



Date: August 22, 2022

To: James B. Milliken, Chancellor

From: Trey Atchley, Chief Inquiry Officer *Trey Atchley*

Re: Determination Regarding Allegations of Inappropriate and Unprofessional Conduct, Gender Discrimination, and Other Inappropriate Sexual Conduct against UTMB President Ben Raimer, M.D.

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### Executive Summary

Anonymous U.T. System Administration Hotline Incident #2000144538<sup>(Exhibit 1)</sup> was received on July 19, 2022, alleging information regarding University of Texas Medical Branch (UTMB) President Ben Raimer's (Dr. Raimer) actions and statements that may have violated Regents' Rule 10901: Statement of UT System Values and Expectations<sup>(Exh. 5)</sup>; Regents' Rule 10701: Policy Against Discrimination<sup>(Exh. 6)</sup>; UTMB Institutional Handbook of Operating Procedures (IHOP) 03.02.01: Nondiscrimination, Equal Employment Opportunity and Affirmative Action<sup>(Exh. 7)</sup>; UTMB IHOP 03.02.04: Sexual Misconduct<sup>(Exh. 8)</sup>; and the UTMB Standards of Conduct Guide<sup>(Exh. 9)</sup>. This investigation was initiated to determine whether these allegations are substantiated based on a preponderance of evidence standard. After examining material electronic records and interviewing relevant fact witnesses, we find sufficient evidence to conclude that the above referenced Regents' Rules and UTMB policies were violated. Additionally, we find sufficient evidence to conclude that the Family Educational Rights and Privacy Act (FERPA) has been violated.

The evidence indicates that Dr. Raimer designed and carried out what he termed an "informal mentorship program" with male students, specifically excluding female students. This "program" existed separate from the formal student mentorship program at UTMB. Dr. Raimer selected male students for the "program" whom he believed were struggling with financial, emotional, familial and/or academic issues. An unnecessary and inappropriate element of this "program" involved free haircuts performed by Dr. Raimer at his residence, after which Dr. Raimer and the student would talk about both personal and academic matters. Electronic evidence also revealed a few instances of offers to mentees to buy clothing or stay overnight at Dr. Raimer's home. Dr. Raimer said this "informal mentorship program" with haircuts at his home, exclusively for male students, has been ongoing for twenty (20) years. Based on interviews with ten student mentees and review of electronic records dated January 1, 2020, to present, we have no evidence that Dr. Raimer's behavior led the students to believe that they were subject to direct sexual contact or direct sexual requests.

A personal and informal invitation, to male students only, to be mentored by the university President, with the unnecessary and inappropriate element of receiving a haircut in the President's residence in private, does not set a proper tone, does not demonstrate respect for either the male students or the excluded female students, and ignores the power differential between a President and student. In other words, a student may feel obligated or enticed to accept because of the President's position and perceived

prestige of being closely affiliated with him. For these reasons this action violates Regents' Rule 10901, requiring U.T. System Officers and Employees to behave in a manner that demonstrates trust and credibility, respect for individuals, a culture of open and honest communication, and setting a proper tone, and the UTMB Standards of Conduct Guide. Intentional exclusion of female students from this program solely because of gender, denying them the benefits of a mentorship and potential recommendation letter from the university President, violates Regents' Rule 10701, which prohibits exclusion from participation in any program or activity based on race, color, national origin, religion, sex, age, veteran status or disability, and UTMB IHOP 03.02.01.

We also found that Dr. Raimer engaged in confidential and sensitive conversations with students regarding Dr. Raimer's interactions with his executive leadership team. This behavior also does not set a proper tone for UTMB, does not demonstrate trust and credibility with the leadership team, and is not respectful of the leadership team members. Dr. Raimer also participated in improper communications with a student regarding the student's proposed dismissal from the School of Medicine, interfered with the dismissal appeal process, and communicated this with another student who had no legitimate reason to know the information. These actions undermined the trust, confidence and credibility of the appeal process. For these reasons, these actions also violate Regents' Rule 10901. In addition, Dr. Raimer's discussion regarding a student's academic status (proposed dismissal) with another student, with no legitimate educational need to know, violated the Family Educational Rights and Privacy Act (FERPA).

It is important to note that we found no evidence that Dr. Raimer engaged in any sexual activity with students or made sexual requests or sexually explicit statements. However, the evidence indicates that Dr. Raimer told the complainant (CP), during a haircut at Dr. Raimer's residence, that he was attractive. The CP believed this was an inappropriate sexual comment that made him uncomfortable. Additionally, while at a public event in July 2022, Dr. Raimer hugged the CP and said, "mmm, you smell good.....you smell like baby powder." The CP stated that he felt the hug and statement about smelling good were inappropriate and had a sexual undertone. We find that these actions and statements constitute "other inappropriate sexual conduct" in violation of UTMB IHOP 03.02.04.

### **Investigation Timeline and Procedures**

- July 19, 2022     Anonymous Hotline Complaint #2000144538 received via U.T. System Administration Compliance Hotline, alleging that Dr. Raimer was "mentoring young, white, male students by bringing them to his office, occasionally even bringing them to his home to give haircuts....other students – women and people of color – are conspicuously less likely to receive mentorship."
- July 28             Follow-up questions were sent to the anonymous complainant (CP) through the Hotline.
- July 29             CP responds to follow-up questions with, "[...] There have been upwards of two dozen students who have had mentoring/haircut sessions at Dr. Raimer's home over the last two years. There are several students who could be easily identified as having visited with him by reviewing his Outlook calendar, which contains these student appointments. There have been numerous comments that at least give pause [sic] in public sessions, such as referring to various students as 'good-looking', 'smelling good', etc. Querying students who appear on his calendar over the past year is likely to yield the information needed." Subsequently, additional follow-up questions, along with telephone contact information, were sent back to the CP through the Hotline.

- July 30 CP called to provide more information, naming himself and other potential witnesses.
- August 2 CP was interviewed in person by Trey Atchley, UT System Chief Inquiry Officer, and Toby Boenig, Vice President and Chief Compliance Officer, UTMB. CP provided specific and credible information regarding Dr. Raimer's actions and statements toward CP and other male UTMB students.
- August 2 Based on the information provided by CP, Trey Atchley and Cristina Blanton, UT System Chief Privacy Officer, met with Dr. Raimer in his office and advised him that Chancellor Milliken authorized an investigation of alleged violations of Regents' Rule 10901: Statement of Values and Expectations. Dr. Raimer was advised of the general nature of the allegations and instructed not to have any UTMB students at his residence for any purpose, and not to have any discussions with any potential witnesses.
- August 2-7 Seven male mentee students, two departmental chairs, one former chair, and one faculty members were interviewed, and electronic evidence including Dr. Raimer's email and calendar (1/1/2020 to 8/2/2022) and files stored on Dr. Raimer's assigned computer were obtained and reviewed.
- August 7 Based on electronic evidence and testimonial information received, Dr. Raimer was directed by Chancellor Milliken to be interviewed at the UT System Administration Building on the following day.
- August 8 Dr. Raimer was interviewed by Trey Atchley at the UT System Administration Building, with an additional Compliance Office staff person present to take notes.
- August 19 Three additional male mentee students were interviewed by Trey Atchley.

