

TX HB 1735

INSTITUTION PREVENTION AND RESPONSE TO SEXUAL MISCONDUCT

HB 1735 builds on the requirement for institutions to have established sexual misconduct policies, specifically regarding sexual assault, sexual harassment, dating violence, and stalking, which apply to all enrolled students and employees of the college.

POLICY REQUIREMENTS

- Definitions of prohibited behavior
- Possible sanctions for violations
- Protocol for reporting
- Interim measures during a discipline/ investigative process

PROHIBITED BEHAVIOR

SEXUAL HARASSMENT

SEXUAL ASSAULT

STALKING

DATING VIOLENCE

SEXUAL HARASSMENT is unwelcome, sex-based verbal or physical contact that:

- In the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment.
- In the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.

CONFIDENTIALITY PROTECTIONS

Confidential information may only be disclosed to:

- Institution employees to the extent necessary to conduct an investigation of a report of misconduct.
- A law enforcement officer for criminal investigation.
- A health care provider "in an emergency situation, as determined necessary by the institution."