



# SEXUAL AND INTERPERSONAL MISCONDUCT (SIM) POLICY TRAINING

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Title IX Coordinator  
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903.923.2119



## Mission Statement

As a Christ-centered institution, East Texas Baptist University educates students by integrating biblical faith and learning to develop mind, body, and soul **through community engagement to prepare graduates to be Christian servant leaders** in their calling to God and humanity.

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## Title IX – Federal Law

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"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under **any educational program or activity** receiving Federal financial assistance."

*-Title IX of the Educational Amendments of 1972 to the 1964 Civil Rights Act*

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Educational program or activity includes:

- the classroom (in-person or virtual), the court or field, the residence hall or other campus housing, the student center, chapel, a student worker job, the dining hall, and many, many other places

Therefore:

- ETBU has a Sexual and Interpersonal Misconduct Policy, also known as the SIM policy, that addresses conduct under the Title IX sexual harassment umbrella. This umbrella includes a variety of conduct from mild to severe.
  - As a faith-based institution, the ETBU SIM policy is tailored to address prohibited conduct-related concerns while still respecting university values, faith values, federal and state requirements, and the inherent value of human beings made in the image of God.
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# ETBU TITLE IX/SIM TEAM

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## Title IX Coordinator

Mrs. Tara Bachtel, [tbachtel@etbu.edu](mailto:tbachtel@etbu.edu), 903.923.2119

## Deputy Title IX Coordinators

Mrs. Desirae Bradley, [desiraeb@etbu.edu](mailto:desiraeb@etbu.edu), 903.923.2321

Mrs. Daniele Brock, [dbrock@etbu.edu](mailto:dbrock@etbu.edu), 903-923-2364

## SIM Team Members

Dr. Scott Bryant, Mrs. Sara Braun, Dr. Jenny Hoover, Dr. Jeremy Johnston, Dr. Bryan Mead, Mr. Larry Northcutt, Mrs. Klaire Smith

- ❖ Respond to any report regarding conduct that may violate the Title IX/SIM policy.
- ❖ Facilitate a process and provide resources.
- ❖ Conduct training opportunities for Title IX/SIM, VAWA (Violence Against Women Act), Clery, and other federal and state compliance topics.

Role of the  
Title IX  
Coordinator  
(TIXC) or  
Deputy  
Coordinator

# REPORTING

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Who is  
required to  
report at  
ETBU?



- Faculty (full-time, adjunct)
- Staff (hourly, salary, full-time, part-time)
- Graduate Assistant Coaches
- Resident Assistants
- Student workers in a supervisory role



# Why are we required to report?

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## **SB 212 – Texas State Law**

### Consequences of Failure to Report

- Failure to report or know false reporting - Class B misdemeanor (maximum of 180 days in jail and/or a fine of \$2,000)
- Intentionally concealing an incident – Class A misdemeanor (one year in jail and/or a fine of \$4,000)
- Required termination of employment (depends on the details)

**Exceptions:** Confidential employees, when an incident occurs to the mandatory reporter (self), disclosure at a public awareness event

# Confidential Employees & Resources

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**Confidential Resources will not report identifiable incidents and/or information to the Title IX Coordinator.**

ETBU Counseling Care Center Employees – [counselingcenter@etbu.edu](mailto:counselingcenter@etbu.edu), 903-923-2360, located in the Jarrett Library building

ETBU Sisk Health Services Clinic – 903-923-2355, located in Bennett Student Commons

Director of Spiritual Life – Dr. David Griffin, [dgriffin@etbu.edu](mailto:dgriffin@etbu.edu) 903-923-2173, located in the Rogers Spiritual Life Center

# How To Report

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Report to ETBU's Title IX Coordinator, Mrs. Tara Bachtel

