

# **POST ELIGIBILITY HANDBOOK**

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## **THE UNIVERSITY OF TEXAS AT EL PASO ATHLETICS DEPARTMENT POST ELIGIBILITY PROGRAM**



Dear UTEP Post Eligibility Student,

The excitement is here as you are so close to earning your degree from UTEP. The entire team from the department of intercollegiate athletics would like to congratulate you and we are excited to see what the future holds for you. As a UTEP Miner, you have an incredible opportunity to finish your degree while getting work experience within the athletic department in order to help prepare you for the next step that will present itself. We strongly believe you are prepared for this challenge.

Our role is to assist and support your journey and we want to help get you to the finish line. I hope you take full advantage of all the resources we offer as you prepare to take that next step in your life journey. I am looking forward to working with you over these next several months.

Sincerely,

*Julie Levesque*

Julie Levesque  
Deputy Athletic Director  
Senior Woman Administrator  
Deputy Title IX Coordinator

## **CORE PURPOSE AND VISION STATEMENT OF UTEP ATHLETICS**

UTEP Athletics' mission is to provide and empower student-athletes with the opportunity to achieve their academic and athletic goals, while preparing them for a successful life.

UTEP Athletics' vision is to establish a premier athletic program that competes for and wins championships while graduating student-athletes.

## **CORE VALUES OF UTEP ATHLETICS**

UTEP Athletics has six core values. An easy way to remember our core values is to use the acronym **I.H.E.A.R.T**

### **- Integrity**

Morality and honesty will drive our decision making.

### **- Hard Work**

We will work tirelessly to reach our goals.

### **- Excellence**

We expect all of our team members will strive to reach their full potential.

### **- Accountability**

We will hold ourselves personally responsible for input and outcomes, regardless of the circumstances.

### **- Respect**

We will honor and value all people, regardless of their differences.

### **- Teamwork**

We are stronger when we are selfless and work together.

## **POST ELIGIBILITY GENERAL INFORMATION**

As a Post Eligibility (**PE**), you belong to a unique group within The University of Texas at El Paso, which requires you to uphold responsibilities and represent the Athletics Department. As a student, fulfilling academic goals and focusing on your education is of utmost importance. As a PE, you are responsible for performing the assigned tasks given to you by your supervisor. It is the Athletics Department's intention to provide you the means and resources to experience success both as a student and in a PE role. As a PE, you will obtain a unique set of skills that contribute to your professional growth. This handbook describes University and Athletics Department policies that will apply to your role as a PE. Your specific area may also have their own policies regarding work assignments. The requirements of each department are subject to all basic University policies. You should consult your supervisor for specific departmental rules, requirements and policies.

As a PE, you play an important role in helping UTEP and the Athletics Department meet their goals. Your supervisors have evaluated their staffing needs and selected PE's to play a specific role. You are an important part of the area you serve and you should treat the assignments given to you as integral to the success of the Athletics Department.

## **FACTS ABOUT THE POST ELIGIBILITY PROGRAM**

PE's at The University of Texas at El Paso are assigned a specific area of the athletics department.

PE's are appointed to one area to assist alongside full-time athletics department staff.

PE's fulfill duties and responsibilities as outlined by the supervisor(s) in the assigned area.

PE's are expected to attend courses in their selected program and are expected to remain in good academic standing as required by their academic program.

PE's are responsible for repayment of tuition and fees for courses that are not completed satisfactorily (D, F or W).

PE's do not receive cost of attendance.

PE's will be charged \$10 for missed tutor appointments.

It is expected that PE's schedule their work around their classes and vice versa, if possible, depending on the program in order to allow for a minimal number of absences. If such scheduling becomes problematic, the PE is expected to discuss alternative options with their supervisor. If discussions with the immediate supervisor do not improve the situation, the PE is expected to discuss the issue with the Senior Women Administrator.

You must complete the University required Title IX training for NCAA athletic staff with a score of 70% or better.

Please familiarize yourself with the Office of Community Standards as you still fall under their guidelines <https://www.utep.edu/student-affairs/standards/>

If you intend to park on campus, you will need to purchase the appropriate parking pass. <https://www.utep.edu/parking-and-transportation/>

## **REQUIREMENTS**

- Carry a minimum full-time course load. All course work must be required on degree plan.
- Earn and maintain a minimum grade point average of 2.0 each semester enrolled.
- Agree to work hours for the athletic department commensurate with the value of the scholarship, not to exceed 19 hours per week.
- Reimburse the athletic department the cost of tuition and fees for courses that are not completed satisfactory (W,D or F).

## **FUNDING**

Funding for eligible post eligibility students is contingent on meeting the aforementioned criteria and dependent on financial resources available to the Department of Intercollegiate Athletics. The total amount of PE funding cannot exceed a student athlete's scholarship award. Cost of attendance is not provided to post eligibility students.

## **FAILURE OF COMPLIANCE**

Student athletes who do not meet the terms and conditions of PE funding will not have their scholarship renewed.

## **OUT OF TOWN/RETURNING STUDENT ATHLETES**

Student athletes who are out of town and/or at least one semester removed from UTEP are eligible to apply for reimbursement of tuition and fees upon satisfactory completion of coursework.

## **ABSENCES**

The department recognizes emergencies such as illness and personal ailments may occur and some are out of your control. If a PE finds herself or himself unable to fulfill their duties for any length of time, it is recommended they speak with their direct supervisor as soon as such issues occur.

