



VICTIM RIGHTS AND OPTIONS

Dating Violence, Domestic Violence, Sexual Assault and Stalking

West Texas A&M University

and

Harrington Academic Hall Amarillo Center

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Dating Violence, Domestic Violence, Sexual Assault and Stalking

If you or someone you know has experienced dating violence, domestic violence, sexual assault, or stalking, West Texas A&M University (WTAMU) is here to help. You have the right to live, learn, and/or work in a safe and welcoming environment. Violence is unacceptable, and University policy prohibits dating violence, domestic violence, sexual assault, and stalking (DVSAS). This document provides the student or employee a written explanation of the student's or employee's rights and options, and outlines steps to take depending on what services you want or need. Dating violence, domestic violence, sexual assault, or stalking, are significant experiences and can be traumatizing. Each person's experience is unique and numerous options are available for support and reporting at WTAMU or the Harrington Academic Hall Amarillo Center. There is no one correct response - simply different options to access support and different reporting options. The most important thing is your immediate and long-term safety. The resources and options outlined below may be helpful as you decide what next steps are a good fit for you.

Unsure of where to start?

You may want more information or to talk to someone confidentially as you decide what you'd like to do moving forward. You can access crisis counseling, information, and support by connecting with the resources listed in this document.

Students may obtain confidential guidance from the Student Counseling Services (806) 651-2340 www.wtamu.edu/counseling

Employees may obtain confidential guidance from the Employee Assistance Program (WorkLife Solutions Program) by GuidanceResources (866) 301-9623 (<http://www.guidanceresources.com>) or benefit information at <https://wtamu.edu/business-finance/human-resources/benefits.html>

First Steps: Things to Consider

Are you in danger?

If yes, get to a safe place as soon as you can.

Call 911, or the WTAMU Police Department at (806) 651-2300;

The department will coordinate transport to pick you up from your location and make plans for your next steps.

Do you need medical attention?

You can receive medical attention at any medical facility; however, certain facilities have specially trained staff to help survivors of domestic violence and sexual assault and/or have the ability to offer a sexual assault forensics exam by a trained sexual assault nurse examiner (SANE). Medical exams can also address other physical needs or trauma and assess for sexually transmitted infections or pregnancy.

The following location has sexual assault nurse examiners on-call (SANE):

Northwest Texas Hospital (<https://www.nwths.com/services/emergency>)

1501 S. Coulter Street

Amarillo, TX 79106

806-354-1000

Preservation of Evidence

It is important to preserve evidence that may be useful in obtaining a protection order or in proceeding with a criminal investigation or a disciplinary process should you choose to do so. Completing a forensic exam does not require you to file a police report or report to the institution, although we encourage these reports if you are comfortable doing so.

To preserve evidence, it is recommended you do not bathe, douche, smoke, use the toilet or clean the location where the incident occurred. Save items you were wearing, sheets, or towels in a paper bag. Preserve evidence by saving text messages, instant messages, social networking pages, communications (phone or email), pictures, gifts, notes, or other documents, if any, that would be useful to police or investigators

Emotional and Physical Impact

Emotions are to be expected

Dating violence, domestic violence, sexual assault, and stalking are significant and can be traumatizing. Though each person's experience is unique, there are a wide range of emotions that may be felt over the days, weeks, months and even years following a traumatic experience. These reactions may change over time and it may be helpful to address them with the assistance of a trained counselor or therapist, victim/survivor advocate or even a trusted friend or family member.

Possible physical effects may include:

- Pain and soreness
- Injuries, Nausea
- Vomiting
- Headaches
- Panic attacks
- Sleep pattern disturbances
- Insomnia or sleeping more than usual
- Loss of appetite or change in eating habits (overeating or under-eating, etc.)

Possible psychological and/or emotional effects may include:

- Impaired memory
- Shock, Denial
- Irritability and anger
- Sadness and grief
- Social withdrawal
- Apathy (detachment, loss of caring)
- Hypervigilance (always on guard)
- Sleep disturbance (including nightmares)
- Flashbacks
- Difficulty concentrating
- Loss of trust in self or others
- Guilt, shame or embarrassment
- Thoughts of suicide or death
- Diminished interest in activities or sex
- Increased interest in sexual activity

Confidential Resources on Campus

All employees of WTAMU are trained and designated as Campus Security Authorities by the President of WTAMU and are required to report violations of federal, state and local laws and other emergencies to the University Police Department. Persons identified by the institution as a person whom students may speak confidentially, are identified specifically as student counselors, while performing their duties as a student counselor for Student Counseling Services, pastoral counselors, and the Director of Student Medical Services. These individuals are exempt from mandatory reporting; however, they are required to report the incidents to the Director of Civil Rights and Title IX Compliance without any details that could violate a student's expectation of privacy. **Professional and pastoral counselors may encourage** their clients to consider voluntarily and confidentially reporting crimes, when applicable.

