

UT Health San Antonio - Notice of Non-Discrimination on the Basis of Sex

UT Health San Antonio Commitment

The University of Texas Health Science Center at San Antonio (UT Health San Antonio) is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the Higher 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 the Campus Sexual Violence Elimination Act (SaVE Act), Violence Against Women Act (VAWA), and Clery Act. Sexual Misconduct, Retaliation, and other conduct prohibited under the UT Health San Antonio (The University) [Sexual Misconduct Policy HOP 4.2.2](#) will not be tolerated and will be subject to disciplinary action.

UT Health San Antonio's Sexual Misconduct Policy applies to all administrators, faculty, staff, students, trainees and third parties (i.e., contractors) within the University's control, including visitors and applicants for admission or employment. It applies to conduct that occurs on University owned or controlled premises, in an education program or activity including University sponsored or supported events, buildings owned or controlled by student organizations officially recognized by the University, or off campus when the conduct potentially affects a person's education or employment with the University or potentially poses a risk of harm to members of the University community. It applies regardless of the gender, gender identity or sexual orientation of the Parties and applies whether the complaint was made verbally, electronically, or in writing, or whether the complaint was made by or against a third party.

Title IX at UT Health San Antonio

On May 6, 2020, the Department of Education (DOE) released the unofficial Title IX Final Rule, adopting regulations implementing Title IX of the Education Amendments of 1972 (Title IX). Subsequently, the [official Final Rule](#) was published in the federal register on May 19, 2020. The final regulations address how schools must respond to reports of "sexual harassment," as defined within the regulations, consistent with Title IX's prohibition of discrimination on the basis of sex. The regulations explicitly regulate how schools must address sexual harassment as a form of sex discrimination in "education programs and activities," as defined within the regulations. The final regulations address how schools must provide, its notice of nondiscrimination, the Title IX Coordinator name and contact information, and information on the institution's complaint/grievance process and procedures, as defined within the regulations, consistent with Title IX's prohibition of discrimination on the basis of sex.

Under Title IX, discrimination on the basis of sex can include sexual harassment, which is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on participation in unwelcome conduct (i.e., *quid pro quo*);
2. Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity;
3. Sexual assault, dating violence, domestic violence, or stalking, as defined in the Clery Act and

Violence Against Women Act (VAWA).

How to Report or File a Formal Complaint

UT Health San Antonio [Sexual Misconduct Policy HOP 4.2.2](#), includes how to report or file a formal complaint of sex discrimination, sexual harassment and sexual misconduct, how UT Health San Antonio will respond to reports and formal complaints and UT Health San Antonio's grievance processes and procedures..

Any person may report or file a formal complaint of sex discrimination, sexual harassment and sexual misconduct by contacting the Title IX Coordinator by telephone, email or mail utilizing the contact information listed below, by utilizing the reporting function in the [University's Title IX webpage](#), or by calling the Anonymous Hotline at 1-877-507-7317 or by completing the [Online Anonymous Report Form](#). In addition, supportive measures are individualized services available without fee or charge, and available either with or without filing a formal complaint to the Title IX Coordinator. Lastly, UT Health San Antonio offers [resources and additional support](#) for students, faculty, and staff who have been impacted by incidents of sex discrimination, sexual harassment, and sexual misconduct.

Title IX Coordinator Contact Information

Inquiries about Title IX or to make a report contact the UT Health San Antonio Title IX Coordinator.

Juliette Montemayor, Title IX Coordinator

Telephone: [\(210\)450-8131](tel:(210)450-8131) or jmontemayor@uthsa.edu

Website: [UT Health San Antonio Office of](#)

Address: [Educational Support Services](#)

University of Texas Health Science

Center ALTC B106

7703 Floyd Curl Drive – Mail Code

7720 San Antonio, TX 78229-3900

Outside Agencies

You may also contact the following external agencies:

For students:

Office for Civil Rights - U.S. Department of Education ([DOE OCR](#))

1999 Bryan Street, Suite 1620

Dallas, TX 75201-6810

Phone: 214-661-9600

Fax: 214-661-9587

Office for Civil Rights - U.S. Department of Health and Human Services ([HHS OCR](#))

1301 Young Street, Suite 1169

Dallas, TX 75202

Phone: 800-537-7697

Fax: 214-767-0432

For employees:

U.S. Equal Employment Opportunity Commission ([EEOC](#))
Dallas District Office
207 S. Houston Street, 3rd Floor
Dallas, TX 75202
Phone: 1-800-669-4000
Fax: 214-253-2720

Texas Workforce Commission ([TWC](#))
Civil Rights Division
101 E. 15th Street, Room 144-T
Austin, TX 78778-0001
Phone: 512-463-2642

Responsible Employee Reporting Requirements

Under state law, employees at postsecondary educational institutions are required to report certain types of information to the Title IX Coordinator. An employee who fails to report to the Title IX Coordinator or falsely reports to the University, in accordance with the University's disciplinary procedure, the University is required to terminate the employee's employment.

Hence, under the UT Health San Antonio [Sexual Misconduct Policy HOP 4.2.2](#), Responsible Employees are: A University employee who has the duty to report incidents of and information reasonably believed to be Sexual Misconduct to the Title IX Coordinator. All employees are Responsible Employees except Confidential Employees. Responsible Employees include all administrators, faculty, and staff. Students, residents, and other trainees are not considered Responsible Employees for the purposes of HOP 4.2.2. Responsible Employees must report all known information concerning the incident to the Title IX Coordinator and must include whether a complainant has expressed a desire for confidentiality in reporting the incident.