# **COMPLIANCE**

## **SUMMARY OF NCAA RULES**

All student-athletes are responsible for abiding by NCAA, conference, and institutional rules and regulations. Listed below is a summary of NCAA rules most likely to affect student-athletes during their period of eligibility. These rules are covered in detail at compliance meetings conducted at the beginning of each semester.

## **UNETHICAL CONDUCT (NCAA BYLAW 10.1)**

As a current student on athletics aid, you must abide by University, conference, and NCAA regulations, including NCAA Bylaw 10.1 covering unethical conduct. Unethical conduct may include, but is not limited to the following:

- a) Refusing to provide information relevant to an investigation of a possible violation of a University, Conference USA or NCAA regulation when requested to do so;
- b) Knowingly being involved in arranging for fraudulent academic credit or false transcripts for a prospective or an enrolled student-athlete;
- c) Knowingly being involved in offering or providing a prospective or enrolled student-athlete an improper extra benefit or improper financial aid;
- d) Knowingly furnishing or knowingly influencing others to furnish the NCAA or the individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation;
- e) Receiving benefits for facilitating or arranging a meeting between a student-athlete and an agent, financial advisor, or a representative of an agent or advisor (e.g. "runner");

- f) Knowing involvement in providing a banned substance or impermissible supplement to student-athletes, or knowingly providing medications to student-athletes contrary to medical licensure, commonly accepted standards of care in sports medicine practice, or state and federal law;
- g) Failure to provide complete and accurate information to the NCAA or institution's admissions office regarding an individual's academic record (e.g., schools attended, completion of coursework, grades, and test scores);
- h) Fraudulence or misconduct in connection with entrance or placement examinations;
- i) Engaging in any athletics competition under an assumed name or with intent to otherwise deceive;
- j) Failure to provide complete and accurate information to the NCAA or the individual's institution regarding your amateur status.

**What NCAA Bylaw 10.1 Means:**

- When UTEP staff interviews you about your possible involvement in a violation of NCAA rules, you are required to provide complete and truthful information, to the best of your ability, in response to all questions from UTEP staff.
- Refusing to answer questions or asking other student-athletes, students, staff or other people to provide false or misleading information to UTEP staff members are also considered violations of NCAA Bylaw 10.1.
- Refusal to furnish information relevant to an investigation of a possible violation of an NCAA regulation when requested to do so by the NCAA or the individual's institution is considered a violation of NCAA Bylaw 10.1.  
May include other actions deemed by the NCAA or UTEP as unethical conduct under NCAA Bylaw 10.1.

**Penalty for NCAA Bylaw 10.1 Violations:**

- The NCAA penalties for NCAA Bylaw 10.1 violations range from a minimum loss of eligibility for 50 percent of a season to permanent loss of eligibility.
- The most common penalty is withholding from one calendar year of competition and being charged a season of competition for that year.
- Additional penalties could be implemented by UTEP, Conference USA or the NCAA.

EXAMPLE: A student-athlete provides false information and withholds some information when interviewed on multiple occasions by UTEP staff about a potential violation. The student-athlete will likely have to sit out all UTEP competitions for one calendar year [364 days from date student-athlete was ruled ineligible]. The student-athlete would also be charged with one season of competition.

## **GAMBLING**

Conference USA and UTEP utilize Prohibet to monitor sports wagering activities of all active UTEP student-athletes, coaches, and staff.

The NCAA opposes all forms of legal and illegal sports wagering, which has the potential to undermine the integrity of sports contests and jeopardizes the welfare of student-athletes.

The NCAA has established specific guidelines (NCAA Bylaw 10.3) stating no athletics staff members, coaches, non-departmental staff with responsibility within the athletics department, conference staff, or student-athletes shall knowingly participate in sports wagering activities or provide information to individuals associated with any type of sports wagering activities concerning athletics competition, including at the youth, collegiate, amateur, or professional levels.

The NCAA defines sports wagering as putting something at risk – such as an entry fee – with the opportunity to win something in return, which includes many fantasy league games (e.g. Draft Kings/ Fan Duel).

The following sanctions for violation of NCAA Bylaw 10.3 apply:

- a) The NCAA Division I Committee on Student-Athlete Reinstatement and the NCAA student-athlete reinstatement staff will review violations of gambling legislation cases on an individual basis and consider the totality of the circumstances when determining appropriate sanctions.
- b) A student-athlete who engages in any sports wagering activity through the Internet, a bookmaker or parlay card shall be ineligible for all regular-season and post-season competition for a minimum of one year from the date that UTEP determines that a violation occurred and shall lose a season of eligibility.

In order to educate the student-athlete regarding illegal organized gambling, the University and the Athletics Department will instruct the student-athlete on the nature and prevalence of intercollegiate gambling and bribery, as well as the risk involved for the individual and for the entire University. The following policies will be followed in accordance with these guidelines:

1. At the start of each season, the Athletics Compliance Office is responsible for educating all student-athletes on the nature and prevalence of gambling and bribery in intercollegiate sports. This should include a review of applicable federal, state and local laws. Student awareness of the problem should be maintained through the season, particularly prior to major competitive events.
2. Students are required to report any solicitations that they might receive that ask them to be a party to sports bribery.

3. The Athletics Department is committed to taking an active stance against gambling and bribery. Additionally, institutional rules in this area apply equally to student-athletes, staff, and the general student body.

