Supplements System Policy 08.01, Regulation 08.01.01

Rule Summary
The Texas A&M Engineering Experiment Station (TEES) will provide equal opportunity to all employees, applicants for employment and the public. This rule is required by System Regulation 08.01.01, Civil Rights Compliance (the “Regulation”), and designates the official contacts for the receipt, investigation, and resolution of alleged or suspected discrimination complaints.

Unless otherwise stated, all terms used in this rule shall have the meaning assigned by the Regulation.

Procedures and Responsibilities
This rule outlines the process and requirements for reporting when an employee experiences, observes, or is made aware of a situation of alleged or suspected discrimination.

1. TEES Responsibilities

   1.1 The TEES Agency Director designates the Executive Director of Human Resources as the TEES contact person responsible for overseeing the civil rights protections program. This designated individual will ensure that all complaints of discrimination are promptly, thoroughly, and equitably investigated and resolved in accordance with this rule and the Regulation.

   1.2 The TEES Agency Director designates the Director of Ethics and Compliance as the primary Title IX Coordinator. The responsibilities of the Title IX Coordinator are outlined in Section 1.2 of the Regulation. The Title IX Coordinator has other duties and responsibilities outlined in the Regulation. The contact information for this individual will be made available to employees and applicants for employment.

   The Title IX Coordinator’s office address is:
   TEES State Headquarters
   Eastmark Building
   7607 Eastmark Drive
   College Station, Texas 77840
   lisaakin@tamu.edu
   979-458-7473

   1.3 The TEES Agency Director designates Engineering Human Resources (designated office) to receive and investigate all complaints involving an
employee or third party respondents in accordance with section 1.5 of the Regulation.

1.4 The following employees have authority to institute corrective measures: Executive Director of Engineering Human Resources, and Title IX Coordinator. An employee with authority to institute “corrective measures” means an employee with authority to redress harassment for complaints involving only Title IX and sex-based misconduct.

2. Employee Responsibilities

2.1 An employee who experiences, observes, or becomes aware of alleged or suspected discrimination must promptly report the incident(s) in accordance with this rule and the Regulation. If an employee reasonably believes that an incident constitutes sexual harassment, sexual assault, or domestic violence, dating violence, or stalking based on sex and that the incident is alleged to have been committed by or against a person who was a TEES employee at the time of the incident, the employee must promptly report the incident to the TEES Title IX Coordinator (see section 1.2 above).

2.2. Complainants or respondents may, at any time, file a complaint with any local, state, or federal civil rights office, including, but not limited to, the Equal Employment Opportunity Commission, the Texas Workforce Commission’s Civil Rights Division, or the U.S. Department of Education’s Office of Civil Rights, and the U.S. Department of Justice.

3. Complaint Processing

3.1 A report or complaint of alleged or suspected discrimination may be filed by an employee with their supervisor, other administrator, or Engineering Human Resources. If received by a supervisor or administrator, he or she will promptly inform the designated official.

3.2 Following the receipt of a complaint or report, the designated official will notify the System Ethics and Compliance Office (SECO) and work in coordination with other Texas A&M System offices as appropriate.

3.3 The designated official will notify the agency Title IX Coordinator if the complaint alleges sex discrimination or sexual harassment.

3.4 As outlined in Section 2.3 of the Regulation, only certain employees may keep reports of alleged violations confidential. All other employees should advise the reporter that they cannot keep the information confidential, but that it will be kept private to the extent possible.

3.5 TEES complies with the civil rights complaint processing procedures outlined in Section 4 of the Regulation.

4. Investigations
4.1 Employees are required to cooperate fully during an inquiry or investigation pursuant to this rule.

4.2 Parties to the investigation, including witnesses, are protected from retaliation. Employees who retaliate against such persons or engage in other conduct prohibited by Section 2.11 of the Regulation, will be subject to disciplinary action up to and including dismissal. This disciplinary action can be taken at any time during or following an investigation of a discrimination complaint.

4.3 In consultation with executive leadership, the designated official will appoint the investigative authority and identify the designated administrator to decide the merits of the complaint in accordance with Sections 4.2.6-4.2.12 of the Regulation.

4.4 Timelines for investigations are defined in the Regulation. Extensions may be obtained based on circumstances.

5. Sanctions

5.1 Employee sanctions will be determined in alignment with Section 4.4 of the Regulation and may have punitive components. Sanctions may include, but are not limited to, written warning or reprimand, required training and/or counseling, “no contact” order, suspension and employment dismissal.

6. Appeals

Appeals-Allegations of Discrimination Not Based on Sex.

6.1 Any employee disciplined pursuant to the Regulation may appeal that action in accordance with System Policy 32.01, Employee Complaint and Appeal Procedures; System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees; and/or other system policies or regulations as appropriate.

Appeals-Allegations of Sex Discrimination.

6.2 The designated administrator’s decision and any sanction(s) imposed, or the absence of sanctions, can be appealed by either the individual subjected to the alleged or suspected discrimination or the respondent, in accordance with the Regulation.

6.3 Appeals must be directed to the Agency Director or designee, who will serve as the appellate authority and whose decision with regard to the appeal will be final. The appeal does not create an entitlement to a new investigation of the complaint.

6.3 The appeal should be filed within 10 business days of notification of the decision or sanction subject to the appeal.
Related Statutes, Policies, or Requirements
System Policy 08.01, Civil Rights Protections and Compliance
System Regulation 08.01.01, Civil Rights Compliance

Contact Office
Engineering Human Resources
(979) 458-7699