Student Counseling Services, 806-651-2340,
Classroom Center, Suite 116

Student Medical Services, 806-651-3287,
Virgil Henson Activities Center 104

Medical Attention on Campus

- **Student Medical Services**
- 806-651-3287 (Make appointments by phone)
- Virgil Henson Activities Center 104
- Open when school is in session (Monday – Friday 8 a.m. – 5 p.m.)
- Closed during intercession, weekends and WTAMU holidays)
- Call 911 for emergency assistance
- Transportation is not provided by the University
- Services provided include:
 - Illness, Injury and Preventive Care
 - Minor Surgery under local anesthetic
 - Lab Services
 - Mental Health – Screening Brief Intervention and Referral
 - Women's Services
 - Cold Care
 - Immunizations and Injections
 - Medical Equipment (limited and some with expense)
 - Class D Pharmacy

Campus Disciplinary Process

University disciplinary proceedings are detailed in the [Code of Student Life](#) and, for employees, in University Rule 08.01.01.W1. The university uses the preponderance of the evidence standard for sex-based misconduct, which means the conduct is more likely to have occurred than not. A student or employee found responsible for domestic or dating violence, sexual assault, or stalking could be prosecuted in state court and also have action taken by the university, up to and including dismissal. Dismissal may also apply to individuals found to have sexually harassed another individual.

The university's disciplinary process includes a prompt, fair, impartial investigation, and resolution process. The university attempts to resolve complaints within 60 days, although extensions may be necessary depending on circumstances. Officials involved in the investigation and adjudication of sex-based misconduct are trained annually on related issues, as well as how to process reports in a way that protects the safety of the victim and promotes accountability. Victims may pursue remedies via an internal complaint process and/or through criminal charges. The victim may also pursue an informal resolution through the Director of Civil Rights and Title IX Compliance. The Civil Rights and Title IX Director will not share identifying information with law enforcement without the victim's permission.

Victims and respondents may be accompanied by an advisor of their choice to meetings and proceedings. The university will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. They also have the same opportunity to have evidence of past sexual history excluded during any hearings, except in limited circumstances.

Requesting Accommodations / Supportive Measures

Regardless of whether or not you choose to report to the WTAMU Police Department or local law enforcement, there are specific options available to you, if requested and reasonably available. You may request to be assisted by campus authorities in notifying law enforcement, including on-campus and local police. You may also decline to have law enforcement notified.

Victims and respondents have access to supportive measures including protective orders; counseling; health services; legal assistance; immigration services; and academic, housing, transportation, work, financial aid, and other accommodations, both within the institution and in the community. These will be coordinated by the Title IX Office.

Confidentiality

If you are the victim of or witness (employees of the university may be required to report if a witness) to a crime and do not want to pursue action within the university disciplinary system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief or a designee of the WTAMU Police Department can file a report on the details of the incident without revealing your identity beyond its reporting to the Director of Civil Rights and Title IX Compliance, if applicable.

Personally identifiable information will be treated as private and only shared with persons who have a specific need-to-know, i.e. , those who are investigating/adjudicating the report or those involved in providing support services, including accommodations and protective measures, to the extent that maintaining such privacy will not impair the ability of the institution to provide the support and protective measures. The university does not publish the name of crime victims in its Daily Crime Log or in its annual Campus Security and Fire Safety Report.

Orders of Protection

Victims of sexual assault, domestic and dating violence, and stalking are eligible to apply for protective orders and/or no-contact orders or similar lawful orders issued by a criminal, civil, or tribal court. Standard Protective Orders may prohibit the offender from committing further acts of family violence; or harassing or threatening the victim, either directly or indirectly by communicating the threat through another person. Texas law provides for the criminal enforcement of valid protective orders issued by a Texas court as well as valid out of state protective orders. For more information on protective orders, contact the University Police Department at (806) 651-2300 or the Randall County District Attorney at (806) 468-5570 or <https://randallcounty.com/216/District-Attorney>.

Mutual No Contact Restriction

A mutual no contact restriction is a supportive measure issued by the institution that prohibits two parties from contacting one another through any means. Mutual no contact restrictions can be issued in addition to court ordered protection but may also serve as an alternative for those who do not want to seek a court order. A complainant or a respondent can request a mutual no contact restriction through the Civil Rights and Title IX Compliance office at (806) 651-3199. The Director of Civil Rights and Title IX Compliance may issue a mutual no contact restriction at any time prior to or during a conduct investigation based on information provided by the requestor. If good cause for a mutual no contact restriction is determined, both parties are notified of the restrictions in

writing. Mutual no contact restriction records are maintained in the Civil Rights and Title IX Compliance office's tracking system.

