

**From:** [Provost](#)  
**To:** [Baylor Faculty All](#)  
**Cc:** [Brickhouse, Nancy](#); [Cook, Jason](#); [Dalton, Brett](#); [Driskell, Robyn](#); [Gochis, Cheryl](#); [Holmes, Chris](#); [Jackson, Kevin](#); [Livingstone, Linda](#); [Orr, Kristy](#); [Rhoades, Mack](#); [Rosselli, Dave](#)  
**Subject:** Important - Faculty Title IX Legal Reporting Obligations  
**Date:** Tuesday, December 17, 2019 8:35:48 AM  
**Attachments:** [image001.png](#)  
**Importance:** High

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Dear Faculty:

I am sending you this email because the below information **directly impacts faculty employment with every Texas University (including Baylor)**, and therefore I want to ensure that you have carefully reviewed and considered information Baylor University has sent out regarding recent legislative changes associated with mandatory reporting of Title IX matters.

In addition to your being required to comply with reporting requirements under Baylor's [Title IX Policy](#), effective January 1, 2020 a new Texas law ([Senate Bill 212](#)) requires faculty and staff employees of a college or university in Texas to report promptly to the Title IX Coordinator or Deputy Title IX Coordinator any information regarding an alleged incident of sexual harassment, sexual assault, dating violence, or stalking, committed by or against a person enrolled at or employed by the institution at the time of the incident. **The law requires colleges to terminate employment for employees (including tenured faculty) who fail to report such matters, and imposes criminal penalties of up to a year in jail.**

The obligation to report promptly applies whenever an employee receives, in the course and scope of employment, information about an alleged incident that reasonably constitutes sexual harassment, sexual assault, dating violence, or stalking committed **by or against** a person who was a student or employee at the time of the incident. The report must include all information known to the employee that would be relevant to an investigation or redress of the incident, including whether the alleged victim has expressed a desire for confidentiality.

A party's desire for confidentiality does not relieve the employee's obligation to report. Likewise, an indication to you that a report has been made to someone else, such as a mental health provider or the police, does not relieve the employee's obligation to report to the Title IX Coordinator or Deputy Coordinator. **Unless you have personally verified with the Title IX Office that the Office has received the report, you must report.**

The only exceptions to the reporting obligation are for designated confidential resources. At Baylor, the designated confidential resources are counselors and medical personnel when acting as such, and the University Chaplain, Dr. Burt Burleson. (However, such designated confidential resources are not excused from *all* reporting obligations; they still must report the incident type for any report that meets the criteria above.)

Definitions of sexual harassment, sexual assault, dating violence (also called intimate partner violence), and stalking are included in the [Title IX Policy](#). However, employees do not need to, and furthermore should not, investigate matters or make unnecessary judgments about the information

they receive in order to determine whether the reported information meets the definition for misconduct. All instances of alleged misconduct that could reasonably constitute sexual harassment, sexual assault, dating violence, or stalking must be reported to the Title IX Coordinator.

Reports can be made online at [www.baylor.edu/titleix/report](http://www.baylor.edu/titleix/report). Reports can also be made via email ([titleix\\_coordinator@baylor.edu](mailto:titleix_coordinator@baylor.edu)), phone (254-710-8454), or in person (Clifton Robinson Tower, suite 285).

Sincerely,

**Nancy Brickhouse, Ph.D.**

Provost

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