



# SOUTHWESTERN UNIVERSITY

## **Faculty and Staff Resources and Reporting Options**

for Sexual Harassment, Sexual Assault,  
Dating Violence, Domestic Violence, Stalking,  
Sexual Misconduct,  
and other sex-related inappropriate behavior

Note: This Resource document also includes reporting requirements for all faculty and staff under Clery CSA and Texas Senate Bill 212.

Faculty and staff who experience sexual misconduct of any kind are urged to report the incident as soon as possible by contacting one or more of the Southwestern University staff/resources or external/community resources listed below.

Click on “Title IX Reporting” located at the bottom of the University website’s landing page at <https://www.southwestern.edu> to submit a report, including anonymously.

Refer to the University’s Title IX web page: <https://www.southwestern.edu/life-at-southwestern/title-ix/>

Refer to the University Sexual Misconduct Policy: <https://www.southwestern.edu/life-at-southwestern/title-ix/university-sexual-misconduct-policy/>

Refer to the Sexual Harassment Policy: <https://www.southwestern.edu/policy/sexual-harassment-policy/>

SU Title IX Coordinator	512-863-1111	<a href="mailto:titleixcoordinator@southwestern.edu">titleixcoordinator@southwestern.edu</a>
SU Police Department (24/7)	512-863-1944	
Brave Alliance (24/7)* - Georgetown	512-738-8817	<a href="http://bravctx.com/">http://bravctx.com/</a>
The SAFE Alliance (24/7)* - Austin	512-267-7233	<a href="http://www.safeaustin.org">www.safeaustin.org</a>
Hope Alliance (24/7) – Williamson County	800-460-7233	<a href="http://www.hopealliancetx.org">www.hopealliancetx.org</a>
St. David’s Medical Center – Georgetown	512-943-3000 (Main) 512-942-4367 (ER)	<a href="https://stdavids.com/locations/st-davids-georgetown-hospital/">https://stdavids.com/locations/st-davids-georgetown-hospital/</a>
RAINN (Rape & Incest National Network)	800-656-4673	<a href="http://www.rainn.org">www.rainn.org</a>
Emergency Contraception Information	888-NOT-2-LATE	<a href="http://www.not-2-late.com">www.not-2-late.com</a>
Texas Legal Services Center: Crime Victims Program and Legal Aid for Sexual Assault	888-343-4414	<a href="http://www.tlsc.org">www.tlsc.org</a>
Lawyer Referral Service of Central Texas	512-472-8303	<a href="http://austinlrs.com">http://austinlrs.com</a>
National Domestic Violence Hotline	800-799-7233	<a href="http://www.thehotline.org/">http://www.thehotline.org/</a>
Sexual Assault Legal Line	888-296-7233	<a href="http://www.womenslaw.org">www.womenslaw.org</a>
Stalking Resource Center	202-467-8700	<a href="http://www.victimsofcrime.org/home">http://www.victimsofcrime.org/home</a>
Texas Association Against Sexual Assault	512-474-7190	<a href="http://taasa.org">http://taasa.org</a>
US Customs and Immigration Services	800-375-5283	<a href="https://www.uscis.gov/about-us/contact-us">https://www.uscis.gov/about-us/contact-us</a>
Georgetown Police Department	512-930-3510	
Williamson County Sheriff’s Office	512-943-1300	

\*While we hope that the community resources listed would respond in the best possible way, we cannot guarantee that every experience with external agencies will provide exactly what you need in a time of crisis. Brave Alliance and Safe Alliance are considered trusted resources because they provide comprehensive, expert services and make them available to everyone, 24/7, 365 days a year.

**IMPORTANT NOTE:** *When a faculty or staff member becomes aware of Sexual Misconduct during the course of their work with the University, they are required to report it to the Title IX Coordinator. The Title IX Coordinator will review each report and determine appropriate action. Even “Confidential Employees” such as the Chaplain, licensed counselors or health care providers must report, but only the type of incident and no other identifying information. If you decide to speak with any faculty or staff member (including the Title IX Coordinator) and wish to maintain confidentiality, you should speak in anonymous terms. Please refer to Section VI, Faculty and Staff: Mandatory Reporters, for more information.*

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## About This Publication

This document has been developed to provide faculty and staff members with important resource materials regarding sexual misconduct of any kind.

The University's Sexual Misconduct Policy includes two component parts: the Student Sexual Misconduct Policy and the Sexual Harassment Policy. The Sexual Harassment Policy applies when one or more involved parties is a faculty or staff member (see Appendix F to review the Sexual Harassment Policy). The University prohibits sexual harassment, sexual violence including sexual assault and other non-consensual sexual touching (forcible or not), relationship violence (including domestic and dating violence), stalking and other gender-based misconduct.

A wide range of behaviors violate the University's Sexual Misconduct Policy. Some of these are crimes in the state of Texas, and some are not; if you have experienced a violation of the University Sexual Misconduct Policy that is not a violation of state law, then the parts of this document addressing seeking justice through the criminal system will not be relevant for you.

However, the University responds to all violations of which we are made aware. **Even if you are not sure if what happened was a violation, you can speak with an outside resource or counselor (confidentially) and/or the Title IX Coordinator (not always confidentially) to learn what resources are available to you and determine how you want to proceed. *IMPORTANT NOTE: When a faculty or staff member becomes aware of Sexual Misconduct during the course of their work with the University, they are required to report it to the Title IX Coordinator. The Title IX Coordinator will review each report and determine appropriate action. Even "Confidential Employees" such as the Chaplain, licensed counselors or health care providers must report, but only the type of incident and no other identifying information. If you decide to speak with any faculty or staff member (including the Title IX Coordinator) and wish to maintain confidentiality, you should speak in anonymous terms. Please refer to Section VI, Faculty and Staff: Mandatory Reporters, for more information.***

## I. Physical Safety

If your safety or the safety of others is currently or imminently at risk, call 911 immediately.

## II. Medical Attention

Please Note: This section provides the information you need in the immediate aftermath of a sexual assault or other physical assault requiring medical attention. Some of this section may not be relevant to you if you have experienced sexual misconduct that does not meet the definition of sexual assault, such as unwanted touching or kissing. If you do not need medical attention, skip to section III, *Reporting Options and Avoiding Unintentional Reporting*.