4. No Professional or College Office Pool.

As recommended by the NCAA, students found guilty of handling bets, distributing handicap information or otherwise serving as an agent of the gambling industry are subject to immediate expulsion.

## **AGENTS**

A student-athlete shall be ineligible for participation in an intercollegiate sport if he or she ever has agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport. This includes agreements for future representation following the completion of eligibility. Further, an agency contract not specifically limited in writing to a sport or particular sports shall be deemed applicable to all sports, and the individual shall be ineligible to participate in any sport.

In addition, a student-athlete will render himself or herself ineligible if he or she (or his or her relatives or friends) accepts transportation or other benefits from:

(1) Any person who represents any individual in the marketing of his or her athletics ability. The receipt of such expenses constitutes compensation based on athletics skill and is an extra benefit not available to the student body in general; or

(2) An agent, even if the agent has indicated that he or she has no interest in representing the student-athlete in the marketing of his or her athletics ability or reputation and does not represent individuals in the student-athlete's sport.

## **STUDENT-ATHLETE TRANSFER POLICY**

If a student-athlete requests to be placed in the NCAA Transfer Portal, the below processes and policies will apply:

a) The student-athlete must contact the Athletics Compliance Office to fill out the Notification of Intent to Transfer Form;

b) The Athletics Compliance Office will place the student-athlete in the Transfer Portal within 2 business days of receiving the completed Notification of Intent to Transfer Form unless another date has been indicated either by way of the student-athlete or NCAA rules (i.e., Transfer Portal "windows")

c) The Athletics Compliance Office will notify the head coach and the sport administrator that the student-athlete has been placed in the Transfer Portal;

d) If a student-athlete is cut or dismissed from the team or if the student-athlete chooses to quit the team, the student-athlete will no longer be permitted to have access to any athletics facilities (weight room, locker room, etc.) unless the head coach uses their discretion to indicate otherwise. Additionally, a student-athlete receiving athletic aid will maintain such aid through the current term unless NCAA rules indicate otherwise. The MAAC will continue to provide academic services (tutoring, advising, etc.) through the term before a student-athlete departs UTEP.

## **RULES VIOLATIONS**

A key responsibility of the Compliance Staff is to investigate potential NCAA rules violations when necessary. The reporting of violations can come in many forms. There are times when an anonymous phone call or letter will arrive. There are also times when a formal request for an investigation occurs either through the conference office or the NCAA. A rules violation may also be self-reported through a university staff member, student-athlete, or coach. In all instances, it is necessary to conduct some type of investigation to discover the extent to which a problem does or does not exist.

It is extremely important that student-athletes report any issues you think may be a rules violation. It is your duty to assist with maintaining NCAA regulations. NCAA Bylaw 10.1 requires that student-athletes must fully cooperate with any investigation. If it is determined that you have not cooperated fully, your eligibility may be negatively affected.

## **REPORTING VIOLATIONS**

Student-athletes are required to report any factual or potential NCAA, Conference, or UTEP rules violations. Even if a student-athlete is unsure if a violation occurred, they should report anything that makes them question whether something is a rule violation. Student-athletes will not be retaliated against for reporting any factual or potential violations.

## **CONSENSUAL RELATIONSHIPS**

### **POLICY SUMMARY**

The University of Texas at El Paso is committed to maintaining learning and work environments as free as possible from conflicts of interest and favoritism. Some romantic, dating or sexual relationships, while consensual, create conflicts of interests. This policy applies to faculty, staff and students.

The following consensual relationships, even if a single event, are prohibited:

**A coach or athletic staff (which includes PE's) and any student-athlete or student assigned to or associated with the athletics department, such as interns and student employees.**

A faculty member and a student who is enrolled in the faculty member's course or who is otherwise under the supervision of the faculty member.

A supervisor and a supervisee whether the supervisory relationship is direct or indirect, unless the supervisor discloses the relationship in advance and a management plan is in effect.

## DEFINITION

**Consensual Relationship** - a romantic, dating, and/or sexual relationship agreed to by the parties involved.

Violations of this policy should be reported to the Equal Opportunity Office at 915-747-5662.

# SEXUAL HARASSMENT & MISCONDUCT

The University of Texas at El Paso 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), Title VII of the Civil Rights Act of 1964 (Title VII) and the Campus Sexual Violence Elimination Act (SaVE Act). Sexual misconduct is a form of sex discrimination and will not be tolerated. Sexual misconduct includes sexual harassment, sexual violence, sexual assault, stalking, domestic violence and dating violence. Sexual misconduct can happen to anyone regardless of the gender, gender identity or sexual identity of the individual.

The policy applies to all University administrators, faculty, staff, students and third parties, which includes visitors and applicants for employment. It applies to conduct regardless of where it occurs, including off University property, if it potentially affects the alleged victim's education or employment or potentially poses a risk of harm to members of the University community.

Further, information relating to how to file a complaint, the Sexual Misconduct Policy, and other information relating to Title IX can be found at <https://www.utep.edu/titleix/>. More specifically, the Sexual Misconduct Policy can be found at <https://www.utep.edu/hoop/section-6/ch-3.html>.

## DEFINITIONS

**Consent** - a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity. Consent to one act does not imply consent to another. Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) coercion, (e) incapacitation or (f) any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to have sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly indicates a willingness to engage in each instance of sexual activity.