### **Facts and Evidence**

Dr. Raimer advised that he has formal mentees and informal mentees. The formal mentees are comprised of both female and male students and are matched with Dr. Raimer through a formal UTMB selection process. Dr. Raimer said he selects his own informal mentees from a variety of sources, including First in Family, Phi Beta, various church and bible study groups, and other formal and informal interactions with students. Dr. Raimer stated that he looks for students who have financial, emotional, familial and/or academic struggles because he believes he can assist them.

The following examples are representative of behavior identified in evidence gathered during this investigation.

#### Haircuts Performed by Dr. Raimer

Dr. Raimer said he only invites male students to his residence for haircuts and mentorship discussions and advised that his wife was always at home. Some mentees accept the free haircuts, and some do not. The CP reportedly received several haircut invitations from Dr. Raimer which he did not accept. He told us he eventually accepted an invitation in hopes that Dr. Raimer would stop asking.

During a curriculum committee meeting approximately fourteen (14) years ago, a female departmental chair became aware that Dr. Raimer was providing haircuts to a mentee at his residence. The chair said she thought this was inappropriate and "creepy," and raised the issue with others on the committee. She

was told at the time that there was nothing they could do about it because the student was an adult. Another female departmental chair became aware approximately five (5) years ago of what she termed the "haircut club" involving male students. It was brought to her attention again in 2021, she spoke with her supervisor, and they decided there were no Title IX implications because they had no information about any improper sexual contact. She told us she believed it was "gross" and "yucky" but that nothing could be done about it.

Dr. Raimer said he did not invite female students for haircuts because it would have the appearance of impropriety. Upon reflection, Dr. Raimer admitted that he should not have invited male students to his residence for private haircuts, instead inviting groups of both male and female students to discuss career development and counseling.

#### Initiation of Mentor Relationship with Student

One of Dr. Raimer's informal mentees told us that he was walking on the UTMB campus two years ago as a first-year student, saw Dr. Raimer and introduced himself. They had a very brief conversation ending with Dr. Raimer saying he would like to get know the student and would send an invitation for lunch in his office. One week later the student had lunch with Dr. Raimer, during which Dr. Raimer stated he wanted to mentor the student. He provided his personal cell phone number to the student, told him that he gives free haircuts, and scheduled a haircut for the following weekend. The student described his interaction with Dr. Raimer as "life changing" and said Dr. Raimer is "like a counselor to [him]." Dr. Raimer acknowledged this interaction with the student and said he should not have done this. Dr. Raimer told us the haircuts are often followed by a lengthy discussion about various personal and academic topics. He said, "[a] haircut is like Vegas, I say, tell me whatever you are going to say and I'm not going to tell anybody. I won't tell anything you tell me to anyone unless there is expected harm."

#### Initiation of Mentor Relationship with Applicant / Invitation to Stay at Dr. Raimer's Home

Dr. Raimer was asked if he ever invited or had students spend the night at his home. He responded that he has only done this "a couple of times," one of which was hosting a student (Student 1) for two weeks who had reportedly moved out of town, and the second being a [REDACTED] student (Student 2). Dr. Raimer said he invited Student 2 to stay when the student was midway through his first year, and again during finals at the end of the semester. An email interaction in December 2021 between another student (Student 3) and Dr. Raimer<sup>(Exh. 3)</sup> reveals another invitation to stay at Dr. Raimer's home. Student 3 told Dr. Raimer he appreciated his assistance in the application process for admission to the [REDACTED] and that his application/admission interview was going to take place the next day. Dr. Raimer replied, "Do you need a place to stay? If so, you are welcome at our home." Ultimately, Student 3 did not accept the invitation because the interview would be conducted on Zoom. Dr. Raimer told us he had forgotten the pre-admission invitation to stay at his home. The email thread also indicates that Student 2 was a friend of Student 3. Dr. Raimer refers to Student 2 as a "pretend son" in the email thread with Student 3 and says, "he did great on his finals." Dr. Raimer had no prior relationship with any of these students prior to their affiliation with UTMB.

Student 2 told us he stayed overnight at Dr. Raimer's home during his first year of [REDACTED] school on three separate occasions, for approximately seven days each time. He told us he intentionally did not tell his classmates about these stays because of the perception of impropriety. He confirmed to us that he had no prior relationship with Dr. Raimer before beginning the physical therapy school application process.

#### Initiation of Mentor Relationship with Applicant / Sharing of Confidential or Sensitive Information

Student 2 referenced above also corresponded with Dr. Raimer prior to his admission. An email exchange in January 2021<sup>(Exh. 4)</sup>, during the time Student 2 was applying for admission to the same [REDACTED] program,

reveals that Dr. Raimer requested that the [REDACTED] ask the [REDACTED] Director the probability that Student 2 would be accepted into the program. Dr. Raimer forwarded the resulting response to Student 2, including the statement, "I hope I get the chance to mentor you some along the way." The applicant responded, "I appreciate that more than you know. I'd be honored to have a mentor like you. I have been going through tough times lately, so this is definitely a bright spot. Thank you again for everything." Dr. Raimer told us he did not exercise any "undue influence" on the admissions process for this applicant and that he always does things "by the book."

#### Sharing of Confidential or Sensitive Information

In mid-2021, during mentorship discussions in Dr. Raimer's office, the CP stated that Dr. Raimer shared sensitive information with him regarding his disappointment in two senior employees. Dr. Raimer further told CP that he could influence and control one of the two employees because the [REDACTED]

Dr. Raimer denied to us that he has had sensitive discussions with students about his leadership team. A department chair stated that he mentored CP for two years, during which some of the information Dr. Raimer told CP was shared with him. He further stated that this information, originating from Dr. Raimer, is the type of sensitive information he would have never learned in his capacity as a UTMB Chair. He stated that the CP would give him "the lay of land" regarding Dr. Raimer's interactions with his senior leadership team.

#### Intervention in Academic Processes / Sharing of Confidential or Sensitive Information

Electronic records identified an August 2021 email between a mentee and Dr. Raimer in which Dr. Raimer promises the student that if the Academic Review Committee (ARC) does not reinstate him after having been dismissed for failing four classes, the ARC's decision would be reversed.<sup>(Exh. 2)</sup> Dr. Raimer concludes his email to the student by stating, "It is complicated." Dr. Raimer admitted to us that it was improper for him to intervene on behalf of the student but said he did so because the student had severe depression and "deserved a second chance." Four months later, Dr. Raimer told the CP that he had intervened in a student's dismissal process and named the student.

#### Other Inappropriate Sexual Conduct

CP received several haircut invitations from Dr. Raimer before accepting in hopes that the invitations would stop. CP alleges that in February 2021, while receiving a haircut at Dr. Raimer's residence, Dr. Raimer told him, "you look attractive." CP felt uncomfortable, believed the comment was inappropriate, and believed Dr. Raimer made the statement for a sexual purpose. Dr. Raimer stated he did not remember making that statement to a student, adding, "but if I did, I did not have a sexual intent." CP stated that Dr. Raimer never touched him in an inappropriate manner during the haircut.