If you are not sure whether or not you need medical attention, please call SUPD (512-863-1944), and tell them you have a confidential emergency, or call Georgetown Police department (512-930-3510), Williamson County Sheriff's office (512-943-1300), or, if you are able, go to the nearest hospital emergency room, such as St. David's Georgetown (512-942-4367 – ER direct number). You may also opt to contact an outside resource or counselor to maintain confidentiality.

**If your safety is not currently at risk, and you need medical attention** (including an examination to document evidence of the incident), you have options. Obtaining medical attention is encouraged to ensure that your injuries are treated, that medication is provided to treat certain STIs, and that you obtain information about HIV/AIDS and pregnancy prevention.

**To preserve as much evidence as possible**, you are encouraged not to shower, bath, douche, urinate, defecate, or brush your teeth. If possible, stay in the clothes you are wearing and bring a change of clothes with you. If you have already changed, bring clothes, sheets, and anything that was in contact with you or the other person during the assault in a paper (not plastic) bag or wrapped in a clean sheet. Preserving evidence may assist in proving that the alleged criminal offense occurred or is occurring or may be helpful in obtaining a protection order.

If you have already changed clothes or cleaned up, it's okay.

If you think you may have been drugged<sup>1</sup>, call someone (friend, family member, SAFE Alliance, Hope Alliance) to help get you to the hospital. If you have to go to the bathroom, collect urine in a clean jar or cup, seal it, and take it with you to the hospital. Drugs can break down in your system quickly, and collecting urine is a way of preserving the evidence.

These are some options for pursuing medical treatment:

1. If you would like to speak with someone off campus confidentially before deciding how to process:
  - a. Call **Brave Alliance** (512-738-8817). A Sexual Assault Nurse Examiner (also known as a *SANE Nurse*<sup>2</sup>) can arrange to meet you and provide completely free and confidential services, including a Sexual Assault Forensic Exam (SAFE) at their facility in Georgetown.
  - b. Call **SAFE Alliance** (512-267-7233) or use their texting service (737-888-7233)
    - i. A SANE nurse can meet you at St. David's Hospital in Georgetown or Seton Medical Center in Williamson County, or
    - ii. You can get completely free and confidential services, including a Sexual Assault Forensic Exam (SAFE) at their clinic in Austin, Eloise House.
2. You may proceed directly to a hospital for medical care. If you tell them you were sexually assaulted, the hospital is required by law to call a sexual assault advocate<sup>3</sup> for you. The hospital is also required to report cases of dating or domestic violence to law enforcement. However, not all hospital personnel are equally sensitive to the traumatic effects of sexual assault, so it is highly recommended that you contact Hope Alliance first, so that an advocate will be with you at the hospital from the beginning.

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<sup>1</sup> The only way to know for sure if you've been drugged is to have your urine analyzed at a hospital. Rohypnol, GHB, Ketamine, and other powerful sedatives can be slipped into drinks, and are generally tasteless, odorless, and colorless (If your drink tastes slightly salty or metallic, or if it turns blue, it may be a sign of a drug.). They can take effect in 15-25 minutes. Symptoms include sudden dizziness, incoherence, loss of balance, or losing sense of time or place. All of these drugs produce similar results: blackout or incoherence for 2-8 hours.

<sup>2</sup> A SANE Nurse is a specially trained medical provider who can conduct a rape kit examination to preserve evidence should you decide to pursue criminal charges either now or in the future. The nurse will walk you through your options for seeking medical services, including pros and cons for each available option.

<sup>3</sup> Sexual assault advocates can inform you of your options and rights; help you access the legal system; provide crisis intervention and advocacy from someone who has no investigative role; stay with you through different stages of the investigative process; help with immediate arrangements following completion of the SAFE (exam) as needed (emergency shelter, safety plans); inform you of resources available including medical care, psychological counseling, and the Victims' Compensation Program; and help you prepare for court if your case goes to trial.

More information about what to expect during a Sexual Assault Forensic Examination can be found in Appendix A.

### **Immediate Safety**

If you do not feel safe to return to your campus office or your home, an advocate from SAFE Alliance or Hope Alliance can help you form a safety plan and decide where to go, or arrange for emergency shelter.

## **III. Reporting Options and Avoiding Unintentional Reporting**

If you have experienced sexual misconduct, you have numerous reporting options (including choosing not to report). The following options are not mutually exclusive (you can choose to pursue or not pursue each one, independent of whether you choose to pursue any or all of the others):

- Speak **confidentially** to an outside counselor, chaplain, or health professional for psychological, spiritual or medical help, or for help deciding which reporting options to pursue.
- Pursue criminal charges based on Texas state laws regarding sexual assault, domestic/dating violence, and stalking. This entails making a police report followed by an investigation and possible criminal proceedings involving the District Attorney's office.
- Pursue a case through a civil suit. This option generally seeks monetary remedies and does not involve jail time or a criminal record for the perpetrator.
- Pursue a case through the University Sexual Misconduct Policy, specifically the Sexual Harassment Policy component. This would involve making a report to the Title IX Coordinator or other appropriate administrator. Once the University is notified of allegations, the University will follow the procedures for review in accordance with the Sexual Harassment Policy. The University will conduct a prompt and thorough review of the allegations.

Under some circumstances, the law requires police/University administrators to pursue an investigation even if you do not want them to, so **it is important to know that some reporting avenues can eliminate your ability to choose confidentiality or even to choose whether to pursue the matter.**

### **Avoid Unintentional Reporting**

Some people have legal responsibilities if they learn you have experienced sexual misconduct. All faculty and staff members are considered Mandatory Reporters under Texas law (see Section VI, Faculty and Staff: Mandatory Reporters, for more information).

If you report to:	They will:	An investigation:	Confidentiality:
SUPD 512-863-1944	ensure your immediate safety, take a report, and determine if a crime has been committed. They may refer the matter to local police. They are required to report the matter to the Title IX Coordinator.	may be pursued, even without your consent, depending on the circumstances.	All reports of sexual misconduct are forwarded to the Title IX Coordinator and may be referred to local law enforcement, depending on the circumstances.
Any SU faculty member or staff member	pass on the report to the Title IX Coordinator.	may be initiated when they report it to the Title IX Coordinator.	cannot be maintained, as they must report to the Title IX Coordinator.
An outside counselor, religious advisor, health professional, etc.	help you make decisions about what to do next, and keep your report confidential.	would not be initiated since it is an outside resource.	will be maintained.
Police 911	ensure your immediate safety, take a report, and determine if a crime has been committed.	may be pursued, even without your consent, depending on the circumstances.	cannot be guaranteed.
Anyone else	have access to information that they may feel compelled to report.	may be pursued, or you may be contacted by the Title IX Coordinator or by the police, if the third party informs them of the allegation.	is no longer within your control.