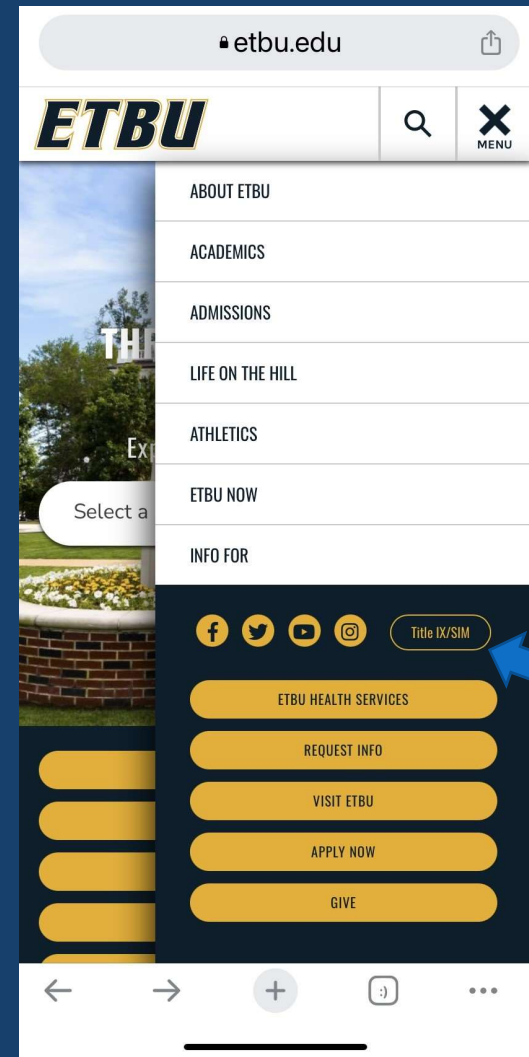
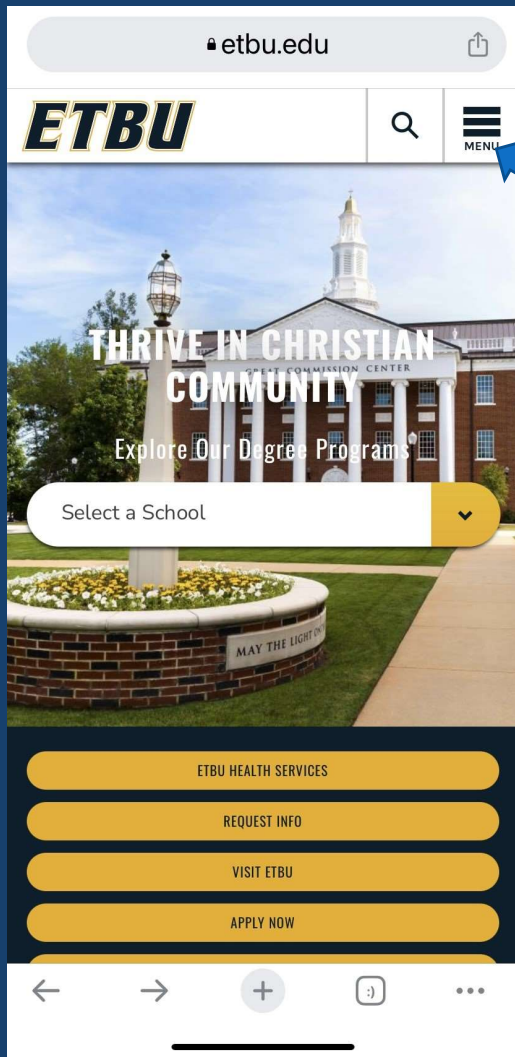
- In person at the HR office located on the 3<sup>rd</sup> floor of Marshall
- 903-923-2119 (call), 903-601-3002 (call or text), or [tbachtel@etbu.edu](mailto:tbachtel@etbu.edu)

Or to one of the Deputy Title IX Coordinators, Mrs. Desirae Bradley or Mrs. Daniele Brock

- In person in the Student Engagement office in the Ornelas Student Center

Email to [titleix@etbu.edu](mailto:titleix@etbu.edu)

Online at [www.etbu.edu/titleix](http://www.etbu.edu/titleix) or [www.etbu.edu/sim](http://www.etbu.edu/sim)





Title IX/SIM

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# Title IX/Sexual and Interpersonal Misconduct (SIM) Policy



## Policy Overview

East Texas Baptist University is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the University community.

East Texas Baptist University does not unlawfully discriminate on the basis of sex in any of its education or employment programs and activities, and it does not tolerate unlawful discrimination or harassment on the basis of sex. This Sexual and Interpersonal Misconduct (SIM) policy prohibits: 1) sexual harassment as defined by Title IX (Title IX Sexual Harassment); and 2) certain other forms of sexual and interpersonal misconduct not covered by Title IX (e.g., certain types of sexual and gender-based harassment, sexual assault, sexual exploitation, stalking, intimate partner violence, retaliation, and complicity (Non-Title IX Misconduct), collectively referred to in the SIM policy as Prohibited Conduct. These forms of Prohibited Conduct are harmful to the well-being of



TITLE IX/SEXUAL AND INTERPERSONAL MISCONDUCT (SIM) POLICY

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## Title IX/SIM Report

Please take your time and provide as much detail as possible, but exercise care to not provide details that may reveal your identity unless you wish to do so. It may be important to know if you were the only person aware of this situation.

