

# TITLE IX AT UTSW

INSTITUTIONAL READINESS OVERVIEW



OFFICE FOR ACCESS & TITLE IX

# POLICIES

## ETH-153: TITLE IX SEXUAL HARASSMENT

UT Southwestern has drafted a new policy in response to the Department of Education's Final Rule on Title IX Sexual Harassment. Importantly, **UT Southwestern will continue to review and investigate the full spectrum of cases that may constitute sexual misconduct or harassment that is not otherwise subject to this policy.** Accordingly, the Institution has also completed a thorough review and update of its other relevant sexual misconduct and grievance policies.

### UT SOUTHWESTERN POLICY HANDBOOK

#### ETH-153 TITLE IX SEXUAL HARASSMENT: FORMAL GRIEVANCE POLICY

##### CHAPTER 3: ETHICS

Contents	Administrative Information
Policy Link	Responsible Office: Office for Access & Title IX
Policy Rationale and Text	Executive Sponsor: Title IX Coordinator
Scope	Effective Date: 06/13/2020
Procedures	Last Updated: 06/13/2023
Key Officials and Responsibilities	Contact: <a href="mailto:policyoffice@utswestern.edu">policyoffice@utswestern.edu</a>
Definitions	
Related Statutes	
Exceptions	
Contacts/For Further Information	
Policy History	

##### POLICY LINK

To ensure appropriate access when sharing or linking to this policy, copy and paste this URL:  
<https://secure.compliance360.com/external/ta/og/ETH153>

##### POLICY RATIONALE AND TEXT

UT Southwestern is committed to maintaining a working, educational, and training environment that is free from Sexual Harassment in compliance with Title IX of the Higher Education Amendments of 1972 ("Title IX") and the Campus Sexual Violence Elimination Act (Clery Act), Violence Against Women Act (VAWA), and Clery Act. In furtherance of this commitment, it is UT Southwestern policy that the Division of Title IX in the Office for Access & Title IX ("UTSW Division of Title IX") will investigate and resolve Formal Complaints of Title IX Sexual Harassment in the manner outlined herein. Individuals who are found responsible for Title IX Sexual Harassment in violation of this policy will be subject to disciplinary action, up to and including dismissal or termination of employment. Under federal law and this policy, Title IX Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- Quid pro quo: an employee conditioning the provision of an aid, benefit, or service of UT Southwestern on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to UT Southwestern's education programs or activities; or
- "Sexual assault," "dating violence," "domestic violence," or "stalking" as defined below.

### UT SOUTHWESTERN POLICY HANDBOOK

#### ETH-151 EQUAL OPPORTUNITY

##### CHAPTER 3: ETHICS, COMPLIANCE, AND STANDARDS OF BEHAVIOR

Contents	Administrative Information
Policy Link	Responsible Office: Office for Access & Title IX
Policy Rationale and Text	Executive Sponsor: Vice President and Chief Institutional Opportunity Officer
Scope	Effective Date: 01/13/1998
Procedures	Last Updated: 06/13/2023
Definitions	Contact: <a href="mailto:policyoffice@utswestern.edu">policyoffice@utswestern.edu</a>
Related Statutes	
Contacts/For Further Information	
Policy History	

##### POLICY LINK

To ensure appropriate access when sharing or linking to this policy, copy and paste this URL:  
<https://secure.compliance360.com/external/ta/og/eth151>

##### POLICY RATIONALE AND TEXT

UT Southwestern is committed to providing equal opportunities to all members of the campus community and to maintaining an environment that is free from unlawful discrimination, harassment and retaliation. In accordance with the Board of Regents' Rules and Regulations, UT System policy, and applicable federal and state law, no individual will be excluded from participation in, denied the benefits of, or be subjected to discrimination in UT Southwestern services, programs, and activities on the basis of race, color, national origin, religion, sex, age, disability, genetic information, protected veteran status, citizenship status, sexual orientation, gender identity, or gender expression. In accordance with this commitment, it is the policy of UT Southwestern to:

- Provide equal opportunities to qualified individuals in all areas of the employment relationship, including without limitation application, recruitment, promotion, compensation, benefits, and training;
- Provide equal opportunities to all qualified applicants, students, and residents in UT Southwestern's schools and training programs;
- Provide appropriate reasonable accommodations to disabled individuals to allow equal employment and educational opportunities and equal access to UT Southwestern services, programs, and activities;
- Provide appropriate reasonable accommodations for the sincerely held religious beliefs of employees, students, and residents.

