a Complaint

- 14.3.1. The Respondent's response to the complaint is due to EOS within five (5) business days from the Respondent's receipt of the Complaint.
- 14.3.2. The response should address and respond to the specific allegations made in the Complaint and can include any other rebuttal information.
- 14.3.3. A response may be provided in writing or through an in-person interview with the investigator(s).
- 14.3.4. While a Respondent is not required to provide any response to the complaint or answer questions related to the investigation, failure to

recognize the receipt of the Complaint may be considered a violation of relevant University policies and could result in an additional complaint.

14.3.5. A Respondent is not required to provide a statement or submit any rebuttal material; however, this will not stop the formal complaint process. Findings will be made based on the information gathered during an investigation.

14.4. Step Four: EOS Investigation

14.4.1. An investigation will begin upon receipt of a complaint or other notice of alleged Sexual Misconduct.

14.4.2. An investigation may begin prior to receiving a response from the Respondent.

14.4.3. The investigator(s) will attempt to interview the Complainant, the Respondent and any witnesses, as appropriate.

14.4.4. The investigator(s) will also gather and review any information it deems pertinent, as well as any information submitted by the Complainant, the Respondent and/or any witnesses.

14.5. Step Five: EOS Finding

14.5.1. A finding by EOS will be issued as soon as practicable. EOS will make every effort to issue its finding within 60 business days from its receipt of the complaint. In investigations exceeding 60 days, a justification for the delay will be presented to and reviewed by the Title IX Coordinator or his/her supervisor. The complainant, respondent, and supervisor should be provided updates on the progress of the investigation and issuance of the report.

14.5.2. The finding will be determined using a preponderance of the evidence standard; that is, whether it is more likely than not that the Respondent violated this Policy.

14.5.3. If it is determined that this Policy was violated, appropriate university action will be recommended in an effort to eliminate Sexual Misconduct from happening, prevent its recurrence and address its effects.

14.5.4. Even if it is determined that this Policy was not violated, a recommendation may be made that the Respondent undertake educational initiatives and/or trainings.

- 14.5.5. The Complainant and the Respondent will be simultaneously notified in writing of the outcome of its finding and any appeal rights under this Policy.
- 14.5.6. The appropriate university administrator(s) will also be notified of any recommended university action. The appropriate administrator will depend on the status of the respondent (i.e., student, faculty or employee).
- 14.5.7. At any time after a finding has been made that the Respondent has violated the Policy, the University reserves the right to implement an interim sanction against the Respondent while the complaint is being further adjudicated.
- 14.5.8. Once a finding has been made either party to the complaint may request to meet with the investigator(s) to discuss the investigation and finding and to inspect the investigative file.

14.6. Step Seven: Sanctions and Remedies

- 14.6.1. If there is a finding of a violation of this Policy, a recommendation will be made that appropriate university action be taken, and any sanction imposed on the Respondent will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator.
 - a. If there is a finding of a violation of this Policy against a faculty member, any sanctions imposed on the faculty member will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator and consistent with the component institution's faculty handbook/manual.
 - b. If there is a finding of a violation of this Policy against a non-faculty university employee, any sanction imposed on the employee will be determined by and implemented by the appropriate administrator after consultation with the Title IX Coordinator and consistent with the component institution's policies and procedures related to employee discipline.
 - c. If there is a finding of a violation of this Policy against a student, any sanction imposed on the student will be determined by and imposed by the Dean of Student's Office or its equivalent after consultation with the Title IX Coordinator and consistent with the component institution's policies and procedures related to student conduct/discipline.
- 14.6.2. The sanctions for committing an act of Sexual Misconduct will be commensurate to the offense and may include but is not limited to the following:

- Probation (including disciplinary probation)
- Temporary or permanent ban from campus locations (such as residence hall communities)
- Educational programs such as state-certified batterer's intervention
- Ban from participating in campus organizations
- Disqualification from employment positions
- Withholding of transcripts, grades, diploma, or degree
- Partial or full criminal trespass
- Suspension from employment and/or enrollment
- Revocation of admission and/or degree
- Termination of employment
- Expulsion

14.6.3. If a party is dissatisfied with a sanction determined by the appropriate administrator under Section 14.6.1, they may appeal the sanction as follows:

- a. Any appeal to the sanction against a faculty member must be addressed through the component institution's faculty handbook/manual;
- b. Any appeal to the sanction against an employee must be addressed through the component institution's policies and procedures related to employee grievances;
- c. Any appeal to the sanction against a student must be addressed through the appeal process in the component institution's student code of conduct or its equivalent.