WHAT IS YOUR AFFILIATION WITH ETBU?

- None -



DO YOU WISH TO REMAIN ANONYMOUS FOR THIS REPORT?

- None -



If you want ETBU to know your identity, please complete the following:

YOUR NAME

EMAIL:

PHONE NUMBER:

BEST TIME FOR COMMUNICATION WITH YOU:

PLEASE IDENTIFY THE PERSON(S) ENGAGED IN THIS BEHAVIOR: EXAMPLE: JOHN DOE, DIRECTOR OF INTERNAL AUDIT

WHAT IS THE GENERAL NATURE OF THIS MATTER? THIS SHOULD BE A GENERAL DESCRIPTION ONLY.

WHERE DID THIS INCIDENT OR ALLEGED VIOLATION OCCUR?

PLEASE PROVIDE THE SPECIFIC OR APPROXIMATE DATE AND TIME THIS INCIDENT OCCURRED:

# What to Report

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Alleged conduct that if true would be categorized as prohibited conduct (detailed on the next few slides)...

Involving an ETBU student, ETBU employee (faculty or staff), and/or a third-party (vendor, alumni, visitor, etc.)...

That occurs ANYWHERE! There are different reporting requirements for Title IX, Clery, and VAWA.

When in doubt, report to the Title IX Coordinator.



# What does the Title IX Coordinator do with your Report?

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Reach out to the complainant (initially by email and then a follow-up call) to gather information about the reported conduct and any immediate health or safety concerns.

Inform the complainant of the following:

- ❖ The availability of supportive measures
- ❖ Supportive measures are available with or without the filing of a formal complaint
- ❖ Their wishes regarding supportive measures will be considered
- ❖ The process for filing a **formal complaint**

# Interim and/or Supportive Measures

(available with or without filing a formal complaint)

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- **Access to counseling – ETBU Counseling Care Center**
- **Access to medical services – ETBU Sisk Health Services Clinic**
- Academic accommodations
- Modifications of work schedules
- **Mutual restrictions on contact between parties**
- Residential accommodations
- Leaves of absence
- **Increased security and monitoring of certain campus areas**
- Assisting the individual in accessing support services
- Changing transportation arrangement
- Assistance in obtaining a sexual assault forensic examination
- Assistance in rescheduling exams and assignments
- **Security Escort and other safety planning steps – ETBU Security (ext. 2323)**
- Referral to resources that can assist in obtaining a protective order under Texas law
- Any other measure that can be used to achieve the goals of this policy

# What does Title IX Coordinator do with your Report?

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Report any safety concerns, Clery-reportable incidents, and interim/supportive measures (no-contact directive) to the appropriate personnel (Larry/Daniele)

Determine the following:

**Is the reported conduct within the scope of the Title IX/SIM policy?**

**Has the complainant filed (or is in the process of filing) a formal complaint?**

The answers to those questions impact how a report is handled. The specific details and chosen resolution options for each situation are completely individualized. **Remember this is an academic process allowing for equal access to educational programs and activities.**

## Title IX – Federal Law

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"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance."

*-Title IX of the Educational Amendments of 1972 to the 1964 Civil Rights Act*

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Educational program or activity includes:

- the classroom (in-person or virtual), the court or field, the residence hall or other campus housing, the student center, chapel, a student worker job, the dining hall, and many, many other places

# Therefore...

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- ❖ When a school [ETBU] **knows or reasonably should know** of possible **sexual harassment/violence**, it must take **immediate and appropriate steps** to:
  - Eliminate the hostile environment
  - Prevent its recurrence
  - Address its effects
- ❖ Title IX requires grievance procedures (SIM policy) for “**prompt and equitable**” resolution of student, employee, and third-party complaints;
- ❖ A school [ETBU] violates Title IX if it “**has notice**” of a sexually hostile environment and fails to take immediate and effective corrective action.
- ❖ A school [ETBU] “has notice” if a **responsible employee/mandatory reporter knew or, in the exercise of reasonable care, should have known** about the harassment/violence.

## This brings us full circle to the ETBU SIM Policy...

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- ❖ Who
- ❖ Where
- ❖ Types of Prohibited Conduct
- ❖ Interim/Supportive Measures
- ❖ Resolution Process & Options
  - Disciplinary Resolution
  - Adaptable or Alternative Resolution
- ❖ Resources

# SIM POLICY DETAILS

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# Scope of Policy

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## Who:

- ETBU Students
- ETBU Faculty and Staff
- Third Parties – i.e., Sodexo staff, custodial staff, building contractors, etc.