Members of the Southwestern University community who believe that they have been sexually harassed or retaliated against (or those who have been accused of sexual harassment) may turn for assistance to the following University staff:

- Title IX Coordinator (TIXC)
- Sexual Harassment Officer (SHO)
- Associate Vice President for Human Resources (AVPHR)
- Associate Vice President for Academic Affairs (AVPAA)
- the appropriate supervisor
- or the appropriate member of the Senior Staff

The TIXC, SHO, AVPHR and AVPAA are administrators whose job responsibilities include handling such complaints and will be available to aid a member of the University community in the following ways:

- Provide immediate support by listening to and discussing the allegation;
- Discuss the definition of sexual harassment or retaliation to reach a reasonable decision as to whether sexual harassment or retaliation as defined in the University Sexual Harassment policy has occurred;

- Outline possible courses of action, including the Informal and Formal Complaint Procedures that are outlined below and including who should be notified should the individual wish to make a formal complaint. (see Appendix C for a Procedures Summary for the Formal Complaint Process)

The University will comply with all obligations under the law in connection with the handling and investigation of complaints.

## IV. Additional Support

### **Retaliation and Intimidation**

The University does not tolerate any kind of retaliation or intimidation for a report of sexual misconduct/harassment being made. If you are experiencing retaliation or intimidation due to making a report of sexual misconduct, you are encouraged to report it immediately to the Sexual Harassment Officer, Title IX Coordinator, or other appropriate University official.

Texas law allows all victims of the sexual misconduct related crimes referred to throughout this document to request protective orders against their attackers. The protective order does not require a conviction or even a pending criminal proceeding, and no fees or lawyers are required. Contact the District or County Attorney's office at 800-983-9933.

The Title IX Coordinator may determine that interim measures are needed to ensure a thorough review. This could include placing one or more involved individuals on paid administrative leave or otherwise restricting contact.

### **Outside Assistance**

Hope Alliance (800-460-7233) and SAFE Alliance (512-267-7233) both have free and confidential counseling options if you would prefer to talk to someone off campus. If you prefer text, you can text the work "HOME" to 741741 for the Crisis Text Line, a 24/7 support line for those in crisis. See [www.crisistextline.org](http://www.crisistextline.org) for more information.

The Sexual Assault Accompaniment Advocate can help you navigate costs related to a SAFE exam. The cost of a SAFE exam should be covered or reimbursed by the state of Texas if you file a police report or go to a hospital with 120 hours of the assault. You may also be eligible for reimbursement by the State of Texas' Victims' Compensation Program (<https://texasattorneygeneral.gov/cvs/crime-victims-compensation>) for any related medical, emotional, or financial losses you suffered as a result of being the victim of a violent crime, even if the physical and emotional problems are not immediately apparent. Your advocate can help explain how to qualify for the compensation program.

## V. Complaint Procedure

### **Informal Complaint Procedure**

A common method of utilizing the informal approach is through a letter written by the complainant to the accused person. While the complainant may write this letter with or without the assistance of the SHO, AVPHR, or AVPAA, final review of the letter must be conducted by the SHO prior to delivery to the accused. The complainant may choose to remain anonymous in this process, but choosing to remain anonymous may hinder resolution of the matter where the accused is unsure or does not clearly recall the incident leading to the complaint.

Other options may include, but are not limited to, the use of a mediator or a facilitated face-to-face meeting between parties.



## Formal Complaint Procedure

In a formal complaint, the complainant must notify in writing an appropriate University official, with or without the assistance of the SHO, AVPHR, or AVPAA.

- If the complaint involves a student, the Vice President for Student Life will be notified;
- If it involves a faculty member, the Dean of the Faculty will be notified;
- If it involves staff/administration, the Vice President for Finance and Administration will be notified;
- And, in all of the above cases, the University's SHO will be notified.

Once the SHO is notified of allegations concerning sexual harassment and the complainant's desire to proceed with a formal complaint against the accused, a prompt and thorough investigation by the University will follow.

## VI. False Accusations

False accusations of sexual harassment or retaliation may harm an innocent party who has been falsely accused. Accordingly, any person, who, after an investigation, is found to have knowingly made a false accusation of sexual harassment or retaliation will be subject to appropriate disciplinary action. However, if a person makes a report of what they in good faith believes to be sexual harassment or retaliation, the person will not be subject to disciplinary action even if the person turns out to be mistaken or there has been a finding of no sexual harassment or retaliation.

## VII. Legal/Policy Issues

### Concurrent Violations

Please do not hesitate to get help just because you were consuming alcohol, using drugs, or violating another University policy or law at the time of the incident. Sexual misconduct often involves alcohol or drugs. Police, medical personnel, and the University are more concerned about sexual misconduct than any other activities you may have been involved in concurrently.

## VIII. Faculty and Staff: Mandatory Reporters

Effective September 1, 2019, all faculty and staff members of the campus community are considered Mandatory Reporters under Texas law. This means that all employees must promptly report incidents of Sexual Misconduct. "Sexual Misconduct" means:

- (1) **Sexual harassment**, defined as unwelcome, sex-based, verbal or physical conduct that: (A) in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or (B) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities as a postsecondary educational institution;
- (2) **Sexual Assault, Dating Violence, Domestic Violence, and Stalking**, as defined by the Clery Act; and
- (3) **Sexual Misconduct** as defined under the University's Sexual Misconduct Policy, including the Student Sexual Misconduct Policy and the Sexual Harassment Policy.

This mandatory reporting obligation is triggered when an employee:

- (1) witnesses or receives information regarding an incident;
- (2) in the course and scope of employment that;
- (3) the employee reasonably believes constitutes Sexual Misconduct; and is
- (4) committed by or against a student or an employee of the university.

In order to satisfy the requirements of the law and this Policy, the report **must** include all information concerning the incident known to the employee which is relevant to an investigation under the University's Sexual Misconduct Policy, including whether the subject of the report has expressed a desire for an institutional response to the incident or made a request for confidentiality in reporting the incident.

Under Texas law, failure to properly report an incident will result in termination of employment in accordance with the University's disciplinary procedures, and may result in criminal prosecution.