**Sexual Harassment** - Conduct on the basis of sex that satisfies one or more of the following:

(A) Quid pro quo: An employee of the institution conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;

(B) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or

(C) "Sexual assault," "dating violence," "domestic violence," or "stalking" as defined in UTEP's Sexual Misconduct Policy.

Subsections (A) and (C) in this definition are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such conduct is sufficiently serious to deprive a person of equal access. Therefore, any instance of quid pro quo sexual harassment and any instance of sexual assault, dating violence, domestic violence, and stalking are considered sexual harassment under UTEP's Sexual Misconduct Policy.

**Sexual Misconduct** - This term is broadly defined to encompass sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, stalking, and other inappropriate sexual conduct.

**Sexual Violence** - Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. The term includes, but is not limited to, rape, sexual assault, sexual battery, sexual coercion, sexual abuse, indecency with a child, and/or aggravated sexual assault.

**Retaliation** - Any adverse action (including, but is not limited to, intimidation, threats, coercion, harassment, or discrimination) taken against someone because the individual has made a report or filed a Formal Complaint; or who has supported or provided information in connection with a report or a Formal Complaint; participated or refused to participate in a Grievance Process under Sexual Misconduct Policy; or engaged in other legally protected activities.

**Economic Abuse** - [In the context of domestic violence and dating violence definitions in the Sexual Misconduct Policy] means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including

using coercion, fraud, or manipulation to- Restrict a person's access to money, assets, credit, or financial information; Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

**Technological Abuse** - Means an act or pattern of behavior that occurs within sexual assault, domestic violence, dating violence, or stalking, and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, communication technologies, or any other emerging technologies.

## **TITLE IX**

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs and activities that receive federal funding. Sexual harassment is a form of sex discrimination and may include acts of sexual violence. Sexual violence includes conduct that is criminal in nature. Sexual violence may include the following:

- Rape
- Sexual Assault
- Sexual Battery
- Sexual Coercion
- Unwanted Touching
- Relationship Violence
- Indecency with a Child

## **EDUCATION**

Post Eligibility students will complete Title IX Sexual Violence for athletics staff online module training and will need to record a score of at least 70%. If a score of 70% or better is not achieved, then the test will need to be re-taken.

## **UNWELCOME BEHAVIOR OR CONDUCT**

Behavior or conduct must be unwelcome to be considered sexual harassment, but unwelcome does not mean involuntary. A person may consent to conduct and actively participate in it, even though it is offensive to him/her. Past submission to such behavior does not negate a person's right to file a complaint.

## **THIRD PARTIES HAVE RIGHTS**

A third party who is not the object of hostile environment harassment, but who witnesses such behavior, may report an incident.

## **INTENT VS. IMPACT**

Harassment is harassment even if the INTENT of the behavior was not to harass. What matters is the IMPACT of the behavior on the recipient and on the employment or academic environment. "I didn't mean anything by it" is not a valid defense for harassing behavior.

## **FORMS OF SEXUAL HARASSMENT & MISCONDUCT MAY INCLUDE:**

### **Verbal**

- Explicit or implicit propositions to engage in sexual activity
- Requesting sexual favors in exchange for something (e.g. a better grade, class notes)
- Comments or questions of a sexual nature
- Remarks of a sexual nature about a person's clothing or body
- Remarks about sexual activities or speculation about sexual experiences
- Spreading sexual rumors
- Use of offensive or inappropriate nicknames
- Persistent, unwanted sexual/romantic attention, including repeated requests for dates
- Subtle or overt pressure for sexual favors
- Deliberate, repeated humiliation or intimidation based upon the sex of the individual
- Sexual innuendos, jokes, sounds (e.g. whistling, kissing sounds)

### **Non-Verbal**

- Gestures or looks of a sexual nature (e.g. licking lips, winking, simulating sexual acts)
- Exposure to sexually suggestive visual displays such as photographs, graffiti, posters
- Sexual messages and or pictures (e.g. text messages, emails, wall papers, posters)

### **Physical**

- Unwelcome intentional touching
- Deliberate physical interference with or restriction of movement
- Rape, sexual assault, sexual battery, sexual coercion, or other acts of sexual violence

## **WHAT YOU CAN DO IF YOU'RE EXPERIENCING SEXUAL HARASSMENT & MISCONDUCT**

**1. Speak Up At The Time.** Say "NO" clearly and firmly. Tell the individual that his/her behavior is unwelcome and you want it stopped. Don't delay. Pay attention to cues or comments indicating harassment. If a person's behavior makes you uncomfortable, say so. If you choose to do this, be clear, direct and consistent. However, if that action is not feasible or successful, or if a student feels uncomfortable taking it, the options described below are also available.

**2. Keep Records.** Keep a journal and any letters or notes received. Note the dates, times, places, witnesses and the nature of the conduct - what was said, the tone and how you responded.

**3. Get Help/Seek Medical Attention.** After an incident of sexual assault, domestic violence or dating violence, victims should consider seeking medical attention immediately by visiting the UTEP Student Health and Wellness Center located on the first floor of Union East, or go to a local hospital's emergency department. University Medical Center is the hospital in El Paso County that performs sexual assault examinations. University Medical Center is located at 4815 Alameda Ave., 915-544-1200. Medical attention at the local hospital is required in order to preserve valuable evidence should the victim decide to seek prosecution through the criminal justice system. It is important to know that if the victim goes to the hospital, local police may be contacted.