14.6.4 Remedies. Regardless of the finding, and in addition to sanctions that may be imposed pursuant to the appropriate disciplinary policy, the University will take appropriate action(s), including but not limited to those below to resolve complaints of sexual misconduct, prevent any recurrence and, as appropriate, remedy any effects:

- a. Imposing sanctions against the respondent, including attending training;
- b. Ensuring the complainant and respondent do not share classes, working environments or extracurricular activities;
- c. Making modifications to the on campus living arrangements of the respondent or complainant (if the complainant requests to be moved);
- d. Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring;
- e. Determining whether sexual misconduct adversely affected the complainant's university standing;
- f. Conducting, in conjunction with University leaders, a University climate check to assess the effectiveness of efforts to ensure that the

University is free from sexual misconduct, and using that information to inform future proactive steps that the University will take;

- g. Providing targeted group training;
- h. Issuing policy statements or taking other steps to clearly communicate that the University does not tolerate sexual misconduct and will respond to any incidents and to any individual who reports such incidents.

These remedies are separate from, and in addition to, any interim measures that may have been provided before the end of the University's investigation. If the complainant did not take advantage of a specific service (e.g., counseling) when offered as an interim measure, the complainant should still be offered, and is still entitled to, appropriate final remedies that may include services the complainant declined as an interim measure.

14.7. Step Eight: New Information

14.7.1. If a party has new information they believe would have significantly impacted the finding, they may submit that information to the Title IX Coordinator.

14.7.2. If the Title IX Coordinator determines that the submitted information should be reviewed, and the information was not available for the party to present during the time of the investigation, the case may be re-opened.

14.8. Step Nine: Grounds for Appealing an EOS Finding

14.8.1. An appeal must be submitted in writing to the Title IX Coordinator within five (5) business days of receiving the finding.

14.8.2. The Complainant and the Respondent both have the right to appeal a finding for any error occurring during the investigation that could have significantly impacted the finding.

14.8.3. An appeal is not a new investigation of the complaint.

14.8.4. The non-appealing person does not have to participate.

14.9. Step Ten: Appeal Process

14.9.1. If an appeal is filed in accordance with 14.8, the appeal will automatically be presented to the University's Sexual Misconduct Hearing Board ("Board") by the Title IX Coordinator.

- 14.9.2. Members of the Board are selected from recommendations from the component's Faculty Senate, Staff Council, and Student Affairs who shall each recommend at least five individuals to the component's President. The President shall then select a Board of eight with representation from each group recommended. Except for the first Board, members shall serve staggered terms of three years.
- 14.9.3. Upon the Board's receipt of the appeal, a poll will be taken of the Board members by the Title IX Coordinator to identify four members to hear the appeal and comprise the Hearing Panel (three members of the Hearing Panel will serve as voting members and one will serve as an alternate, non-voting member). The role of the Hearing Panel is to review any evidence presented in the appeal for any error occurring during the investigation that could have significantly impacted the finding and is not for the purpose of conducting a de novo review of the complaint.
- 14.9.4. If the appeal concerns sexual assault, the appealing student may waive their right to a hearing before the Hearing Panel and have their appeal heard by an individual hearing officer not affiliated with the University ("Non-affiliated Hearing Officer"). To waive their right to a Hearing Panel, the appealing student must submit written notice to the Title IX Coordinator within five (5) business days of receiving EOS' finding.
- 14.9.5. The Hearing Panel/Non-affiliated Hearing Officer will make decisions using a preponderance of the evidence standard.
- 14.9.6. The role of the Hearing Panel/Non-affiliated Hearing Officer is to accept, or remand EOS' finding by determining by a preponderance of the evidence if any error occurred during the investigation that could have significantly impacted its finding. While the Hearing Panel/Non-affiliated Hearing Officer will have the opportunity to review any evidence presented on appeal, their role is not to reinvestigate the original complaint or to review allegations that would otherwise constitute a new complaint under this Policy or any other University policy.
- 14.9.7. Absent extenuating circumstances, the Title IX Coordinator will schedule a hearing to be held within 15 business days from the filing of the appeal.
- 14.9.8. Once the hearing is scheduled, requests to reschedule the hearing must be submitted in writing to the Title IX Coordinator and will be considered by the Hearing Panel/Non-affiliated Hearing Officer and the Title IX Coordinator.