## Where:

- On campus or ETBU property
- At any ETBU-related or sponsored educational program or activity, regardless of the location
- ETBU-owned or provided technology resources
- When the conduct impacts the University or creates a hostile environment on campus



# Sexual and Interpersonal Misconduct Policy (SIM)

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- 1) **Title IX Sexual Harassment** - sexual harassment as defined by the 2020 Title IX Regulations
- 2) **Non-Title IX Misconduct** - certain types of sexual and interpersonal misconduct not outlined in the 2020 Title IX Regulations
  - collectively referred to in the ETBU SIM Policy as **Prohibited Conduct**

# Title IX Sexual Harassment

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- Title IX *Quid Pro Quo* Sexual Harassment
- Title IX Severe, Pervasive and Objectively Offensive Sexual Harassment
- Title IX Sexual Assault
- Title IX Domestic Violence
- Title IX Dating Violence
- Title IX Stalking

# Title IX Sexual Harassment

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**Title IX *Quid Pro Quo* Sexual Harassment** – “**this for that**”; an **employee** provides an aid, benefit, or service to a student or other employee for something in return

**Title IX Severe, Pervasive and Objectively Offensive Sexual Harassment** – **unwelcome conduct** determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies another person equal access to the University’s education program or activity (i.e., class, chapel, the caf, the student center, etc.)

# Relationships with Individuals in Authority

## *ETBU Policy 1.1.10 – Professional and Personal Relationships*

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Engaging in romantic relationships and/or sexual conduct is prohibited between:

- Faculty members and undergraduate students
- University employees and undergraduate students
- Graduate students and undergraduate students where the graduate student educates, advises, coaches, supervises, or evaluates the undergraduate in any way
- Employees and any individual whom that person teaches, supervises or evaluates

Because prohibited relationships often involve a power differential, the conduct may also constitute sexual harassment or other forms of prohibited conduct under this policy.

# Title IX Sexual Assault Definition

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Title IX sexual assault includes rape, fondling without consent, incest, or statutory rape.

- **Rape** is penetration without consent.
- **Fondling** is touching private body parts (breast(s), buttock(s), genitals, or other intimate parts) of another person for the purpose of sexual gratification, without the consent of that person . Prohibited fondling may be over or under clothing). If touching occurs without the purpose of sexual gratification, it could meet the definition of “Non-Consensual Sexual Contact” under the Non-Title IX Sexual Misconduct.

# Title IX Sexual Harassment

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Title IX Domestic Violence

Title IX Dating Violence – conduct that constitutes **violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.**

Title IX Stalking

# SIM Non-Title IX Misconduct

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- Non-Title IX Sexual Assault
- Non-Title IX Domestic Violence
- Non-Title IX Dating Violence
- Non-Title IX Stalking
- Non-Consensual Sexual Contact
- Sexual or Gender-Based Harassment
- Sexual Exploitation
- Retaliation
- Complicity

# Non-Title IX Misconduct

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**Sexual Exploitation** - any act where one person violates the sexual privacy of another

Sexual exploitation may include:

- intentionally observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information without the knowledge and consent of all parties involved;
- providing alcohol or drugs to a complainant with the intent to facilitate Prohibited Conduct (complicity);
- exposing one's genitals or inducing another to expose their own genitals in non-consensual circumstances.



# The SIM Process

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1. Appropriate interim/supportive measures **with or without** filing a formal complaint.
2. If the complainant (or Title IX Coordinator in specific circumstances) moves forward with a **formal complaint, then a resolution option is chosen.**
3. Resolution Options
  1. Disciplinary Resolution – investigation, live hearing, determination of responsibility, assignment of sanctions
  2. Adaptable/Alternative Resolution – voluntary, no investigation or determination of responsibility, both parties must agree to engage in adaptable resolution (i.e., mediation, educational conversations, etc.)

# RESOURCES

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# Title IX/Sexual and Interpersonal Misconduct (SIM) Training Resources

Student and Employee Title IX/SIM Training Resources

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Title IX Team Training Resources

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	NAME/TITLE	DIVISION	PHONE		
	<b>Tara Bachtel</b> Associate VP, Human Resources Title IX Coordinator	Financial Affairs	<a href="tel:903.923.2119">903.923.2119</a>	<a href="#">Send Message</a>	<a href="#">View Bio</a>

# Bystander Intervention

[Safeinstitute.org](https://safeinstitute.org)

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How do we intervene?