It is also important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours so that evidence as may be necessary to the proof of criminal activity, may be preserved. If a victim of sexual assault removes their clothing, the victim is encouraged to take the clothes in which they were assaulted with them to the hospital in a paper bag, not in a plastic bag, in order to preserve evidence. Furthermore, if you suspect that you have been given a predatory drug, like Rohypnol or GHB, please let the staff at the UTEP Student Health and Wellness Center or local hospital know. A urine sample can be collected within 72 hours of a sexual assault for predatory drug testing. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, dating violence and other sexual misconduct are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to police and the University investigations and hearings. If a victim reports an incident of sexual assault, domestic violence, dating violence or stalking to UTEP PD and the incident is beyond the jurisdiction of the campus, UTEP PD will assist victims with notifying the local police department if they so desire. Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police.

**3. Report It.** Persons who are sexually harassed or subjected to sexual misconduct may feel confused and helpless or blame themselves for the offensive behavior. They may also be afraid of retaliation and be reluctant to let anyone know about their situation. It is important for persons who believe they have been sexually harassed to report it and get help to protect themselves and others from unwanted sexual attention and advances that may interfere with academic or work opportunities and performance.

Remember, the earlier you notify someone the better. Ignoring sexual harassment does not make it go away. Indeed, it may make it worse because the harasser may misinterpret no response as approval for the behavior.

**4. Get Personal Support if Necessary.** Persons who may be experiencing sexual harassment or misconduct will often benefit from the personal, professional and confidential support and direction that is available from staff members of Counseling and Psychological Services and Campus Advocacy, Resources and Education (CARE).

Counseling and Psychological Services  
tion

(CAPS)

Confidential Resources for Students

Union West 202

915-747-5302

[caps@utep.edu](mailto:caps@utep.edu)

<https://www.utep.edu/student-affairs/counsel/>

Consultation, Advocacy, Resources and Educa-

(CARE)

Campbell Bldg., Rooms 100-103

915-747-7452

[care@utep.edu](mailto:care@utep.edu)

<https://www.utep.edu/care>

Student Health and Wellness

Union Building East, Suite 100

915-747-5624

[studenthealth@utep.edu](mailto:studenthealth@utep.edu)

<https://www.utep.edu/chs/shc/>

## **TAKE ACTION - REPORT VIOLATIONS**

Don't accept actions as "just the way things are." You do not have to tolerate sexually harassing behavior. A person who files a discrimination or harassment complaint or who participates in the investigation of a complaint is protected from retaliation, both by UTEP policy and federal law, regardless of the merit of the underlying complaint.

Any student who believes they have or may be experiencing sexual harassment or misconduct is encouraged to consult with or report such conduct immediately to one of the Title IX Coordinators.

**Gabriel Ramirez, J.D.**

**Title IX Coordinator**

**Oversees Title IX investigations and policy implementation**

**Institutional Compliance**

**Kelly Hall 312**

**915-747-8358**

**[gramirez2@utep.edu](mailto:gramirez2@utep.edu)**

**Imelda Soto**

**Deputy Title IX Coordinator/Primary Investigator**

**Institutional Compliance**

**Kelly Hall 312**

**915-747-8797**

**[isoto25@utep.edu](mailto:isoto25@utep.edu)**

**Dr. Charlie Gibbens**  
**Deputy Title IX Coordinator**  
**Assistant Vice President for Student Support**  
**Student Affairs**  
**Union East 301**  
**915-747-5076**  
**[cegibbens@utep.edu](mailto:cegibbens@utep.edu)**

**Julie Levesque**  
**Deputy Title IX Coordinator**  
**Deputy AD/Administration**  
**Brumbelow Building, Room 104**  
**915-747-7698**  
**[jmlevesque@utep.edu](mailto:jmlevesque@utep.edu)**

**Beatriz Tapia**  
**Deputy Title IX Coordinator**  
**Director for Equal Opportunity Office**  
**Equal Opportunity Office**  
**Kelly Hall 304**  
**915-747-5839**  
**[betapia@utep.edu](mailto:betapia@utep.edu)**

You may also contact any of the following areas:

- **UTEP Police Department**
- **Or any Responsible Employee**

\*\*\* In addition to or in lieu of contacting the Title IX Coordinator, inquiries regarding Title IX may also be sent to the Assistant Secretary of the Office for Civil Rights.

## **SEXUAL HARASSMENT/MISCONDUCT COMPLAINTS**

Charges of sexual harassment and misconduct within the University community are sensitive and complex. All allegations will be taken seriously and addressed appropriately. If a formal complaint is filed, the University will conduct a thorough investigation, as per the Sexual Misconduct Policy. In these situations, the University will ensure that the rights of both the complainant and alleged harasser are protected.

## **SUPPORTIVE MEASURES & ONGOING ASSISTANCE**

In addition to the services provided by on and off campus providers, the Title IX Program will promptly reach out to the reported victim and alert them to their rights and options, including the availability of Supportive Measures.

Supportive Measures may include but are not limited to housing reassignment, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, withdrawal

from or retake of a class without penalty, campus escort services, mutual restrictions on contact between the parties, change in work or housing locations, leaves of absences, increased security and monitoring of certain areas of campus, or other similar measures tailored to the individualized needs of the parties.