- 14.9.9. The Complainant and Respondent will be notified of the composition of the Hearing Panel or the identity of Non-affiliated Hearing Officer for their hearing. Within five (5) business days of this notification, the Complainant and Respondent have the opportunity to object to a panel member or the Non-affiliated Hearing Officer for cause. The objection should be made in writing. The Title IX Coordinator, in consultation with the members of the panel, will consider any objection and replace the panel member or the Non-affiliated Hearing Officer if appropriate.
- 14.9.10. No later than five (5) business days prior to the hearing, all materials that will be used at the hearing must be submitted to the Title IX Coordinator, who will forward the materials to the Hearing Panel/Non-affiliated Hearing Officer and will simultaneously provide the materials to both parties. The materials must include:
- a. The names of any witnesses and a brief summary concerning the subject matter of the witness' expected testimony
 - b. The name of any advisor to be in attendance at the hearing and whether that person is an attorney
- 14.9.11. No witness or document/tangible evidence will be permitted at the hearing unless such information was timely submitted.
- 14.9.12. It is the responsibility of the party wanting to present a witness to secure that witness.

14.10. Step Eleven: Hearing

- 14.10.1. Prior to the beginning of a hearing, the members of a Hearing Panel will select a Chairperson for the hearing.
- 14.10.2. The general course of the hearing procedure will be as follows, subject to the discretion of the Panel chairperson/Non-affiliated Hearing Officer:
- a. The Panel chairperson/Non-affiliated Hearing Officer will convene the hearing, introduce the individuals, give a brief description of the process and invite questions about the process and allow the parties the opportunity to present a brief opening statement;
 - b. The appellant shall present their evidence (including calling and questioning their own witnesses) to the Panel. If the other party participates, they shall have the same opportunity to present their evidence.
 - c. EOS shall present their documentation related to the finding to the Panel/Non-affiliated Hearing Officer;

- d. The Panel chairperson/Non-affiliated Hearing Officer will allow the parties the opportunity to present a brief closing statement before concluding the hearing.
- 14.10.3. During the hearing, the Panel Chairperson/Non-affiliated Hearing Officer may impose the following guidelines:
 - a. The Panel chairperson/Non-affiliated Hearing Officer may impose reasonable time limits on any stage of the hearing.
 - b. The Panel chairperson/Non-affiliated Hearing Officer may also determine the relevance of, and place restrictions on, any witness or information presented.
- 14.10.4. The Panel chairperson and/or Panel/Non-affiliated Hearing Officer may question any individual at any time during the hearing.
- 14.10.5. The parties may question their own witnesses, but they cannot directly question the other party's witnesses.
- 14.10.6. The parties may request that the Panel chairperson/Non-affiliated Hearing Officer ask questions of the other witnesses by submitting proposed questions to the Panel chairperson in writing either prior to, or during, the hearing.
- 14.10.7. The Panel chairperson/Non-affiliated Hearing Officer may determine which questions are relevant, and the Panel chairperson/Non-affiliated Hearing Officer has the discretion to revise a question or to decline to ask the question.
- 14.10.8. The appellant may withdraw an appeal by submitting a request in writing to the Title IX Coordinator prior to the scheduled start of the hearing. A withdrawn appeal will conclude the matter.
- 16.10.9. In cases where an appellant refuses to participate in the hearing, the Panel/Non-affiliated Hearing Officer will convene and make a decision based on the evidence and testimony available to the Panel/Non-affiliated Hearing Officer.
- 14.10.10. This hearing process is an internal University process and not a formal courtroom process in which rules of evidence and courtroom procedures apply.
- 14.10.11. The appellant may bring an advisor of their choosing who may be an attorney.