In July 2022, CP ran into Dr. Raimer at an event and offered a handshake. Dr. Raimer stated to CP, "no, I'm going to give you a hug." CP stated that Dr. Raimer then pulled him close, hugged him, and stated, "mmm, you smell good," and after a long pause stated, "you smell like baby powder." CP felt uncomfortable and believed the hug and comments were inappropriate and for a sexual purpose. Dr. Raimer told us he only hugs students if the student initiates the hug because he does not want to violate their personal space, and the hug would be like an athletic bump, cuddle hug, or a hug like he gives to his daughters, and does not have a sexual intent.

## Factual Findings

- There is no evidence indicating that Dr. Raimer’s behavior led the students to believe that they were subject to direct sexual contact or direct sexual requests.
- Dr. Raimer admitted to selecting male students that he believed had financial, academic, familial and/or emotional struggles for what he described as an “informal mentorship program.” As part of this “program” he invited these male students to receive free haircuts at his residence. Electronic evidence (1/1/2020 to 8/2/2022) is clear that many, but not all, male students received haircuts at his residence.
- Dr. Raimer denied engaging in sexual grooming; however, several of the behaviors associated with the informal mentorship program correlate with behaviors that tend to be associated with sexual grooming.<sup>(Exh. 10)</sup>
- Dr. Raimer stated that diversity is important to him and that male and female students are counted and equally represented at school activities.
- Dr. Raimer admitted that he should not have exclusively invited male students to his residence for haircuts and discussions, but rather, should have invited groups of both male and female students for career development and counseling.
- CP was uncomfortable with actions and statements by Dr. Raimer that CP believed to have sexual intent. This included being told by Dr. Raimer during a haircut that he was attractive, and being hugged and told by Dr. Raimer that he smelled good at a public event. Both the conduct and statements were inappropriate, unprofessional, and perceived to be of a sexual nature.
- Electronic evidence reveals that Dr. Raimer invited a potential mentee to stay at his residence while the student’s application for admission was being considered. Dr. Raimer had no prior relationship with this student.
- Dr. Raimer invited a first-year student to stay in his home for approximately one week on three separate occasions, and the student did not feel comfortable sharing this with his classmates because of how it could be perceived. Dr. Raimer had no relationship with this student prior to his interest in attending UTMB.
- Electronic evidence indicates that while a student’s application was being considered Dr. Raimer shared with him a confidential email thread between the applicable Dean and Program Director regarding status of the student’s application. Electronic evidence further indicates that this applicant was looking forward to being mentored by Dr. Raimer, telling him that he had “been going through tough times lately.”
- Dr. Raimer shared confidential and sensitive information with the CP regarding how he manages and influences two senior employees, and how he influences one of them because the senior employee’s [REDACTED]
- Electronic evidence reveals Dr. Raimer’s intent to instruct a senior official to reinstate a dismissed mentee by overriding the decision of the Academic Review Committee, should they uphold the dismissal determination. Dr. Raimer advised the student via email of his intention to do so. Dr. Raimer later told CP about this intervention. Dr. Raimer admitted that it was inappropriate for him to interfere with the Academic Review Committee’s review of a recommendation to dismiss the above student.

## Determination

Witness testimony, including admissions by Dr. Raimer, and other electronic evidence discovered during this investigation support the conclusion that it is more likely than not that Dr. Raimer engaged in activities resulting in the following policy violations:

Regents' Rule 10901, Statement of U.T. System Values and Expectations, Section 3, Minimum Expectations, and UTMB Standards of Conduct Guide:

1. Informal mentorship program and associated conduct, which selected male students based on perceived vulnerabilities, excluded female students, and involved private personal contact at Dr. Raimer's residence.
2. Inviting applicants and students with whom he had no relationship other than as university president to stay overnight at his home.
3. Discussion with a student regarding interactions, inner-workings and challenges associated with his leadership team.
4. Communication with and interference in a student dismissal appeal process.

Regents' Rule 10701, Policy on Discrimination, Section 2, and UTMB IHOP 03.02.01, Nondiscrimination, Equal Employment Opportunity and Affirmative Action:

1. Informal mentorship program specifically excluded females, denying them benefits of mentorship from a university president on no basis other than gender.

Family Educational Rights and Privacy Act:

1. Sharing of a student's academic status (proposed dismissal) with another student who had no legitimate educational need to know.

UTMB Institutional Handbook of Operating Procedures (IHOP), Sexual Misconduct Policy 03.02.04:

1. Statement to a student that he looks attractive.
2. Giving an uninvited hug to a student.
3. Statement to a student that he smells good, "like baby powder."

From: [noreply@lighthouse-services.com](mailto:noreply@lighthouse-services.com)  
To: [Givens, David](#); [Atchley III, Trey](#); [Hudson, Ryan](#); [English, Tamra](#)  
Subject: Report Received - Compliance & Ethics  
Date: Tuesday, July 19, 2022 6:23:23 PM

**\*\*EXTERNAL MAIL\*\***

This email originated outside of The University of Texas System Administration.  
Please exercise caution when clicking on links or opening attachments.

Date/Time: 07/19/2022 - 7:17 pm (GMT-05:00) Eastern Time (US & Canada)

Incident Number: 2000144538

The following report was submitted from our web site. We have restricted editing to the complainant's contact information if they indicated a desire to remain anonymous.

Company Name:  
UT System Administration

Works for Company: Yes

What is your relationship to the organization/entity/company?

What is the name of the location you are reporting?  
University of Texas Medical Branch

What is the address/exact location?  
Galveston

Who are the individuals involved in this activity?  
Institutional (executive leadership)

When did the incident occur?  
Systematically over time

Did the incident occur more than once? Yes  
If so, how many times?  
Repeated

What type of incident would you like to report?  
Unusual or Suspicious Activities

What would you like to report?  
I am writing this on behalf of numerous people who have made complaints. We have watched as Dr. Raimer has behaved questionably for a long period of time at UTMB. [REDACTED]

1. [REDACTED] 2. [REDACTED]



5. "Mentoring" young, white, male students by bringing them to his office, occasionally even bringing them to his home to give haircuts. Other students -- women and people of color -- are conspicuously less likely to receive "mentorship".

I don't know if any of this is improper. It has that appearance, however. The last point particularly has the severe risk of sexual exploitation. There is significant risk of retaliation for anyone who complains at UTMB, so we must stay anonymous for now. Please, help.

Was someone from management involved in the incident? Yes

If so, who?

Executive leadership

Has the incident been reported to anyone in the organization/entity/company? Yes

If so, who?

UTMB compliance 4 months ago

Has the incident been reported to anyone outside the organization/entity/company? No

If so, who?

Were there any witnesses? Yes

If so, who?