## **POLICE ASSISTANCE**

The University encourages individuals who have experienced sexual misconduct to make a report to the police. It is important to note that a police department's geographic jurisdiction depends on where the sexual misconduct occurred. If the incident occurred on the University campus, a report may be filed with the UTEP Police Department by calling 915-747-5611 or in person at UTEP Police Department headquarters at 3118 Sun Bowl Dr. (the building is located in the University's Facilities Services Complex), even if time has passed since the incident occurred. If there is an emergency, please contact 911.

The UTEP Police Department can also assist with filing any protective orders. Reporting an assault to law enforcement does not mean that the case will automatically go to criminal trial or to a University disciplinary hearing. If the University Police are called, a uniformed officer will be sent to the scene to take a detailed statement. A ride to the hospital may be provided by a police department counselor. A report may be filed with the University police even if the assailant was not a University student or employee. If the incident occurred in the City of El Paso, but off campus, a report may be filed with the El Paso Police Department, even if time has passed since the assault occurred. If a report is made to the police, a uniformed officer will usually be dispatched to the location to take a written report. Effective September 1, 2021, sexual assault victims can request a crime victim liaison, advocate (or equivalent) to be present with the victim during police-related interviews.

## **CONFIDENTIALITY**

The University shall document complaints and their resolution. To the extent permitted by law, complaints and information received during the investigation will remain confidential. Relevant information will be provided only to those persons who need to know in order to achieve a timely resolution of the complaint. A victim of sexual assault, stalking, family violence, and human trafficking under the Texas Criminal Code can request to fill out a pseudonym form. By filling out the pseudonym form, a UTEP police officer will only report the type of incident to the Title IX Coordinator but not any information identifying the reporting victim.

## **UTEP DOT (DO ONE THING)**

It only takes one person doing one thing to prevent campus violence. The University of Texas at El Paso is committed to preventing power-based violence - sexual assault, stalking, domestic violence, and rape. DOT (Do One Thing) is a strategy of intervention, education, and awareness to help our community be involved in preventing these types of violent acts. Individuals acting proactively in that moment are the key in this effort.

Barriers are often things that stop us from being involved. When you see a concerning behavior, there are reactive things that you can do, even if you have a personal barrier (i.e. shy, unsure, afraid). To help you think about ideas, remember the 3 D's:

- **DIRECT:** A direct intervention is exactly as it says. It is when a bystander chooses to confront a situation by him or herself. For example, you may witness a situation developing between your friend and another person. It looks like the situation may escalate so you step in and pull your friend out of the situation and walk him/her away. When you are not putting yourself at risk, being direct is the most immediate way to intervene in a situation.
- **DELEGATE:** When you can't intervene directly in a situation because there is a barrier that makes you uncomfortable, then enlist some help. Ask friends to assist you, talk to a faculty or staff member. Maybe it means you need to call the police. Doing a Green Dot intervention does not mean you have to do it alone.
- **DISTRACT:** Perhaps you don't want to address a situation directly, you can try to cause a distraction that will diffuse the situation and give a moment for things to calm down. Maybe you "accidentally" spill your drink or ask to borrow a cellphone from the person who is in the threatening situation. Sometimes that one break in a situation is all it takes to help someone out and prevent a red dot from occurring.

You are not alone! If you or someone you know are experiencing an act of power-based violence, you can seek assistance at any of the following resources on campus.

UTEP Police Department  
3118 Sun Bowl Dr.  
915-747-5611  
[www.utep.edu/police](http://www.utep.edu/police)  
[police@utep.edu](mailto:police@utep.edu)

Title IX Program  
Kelly Hall, Room 310  
915-747-8358  
<https://www.utep.edu/titleix/>  
[titleix@utep.edu](mailto:titleix@utep.edu)

Dean of Students Office  
Union Building West Room 102  
915-747-5648  
<https://www.utep.edu/student-affairs/dean-of-students-office/>  
[dos@utep.edu](mailto:dos@utep.edu)  
[studentconduct@utep.edu](mailto:studentconduct@utep.edu)

# MENTAL HEALTH & WELLBEING

The mental health and wellbeing of our student-athletes is a top priority for UTEP Athletics. We are committed to providing you with the resources that will help keep you in the right headspace.

## WE ARE HERE FOR YOU. YOU ARE NOT ALONE.

If you or someone you know needs to talk to someone, needs help or just wants information, we encourage you to utilize the following at UTEP:

### **ATHLETIC TRAINING ROOM**

*Location: Larry K. Durham Center*

Every athletic trainer is equipped to talk with you about your mental health and any struggles that you may be experiencing. That means you can go to your team athletic trainer or any other athletic trainer that we have on staff, if you feel comfortable. They will listen and will be able to help you, guide you or steer you in a direction that will benefit you and your mental wellbeing.

### **COACHES AND ATHLETIC STAFF**

If you're comfortable, your coaches are a great place to start talking about your mental health and wellbeing. Athletics staff members, such as your MAAC advisor, strength and conditioning coach, or sport administrator, are also great people to reach out to.

### **EMERGENCY HEALTH NETWORK**

*Location: Multiple Locations in El Paso*

**Website:** [Emergency Health Network – El Paso Strong](#)

**Crisis Hotline:**

\*988, 915-779-1800 or 1-877-532-6467

Can be called in any emergency situation, whether it be yourself or someone else, involving situations of attempted suicide, thoughts of suicide and any/all thoughts of causing harm to oneself.