- 14.10.12. Advisors may attend the hearing and sit with their advisee during the hearing, communicate quietly orally and/or in writing with their advisee during the hearing, and may respond to a direct question from the Panel/Non-affiliated Hearing Officer.
- 14.10.13. An advisor will not be permitted to speak on behalf of the advisee, make an oral presentation, including an opening or closing argument, or to question witnesses, the EOS representative, or the Panel/Non-affiliated Hearing Officer during the hearing.

14.11. Step Twelve: Panel Decision

- 14.11.1. After the hearing has concluded, the three voting members of the Panel will deliberate in private.
- 14.11.2. The Panel's decision will be by majority vote.
- 14.11.3. The Panel/Non-affiliated Hearing Officer can make the following decisions:
 - a. Affirm the original finding
 - b. Remand the case back to EOS to correct an error
- 14.11.4. The Panel will communicate its decision by completing the Hearing Decision Form and forwarding it to the Title IX Coordinator within three (3) business days of the hearing.
- 14.11.5. The Title IX Coordinator will then provide a copy of the decision simultaneously to all parties involved in the complaint.

15. Step Thirteen: Notification of Outcomes

- 15.1 The Title IX Coordinator and/or EOS will simultaneously notify the Complainant and the Respondent in writing of the outcome of the following stages of the process:
 - a. The initial finding including a rationale
 - b. The procedures to appeal a finding
 - c. The outcome of any appeal, including any changes to the finding
 - d. Any interim sanctions imposed
 - e. Any changes to interim sanctions
 - f. The final outcome of the complaint
 - g. Any imposed sanctions including a rationale
 - h. When the outcome is final
 - i. Changes to sanctions related to the party once the outcome is finalized

- 15.2. These notifications may be combined if they occur at the same time.
- 15.3. In the case of a complaint alleging dating or domestic violence, non-consensual sexual contact, sexual assault, or stalking, both parties will be notified of all imposed sanctions.
- 15.4. In the case of a complaint alleging sexual harassment, the Complainant will be notified of any sanctions that directly relate to the Complainant.
- 15.5. A Complainant will always be notified of any individual remedies offered or provided to the Complainant and any additional steps the University has taken to eliminate the hostile environment, if one was found to exist, and to prevent recurrence.

16. Special Provisions

16.1. Immunity

To encourage reporting, the University may offer alleged victims and witnesses of Sexual Misconduct amnesty from being charged with non-violent University policy violations, such as unauthorized use of alcoholic beverages, related to the incident. The University may impose educational responses rather than sanctions, in such cases. Decisions regarding amnesty are made by the Title IX Coordinator in conjunction with the appropriate sanctioning body.

16.2. Allegations Involving University-Affiliated Organizations

16.2.1. If a report is made alleging that a University-affiliated organization has violated this Policy, EOS will make a referral to the appropriate administrative department and/or adjudicative body over that organization to ensure a timely, equitable process to determine if an Organization violated relevant University policies.

16.2.2. EOS will work in partnership with the appropriate adjudicative body should there be concurrent investigations involving individuals and organizations, including, but not limited to, sharing information with appropriate University administrators who have a legitimate need to know.

16.2.3. If a report is made involving an organization, EOS will seek to identify any individuals who may be involved. EOS will, in collaboration with the alleged victim whenever possible, determine whether a formal complaint will be filed against any identified individuals, as per this Policy.

16.3. Non-Participating Alleged Victims

- 16.3.1. Alleged victims who decline to serve as a complainant as per 16.1.2. will maintain certain rights as per this Policy.
- 16.3.2. When the University serves as a complainant, it will work with the alleged victim to the extent they would like to participate.
- 16.3.3. Non-complainant alleged victims do not have appeal rights as per this Policy.
- 16.3.4. Non-complainant alleged victims receive the same notifications as the Complainant and Respondent, unless they request otherwise, as outlined in Section 17 of this Policy.
- 16.3.5. Non-complainant alleged victims always maintain the right to reasonable interim measures as outlined in Sections 14 and 16.2 of this Policy.