While the consequences for non-compliance are severe, the law does provide some important caveats, exceptions, and protections:

- An employee has **no** obligation to report sexual misconduct that the employee themselves was a victim of.
- The statutorily-mandated reporting requirement **does not apply to students**, so although the University continues to require certain student-workers, such as Resident Assistants, to report incidents of sexual misconduct, they would not be subject to criminal prosecution if they fail to do so.
- Employees who learn about reportable incidents at a "public awareness event" sponsored by the University or by a student organization affiliated with the University are not required to report those incidents (e.g., "Take Back the Night").
- Specifically designated "Confidential Employees," such as the University Chaplain and individuals employed in the University's Health and Counseling Center, are permitted to maintain the confidentiality of the alleged student victim but must still report the nature of the incident.

**What this means:**

When a faculty or staff member becomes aware of Sexual Misconduct during the course of their work with the University, they are required to report it to the Title IX Coordinator. The Title IX Coordinator will review each report and determine appropriate action. Even "Confidential Employees" such as the Chaplain, licensed counselors or health care providers must report, but only the type of incident and no other identifying information.

## Frequently Asked Questions

**Q:** Does the mandatory reporting obligation mean a faculty or staff member must report Sexual Misconduct they learn about in academic submissions or advising appointments?

**A:** Yes. Disclosures made in the context of academic advising or individual appointments are not considered confidential and must be reported. The reporting obligation applies to written submissions by students.

**Q:** Does the mandatory reporting obligation mean a faculty or staff member must report Sexual Misconduct involving other employees at the University?

**A:** Yes. Texas law requires University employees to report all incidents of Sexual Misconduct involving students and employees that they learn about in the course and scope of their employment.

**Q:** Are faculty and staff responsible for investigating incidents of Sexual Misconduct?

**A:** No. The University is responsible for investigating and resolving reports of Sexual Misconduct.

**Q:** What should a faculty or staff member do if a student or employee begins to talk about an incident of Sexual Misconduct?

**A:** Interrupt the person and inform them they are not a confidential resource and that they are required to report all incidents of Sexual Misconduct to the Title IX Coordinator.

**Q:** What should a faculty or staff member say if the student or employee making the disclosure asks to talk with a confidential resource?

**A:** If the person is a student, refer them to the University Chaplain or to the Health and Counseling Center and let them know about the Resources and Reporting Options “Yellow Book,” available [for download](#). If the person is a faculty or staff member, refer them to the Faculty and Staff Sexual Misconduct Resource and Reporting Options Book, available [here](#).

**Q:** What should a faculty or staff member do if the person decides to discuss an incident of Sexual Misconduct with them?

**A:** Listen. Take notes, if possible. After the person has shared the incident, direct the person to the Title IX Coordinator for support services and resources. As soon as practicable after the person has concluded discussing the incident, report the incident to the Title IX Coordinator by phone at 512-863-1111 or by email at [titleixcoordinator@southwestern.edu](mailto:titleixcoordinator@southwestern.edu).

## Appendix A: More on Medical Issues

If you decide to go to a hospital or to Brave Alliance or Eloise House for a Sexual Assault Forensic Exam (SAFE), here's what to expect.

### Medical professionals will:

- Check you for internal injuries of which you may not even be aware.
- Determine if you have been exposed to certain sexually transmitted infections (STIs).
- Give you information about HIV/AIDS.
- Give you information about pregnancy.
- Ask you what kinds of physical violations you experienced (e.g. oral, vaginal, or anal penetration) so that they know where to look for injuries and evidence.
- Conduct a gynecological exam if applicable.
- Collect a urine sample if you think you may have been drugged.
- Collect evidence using some or all of the following: oral swabs, head hair combings, pulled head hair samples, anal swabs, vaginal or penile swabs, pubic hair combings, pubic hair samples, fingernail scrapings, blood samples, saliva samples, debris collection (dried blood, semen, saliva, hair, dirt, leaves, or fibers). For more detailed information, see this article on the Rape and Incest National Network web page: <https://www.rainn.org/articles/rape-kit>.

### You have a right to<sup>5</sup>:

- Ask any and all questions you have about procedures or medical concerns.
- Be accompanied by a social worker, victims' advocate, or a friend/relative of your choice during the exam.
- Choose whether, and how, you would like an advocate involved at all steps of the process.
- Choose total privacy during the exam, so you can ask anyone other than necessary hospital personnel to leave.
- Be checked for injuries, STIs, etc., without agreeing to a full forensic examination or making a police report.
- Confidentiality: Your medical exam is protected by the same laws that govern confidentiality of all health records. The exam results and police reports are evidence, and thus, if a criminal case proceeds, will be part of the legal record. However, you can request that a pseudonym (e.g. Jane/John Doe) be used throughout the process and for any matters of public record.

### Timing of the Sexual Assault Forensic Examination

Bathing, douching, brushing your teeth, changing your clothes, or even just eating and drinking may eliminate crucial evidence, so it is important to be examined as soon as possible after an assault. Even if you don't think you will want to press charges, it may be a good idea to have a forensic exam to collect evidence in case you change your mind in the future (many people do).

### Emergency Contraception

Emergency contraception<sup>6</sup>, also known as the "morning-after pill," is a safe and effective medication for the prevention of pregnancy. It is essentially a high dose of the standard birth control pill, and if taken within the first 72 hours after an assault, it reduces the chance of pregnancy 75-89%. The sooner the pills are administered, the better the chances of preventing a pregnancy.

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<sup>5</sup> A full list of your legal rights as a sexual assault survivor in Texas can be found in Appendix D.

<sup>6</sup> Please note that emergency contraception is not the same as an abortion. With emergency contraception, ovulation and implantation are prevented. If you are already pregnant, the morning-after pill will not affect you.

You can discuss where to obtain emergency contraception with the nurses or doctor in the ER, with your personal physician, or you can use the website [www.not-2-late.com](http://www.not-2-late.com).

### **Continuing Care**

You are encouraged to seek follow-up medical care six weeks after your initial visit, or sooner if your doctor so advises. If any STIs were transmitted during your assault, they will likely not be detected immediately, so follow-up testing is essential. Your follow-up exam can be performed by your personal doctor, a women's clinic, or a free clinic such as Planned Parenthood (<https://www.plannedparenthood.org/>).

### **Other Concerns**

If you have any other medical concerns not covered in this appendix, please contact the Williamson County Crisis Center (Hope Alliance) at 800-460-7233.