Quick Guide

On Campus Resources

University Police Department	Old Sub 102	806-651-2300
UPD Victim Assistance	Old Sub 106	806-651-2307
Student Counseling	Classroom Center 116	806-651-2340
Student Medical Services	Virgil Henson Activities Center 104	806-651-3287
Student Enrollment, Engagement, and Success	JBK Student Center, Suite 102	806-651-2050
Academic Affairs	Old Main 307	806-651-2043
Human Resources	Old Main 116; www.wtamu.edu/HR	806-651-2114
The Work/Life Solutions Program by GuidanceResources	http://www.guidanceresources.com	866-301-9623
UPD Escort Service	Old Sub 102	806-651-2300
International Student Office	JBK Student Center 133N	806-651-2073
Civil Rights and Title IX Director	Old Sub 108	806-651-3199 or text 806-690-1893
Residential Living	www.wtamu.edu/housing	806-651-3000
Scholarships Services	https://www.wtamu.edu/student-support/scholarships/index.html	806-651-3330
Student Financial Aid	https://www.wtamu.edu/student-support/financial-aid/index.html	806-651-2055
Buff Allies	www.wtamu.edu/buffallies	
Office of Veterans Services	Classroom Center 108B	806 651-4939
Office for Diversity & Inclusion	Jack B. Kelley Student Center, Suite 133	806-651-8482

Off Campus Resources

Canyon Police Department	301 16 th Street #3, Canyon	806-655-5000
Randall County Sheriff	9100 S. Georgia Street, Amarillo	806-468-5800
Amarillo Police Department	200 SE 3 rd Avenue, Amarillo	806-378-3038
Potter County Sheriff	13103 NE 29 th Avenue, Amarillo	806-379-2900
Northwest Texas Hospital	1501 S. Coulter St., Amarillo	806-354-1000
The Pavilion at NWTH	1501 S. Coulter St., Amarillo	806-354-1810
BSA Health System	1600 Wallace Blvd. Amarillo	806-212-2000
National Domestic Violence Hotline		800-799-7233, 800-787-3224-TTY
National Sexual Assault Hotline	www.rainn.org	800-656-4673
Amarillo Rape Crisis/Domestic Violence Hotline		806-374-5433 (bilingual) 800-735-2989-TTY
National Suicide Prevention Lifeline		800-273-8255
Suicide Crisis Local Hotline	1501 S. Polk Amarillo	806-359-6699
National Mental Health Helpline		855-995-9489
Legal Aid of Northwest Texas	203 SW 8 th Avenue, Suite 600 Amarillo	806-373-4309
Sexual Assault Legal Services & Assistance	http://www.tlsc.org/	1-888-343-4414
Texas Association Against Sexual Assault	TAASA http://taasa.org/	512-474-7190
Stalking Resource Center	https://www.victimsofcrime.org/our-programs/stalking-resource-center	
National Center for Victims of Crime	https://www.victimsofcrime.org/	202-467-8700
Amarillo Rape Crisis/Domestic Violence Hotline	806-374-5433 – bilingual 800-735-2989 - TTY	806-374-5433

Sex Offender Registration List (Texas)	https://records.txdps.state.tx.us/SexOffender/	
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Reporting and Rights

To make a report against a student, employee, or third party, contact:

Director of Civil Rights and Title IX Compliance (806) 651-3199 or text (806) 690-1893, Old Sub 108, and/or the WTAMU Police Department (806) 651-2300, Old Sub 102.

Note: The Director of Civil Rights and Title IX Compliance will not provide identifying information to UPD or other law enforcement without the victim's permission, except when information demonstrates an immediate danger to the victim or to the community.

You have a right to:

- Decline to participate in an investigation. However; 08.01.01.01 section 210 indicates employees must, and students should cooperate fully with those performing an investigation pursuant to this regulation. Employees failing to cooperate with the investigation may be disciplined, up to and including dismissal.
- A prompt, fair, and impartial process from the initial investigation to the final result completed within specified time frames in a manner that is transparent, provides timely notice of meetings and equal access to information to both the complainant and the respondent, and conducted by officials without a conflict of interest or bias for either party, who receive annual training on how to conduct an investigation and a hearing process that protects the safety of victims and promotes accountability.
- Employees and students must not retaliate against a person for filing a complaint or participating in an investigation.
- Have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of your choice. This is applicable for both complainant and respondent.
- Simultaneous notification, in writing to both the complainant and respondent, of:
 - The result of any institutional disciplinary proceeding from your report of dating violence, domestic violence, sexual assault or stalking
 - The institution's procedures to appeal the results
 - Any changes to the results
 - When the result becomes final

Definitions

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: A Felony or misdemeanor crime 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 jurisdiction in which the crime of violence occurred; 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 jurisdiction in which the crime of violence occurred.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape below.

- Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— Fear for the person's safety or the safety of others; or suffer substantial emotional distress.