Charles Mouton, Janet Southerland, Becky Korenek, Tim Harlin, Robert Thomas



Would you be willing to anonymously assist further if asked? No

Do you give permission to share your contact information with the organization/entity/company (waive your anonymity)? No

Do you have files to upload to support your report? No

Provided PIN (Dialog enabled in the CMS): Yes

Lighthouse Services, LLC  
1710 Walton Road, Suite 204, Blue Bell, PA 19422  
Main: 215.894.6150 | Fax: 215.689.3885



**From:** [REDACTED]  
**To:** [Raimer, Ben G.](#)  
**Subject:** Re: Regarding SOM Dismissal Appeal to the Academic Review Committee (per Request form Dr. Mouton)  
**Date:** Wednesday, August 4, 2021 12:51:04 PM

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ok, thanks for clarifying! Maybe, at some point, we can briefly discuss the aspects that the ARC delineated in the email I forwarded to you, just so we can talk through how to approach their review. Thanks again!

[REDACTED]

Sent from ProtonMail for iOS

On Wed, Aug 4, 2021 at 12:48 PM, Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)> wrote:

You appeal  
Committee may approve and reinstate, or may not  
If not, Dr Mouton will over-ride and reinstate  
It is complicated

Ben

Sent from my iPhone

On Aug 4, 2021, at 11:17 AM, [REDACTED] <[REDACTED]> wrote:

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Hope you are doing well. Per our conversation yesterday afternoon, you indicated that you and I will sign a contract whereby I will fulfill all SOM rotational requirements with professionalism and excellence. It is my understanding that I will be re-admitted and finish at the SOM.

In this forwarded email, it is my understanding that Dr. Mouton submits an appeal form to the Academic Review Committee (ARC), and, following their approval, I will be able to return and finish, correct? In your discussions with the provost, did he indicate with certainty that I will be able to return? Maybe this is simply the

process (via the ARC) by which I will be re-admitted. Just needing a little clarification. Thanks for your help.



Sent from ProtonMail for iOS

----- Forwarded message -----

From: Haney, Ladonna <[lahaney@UTMB.EDU](mailto:lahaney@UTMB.EDU)>  
Date: On Wed, Aug 4, 2021 at 11:18 AM  
Subject: Fwd: Regarding SOM Dismissal Appeal to the Academic Review Committee (per Request form Dr. Mouton)  
To: [REDACTED]  
Cc: Levine, Ruth <[rlevine@UTMB.EDU](mailto:rlevine@UTMB.EDU)>

Dear Mr. [REDACTED]:

Dr. Mouton has requested that you appeal your dismissal from the School of Medicine (SOM) to the Academic Review Committee (ARC), which is in accordance with SOM policies for appealing dismissal decisions made by the Academic Progress Committee (APC). The ARC will meet virtually from 3:30 – 4:30 p.m. to determine a decision regarding your appeal. The ARC will require your letter of appeal to be available for review in advance before the meeting. Please submit your letter to me no later than 8:00 a.m., Tuesday, August 10, 2021.

The ARC will determine its decision upon whether the APC's decision was arbitrary or capricious, made in bad faith, or in violation of the UTMB School of Medicine policies as provided in section 4.3.2(a), on page 15 of the Academic Advancement Policies (<https://www.utmb.edu/som/som-educational-affairs/about-educational-affairs/academic-advancement-policies>). Please let me know if you would like to present new information (other than course grades and/or evaluations) that was not seen by the APC. If you and/or another individual would like to meet with the

ARC via Zoom (5 minutes maximum, if possible, in either case due to time constraints), please let me know as soon as is possible.

The appeal letter to the ARC should provide the following information:

- Your name, date
- Address the letter to the ARC (i.e., Dear Academic Review Committee:).
- Explain how the decision made by the APC was arbitrary or capricious, made in bad faith, or in violation of the UTMB School of Medicine Academic Advancement Policies/PA Student Handbook.
- Provide request(s) for the ARC to consider.

Once a decision is reached by the ARC, you will receive a link to the letter regarding the committee's decision by e-mail. If you have any questions, please do not hesitate to contact me.

Thank you,

*LaDonna Haney*

*Administrative Coordinator*

*School of Medicine - Office of Student Affairs*

*Contact via Teams Chat or Call via Teams*

- *For students wishing to schedule an appointment with a learning specialist, please utilize the ASCC online booking link: <http://bit.ly/asccappnt>*

**From:** [REDACTED]  
**To:** [Raimer, Ben G.](mailto:Raimer, Ben G.)  
**Subject:** Re: [REDACTED] Visit  
**Date:** Wednesday, December 29, 2021 2:11:44 PM

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes sir it was truly an honor! I am looking forward to the program and everything the school has to offer. I will definitely be involved with the [REDACTED]. I hope you and your family have a safe and Happy New Year.

[REDACTED]

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Wednesday, December 29, 2021 1:57:52 PM  
**To:** [REDACTED] >  
**Subject:** RE: [REDACTED] Visit

I hope you enjoyed your visit today [REDACTED]. I am pleased that we were able to show you the [REDACTED] and around campus. [REDACTED] is a good guide.

I also enjoyed lunch with you two and learning more about your hockey playing passion. I think our intramural sports here and field house access will be a plus for you if you decide to reside in town. Either way will work.

Ben

---

**From:** [REDACTED]  
**Sent:** Monday, December 27, 2021 10:08 AM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** Re: [REDACTED] Visit

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Sounds awesome! Thank you sir.

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Monday, December 27, 2021 9:57:49 AM  
**To:** [REDACTED]  
**Subject:** Re: [REDACTED] Visit

██████████ I am at our farm in east Texas and will be returning on Tuesday so i should be around Wednesday.

You guys can do a drive by at my house.

Sent from my iPhone

On Dec 26, 2021, at 2:27 PM, ██████████ wrote:

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Dr. Raimer I hope you and your family had a Merry Christmas! What day will you be free this week? ██████████ said he is free so we can come to campus together.

██████████

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Thursday, December 16, 2021 8:15:31 AM  
**To:** ██████████  
**Subject:** RE: ██████████ Visit

I will be in and out so check with me.

---

**From:** ██████████  
**Sent:** Thursday, December 16, 2021 8:14 AM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** Re ██████████ Visit

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes sir thank you! I will be back in town December 26th and would love to come down and visit with ██████████ Will you be available that week?

██████████

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Wednesday, December 15, 2021 2:28:55 PM  
**To:** ██████████

**Subject:** RE: [REDACTED] Visit

So glad that you liked what you saw [REDACTED]

Ben

---

**From:** [REDACTED]  
**Sent:** Wednesday, December 15, 2021 12:29 PM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** Re: [REDACTED] Visit

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Dr. Raimer,

I just finished with my interview, and it has truly been the greatest interview experience up to this date. I love everything about this program and I truly believe it is the right school for me. The faculty and current students have been so hospitable, especially during this interview day. This is truly a testament of your leadership and legacy impact on this school system and program. So, from the bottom of my heart I just want to thank you!