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## **Appendix B: More on Reporting on Campus**

Faculty and staff, if the accused is a member of the University community (faculty, staff, student, or other individual on campus) and you:

- A. Do not want to pursue the matter in the legal system
- B. have not yet decided if you want to pursue the matter in the legal system
- C. experienced a violation of the University's Sexual Misconduct Policy, but not of state law, or
- D. are pursuing the matter in the legal system but also want the University to respond.

Then you may want to make a report on campus under the University's Sexual Harassment Policy component of the Sexual Misconduct policy. In most cases, the University's internal administrative processes proceed faster than the criminal justice system. The internal administrative process results in University-determined outcomes regarding policy violations and may result in disciplinary action up to and including termination from employment. In all cases, the report will be routed to the Title IX Coordinator, who will contact you (except in cases of anonymous or confidential reporting) for an initial conversation about the incident. The Title IX Coordinator will explain the applicable policies and options available to you.

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## **Appendix C: Sexual Harassment, Summary of Formal Complaint Procedure**

In a formal complaint action, the complainant must notify in writing an appropriate University official, with or without the help of the TIXC, DTIXC, SHO, AVPHR, or AVPAA. If the complaint:

- involves a student, the Vice President for Student Life will be notified;
- involves a faculty member, the Dean of the Faculty will be notified;
- involves staff/administration, the Vice President for Finance and Administration will be notified;

In all of the above cases, the University's TIXC and SHO will be notified.

Once the SHO is notified of allegations concerning sexual harassment and the complainant's desire to proceed with a formal complaint against the accused, a prompt and thorough investigation by the University will follow.

The complainant and respondent will be provided with the following summary of the formal complaint procedure:

**Summary of Procedures  
Investigating Complaints of Sexual Harassment  
Under the Southwestern University Policy and Procedures on Sexual Harassment**

In an effort to provide follow-up information regarding the investigation process under the University's Policy and Procedures on Sexual Harassment (SH Policy), the University prepared this Summary of Procedures. It is intended only as a guide with the SH Policy, past practice, and legal requirements controlling over this guide.

General Procedures:

When a complaint of sexual harassment is submitted to a University official under the SH Policy, the University's Sexual Harassment Officer (SHO) is notified and a process of administrative review begins, and the appropriate University official determines whether further investigation or recommendation for sanctions is warranted.

In cases where it is determined to proceed to a more thorough review of the complaint, the following measures are invoked:

- An ad hoc committee is convened with a two-fold purpose: 1) conduct a full fact-finding investigation, and 2) when merited, make recommendations as to possible remedial action. This committee's work includes conducting interviews of the complaining party, the responding party, and witnesses either party have identified. The committee also reviews any documentary or physical evidence. The committee essentially serves as another layer for investigating the allegations and making recommendations. The SHO chairs the ad hoc committee. During this process, both the complainant and the responding party will be afforded a full opportunity to separately respond to the claims and provide additional materials.
- Although not specifically provided within the SH Policy, the University offers each party the ability to have an advisor with them during the ad hoc committee interview process. The complaining party, the responding party, and their advisors are not included in the interviews of any witnesses identified and interviewed by the committee. The advisor must be a member of the University community. This person is not included in any of the questions/answers, but rather is there as a support for the complaining or responding party. Advisors are asked to serve in this capacity by the person being interviewed, but are subject to approval by the chair of the ad hoc committee. Legal counsel for either party is not permitted to be involved in the interview process. If a party so chooses, however, legal counsel may be made available for private consultation outside of the committee meeting room. Names of advisors should be submitted to the SHO prior to the interview.
- After the ad hoc committee concludes its work and issues its report, the appropriate University official receives the report and the investigation file, independently reviews it, determines whether additional investigation, if any, is needed, and prepares a recommendation for the President. This official can return the matter to the ad hoc committee for further work or yet conduct a further review of the matter. Ultimately, the official will prepare a recommendation for the President.
- The President independently reviews all materials, determines whether additional investigation is needed, and makes a determination as to whether the SH Policy has been violated and what, if any, remedial measures are warranted.
- The President writes a letter to each party informing them of the determination.
- Either party can file an appeal to the President within 30-days.
- The SH Policy also includes a section regarding University Disciplinary Action and Penalties. Other University policies and procedures may be necessary to complete the remedial action process (if applicable). Please refer to the policies and procedures contained in those policies.

The University appreciates all participants' cooperation during the investigation process.

*Please Note: This Summary of Procedures relates only to the Policy and Procedures on Sexual Harassment and is intended only as a guide with the SH Policy, past practice, and legal requirements controlling over this guide. Any other policy violations that have been reported or that are identified as a result of the investigation will be handled under the process set forth in the applicable policy, past practice, or legal requirements. To this extent, it is possible to have “parallel” investigatory reviews being conducted simultaneously.*

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## Appendix D: More on Reporting Off Campus

Remember, you may discuss your options before filing a police report by contacting Brave Alliance (512-738-8817), SAFE Alliance (512-267-7233), Williamson County Crisis Center (Hope Alliance – 800-460-7233) or your outside counselor or healthcare provider.

### **Delays in Reporting**

Due to shock, confusion, trauma, or use of alcohol or other drugs, many victims don't realize until later that they were forced or coerced into sexual activity. It is never too late to make a report. However, prosecutions are more successful in cases where the victim reports the assault to the authorities as quickly as possible. You can make a report whenever you feel ready. The police will follow the same procedures no matter when you come forward.

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## Appendix E: Legal Rights of Sexual Assault Survivors in Texas

1. Adult survivors of sexual assault have the legal right to decide whether to file a police report or third-party information report.
2. Survivors may use a pseudonym and have their address and phone number kept out of all files relating to the case (TX Code of Criminal Procedure 57.02 – Jane Doe law).
3. A law enforcement agency that requests a medical examination of a victim of an alleged sexual assault must pay for the forensic part of the exam (TX Code of Criminal Procedure 56.06). This will not cover expenses such as emergency birth control and/or medications; these may be covered under Crime Victims' Compensation.
4. Survivors may apply for Crime Victims' Compensation to pay for expenses related to the crime such as medical bills, lost wages, and certain other expenses (TX Code of Criminal Procedure 56). Survivors must cooperate with law enforcement to be eligible for these benefits.
5. Law enforcement cannot require a survivor filing a report of sexual abuse/assault to submit to a lie detector test. They must inform the survivor that a complaint may not be dismissed solely because the survivor did not take the polygraph exam nor on the basis of the exam results if the survivor chooses to take the exam (TX Code of Criminal Procedure 15.051)
6. If the offender is indicted for the crime, the survivor can receive notice of HIV/AIDS test results of the offender (TX Code of Criminal Procedure 21.31).
7. The survivor's safety must be considered when bail is set for the offender (TX Code of Criminal Procedure 21.31).
8. A survivor of sexual assault may apply for a protective order without regard to the relationship between the victim and the alleged offender (TX Code of Criminal Procedure 7A).
9. Survivors may make a written request and be notified of all legal proceedings (TX Code of Criminal Procedure 56.08).