- **DIRECT** – If safe to do so, stop or interrupt the behavior
- **DISTRACT** – Create a distraction
- **DELEGATE** – Call someone else to intervene (ETBU Security – 903.923.2323)
- **DELAY** – Follow up at a later time to communicate your concerns

# If someone reports that they have been sexually assaulted:

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**Ask the following questions:**

- ❖ **Are you in a safe place?**
- ❖ **Is someone you trust with you?**
- ❖ **Have you called 911 or ETBU Security?**
- ❖ **Is help on the way?**

**ADVISE THEM TO GO TO A HOSPITAL!**

It is very important for victims of sexual assault to go to a hospital for **help with treatment and preservation of evidence**, if applicable, as soon as practicable after an incident.

# If someone reports that they have been sexually assaulted:

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## **Local Hospitals**

### **Christus Good Shepherd Medical Center – Marshall**

811 S Washington Ave. Marshall, TX 75670, 903-927-6000

### **Christus Good Shepherd Medical Center – Longview**

700 East Marshall Ave. Longview, TX 75601, 903-315-2000

### **Longview Regional Medical Center – Longview**

2901 4<sup>th</sup> St. Longview, TX 75605, 903-758-1818

### **Willis-Knighton Medical Center - Shreveport**

2600 Greenwood Rd. Shreveport, LA 71103, 318-212-4000

**Enter this contact information into  
your phone or mobile device!**

If you or someone you know  
needs support now,  
call or text **988**  
or  
chat **988lifeline.org**



## Resources

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<b>Counseling Care Center</b>	<b>903-923-2360</b>
<b>ETBU Sisk Health Services Clinic</b>	<b>903-923-2355</b>
<b>Spiritual Development Office</b>	<b>903-923-2173</b>
<b>ETBU Security</b>	<b>903-923-2323</b>
<b>Women's Center of East Texas</b>	<b>800-441-5555</b>
<b>Suicide &amp; Crisis Lifeline</b>	<b>988, <a href="https://988lifeline.org">988lifeline.org</a></b>
<b>Tara Bachtel, Title IX Coordinator</b> <b><a href="mailto:tbachtel@etbu.edu">tbachtel@etbu.edu</a></b>	<b>903-923-2119 (office)</b> <b>903-601-3002 (cell)</b>



# RELATED INFORMATION

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# NCAA Policy to Combat Campus Sexual Violence

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1) Name and contact information of the ETBU Title IX Coordinator are **readily available within the department of athletics**.

Title IX Coordinator:

- Mrs. Tara Bachtel, [tbachtel@etbu.edu](mailto:tbachtel@etbu.edu)
- 903-923-2119 (office) or 903-601-3002 (cell)

Deputy Title IX Coordinators:

- Mrs. Desirae Bradley, Director of Residence Life
- Mrs. Daniele Brock, Director of Student Engagement

2) Annual Title IX training is conducted for **ALL** student-athletes, coaches, and staff.

3) ETBU has a process for gathering information regarding Title IX from a student-athlete's previous institution.

4) All incoming, continuing and transfer student-athletes must complete an **annual disclosure** relating to Title IX proceedings and/or a criminal conviction for sexual, interpersonal, or other acts of violence.

# New Title IX Regulations – October 2023

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The current Title IX Regulations were established in 2020 under the Trump Administration.

The Biden-Harris Administration released proposed regulations in July 2022 and has received more than 240,000 comments.

The Dept. of Education must review all the submitted comments.

The new Title IX Regulations are scheduled to be released in October 2023.

Remember that the ETBU SIM Policy addresses both Title IX Sexual Harassment and Non-Title IX Misconduct.

How any new Title IX Regulations impact the ETBU SIM Policy remains to be seen.

# Questions?

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- ❖ Email me at [tbachtel@etbu.edu](mailto:tbachtel@etbu.edu) with any questions. That is the best way to contact me.
- ❖ Or you can call 903-923-2119 (office) or 903-601-3002 (cell). Please leave a message if I don't answer.
- ❖ You can also text questions to 903-601-3002 (cell).
- ❖ You can reach out to any member of the SIM Team and they will be able to direct you to the relevant information.

