

December 9, 2019

Dear HCC faculty and staff:

The Houston Community College (HCC) strives to ensure that all employees are informed and aware of their responsibilities as required by state regulations. During the 2019 Texas legislative session, [Senate Bill 212](#) was passed into state law. This new law requires **all College employees** to report sexual harassment, sexual assault, dating violence, and stalking to a Title IX Coordinator. **Employees are defined as full-time faculty and adjunct faculty as well as full-time staff and part-time staff.** An employee who fails to report an incident may be subject to criminal offense (misdemeanor) and the College is required to terminate their employment.

The reporting obligations and penalties take effect **January 1, 2020**. Over the next few months additional information will be provided to the HCC community and you will see updates to relevant policies and compliance training that all employees are required to take. The key points below are intended to give you important information about your responsibilities under this new law.

Key Points

- **Starting January 1**, all employees who witness or receive information about “Title IX incidents” that involve a current student or employee must promptly report the incident to the College’s Title IX Coordinator. Reports can be made by phone: 713-718-8271; email: titleix@hccs.edu; or online: <https://www.hccs.edu/departments/institutional-equity/title-ix-know-your-rights/title-ix-complaint-form/>
 - A Title IX incident can include sexual harassment, sexual assault, dating violence, or stalking. Retaliation against persons who make a good faith report is prohibited.
 - An employee is not required to report an incident where they are the victim.
- An employee who does not report an incident or who makes a false report can be charged with a criminal offense (misdemeanor). Also, the law states if an employee fails to make a required report or makes a false report, the employee shall be terminated.
- Reports to the Title IX Coordinator must include **all relevant information known** about the incident.

- The law also requires the College to designate certain employees as **confidential employees**. Specially, the law requires designation of employees “as persons to whom students enrolled at the institution may speak confidentially concerning sexual harassment, sexual assault, dating violence, and stalking”.
- Only “*confidential employees*” who have been designated by written notice by the College Title IX Coordinator, **are required to only report the type of incident**. Employees designated as “*confidential employees*” are distinct from those employees who, like a medical doctor or attorney, have an independent duty of confidentiality with no duty to report when performing their professional duties. **Employees who are officially designated as “confidential employees” have been notified by the Title IX coordinator of such designation. Unless you have received such notice, you are not a confidential employee.**
- The identity of an alleged victim is confidential and not subject to disclosure under the Public Information laws. Unless the victim signs a waiver, only those with a need to know (based on their role in the investigative and hearing process) may learn the alleged victim’s identity.

Currently, the Texas Higher Education Coordinating Board is tasked with administrative rule-making regarding the implementation of this new law. Once this process is completed we will have a clearer picture of how this law will work.

This notice is not intended to be legal advice, but rather is meant to provide general information about recent changes in state law. For more information, please review [Senate Bill 212](#) or reach out to the [Title IX Office](#). In the coming weeks, we will be reaching out to all employees to provide additional information on this new law.

Thank you for your continued support of our student’s success.

Sincerely,

A handwritten signature in black ink that reads "David Cross". The signature is written in a cursive, flowing style.

David Cross
Director, EEO and Compliance, Title IX Coordinator
Office of Institutional Equity