10. Survivors may write a “victim impact statement” and have the information in it considered during punishment and parole (TX Code of Criminal Procedure 56.03).
11. Survivors may receive notice of any parole proceedings and defendant's release from prison after notice (TX Code of Criminal Procedure 56.02(7)).
12. A survivor can choose to file a civil lawsuit against the offender to seek compensation for physical and emotional damages. The standard of proof is lower than for criminal prosecution, but the survivor must have their own attorney. Victims Initiative for Counseling Advocacy & Restoration of the Southwest (VICARS) provides free legal help for victims of sexual assault in Texas. They can be reached toll free at 888-343-4414 of [www.tlsc.org](http://www.tlsc.org). Private attorneys may be retained and they will often take these cases if the offender has assets or money.

Source: Texas Association Against Sexual Assault (TAASA)



## Appendix F: Sexual Harassment Policy

### Sexual Harassment Policy

At the faculty meeting on February 27, 1990, the faculty adopted the following policy and procedures on sexual harassment formulated by the Faculty Affairs Council. The Board of Trustees adopted the same policy and procedures at its regular meeting on April 6, 1990. Amendments to the policy were approved by the faculty on April 28, 1992 and February 15, 1994, and the Board of Trustees on October 30, 1992 and April 15, 1994. On October 31, 2002, the University Council approved a proposal from the Faculty Affairs Council that the Sexual Harassment Advisory Committee report to the University Council effective immediately. Amendments to the procedures were approved by the University Council on February 3, 2003 and subsequently by the faculty on February 11, 2003. Administrative updates were approved by the Strategic Planning and Budget Committee in April, 2015. Administrative updates were completed by the Title IX Compliance Committee in January, 2018 and December, 2019.

#### A. POLICY AND DEFINITION

Southwestern University prohibits sexual harassment, sexual violence including sexual assault and other non-consensual sexual touching (forcible or not), relationship violence (including domestic and dating violence), stalking and other gender-based misconduct. Sexual harassment in any manner or form, including sexual harassment based on sexual orientation, is expressly prohibited. It is the policy of Southwestern University (the University) to maintain both an academic and a working environment free from all forms of sexual harassment of any employee or applicant for employment, student, donor, former student, volunteer, or any other constituent of the University. Two reasons for this policy are to reaffirm the University's commitment of respect for the person and to enhance the University community's level of consciousness regarding gender issues. Sexual harassment violates University policy, Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, the Texas Commission on Human Rights Act, Texas Senate Bill 212/Texas Education Code 51.253, Clery Act, Title IX of the Education Amendments of 1972, and other federal, state, and local sex-related regulations.

All reported or suspected occurrences of sexual harassment will be promptly and thoroughly investigated. All investigations will be conducted in a professional manner and to the fullest extent possible. The University intends that these investigations will be kept confidential within the limits of the law. Where sexual harassment has occurred, the University will take appropriate and timely disciplinary or other appropriate remedial action.

As used in this policy, the term "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or education; or
2. submission to or rejection of such conduct by a person is used or threatened as the basis for academic or employment decisions, or evaluations affecting that person; or
3. such conduct has the purpose or effect of a) unreasonably interfering with a person's academic or professional performance or b) of creating an intimidating, hostile, or offensive employment, educational, or campus environment for any person or group of persons.

Other sex-related behaviors, that may or may not be definable as sexual harassment, will hereinafter be referred to as "sexual misconduct."

## B. EXAMPLES OF SEXUAL HARASSMENT AND RETALIATION

The examples of sexual harassment given below are intended to illustrate inappropriate behavior, but are not all-inclusive. Courts in this country have recognized two types of sexual harassment: The first type is quid pro quo ("something for something") harassment, where sexual activity is demanded or offered in exchange for an actual, tangible job or benefit; the second type is hostile environment harassment, where there is not necessarily a loss or gain of a tangible job or benefit. This policy includes quid pro quo harassment and hostile environment harassment.

Examples of unacceptable verbal or physical conduct which may constitute sexual harassment include, but are not limited to:

1. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;
2. Intimidating conduct which exerts pressure for sexual activity;
3. A pattern of conduct in class or in the workplace not reasonably or legitimately related to the subject matter of the course or job) which would discomfort or humiliate a reasonable person at whom the conduct was directed, through comments of a sexual nature, such as sexually explicit statements, questions, jokes, anecdotes, or references to sexual orientation.
4. A pattern of conduct that would discomfort or humiliate a reasonable person at whom the conduct was directed, through one or more of the following: a) inappropriate touching, patting, hugging, or brushing against a person's body, b) repeated or unwanted staring, c) remarks of a sexual nature about a person's clothing or body, or d) remarks about a person's sexual orientation, sexual activity, or speculations about previous sexual experience;
5. A pattern of conduct which a reasonable person would identify as one or more of the following: a) inappropriate remarks or humor based on gender stereotypes or sexual orientation, b) inequities in references to males and females (e.g., "men and girls"), c) the assignment according to gender stereotype of tasks that are not gender specific.

This policy is not intended to limit legitimate claims of academic freedom. In particular, the policy does not limit classroom teaching concerning sexual topics legitimately related to the content or purposes of a course, even though such topics may elicit discomfort in some class members. An example of unacceptable conduct which may constitute retaliation, includes:

1. A person covered by this policy reasonably believes they have been the subject of prohibited harassment and makes a complaint regarding same. Retaliation occurs when that person suffers a material adverse action (e.g., employment termination or discipline) because they complained about conduct reasonably believed to violate the sexual harassment policy.

## C. UNIVERSITY ADMINISTRATION OF POLICY

Persons in positions of authority have specific responsibility in the areas covered by this policy. Particular sensitivity should be addressed to such questions as whether consent is as free as it seems, and to the inherent conflicts of interest in personal relationships where professional and educational relationships are also involved.