16.4. Additional Interventions

- 16.4.1. When a report is received alleging a violation of this Policy, the University will take appropriate steps to assess whether additional actions, beyond a formal investigation and possible disciplinary sanctions, are appropriate.
- 16.4.2. These actions may be implemented regardless of whether a formal complaint is filed and regardless of whether a finding of a violation is made.
- 16.4.3. Actions may respond to the specific needs of impacted persons and/or may address the needs of the University community.
- 16.4.4. Actions may include extending interim measures provided to impacted persons such as those listed in Sections 14 and 16.2 or new actions taken the respond to immediate and long-term concerns regarding personal safety, academic success, and emotional well-being.
- 16.4.5. Actions may address the needs of the University community may include but is not limited to training, both targeted training and campus-wide programs, campus safety assessments, campus climate surveys, and evaluation of policies and procedures.

16.5. Reports Outside of University Jurisdiction

If the University is notified that a member of the University community has reported an incident of Sexual Misconduct, but the action occurred outside of the University's jurisdiction, the University will still take reasonable steps to ensure

REVISION LOG

Revision Number	Approval Date	Description of Changes
Interim	11/29/2012	Initial version (submitted as Interim)
1	TBD	This SAM is being submitted for review and approval to remove the Interim designation

UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA

COMMITTEE: Academic and Student Success

ITEM: REEcycle Presentation/Update

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

UH alum Casey McNeil is the CEO of REEcycle, which was initially launched at UH as part of the Wolff Center program in the Bauer College of Business. This program, a partnership between the Wolff Center and the UH Division of Research, allows for students to transform ideas and inventions developed in the laboratory into commercial technologies.

Mr. McNeil will give an overview and update on how REEcycle started, what they have accomplished, and their status today.

REEcycle was launched by Mr. McNeil after a 2014 business competition, during which his team won more than \$100,000 and the three top awards in the National Clean Energy Business Plan Competition, sponsored by the U.S. Department of Energy.

REEcycle operates out of the new Innovation Center incubation space at UH's Energy Research Park, using a method developed by Allan Jacobson, Robert A. Welch Chair of Science and director of the Texas Center for Superconductivity at UH, to recycle rare earth elements critical for powering cell phones, wind turbines and other clean energy technologies, helping to create a more energy efficient future. McNeil and REEcycle are helping create a sustainable domestic supply to promote the creation of more efficient clean-energy technologies.

SUPPORTING

DOCUMENTATION: None

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Information

COMPONENT: University of Houston

Renukhatar
PRESIDENT Renu Khator

8/13/15
DATE

Paula Myrick Short
SENIOR VICE CHANCELLOR Paula Myrick Short

7-28-15
DATE

Renukhatar
CHANCELLOR Renu Khator

8/13/15
DATE



REEcycle

RARE EARTH ELEMENT RECYCLING

Renewing The Rarities That Drive Our Lives



Neodymium & Dysprosium

Periodic Table of Elements

H																		He
Li	Be											B	C	N	O	F	Ne	
Na	Mg											Al	Si	P	S	Cl	Ar	
K	Ca	Sc	Ti	V	Cr	Mn	Fe	Co	Ni	Cu	Zn	Ga	Ge	As	Se	Br	Kr	
Rb	Sr	Y	Zr	Nb	Mo	Tc	Ru	Rh	Pd	Ag	Cd	In	Sn	Sb	Te	I	Xe	
Cs	Ba		Hf	Ta	W	Re	Os	Ir	Pt	Au	Hg	Tl	Pb	Bi	Po	At	Rn	
Fr	Ra		Rf	Ha	Sg	Ns	Hs	Mt	Ds	Rg	Cn	Uut	Fl	Uup	Lv	Uus	Uuo	

La	Ce	Pr	Nd	Sm	Eu	Gd	Tb	Dy	Ho	Er	Tm	Yb	Lu	
Ac	Th	Pa	U	Np	Pu	Am	Cm	Bk	Cf	Es	Fm	Md	No	Lr