### **El Paso Crisis Center:**

1601 Yandell Drive, El Paso, TX 79903

In-person counseling center for emergency situations in any event where you, or someone else near you, has thoughts of suicide or harming themselves.

### **General Services:**

915-242-0555

915-887-3410

**Note:** The process for being set up with Emergence starts with your athletic trainer. It is a service that is completely free to any student-athlete while school is in session and completely confidential for all student-athletes. This means that what a student-athlete and a counselor discuss will never be repeated to a coach, athletic trainer or any member of the UTEP Athletics administration. Simply state to any athletic trainer that you wish to be set up with Emergence, and he/she can help schedule an appointment - no questions asked. Appointments are available both virtually and in-person.

## **CAPS (COUNSELING AND PSYCHOLOGICAL SERVICES)**

*Location: 202 Union West*

The University Counseling Center is dedicated to providing high-quality mental health services that support students' ability to benefit from their experience at the University of Texas at El Paso. To this end the center provides career counseling, psycho-educational workshops, individual and group counseling, crisis intervention, and professional training experiences that are responsive to the individual, cultural, and demographic diversity of our students.

[Counseling and Psychological Services \(utep.edu\)](http://www.utep.edu)

[Crisis Counseling \(utep.edu\)](http://www.utep.edu)

## **TOGETHERALL**

Feel like you need somewhere to talk? Togetherall is a free online community, a safe place to support your mental health 24/7. Join us today and share how you're feeling, listen and be heard.

<https://www.utep.edu/student-affairs/counsel/services/togetherall.html>

**24/7 MINERS TALK: CRISIS LINE (915-747-5302)**

## **TIMELY CARE**

TimelyCare offers free, on-demand access and scheduled appointments with a diverse network of carefully selected providers. Students can access 24/7 emotional support from a mental health professional, scheduled counseling with a personal health coach, scheduled counseling with a licensed counselor or select from a host of digital self-care modules for those who want to improve their mental health and wellness on their own. <https://www.utep.edu/student-affairs/counsel/counseling-services/timelycare.html>

## **TITLE IX**

*Location: 310 Kelly Hall*

Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination including sexual misconduct, sexual harassment, and acts of sexual violence.

[Title IX \(utep.edu\)](http://www.utep.edu)

[Filing a Complaint \(utep.edu\)](http://www.utep.edu)

Click here to file a complaint: [Title IX Incident Reporting Form \(maxient.com\)](http://www.maxient.com)

[Training \(utep.edu\)](http://www.utep.edu)

## **CARE (CONSULTATION, ADVOCACY, RESOURCES, AND EDUCATION)**

*Location: 1101 Campbell St. (Campbell Building)*

Campus Advocacy, Resources and Education (CARE) office seeks to empower students who have been impacted by violence by providing private advocacy, resources and supportive services.

[CAMPUS ADVOCACY, RESOURCES AND EDUCATION \(utep.edu\)](http://www.utep.edu)

[Support Groups \(utep.edu\)](http://www.utep.edu)

## OFFICE OF COMMUNITY STANDARDS

*Location: 303 Union East*

The Office of Community Standards will guide students in their ethical development, foster skills to civilly manage interpersonal conflicts, and strengthen students' commitment to the campus community while promoting honesty and integrity.

[Office of Community Standards \(utep.edu\)](#)

[Submit a Report \(utep.edu\)](#)

## STUDENT HEALTH AND WELLNESS CENTER

*Location: Union East*

[Student Health and Wellness Center \(utep.edu\)](#)

[Services \(utep.edu\)](#)

## NCAA RESOURCES

[Mental Health Educational Resources - NCAA.org](#)

[Nutrition, Sleep and Performance Educational Resources - NCAA.org](#)

[Sexual Assault and Interpersonal Violence Educational Resources - NCAA.org](#)

**NATIONAL SEXUAL ASSAULT HOTLINE:** Any student-athlete, coach or athletics administrator may call the National Sexual Assault Hotline's safe, confidential call-line at 800-656-HOPE (4673) to be connected with a trained staff member from a sexual assault service provider in his or her area.

## HELPFUL MOBILE APPS

General: [Moodfit](#)

Sleep and Meditation: [Calm](#), [Headspace](#)

Therapy: [BetterHelp](#), [TalkSpace](#)

Coping Skills: [MoodMission](#)

For Stress Relief: [Sanvello](#)

## HOTLINE AND EMERGENCY NUMBERS

**University Police:** Emergency, 911, Non-emergency, 915-747-6411

**National Suicide Prevention Lifeline:** 1-800-273-8255;

**El Paso Police Department:** Emergency, 911, Non-emergency, 915-832-4400

**Las Palmas Medical Center:** 915-595-9200

**Adult Protective Services:** 915-834-5743

**Child Protective Services:** 1-800-252-5400

**El Paso Domestic Violence Hope Line:** 915-593-7300 or 1-800-727-0511

**National Domestic Violence Hotline:** 1-800-799-SAFE or 1-800-787-3224 (TTD)

**National AIDS Information Hotline:** 1-800-342-AIDS

**El Paso Public Health Department:** 915-212-0200

**National Sexual Assault Hotline:** 800-656-HO

# UTEP ATHLETICS HAZING POLICY

UTEP Athletic Department has a zero tolerance policy on hazing. At UTEP, hazing is expressly prohibited in accordance with state law, Regents' Rules and Regulations (<http://www.utsystem.edu/bor/rules>), the University's Handbook of Operating Procedures (<https://www.utep.edu/vpba/hoop/>) and the UTEP Course Catalog (<https://catalog.utep.edu/policies-regulations/>).