Important Note: Effective September 1, 2019, all faculty and staff members of the campus community are considered Mandatory Reporters under Texas law. This means that all employees

must promptly report incidents of Sexual Misconduct. An employee has no obligation to report sexual misconduct that the employee themselves was a victim of. More information can be found on the University's Title IX website for [Senate Bill 212/Texas Education Code 51.253](#).

When a University member suspects they have been a victim of sexual harassment or sexual misconduct of any kind, or retaliation which involves a University employee, they should immediately take action by contacting the Title IX Coordinator (TIXC), the Deputy Title IX Coordinator (DTIXC), or the Sexual Harassment Officer (SHO) to discuss the situation and determine a course of action.

A SHO, appointed by the President of the University, is available to assist the University community in dealing with all complaints of sexual harassment, sexual misconduct, and retaliation (even if the sexual misconduct is not processed through the Sexual Harassment Policy). The SHO works in close coordination with the TIXC, DTIXC, and other appropriate University officials.

The duties and responsibilities of the SHO include, but are not limited to:

1. Receiving notification from University officials and/or members of the University community of all allegations of sexual misconduct including, but not limited to, "sexual harassment" or "retaliation;"
2. Serving as a member of the University's Title IX Compliance Committee (an administrative working group) and also as an ex-officio member of the University's Sexual Assault Risk Reduction Committee;
3. Together with the University's TIXC and through the Title IX Compliance Committee, ensure all reported incidents are properly compiled and reported to the University community;
4. Reporting the initiation of any formal complaint to the appropriate member of the University's Senior Staff, the TIXC, and to the Associate Vice President for Human Resources (AVPHR);
5. Initiating the informal and/or formal complaint processes as appropriate; being involved in resolutions of the incidents as appropriate.

#### D. GENERAL PROCEDURES FOR HANDLING COMPLAINTS

Members of the Southwestern University community who believe that they have been sexually harassed or retaliated against (or those who have been accused of sexual harassment) may turn for assistance to the TIXC, DTIXC, SHO, the AVPHR, the appropriate supervisor, the appropriate member of the President's Staff, or the Associate Vice President for Academic Affairs (AVPAA), and should not feel compelled to seek assistance from any person or persons who may be the perpetrator of the alleged wrongful conduct. The President and members of the Senior Staff may appoint a designee to serve on their behalf. The complainant has the option of taking an informal or formal action according to the procedures outlined below.

Any person who believes that they have been sexually harassed or retaliated against is encouraged to consult the TIXC, DTIXC, SHO, the AVPHR, or the AVPAA. These individuals are administrators whose job responsibilities include handling such complaints and will be available to aid a member of the University community in the following ways:

1. Provide immediate support by listening to and discussing the allegation;
2. Discuss the definition of sexual harassment or retaliation to reach a reasonable decision as to whether sexual harassment or retaliation as defined in this policy has occurred;
3. Outline possible courses of action, including the Informal and Formal Complaint Procedures described in this policy and including who should be notified should the individual wish to make a formal complaint.

The University will comply with all obligations under the law in connection with the handling and investigation of complaints. These individuals will maintain confidentiality within the limits of the law, including Title IX, Title VII, applicable state law and related regulations. Unless a complainant gives the TIXC, DTIXC, SHO, AVPHR, or AVPAA permission to disclose specific information concerning the alleged act of harassment, these individuals may, but are not required to, limit their assistance to the items described in 1 through 3 above and will not discuss with or report the alleged act of harassment to any person other than the SHO (unless required by law, including Title IX, Title VII, applicable state law, and related regulations). The complainant should realize, however, that these individuals and the University may be impaired in taking any actions to attempt to resolve the alleged problem if the complainant desires to keep the allegation and the circumstances surrounding such allegation anonymous. An exception to non-disclosure of anonymous complaints may be made in cases where the SHO reasonably believes that the safety of a member of the University community or general public will be at risk or where the SHO reasonably believes a violation of the law may have occurred; this includes the risk of other individuals being subjected to sexual harassment or retaliation.

Contact with the TIXC, DTIXC, SHO, AVPHR, or AVPAA in no way obligates the individual to pursue an official complaint. The Title IX Coordinator, Deputy Title IX Coordinator, SHO, AVPHR, or AVPAA, however, may be required to independently report the incident to appropriate University officials who may initiate an investigation under the law, including Title IX, Title VII, state law and related regulations. The complainant has the option of choosing, upon reflection, not to pursue the matter and to not make contact with the accused, or to pursue the Informal or Formal Complaint Procedure. For the sake of clarity, a complainant is not required to first pursue the Informal Complaint Procedure, and may at any time initiate the Formal Complaint Procedure.

### ***Informal Complaint Procedure***

A common method of utilizing the informal approach is through a letter written by the complainant to the accused person. Other options may include, but are not limited to, the use of a mediator or a facilitated face-to-face meeting between the parties.

If the complainant elects a mediated or face-to-face meeting, they will coordinate such action through the TIXC, DTIXC, SHO, AVPHR, or AVPAA.

If the complainant elects to write a letter, it generally should address three matters:

1. The facts of what has occurred, told without evaluation. These facts should be as detailed and precise as possible, with dates, places, and a description of the incident(s).
2. How the complainant feels about the events.
3. How the complainant wants the matter resolved and within what timeframe. This part should include a statement that, if the matter is not resolved satisfactorily within a specified amount of time, the complainant may take formal action.

The complainant has the option of preparing such a letter with the assistance of the TIXC, DTIXC, SHO, AVPHR, or AVPAA. If the writer declines that option, the writer is encouraged to have the TIXC, DTIXC, SHO, AVPHR, or AVPAA review the communication prior to it being sent. In all cases, the SHO conducts the final review of the letter. The letter may be delivered in person, by registered or certified mail, or by the TIXC, DTIXC or SHO. The accused person may reply to a writer who wishes to remain anonymous through the SHO. The writer should keep a copy of the letter, but not send copies to others. If the letter does not achieve its purpose, it can be used to support a formal complaint. Although it is the personal decision of the complainant as to whether they wish to

remain anonymous, choosing to remain anonymous may hinder resolution of the matter in circumstances where the accused is unsure or does not clearly recall the incident leading to the complaint.