Neodymium ¹¹⁹

Dysprosium



Sources of Neo-Magnets



Personal Electronics

Cell Phones



Hard Drives



Speakers



Clean Energy Technologies

Electric Motors



Wind Turbines





Problem

REE Supply Shortage

CHINA

produces 90% of the world's supply of REEs



USA

2.7%

5 Business Model

REEcycle

Suppliers



Electronics
Recycling
Companies

\$10



\$8



Customers



REE
Processing
Companies

122



NdFeB Magnet Acquisition

New revenue stream for magnet suppliers



NdFeB Recycling
Opportunities

REEcycle



Avnet
Apple
Seagate
Okon Metals
EPC Recycling
ECS Refining



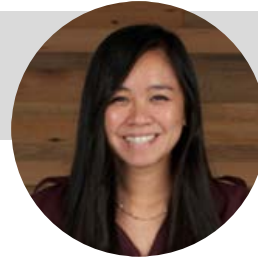
About Our Team

Have collectively started and operated 6 businesses

Business



Casey McNeil
*Electronics
Recycling and Sales*



Susan Tran
*Accounting and
Financial Reporting*



Cassandra Hoang
*International Trade
and Purchasing*

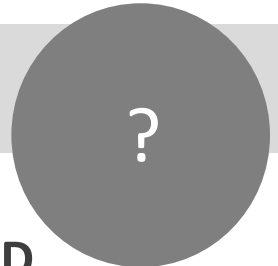
Technical



Dr. Allan Jacobson
*Advisor to REEcycle
Published 47 patents
Ph.D. Chemistry
Co-patent Holder*



**Dr. Pradeep
Samarasekere**
*Lead Scientist
Materials Chemist
Co-patent Holder*



TBD
*Chemical
Engineer/Process
Engineer*



Accomplishments

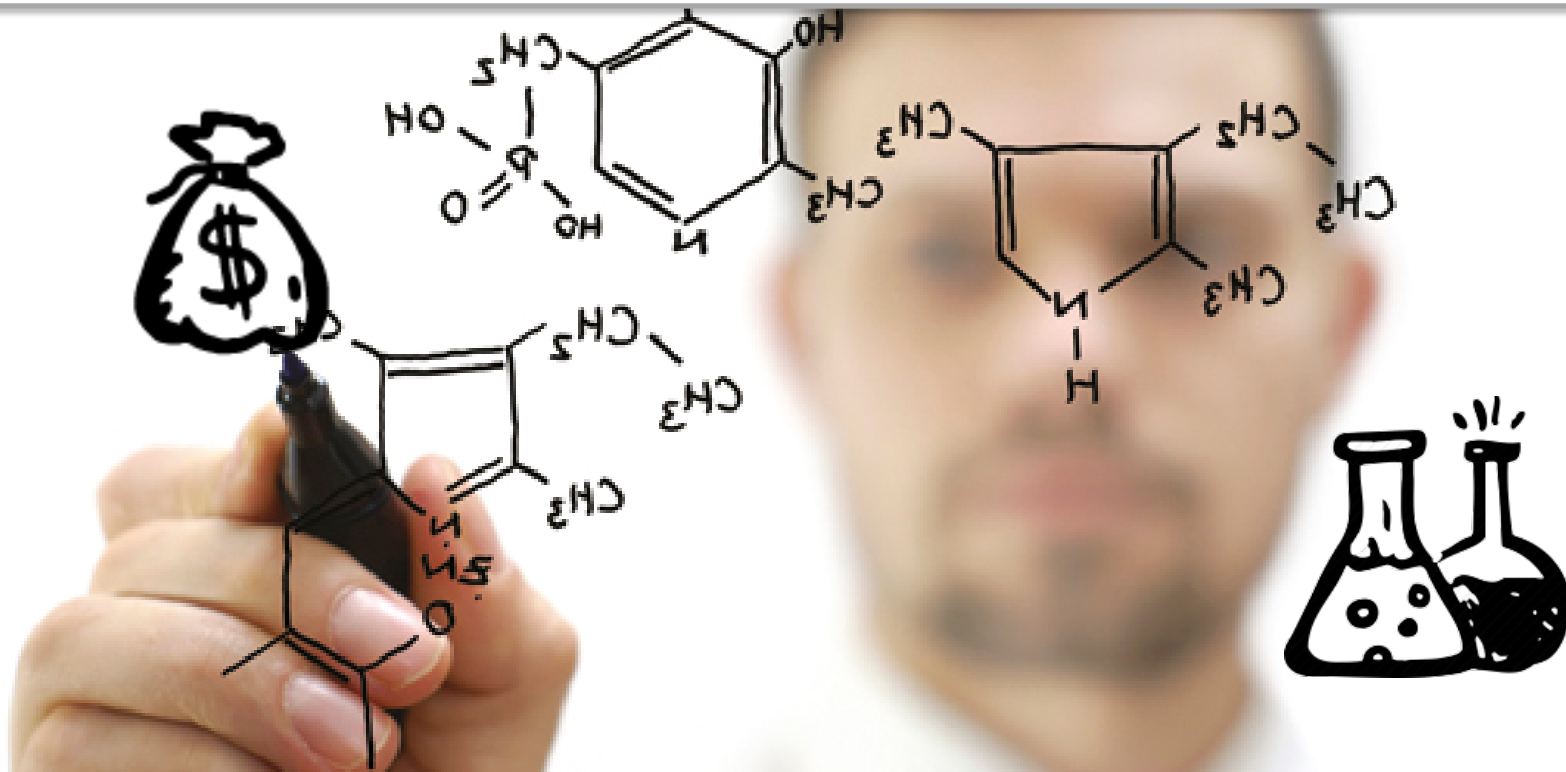
- *1st Place*—Baylor New Ventures Competition- **\$25,000**
- *Audience Choice*—MIT DOE Clean Energy Prize- **\$3,500**
- *1st Place*—CalTech DOE Clean Energy Prize- **\$100,000**
- *Grand Prize, Investors Choice, Audience Choice*—DOE National Clean Energy Prize- **\$80,000 in-kind prizes**
- *3rd Place*—Tulane Business Model Canvas- **\$3,500**
- *2nd Place*—BYU International Business Model- **\$20,000**
- *Awardee*—NSF Phase 1 Grant- **\$150,000**
- *Awardee*—UH GAP Fund Grant- **\$40,000**
- Kairos 50 Company
- INC.com 50 Global Entrepreneurs to Watch
- Forbes 30 Under 30