Regards,  
[REDACTED]

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Thursday, December 9, 2021 5:04:43 PM  
**To:** [REDACTED]  
**Subject:** RE: [REDACTED] Visit

Good; we had a good time with [REDACTED] as are pretend son these past ten days. He did great on his finals.

Ben

---

**From:** [REDACTED]  
**Sent:** Thursday, December 9, 2021 4:35 PM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** Re: [REDACTED] Visit

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Wow, thank you so much for the invitation! It will actually be on zoom and I will still be at ETBU because I am taking a mini semester class up here. I have been talking to my friend [REDACTED] and he will show me around campus sometime during the break after Christmas. We don't have a date yet but I will definitely let you know so I can meet you [REDACTED]

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Thursday, December 9, 2021 4:23 PM  
**To:** [REDACTED]  
**Subject:** RE: [REDACTED] visit

[REDACTED] do you need a place to stay? If so, you are welcome at our home.

Ben

---

**From:** [REDACTED]  
**Sent:** Thursday, December 9, 2021 2:05 PM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** Re: [REDACTED] visit

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Dr. Raimer,

I hope all is well! Just wanted to let you know I have my interview scheduled at 9am on Wednesday next week. I am really excited and hopefully I will be able to see you!

Regards,  
[REDACTED]

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Monday, October 25, 2021 10:12:34 AM  
**To:** [REDACTED] >  
**Subject:** RE: [REDACTED] visit

[REDACTED] we are not sure if we are going to make it to homecoming, but if we do I will call

ahead of time so we can visit or have a meal together.

Ben

---

**From:** [REDACTED]  
**Sent:** Monday, October 18, 2021 12:11 PM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** Re: [REDACTED] Visit

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Dr. Raimer,

I hope everything is going well! I was also wondering when you will be coming to ETBU for the board meeting? You had mentioned sometime in October, so I just wanted to make sure I can meet with you if you are available.

Regards,  
[REDACTED]

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---

**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Wednesday, August 18, 2021 8:45 PM  
**To:** [REDACTED]  
**Subject:** Re: [REDACTED] Visit

I hope your summer was productive [REDACTED]  
I should be up to campus for the next board of trustees meeting. I believe that will be in October. I will give you a call then and perhaps we can grab a bite to eat and talk.

Ben

Sent from my iPhone

On Aug 18, 2021, at 8:31 PM, [REDACTED]  
wrote:

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Good Evening Dr. Raimer,

I understand, and I am so sorry to hear about that! I know it is stressful and challenging to keep everyone safe with this virus. Yes sir, whenever you get the chance and other students are free I would love to come down and visit. Also, I know you are an ETBU graduate, so have you made any recent visits to the school or are you planning on visiting this school year? If so, I would love to meet you here if it is possible!

Regards,

[REDACTED]

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**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Sent:** Wednesday, August 18, 2021 9:12:32 PM  
**To:** [REDACTED]  
**Subject:** RE: [REDACTED] Visit

[REDACTED] my apologies; my timing has been awful for a visit. I was waiting for our students to return from summer break, and then covid over-ran our campus again, so we shut down visits. I will make an effort as soon as things cool down again to get you in to see some of our students.

Ben

---

**From:** [REDACTED]  
**Sent:** Tuesday, July 27, 2021 8:11 AM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** Re: [REDACTED] Visit

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dr. Raimer,

I was wondering if I can come visit campus sometime this week or next week? UTMB is my top choice for Physical Therapy school, so I would love to come visit and meet you in person before I go back to school on August 14!

Regards,

[REDACTED]

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---

**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>

**Sent:** Monday, June 28, 2021 2:04:36 PM

**To:** [REDACTED]

**Subject:** Re: [REDACTED] Visit

[REDACTED] Let Me see who all is around this has been a post test week and a lot of people just took some time off so I'll check and see how many of the folks at Noel are available and then they can give you some tours and look around. I'll get back to you tomorrow because I have meetings with a couple of groups of students then OK

Sent from my iPhone

On Jun 28, 2021, at 11:30 AM, [REDACTED]

[REDACTED] wrote:

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dr. Raimer,

I just wanted to follow up with you and see if any students are available this week for me to visit with on campus? I apologize, don't mean to bother you about it, just didn't want to pass up on a great opportunity!

Regards,

[REDACTED]

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---

**From:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>

**Sent:** Tuesday, June 1, 2021 3:21:21 PM

**To:** [REDACTED]

**Subject:** RE: [REDACTED] Visit

[REDACTED] I will check on available of students and let you know.

---

**From:** [REDACTED]

**Sent:** Tuesday, June 1, 2021 12:39 PM  
**To:** Raimer, Ben G. <[bgraimer@UTMB.EDU](mailto:bgraimer@UTMB.EDU)>  
**Subject:** [REDACTED] Visit

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Dr. Raimer,

I hope all is well since our meeting! I was wondering if I can come down to Galveston on Tuesday, June 15 to visit? I know you mentioned the possibility of meeting some current students and touring the Physical Therapy part of the campus. Thank you!

Regards,  
[REDACTED]

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From: [REDACTED]  
To: [Raimer, Ben G.](#)  
Subject: Re: UTMB Status Check In  
Date: Sunday, January 31, 2021 4:49:56 PM

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I appreciate that more than you know. I'd be honored to have a mentor like you. I have been going through tough times lately, so this is definitely a bright spot. Thank you again for everything.

[REDACTED]

On Jan 31, 2021, at 9:08 AM, Raimer, Ben G. <bgraimer@utmb.edu> wrote:

[REDACTED] You sell yourself because you walk in a path of righteousness with God. I hope I get the chance to mentor you some along the way. You are beginning a path of true servant leadership. Stay faithful to it.

Congratulations again.

Ben

Sent from my iPhone

On Jan 31, 2021, at 8:33 AM, [REDACTED]:

**WARNING:** This email originated from outside of UTMB's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning!

First off, thank you for checking in with them. I greatly appreciate everything you have done for me throughout this process, I feel so undeserving. Your support means more to me than you can fathom. As of this morning, I was officially offered an acceptance to UTMB. I am at a loss of words for what exactly to say, but again, I am super thankful for everything you have done over this past year.

[REDACTED]

On Jan 29, 2021, at 2:23 PM, Raimer, Ben G.  
<bgraimer@utmb.edu> wrote:

[REDACTED] I received this note from the Dean of the School a moment ago. Looks like we need to pray for patient and let the Lord do this work on this one. Looks like you have a great chance of being accepted.

Ben

---

**From:** Brown, David <davibrow@UTMB.EDU>  
**Sent:** Friday, January 29, 2021 2:12 PM  
**To:** Raimer, Ben G. <bgraimer@UTMB.EDU>  
**Subject:** Fw: UTMB Status

Dr. Raimer,

I believe the email response from [REDACTED] (see below) captures the status of his application very well, given the fluidity of the situation. Please let me know if you need any further information.

