

Southern Methodist University Title IX Sexual Harassment Grievance Procedure For Staff

The following is the grievance procedure that applies to all formal complaints filed against staff members under the Title IX Sexual Harassment policy.

1. Formal Complaints and Reports of Title IX Sexual Harassment

- a. Any person who believes that they are being, or have been, subjected to Title IX sexual harassment is encouraged to file a formal complaint of the alleged act of discrimination as promptly as possible by completing and submitting a Title IX Sexual Harassment Complaint Form to the Title IX Coordinator or a Deputy Title IX Coordinator. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of the University. Filing a formal complaint will invoke the grievance procedures outlined in this policy including the right of both the complainant and the respondent to receive a prompt, fair, impartial and equitable resolution, be notified in writing of the resultant education program or activity of the University, or did not occur against a person in the United States. If a complaint is dismissed under the Title IX Sexual Harassment Policy, the complainant may wish to file a complaint under the University's Nondiscrimination, Affirmative Action and Equal Opportunity Policy.
- b. A report of Title IX sexual harassment made to the Title IX Coordinator or a Deputy Title IX Coordinator is not considered a complaint and does not invoke

2. Supportive Measures

- a. The University will provide non-disciplinary, non-punitive individualized measures that are appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or before a formal complaint has been filed. Such measures are designed to restore or preserve the complainant's access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment from sexual harassment. Supportive measures may include counseling, academic support, other course-related adjustments, modifications of work or class schedules, campus safety services, mutual restrictions on contact between the parties, changes in housing or work locations, leaves of absence, increased security and monitoring, and other similar measures. Parties may also drop a course in the future without academic penalty. The University will maintain as confidential any information provided to the complainant or respondent, to the extent that

b.

d. Separate Rooms and Virtual Participation

- i. At the request of either party, the University must provide for the hearing to occur with the parties located in separate rooms with technology enabling the decision-makers and parties to simultaneously see and hear the party or the witness answering questions. Hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- ii. If a party prefers not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Chair at least 5 days prior to the hearing. The Chair can arrange for the hearing to occur with the parties located in separate rooms with technology enabling the decision-

- iii. A copy of the recording will be provided to the Title IX Coordinator.
- g. **Determination and Sanctions**
 - i. The decision-makers will deliberate to determine whether the respondent is responsible or not responsible for the policy violation(s) in question. The preponderance of the evidence standard of proof will be used.
 - ii. The decision-makers will review and consider the respondent's corrective action history provided by the Department of Human Resources and will determine the appropriate sanction(s), if the respondent is found responsible for violating the Title IX Sexual Harassment Policy.
 - iii.