Our Next Steps

We are currently looking for...

~~Infrastructure~~
Financing





REEcycle

RARE EARTH ELEMENT RECYCLING

Renewing The Rarities That Drive Our Lives

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Presentation of University of Houston-Downtown "Student Success Story"

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

Judith Harris, a 1999 graduate from the University of Houston-Downtown with a bachelor's degree in criminal justice, will present her "Student Success Story." Dr. Harris is currently an assistant professor of criminal justice at UH-Downtown.

SUPPORTING DOCUMENTATION: Biographical Sketch

FISCAL NOTE: None

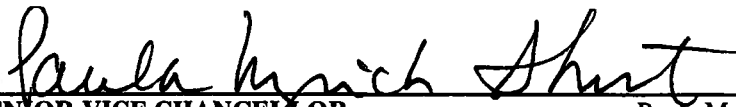
**RECOMMENDATION/
ACTION REQUESTED:** Information

 University of Houston-Downtown

8/11/2015

PRESIDENT William Flores

DATE _____


SENIOR VICE CHANCELLOR Paula Myrick Short

8-4-15
DATE


CHANCELLOR Renu Khator

8/13/15
DATE

Judith Harris, Ph.D., Assistant Professor of Criminal Justice, UHD

Dr. Judith Harris, assistant professor of criminal justice at UHD, was born in Kirk-Ella North Yorkshire, England and grew up in Dr. Barnardo's Children's home and various foster homes. At the age of 18 she began traveling the world as both a musician and singer. After arriving in Houston with her musical troupe, she decided to focus on her education.

Dr. Harris graduated from the University of Houston-Downtown in 1999 with a bachelor's degree in criminal justice, and began work as a pretrial officer for Harris County. She soon realized that criminal justice would be her life's work and enrolled in UHD's Master of Criminal Justice program, graduating in 2005. While working for Harris County, she began adjunct teaching, first with HCC and then with UHD, in the Department of Criminal Justice. Inspired to continue her education, she began her doctoral studies at Sam Houston State University before transferring to Texas Southern University so that she could accept a full-time teaching position at UHD. With great determination, she successfully taught five undergraduate CJ classes each semester and finished her Ph.D. in the administration of justice in 2013.

While she teaches a varied course load, she is especially devoted to her senior seminar course – which she teaches each fall and spring – providing an award-winning service-learning experience for her students through the Harris County Sheriff's Office (HCSO) Jail Reentry Services program. Under Dr. Harris' tutelage, UHD and HCSO are developing a multi-year, sustainable MOU for the program, which pairs criminal justice students with licensed social work professionals in the jail to rehabilitate inmates upon their entry to the criminal justice system.