Best,

Dave

---

**From:** [REDACTED]  
**Sent:** Friday, January 29, 2021 8:16 AM  
**To:** Brown, David <davibrow@UTMB.EDU>  
**Cc:** Utsey, Carolyn J. <cutsey@UTMB.EDU>  
**Subject:** RE: UTMB Status

Good morning Dean Brown,  
I hope your morning is off to a strong start. Due to the dynamic nature of the admissions process, questions regarding probability of acceptance are difficult to answer. At the moment the admissions team has sent out its first round of acceptance offers and we are awaiting the response of applicants. Our interview experience this year has generate a significant number of acceptances and minimal number of declines, more so than in previous years. This year we are admitting students to both the traditional

and [REDACTED] programs, which adds a layer of complexity to the process but also the opportunity to offer acceptance to a larger number of qualified students. Although not guaranteed, there is a high probability [REDACTED] will be receiving additional correspondence from our admissions chair in the next month. For applicants receiving this correspondence, it is most likely the offer will be for a position in the [REDACTED] program. [REDACTED] is a solid candidate and I anticipate, depending on how many programs that he has applied to this cycle, there could be an opportunity for him to receive offers from more than one program in the State. I hope that our program at UTMB would be one that he would consider if or when given the option.

Kindest regards,

[REDACTED]

**The University of Texas System**  
**Rules and Regulations of the Board of Regents** **Rule: 10901**

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**1. Title**

Statement of U. T. System Values and Expectations

**2. Rule and Regulation**

**Sec. 1 Purpose.**

This Rule outlines the general values to be adopted and embraced by all U. T. System officers and employees to ensure that The University of Texas System maintains its reputation as a System that strongly values integrity and requires all operations to be conducted with accountability, transparency, and respect.

The Rule is not a comprehensive guide to all matters of conduct or ethics. Officers and employees are expected to use common sense and best judgment in all situations.

**Sec. 2 Compliance with Laws and Policy.**

In addition to the expectations outlined below, U. T. System officers and employees are expected to comply with all applicable federal, State, and local laws as well as applicable rules and policies.

**Sec. 3 Minimum Expectations.**

- 3.1 Trust and Credibility.** The success of The University of Texas System is dependent on maintaining the trust and confidence earned from students, patients, faculty, staff, elected leaders, and members of the public. Trust and confidence are gained by adhering to commitments, displaying honesty and integrity, and reaching goals solely through diligence and honorable conduct.
- 3.2 Respect for the Individual.** The University of Texas System and the Board of Regents are committed to creating an environment where all U. T. System officers and employees are treated with dignity and respect.
- 3.3 Culture of Open and Honest Communication.** Managers have a responsibility to create an open and supportive environment where employees understand the importance and value of raising and responding to

**The University of Texas System  
Rules and Regulations of the Board of Regents Rule: 10901**

concerns about potentially questionable or unethical behavior.

- 3.4 **Setting the Tone.** U. T. System leadership including the Chancellor and the Presidents and the members of the Board of Regents has the added responsibility for demonstrating, through actions and leadership, the importance of the expectations described in this Rule. The Chancellor and the Presidents must be responsible for promptly and appropriately reviewing questions or concerns about ethical behavior raised by employees or others and for taking appropriate and timely steps to address any problems identified.

**3. Definitions**

None

**4. Relevant Federal and State Statutes**

None

**5. Relevant System Policies, Procedures, and Forms**

[U. T. System Administration Standards of Conduct Guide](#)

Regents' Rules and Regulations, [Rule 30103](#) – Standards of Conduct

Regents' Rules and Regulations, [Rule 30104](#) – Conflict of Interest, Conflict of Commitment, and Outside Activities

Regents' Rules and Regulations, [Rule 10801](#) – Policy on Transparency, Accountability, and Access to Information

**6. Who Should Know**

Administrators  
Employees

**7. System Administration Office(s) Responsible for Rule**

Office of the Chancellor

**8. Dates Approved or Amended**

**The University of Texas System**  
**Rules and Regulations of the Board of Regents** **Rule: 10901**

May 14, 2015

**9. Contact Information**

Questions or comments regarding this Rule should be directed to:

- [bor@utsystem.edu](mailto:bor@utsystem.edu)

**The University of Texas System  
Rules and Regulations of the Board of Regents**

**Rule: 10701**

**1. Title**

Policy Against Discrimination

**2. Rule and Regulation**

**Sec. 1** To the extent provided by applicable law, no person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under, any program or activity sponsored or conducted by The University of Texas System or any of the institutions, on the basis of race, color, national origin, religion, sex, age, veteran status, or disability.

**3. Definitions**

None

**4. Relevant Federal and State Statutes**

[The United States Constitution, 14th Amendment](#)

Title IX of the Education Amendments of 1972, [20 U.S.C. §1681](#) et seq., and its implementing regulation at [34 C.F.R. Part 106](#), which prohibit discrimination on the basis of sex

Section 504 of the Rehabilitation Act of 1973, [29 U.S.C. §794](#), and its implementing regulation at [34 C.F.R. Part 104](#), which prohibit discrimination on the basis of disability

The Uniformed Services Employment and Reemployment Rights Act, [38 U.S.C. §4331](#) et seq., and its implementing regulation at [20 CFR Part 1002](#), which prohibit discrimination based on veteran status

Title VI of the Civil Rights Act of 1964, [42 U.S.C. §2000d](#) et seq. and its implementing regulation at [34 C.F.R. Part 100](#), which prohibit discrimination on the basis of race, color, or national origin.

Title VII of the Civil Rights Act of 1964, [42 U.S.C. §2000e](#) et seq. and its implementing regulation at [29 C.F.R. Part 1601](#), which prohibits employers from discriminating on the basis of sex, race, color, national origin or religion

**The University of Texas System**  
**Rules and Regulations of the Board of Regents** **Rule: 10701**

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The Age Discrimination Act of 1975, 42 U.S.C. §6101 et seq., and its implementing regulation at 34 C.F.R. Part 110, which prohibit discrimination on the basis of age

Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §12132, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability

**5. Relevant System Policies, Procedures, and Forms**

Regents' *Rules and Regulations*, Rule 30107 – Veteran's Employment Preferences

The University of Texas Systemwide Policy UTS 105, Sexual Orientation Nondiscrimination Policy

**6. Who Should Know**

Administrators  
Faculty  
Staff  
Students

**7. System Administration Office(s) Responsible for Rule**

Office of the Board of Regents

**8. Dates Approved or Amended**

Editorially amended Number 4 on July 10, 2008, August 19, 2008, August 25, 2008, and April 29, 2019  
Editorially amended Numbers 4 and 5 on February 15, 2008  
December 10, 2004

**9. Contact Information**

Questions or comments regarding this Rule should be directed to:

- [bor@utsystem.edu](mailto:bor@utsystem.edu)



<b>Institutional Handbook of Operating Procedures</b>	
<b>Policy 03.02.01</b>	
Section: Human Resources Policies	Responsible Vice President: Vice President and Chief Human Resources Officer
Subject: Equal Employment and Affirmative Action	Responsible Entity: Human Resources

**I. Title**  
*Nondiscrimination, Equal Employment Opportunity, and Affirmative Action*

**II. Policy**  
The University of Texas Medical Branch (UTMB), in compliance with applicable federal laws and regulations, strives to maintain an environment free from discrimination against individuals on the basis of race, color, national origin, sex (including pregnancy), age, religion, disability, sexual orientation, gender identity and expression, genetic information, or veteran status. This includes, but is not limited to, academic program admissions, employment, financial aid, health care services, educational services, and access to UTMB programs, facilities, or services. This applies to all employees and students, and anyone who utilizes UTMB facilities.