Individuals or organizations engaging in hazing could be subject to fines and charged with criminal offenses. Additionally, the law does not affect or in any way restrict the right of the University to enforce its own rules against hazing.

Hazing means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution.

Hazing includes but is not limited to:

- Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity
- Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk or harm or that adversely affects the mental or physical health or safety of the student
- Any activity involving consumption of food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk or harm or which adversely affects the mental or physical health of the student
- Any activity that intimidates or threatens the student with ostracism; that subjects the student to extreme mental stress, shame or humiliation or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution; or that may

reasonably be expected to cause a student to leave the organization or the institution rather than submit to

acts described in this subsection

- Any activity that induces, causes or requires the student to perform a duty or task which involves a violation of the Penal Code

Activities which under certain conditions constitute acts that are dangerous, harmful or degrading, in violation of rules include but are not limited to:

- calisthenics, such as sit-ups, push-ups, or any other form of physical exercise
- total or partial nudity at any time
- the eating or ingesting of unwanted substance
- the wearing or carrying of any obscene or physically burdensome article
- paddle swats, including the trading of swats
- pushing, shoving, tackling or any other physical contact
- throwing oil, syrup, flour or any other harmful substance on a person
- rat court, kangaroo court or other targeted interrogation
- forced consumption of alcoholic beverages either by threats or peer pressure
- lineups intended to demean or intimidate
- transportation and abandonment (road trips, kidnaps, walks, rides, drops)
- confining individuals in an area that is uncomfortable or dangerous (hot box effect, high temperature, too small)
- any type of personal servitude that is demeaning or of personal benefit to the individual members
- wearing of embarrassing or uncomfortable clothing
- assigning pranks such as stealing, painting objects, harassing other organizations
- intentionally messing up the house or room for cleanup
- demeaning names
- yelling and screaming
- requiring boxing matches or fights for entertainment

## **PERSONAL HAZING OFFENSE**

A person can commit a hazing offense if:

1. He or she engages in a hazing activity
2. He or she solicits, directs, engages, aids or attempts to aid another engaging in hazing
3. Intentionally, knowingly or recklessly allows hazing to occur
4. Fails to report in writing to the Dean of Students or other appropriate University officials first-hand knowledge that a hazing incident is planned or has occurred.

## **ORGANIZATION HAVING OFFENSE**

An organization can commit a hazing offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges or alumni of the organization commits or assists in the commission of hazing.

In an effort to encourage reporting of hazing incidents, the law grants immunity from civil or criminal liability to any person who reports a specific hazing event in good faith and without malice to the Dean of Students Office or other appropriate University officials, and it immunizes a person from participation in any judicial proceeding resulting from that report.

## **ATHLETICS PARTNERS**

Adidas is the official clothing provider of UTEP Athletics. UTEP student-athletes should not wear any non-adidas gear (including shoes) in practice or competition.

**Violators will be penalized.**

Pepsi is the official beverage provider of UTEP Athletics. UTEP student-athletes should only drink Pepsi products during practice or competition.

**Violators will be penalized.**

## ***FREQUENTLY ASKED QUESTIONS (F.A.Q)***

***What is expected of me as a PE?***

PE's are expected to be able to perform professionally in a working environment. PE's should bear in mind that they represent the University and Athletic Department in which they are assigned. With that being said, it is imperative that PE's behavior in and out of the workplace to be at the utmost highest.

***Can I hold a part time job while working as a PE?***

PE's should discuss their options with their supervisors. International students should also check with the office of International Programs for employment requirements.

***Am I able to apply for financial aid as a PE?***

Yes, however it is subject to federal financial aid limits.

***How many hours does a PE work per week?***

No more than 19 hours per week, but hours per week is based on Athletics Financial Assistance

***Will I be allowed to apply for FAFSA?***

Yes, if you are a U.S. citizen.

***Is this position flexible with my class schedule?***

Yes, the position is flexible with your class schedule, but you should discuss your class schedule and assistantship hours with your supervisor in advance of scheduling classes.

***Will I be working with other people in the department?***

Most likely, but it will depend on the area where you are assigned.

***What if I am in my last semester and all I need to take are my last three credits?***

In this case, yes, it is permissible to be enrolled in less than full time status.

***As a PE, am I permitted to have an internship?***

It would be subject to supervisor's approval.

***What if I quit my PE assignment before the end of my contract period?***

This will depend on the time of the semester. Please contact the Athletics Aid Coordinator on how this would affect your student account.

***Do I have to work in between semesters when classes are not in session or during holidays?***

No, you do not work between semesters please speak to your supervisors to discuss holidays hours.

***What do I do if I miss work due to illness?***

You would need to speak to your supervisor to discuss how you would make up the hours missed.

***Can work hours carryover to the next week?***

Yes, work hours can carry over if approved by your supervisor.

***Questions***

If you have questions or concerns about The University of Texas at El Paso Athletics Department P.E program that were not addresses in this handbook, you may contact the Deputy Athletic Director/Senior Woman Administrator:

Julie Levesque,

Brumbelow Building Room 104  
(915) 747-7698

GO MINERS!!