

1. Title

Sexual Harassment and Misconduct

2. Rule and Regulation

Sec. 1 Environment. The educational and working environments of The University of Texas System or any of the institutions shall be free from inappropriate conduct of a sexual nature. Sexual harassment and misconduct are unprofessional and unacceptable.

Sec. 2 Adoption of Policies. The institutions of the U. T. System and System Administration shall adopt policies prohibiting sexual harassment and misconduct and procedures for review of complaints to be published in the *Handbook of Operating Procedures* of each institution.

3. Definitions

Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise or enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly *Texas Penal Code Ann. § 39.03(c)*. A public servant acting under color of his/her office or employment who intentionally subjects another to sexual harassment is guilty of official oppression. *Texas Penal Code Ann. § 39.03(a)(3)*. Official oppression is a Class A misdemeanor. *Texas Penal Code Ann. § 39.03(d)*.

4. Relevant Federal and State Statutes

Equal Employment Opportunity Commission, *Guidelines on Discrimination Because of Sex* (defining sexual harassment), [29 Code of Federal Regulations § 1604.11\(a\)](#) (1988)

Texas Penal Code Ann. § 39.03 – Official Oppression

5. Relevant System Policies, Procedures, and Forms

[The University of Texas System Administration Policy UTS105, Sexual Orientation Nondiscrimination Policy](#)

6. Who Should Know

Employees

7. System Administration Office(s) Responsible for Rule

Office of Academic Affairs
Office of Health Affairs
Office of General Counsel
Office of Human Resources

8. Dates Approved or Amended

December 10, 2004

9. Contract Information

Questions or comments regarding this Rule should be directed to:

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