UTMB is committed to equal employment opportunities for all employees, applicants for employment, and applicants for admission to educational programs. It accepts the obligation as a member of the community-at-large and as a government employer to exercise an active and positive program of non-discrimination in all areas of employment and academic program admissions. Employment and academic program admission decisions are made by providing equal opportunity and access on the basis of qualifications and merit. This includes, but is not limited to, recruitment, promotion, compensation, benefits, and training.

UTMB is also committed to programs of affirmative action designed to overcome under-utilization and under-representation of women, minorities, protected veterans, individuals with disabilities and other such historically underrepresented groups in the workplace and education programs. Affirmative action will be implemented in recruitment advertising, recruitment, hiring, training, and promotions in all job classifications in which members of the groups identified above are underutilized.

External users of UTMB facilities (e.g., visitors, contractors, vendor representatives, etc.) are also encouraged to adhere to principles of fair treatment and equal opportunity consistent with applicable laws and governmental regulations. Failure to comply with the provisions of this policy may result in termination of business relationships and restricted or prohibited use of facilities.

In addition to providing equal opportunities for employment and participating in educational programs, UTMB is committed to a work and learning environment that supports a culture of diversity and inclusion in which all individuals are treated with respect and dignity. Each individual has the right to work and learn in a professional atmosphere that promotes equal opportunities and prohibits unlawful discriminatory practices, including harassment. UTMB expects that relationships among individuals at UTMB will be professional and free of bias, prejudice, and harassment. Individual employee performance appraisals will reflect evaluation in this area.



<b>Institutional Handbook of Operating Procedures Policy 03.02.04</b>	
Section: Employee Policies	Responsible Vice President: Senior Vice President & General Counsel
Subject: Regulatory Compliance	Responsible Entity: UTMB Department of Internal Investigations Title IX Coordinator  For Immediate Reporting: (409) 772-2112; <a href="mailto:Title.IX@utmb.edu">Title.IX@utmb.edu</a> <a href="http://www.utmb.edu/studentsservice/titleix.asp">www.utmb.edu/studentsservice/titleix.asp</a> Also, please see Section IV.G.

**I. Title***Sexual Misconduct.***II. Policy**

- A.** The University of Texas Medical Branch (UTMB) 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), which prohibits discrimination on the basis of sex in educational programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act (SaVE Act), Violence Against Women Act (VAWA) and Clery Act. Sexual Misconduct, Retaliation, and other conduct prohibited under this Policy, will not be tolerated and will be subject to disciplinary action.
- B.** UTMB will promptly discipline any individuals or organizations within its control that violate this Policy. UTMB encourages any student, faculty, staff or visitor to promptly report incidents that could constitute violations of this Policy to the Title IX Coordinator as identified in Section IV. B.
- C.** Free Speech. Freedom of speech and principles of academic freedom are central to the mission of institutions of higher education. Constitutionally protected expression cannot be considered Sexual Misconduct under this Policy.

**III. Applicability**

This Policy applies to all UTMB administrators, faculty, staff, students, and third parties within UTMB's control, including visitors and applicants for employment. Correctional Managed Care (CMC) employees are protected under this Policy; however, reporting and investigations may differ from those outlined in this Policy. It applies to conduct that occurs on University owned or controlled premises, in an education program or activity including University sponsored or supported events, buildings owned or controlled by student organizations officially recognized by the University, or off campus when the conduct potentially affects the complainant's education or employment with UTMB or potentially poses a risk of harm to members of the UTMB community. It also applies regardless of the gender, gender identity or sexual orientation of the parties.

## IHOP 03.02.04

of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Other Inappropriate Sexual Conduct:** Includes unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature directed towards another individual that does not rise to the level of sexual harassment but is unprofessional, inappropriate for the workplace or classroom and is not protected speech. It also includes consensual sexual conduct that is unprofessional and inappropriate for the workplace or classroom. Depending on the facts of a complaint, the conduct may not violate this Policy but may violate other university policies including but not limited to standards of conduct or professionalism policies.

**Participants** – The term “participants” includes the Complainant, Respondent, and any witnesses.

**Parties:** The term “parties” refers to the “Complainant” and the “Respondent” under this Policy.

**Preponderance of the Evidence:** The greater weight of the credible evidence. Preponderance of the evidence is the standard for determining allegations of prohibited misconduct under this Policy. This standard is satisfied if the action is deemed more likely to have occurred than not.

**Respondent:** The individual who has been reported to be the perpetrator of prohibited conduct under this Policy.

**Responsible Employee:** A UTMB employee who has the duty to report incidents of and information reasonably believed to be Sexual Misconduct to the Title IX Coordinator. Responsible employees include all employees at UTMB. Employees with confidentiality obligations as defined in Section IV. G. are not included in the definition of responsible employee. Responsible Employees must report all known information concerning the incident to the Title IX Office and must include whether a complainant has expressed a desire for confidentiality in reporting the incident.

**Retaliation:** Any adverse action (including, but it 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 this Policy; or engaged in other legally protected activities. Retaliation includes, but is not limited to, intimidation, threats or harassment against any complainant, witness or third party.

**Sex Discrimination** – Occurs when an individual is treated less favorably on the basis of that person’s sex (including gender), which may also include on the basis of sexual orientation, gender identity, or expression, pregnancy or pregnancy-related condition, or a sex stereotype. Sexual harassment, as defined in this Policy, is a form of sex discrimination.

**Sexual Assault<sup>9</sup>:** An offense that meets the definition of rape, fondling, incest, or statutory rape:

<sup>9</sup> Sexual Assault is defined by Texas Penal Code, Section 22.011 as intentionally or knowingly:

- a) Causing the penetration of the anus or sexual organ of another person by any means, without that person’s consent; or
- b) Causing the penetration of the mouth of another person by the sexual organ of the actor, without that person’s consent; or



### Letter from the President, ad interim

Our vision at UTMB is bold. "We work together to work wonders as we define the future of health care and strive to be the best in all of our endeavors." This bold vision cannot truly be accomplished unless we are also *working with integrity*. Thus, we must lay a strong foundation of ethical conduct and compliance with the law, and always work with integrity.

This booklet, UTMB's *Standards of Conduct: Working with Integrity*, is intended to explain our long-standing commitment to ethical and legal conduct in greater detail. It is designed to provide you with a clear understanding of what behavior is expected in the work environment and contribute to creating and maintaining a *culture of trust*. Simply put, we must work to find new ways to work together and avoid disrespectful behavior.