# Human Resources Topics

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**Tara Bachtel**

**Vice President for Human Resources**



# Worker's Compensation Insurance – The Zenith

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Covers ALL ETBU EMPLOYEES (full-time, part-time, graduate assistants, student workers) if injured while performing job-related tasks during authorized work times



# If you are injured on the job...

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- If it is an emergency, call 911 or ETBU Security at 903-923-2323.
- Notify your direct supervisor immediately.
- If it is not an emergency but you need medical attention, go to an urgent care clinic that takes worker's compensation insurance. Tell the provider that you were injured on the job and that you work for ETBU. (HR Contact = Tara Bachtel = 903-923-2119, 903-601-3002).

# Workplace Safety

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- Slips, trips, and falls account for the majority of work-related injuries in educational organizations.
- Think of the areas that you frequent at work and the paths you take to access those areas. Are there any unsafe conditions that come to mind?



# Slips, Trips, & Falls Prevention

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- Slip hazards may include food or beverage spills, wet weather conditions, unsecured floor mats, trash, and food. Clean spills or wet surfaces immediately.
- Hold on to handrails when going up or down steps or stairs.
- Trip hazards may include curbs, uneven pavement or terrain, carpet, floor mats/rugs, cords, etc.
- Stay on designated walking paths while outdoors.
- Use caution when traveling from different elevations.
- Do not use chairs, furniture, or other unsuitable objects for climbing. Use a step ladder or stool.



# Slips, Trips, & Falls Prevention

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- Always look before walking. Pay attention while walking.
- Distractive walking may be defined as engaging in an activity or task that may decrease an individual's ability to observe the surrounding environment while walking. Activities and tasks may include the following:
  - Talking or texting on a cell phone.
  - Talking with another person.
  - Carrying an item that obstructs your view.
  - Reading a document, an article on your phone, etc.



# If you are injured on the job...

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- Notify the HR department as soon as possible (within 24 hours). Supervisors, please follow up and make sure HR has been notified.
- Complete the [First Report of Injury or Illness form](#) and email it to [tbachtel@etbu.edu](mailto:tbachtel@etbu.edu). The form is required to file a Worker's Compensation claim, and any provider will need the claim number.
- Check your email regularly for communications regarding your work-related injury.



# Zenith Network

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- If you are injured on the job, you must first see a doctor in the Zenith Network to coordinate care.
- If you have work restrictions due to your injury, contact HR immediately to determine if light duty or restricted duty is available. You are valuable and we want you at work.

# Workplace Safety Training

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- Slips, trips, and falls – most common workplace injuries
- Check with your supervisor to see if there is any specific departmental training
- Office safety



# Drug-Free Workplace Policy Statement

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*ETBU Policy 1.3.02 – Substance Abuse Policy*

*ETBU Policy 3.4.07 – Drug and Alcohol Abuse Policy*



# Policy Statement

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- “It is the policy of East Texas Baptist University (ETBU) to prohibit the use, possession, sale, or distribution of alcohol or illicit drugs by students or University personnel on University-owned property, or in conjunction with any University activity.”
- Drug-Free Workplace Act of 1989 (Public Law 101-226) – Department of Education requires annual disclosure and policy information to be distributed to faculty, staff, and students.



# Dos and Don'ts

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- **DON'T** report to work or conduct work “impaired” by any substance (drug or alcohol), lawful or unlawful
  - “Impaired” means under the influence of a substance where motor senses (i.e., sight, hearing, balance, reaction reflex, etc.) are presumed to be affected.
- **DO** notify the University (Direct Supervisor, Divisional VP, HR) of any criminal alcohol or drug statute violation no later than five (5) calendar days after such incident.
- **DO** understand that violation of this policy may result in disciplinary action.



# Possible Employee Sanctions

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- Specifically, an ETBU Drug-Free Workplace Policy violation could result in:
  - required participation in a drug or alcohol treatment or rehabilitation program
  - suspension without pay for a determined period of time
  - immediate termination
  - referral of the matter for criminal prosecution



# Questions?

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- ❖ Email me at [tbachtel@etbu.edu](mailto:tbachtel@etbu.edu) with any questions. That is the best way to contact me.
- ❖ Or you can call 903-923-2119 (office) or 903-601-3002 (cell). Please leave a message if I don't answer. You can also text questions to 903-601-3002 (cell).
- ❖ Kathy Bland, Coordinator for Payroll & Benefits, can answer any HR-related questions. Her contact information is [kbland@etbu.edu](mailto:kbland@etbu.edu) or 903-923-2122.
- ❖ You can reach out to any member of the SIM Team for Title IX/SIM information.



# ETBU TITLE IX/SIM TEAM

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