### ***Formal Complaint Procedure***

In a formal complaint action, the complainant must notify in writing an appropriate University official, with or without the help of the TIXC, DTIXC, SHO, AVPHR, or AVPAA. If the complaint involves a student, the Vice President for Student Life will be notified; if it involves a faculty member, the Dean of the Faculty; if it involves staff/administration, the Vice President for Finance and Administration; in all of the above cases, the University's TIXC and SHO will be notified. Should either the Vice President for Student Life, the Dean of the Faculty, or the Vice President for Finance and Administration be notified of a complaint involving sexual harassment, such party shall inform the TIXC and SHO in a timely manner of any such allegations and actions regarding sexual harassment or retaliation. In any situation where the TIXC or SHO is notified of the complaint because the accused is the party set forth above to whom complaints should be given, then the TIXC or SHO will make the determinations described in 1, 2, and 3 below and report directly to the President of the University.

Once the SHO is notified of allegations concerning sexual harassment and the complainant's desire to proceed with a formal complaint against the accused, a prompt and thorough investigation by the University will follow. The SHO will collaborate with the TIXC and other University officials as appropriate. The University is committed to investigate formal complaints which it receives to deal appropriately with any person found to have violated the policy, and to otherwise take appropriate remedial measures under the circumstances. Proceedings under the Formal Complaint Procedure shall generally take place in accordance with the following guidelines:

1. Faculty: Upon receipt of a formal, written complaint in which the accused party is a faculty member, the Dean of the Faculty shall determine, with the assistance of the SHO, and with or without the assistance of the appropriate associate dean and/or department chair, depending on whether or not the Dean of the Faculty elects to notify such associate dean or department chair, whether further investigation or recommendation for sanctions is warranted. The Dean of the Faculty shall notify the accused faculty member as soon as reasonably possible of the complaint and the Dean's finding as to whether further investigation or recommendation for sanctions is warranted.
2. Staff: Upon receipt of a formal, written complaint in which the accused party is a staff member/administrator, the Vice President for Finance and Administration shall determine, with the assistance of the SHO, and with or without the assistance of the appropriate administrator/department head, whether further investigation or recommendation for sanctions is warranted. The Vice President for Finance and Administration shall notify the accused staff member/administrator as soon as reasonably possible of the complaint and the finding as to whether further investigation or recommendation for sanctions is warranted.
3. Students: Upon receipt of a formal, written complaint in which the accused party is a student, the Vice President for Student Life shall determine, with the assistance of the SHO, whether further investigation or recommendation for sanctions is warranted. The Vice President for Student Life shall notify the accused student as soon as reasonably possible of the complaint and the finding as to whether further investigation or recommendation for sanctions is warranted.

With respect to any formal written complaint filed involving faculty, staff, or students, as described in 1, 2, or 3 above, if the circumstances warrant it, the Dean of the Faculty, the Vice President for Finance and Administration, or the Vice President for Student Life, as the case may be, may convene an ad hoc committee to investigate, review, and summarize the facts surrounding the case and make recommendations for resolution of the complaint. If appropriate, the SHO may recommend an ad hoc committee to the respective Senior Staff member. No member of the committee shall have been the complainant or the accused. The SHO shall chair any such ad hoc committee unless such person is either the complainant or the accused. The ad hoc committee will conduct

its own inquiry to gather information it deems necessary to assist it in reaching a determination as to the merits of the allegation(s). The ad hoc committee will summarize the information gathered from the inquiry for the party who convened the committee. The SHO, as chair of the ad hoc committee, will consult with the party who convened the committee to discuss recommendations regarding resolution of the complaint(s).

Once the Senior Staff member has received the report of the ad hoc committee convened (if they have not served on the committee or have otherwise reached a basis for making a decision) and have consulted with the SHO, then they shall submit their recommendation(s) in writing to the President. The President shall review the recommendation(s) and, if in agreement, the President shall notify the accused faculty, staff, or student, as well as the complainant, of the decision. If the President does not agree with the decision, the President shall refer it back to the appropriate Senior Staff member.

If either side chooses to appeal the decision for any reason, including but not limited to alleged procedural errors or alleged new evidence, such appeals shall be made to the President. Requests for appeals should be made in writing, state with specificity the grounds and basis for the appeal, and addressed to the President within 30 days after notification of the original decision.

#### E. UNIVERSITY DISCIPLINARY ACTIONS AND PENALTIES

Students found responsible for sexual harassment may receive a warning, specific penalties, disciplinary probation, suspension, or expulsion, as explained in the Student Handbook under Personal Conduct Policies (including Student Sexual Misconduct Policy).

Faculty members found responsible for sexual harassment or retaliation may receive penalties ranging from a warning to dismissal with cause. If procedures for dismissal with cause are instituted on the basis of sexual harassment or related retaliation, those procedures must conform to the policy and procedures adopted at the January 27, 1978, meeting of the Board of Trustees and as may be subsequently amended. (See Dismissal with Cause, Section IV of the Faculty Handbook.)

Staff and administrators found responsible for sexual harassment or retaliation may receive penalties ranging from a warning to immediate dismissal as described within the Performance Management Guidelines section of the Staff Handbook.

The University will take timely and appropriate corrective action to end sexual harassment and/or retaliation when it is known to have occurred.

#### F. RETALIATION

Except in regard to false accusations as detailed below, no retaliation by any member of the Southwestern community may be taken against any person because they make a complaint concerning sexual harassment or against any member of the University community who serves as an advocate for a party in any such complaint. (See discussion in Sections A. and B. above.) All reasonable action will be taken to ensure that the complainant and those testifying or participating in other ways in the complaint resolution process will suffer no retaliation as a result of their participation.

Retaliation, intimidation, or any adverse action against any member of the Southwestern Community who, due to a complaint of sexual harassment, have been involved in the investigation process (claimant, respondent, witness) will not be tolerated and will result in further disciplinary action being taken, including the possibility of termination of employment.

## G. FALSE ACCUSATIONS

While the University is committed to preventing and punishing unlawful discrimination, harassment, and retaliation, it also recognizes that false accusations of sexual harassment or retaliation may harm an innocent party who has been falsely accused. Accordingly, any person, who, after an investigation, is found to have knowingly made a false accusation of sexual harassment or retaliation will be subject to appropriate disciplinary action. However, if a person makes a report of what they in good faith believes to be sexual harassment or retaliation, the person will not be subject to disciplinary action even if the person turns out to be mistaken or there has been a finding of no sexual harassment or retaliation.