Academic medical centers are a complex and highly regulated industry. This resource booklet is comprehensive, but it cannot cover every situation you may encounter. I encourage you take the time to carefully review the material in this booklet. I also encourage you to seek advice when faced with a difficult question and contact the Office of Institutional Compliance.

We are each responsible for *working with integrity* and complying with all applicable laws, rules, and guidelines. By doing so, every workforce member at UTMB plays a vital role in creating a true culture of compliance. Thank you for your commitment to work wonders while always *working with integrity*.

Dr Ben G. Raimer  
President, ad interim

## UTMB's Mission, Vision, and Values

### Preamble

The University of Texas Medical Branch at Galveston is an inclusive, collaborative community of forward-thinking educators, scientists, clinicians, staff and students dedicated to a single purpose – improving health.

We prepare future health professionals for service and lifelong learning through innovative curricula and individualized educational experiences. We advance understanding and treatment of illness and injury through ground-breaking research, in the lab and at the bedside, including commercialization of such research as appropriate. We deliver skilled and patient-centered health care. And we continue to shape the future of health sciences education, research and clinical care by always asking, "What's next?"

### Our Mission

UTMB's mission is to improve health for the people of Texas and around the world by offering innovative education and training, pursuing cutting edge research and providing the highest quality patient care.

### Our Vision

We work together to work wonders as we define the future of health care and strive to be the best in all of our endeavors.

### Our Values

Our values define our culture and guide our every interaction.

We demonstrate compassion for all.

We always act with integrity.

We show respect to everyone we meet.

We embrace diversity to best serve a global community.

We promote excellence and innovation through lifelong learning.



## Work Environment

*UTMB is committed to creating a caring and healthy environment for everyone—including all UTMB workforce members.*

*I will...*

**...treat all UTMB employees and patients in a fair and respectful manner.**

**...provide a work environment free from verbal, physical, and/or visual forms of discrimination or harassment required by JHQP Policy 3.2.1 Equal Employment Opportunity and Affirmative Action.**

**...refrain from behavior and language that undermines a culture of diversity and inclusion; and address such behavior from others.**

**...be committed to a work environment free from inappropriate conduct of a sexual nature.** Sexual misconduct and sexual harassment are unprofessional behaviors and any member of the UTMB workforce who engages in such behavior is subject to disciplinary action. For more information, see JHQP Policy 3.2.4 Sexual Harassment and Misconduct.

**...report to work free of illegal drugs or alcohol and be able to safely and effectively perform the essential functions of my position.** UTMB prohibits the possession or distribution of alcohol and illegal drugs on its premises.

**...not possess weapons on UTMB premises.** UTMB policy prohibits its workforce members, patients and visitors from possessing weapons on its properties. For more information, see JHQP Policy 8.2.4 Possession of Weapons.

**...understand the guidelines under the Family Medical Leave Act.** UTMB recognizes that workforce members may find it necessary to take a leave of absence from their jobs for a temporary period to address certain family responsibilities or for their own serious health condition. For more information, see JHQP Policy 3.6.9 Family Medical Leave Act.

**...understand the guidelines under the Fair Labor Standards Act and maintain accurate time and leave records.**

**...handle and dispose of hazardous materials legally and appropriately, consistent with my job duties.**

**...report an unsafe or environmentally hazardous situation to UTMB Environmental Health and Safety.**

**...report suspected incidents of abuse or wrongdoing to the Office of Institutional Compliance or the Fraud, Abuse, and Privacy Hotline.**

### Frequently Asked Questions about UTMB's Work Environment

**Q: I receive emails from other UTMB email addresses containing sexual jokes and comments. Is this allowed at UTMB?**

**A:** Inappropriate emails or comments of a sexual nature are against UTMB policy and should be reported to Human Resources' Employee Relations.

**Q: I am a supervisor and some of my employees work so hard they forget to take a meal break and never complain. Can I just allow them to work straight through their meal break every day since it doesn't seem to bother them?**

**A:** No. As management, it is your responsibility to make sure that your staff is allowed a meal break even if they refuse one. In addition, non-exempt employees must be paid for all time in which they perform work. Employees working during lunch may be eligible for overtime pay. The employee should be managed accordingly to include disciplinary action if they refuse to follow UTMB policy.

**Q: My staff is well aware that overtime has to be approved ahead of time, yet each pay period we have employees who have clocked in early or a little late, just enough to trigger overtime pay. I know they are not really working and besides, they didn't get approval first. Is it OK to adjust their time accordingly in the time keeping system?**

**A:** No. Employee time should not ever be changed without following the proper procedure. Management should be made aware of employees who refuse to follow departmental and UTMB policy. It is management's responsibility to address concerns with employees to include disciplinary action for refusal to follow UTMB and departmental policy.

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**From:** Anderson, Krista <kranderson@utsystem.edu>

**Sent:** Sunday, August 14, 2022 11:07 AM

**To:** Atchley III, Trey <tatchley@utsystem.edu>

**Subject:** Predatory and Grooming Behaviors

Trey,

I am writing to provide more context and description to predatory and grooming behaviors:

**Target selection:** A person who is targeting prospective victims will select individuals that may have vulnerabilities, such as relationship struggles, financial insecurity, emotional or mental health struggles, or family stress. The person can leverage their power, position, or access to resources to connect with the prospective victim and show that the victim needs this person in some way.

**Testing boundaries:** This can come in the form of testing emotional boundaries and/or physical space or touch. Examples of physical touch can be accidental touches, or seemingly non-sexual touches in a traditional sense (e.g. hair-cutting), which provide opportunities for more close physical proximity as well. Emotional or personal boundaries can be tested by asking about sensitive or personal topics with the prospective victim, and sharing personal information about themselves in turn to see how the prospective victim responds, accepts, and/or continues these lines of conversation.

**Building trust and keeping secrets:** Building trust can come in the form of sharing one's own personal or intimate struggles or hardships with a prospective victim to show they are not a "threat," and instead they are seen as a victim (of x, y, z) with vulnerabilities themselves, which in turn garners more trust with the prospective victim. The person may also share vulnerable information with the prospective victim as a "secret" that is just between the two of them.

**Gaining access and using isolating tactics:** Isolating a prospective victim can come in the form of having private meetings, 1:1 lunches, or other activities that come in the form of 1:1 interactions. This type of private or isolating environment gives the person more opportunities to test boundaries, share and gain personal information, and build trust with the prospective victim.

**Leveraging power:** The person, if they are in a position of power or influence, may use their position of power to "help" the prospective victim. "Helping" can come in the form of providing "favors" to the prospective victim, or offering to assist and alleviate any hardships that the prospective victim has disclosed (e.g. financial insecurity—getting a scholarship, job attainment—writing a letter of recommendation or securing a job placement). This tactic also builds trust with the prospective victim, but it can also be used to eventually get something in return that the prospective victim

doesn't want to do or engage in otherwise.

I hope this is helpful information. Please let me know if I can assist with anything else.

Sincerely,

—  
**KRISTA ANDERSON**  
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