### UT SOUTHWESTERN POLICY HANDBOOK

#### ETH-154 SEXUAL HARASSMENT AND SEXUAL MISCONDUCT

##### CHAPTER 3: ETHICS, COMPLIANCE, AND STANDARDS OF BEHAVIOR

Contents	Administrative Information
Policy Link	Responsible Office: Office for Access & Title IX
Policy Rationale and Text	Executive Sponsor: Executive Vice President for Institutional Advancement
Scope	Effective Date: 01/31/1998
Procedures	Last Updated: 06/13/2023
Definitions	Contact: <a href="mailto:policyoffice@utswestern.edu">policyoffice@utswestern.edu</a>
Related Statutes	
Contacts/For Further Information	
Policy History	

##### POLICY LINK

To ensure appropriate access when sharing or linking to this policy, copy and paste this URL:  
<https://secure.compliance360.com/external/ta/og/eth154>

##### POLICY RATIONALE AND TEXT

UT Southwestern is committed to ensuring that its campus environment is free from Sexual Harassment and Other Sexual Misconduct that is unprofessional and inappropriate for the workplace. Sexual Harassment and Other Sexual Misconduct will not be tolerated. UT Southwestern faculty, employees, or residents who engage in conduct prohibited by this policy are subject to disciplinary action, up to and including dismissal or non-renewal of appointment. Additionally, UT Southwestern will take prompt and appropriate remedial action against any individual or organization under its control for violation of this policy. Retaliation against an individual who opposes a discriminatory practice, makes a report or complaint alleging violation of this policy, or testifies for, assists in, or participates in an investigation or other proceeding relating to Sexual Harassment or Other Sexual Misconduct under this policy is strictly prohibited. Individuals who engage in prohibited retaliation will be subject to disciplinary action, up to and including dismissal or non-renewal of appointment. Complaints alleging Sexual Harassment or Other Sexual Misconduct or retaliation in violation of this policy should be submitted and will be handled in accordance with [ETH-151P-01 Equal Opportunity, Complaint Investigation and Resolution Procedure](#).

##### SCOPE

This policy applies to all full-time, part-time, and temporary employees; individuals holding a faculty appointment; residents; applicants for employment or residency; and any individual participating in UT Southwestern services, programs, or activities, including but not limited to patients, visitors, volunteers, contractors, and vendors. This policy applies regardless of the gender, gender identity, or sexual orientation of either the complainant or respondent. It applies to conduct regardless of where it occurs – on or off UT Southwestern property, or via telephonic or electronic means.

## OTHER UPDATED & POLICIES:

**ETH-151**  
Non-Discrimination Policy

**ETH-154**  
Sexual Harassment and Sexual Misconduct Policy for Employees

**ETH-151P-01**  
Conduct and Grievance Policies for Employees

**EDU-151**  
Student Conduct and Discipline

**EDU-151P-01**  
Procedures for Student Discipline

**ETH-111**  
Consensual Relationships Policy

# PROCEDURES

## REVISED PROCESSES + SUPPORTIVE MEASURES

UT Southwestern has clarified the process for concerns that will proceed through the new Title IX Grievance Process, and built out its supportive resources to better assist all parties in Title IX concerns, as well as parties whose concerns are reviewed pursuant to other relevant University codes of conduct.

**TITLE IX PROCESS: WHAT TO KNOW**

UTSW's Title IX Team is committed to supporting the University's mission to create and maintain an educational and work environment free from all forms of sexual harassment, sex discrimination, exploitation, and intimidation, where all students, faculty, and staff can learn, work, and thrive.

**MANDATORY REPORTING**

With limited exceptions, every employee is still a mandatory reporter. Texas law requires each employee to report any information regarding sexual harassment, sexual assault, domestic or dating violence, or stalking to the Title IX Office. Use QR code below for more information.

**THE TITLE IX TEAM**

The Title IX Team Serves as a resource for the entire campus community. The Title IX team handles investigations, provides trainings, and can help with securing resources and support for affected individuals.

**TITLE IX CONCERNS**

Reports that meet the definition of Sexual Harassment under ETH-153 will proceed through the Title IX Formal Grievance Process.

**STUDENT CONCERNS NON-TIX**

Student concerns that do not meet the definition of ETH-153 concerns will be addressed according to EDU-151.

**STAFF CONCERNS NON-TIX**

Staff concerns that do not meet the definition of ETH-153 concerns will be addressed according to ETH-154.

**Contact Us:**

QR Code | Email: [TitleIX@UTSouthwestern.edu](mailto:TitleIX@UTSouthwestern.edu) | Phone: (214) 648-6515

Scan this QR code for more information.

## HERE TO HELP

Available Assistance During the Title IX Process

**Examples of Assistance for Complainants & Respondents**

**Supportive Measures**

Supportive measures must be offered to an alleged victim once an institution has actual knowledge of potential harassment.

Assistance must be offered also to respondent once a formal complaint is filed.

## FOR MORE INFORMATION

Contact the Office for Access & Title IX  
[TitleIX@UTSouthwestern.edu](mailto:TitleIX@UTSouthwestern.edu)

## UPDATED PROCEDURES & DOCUMENTS:

- Supportive Measures Resource Document
- Interim Action Document (*Removals and Administrative Leave*) Informal Resolution Document

# PROGRAMS

## CREATING SPACE FOR DIALOGUE AND EDUCATION

The Office for Access & Title IX continues to provide programming for the campus community as part of its commitment to a safe and inclusive campus. This initiative will deepen the discussion on relevant Title IX issues as the Institution updates its procedures in accordance with the final regulation.



**VIRTUAL  
RESOURCE  
GUIDE** FOR  
EMPLOYEES  
THE OFFICE FOR ACCESS & TITLE IX

### Navigating Safe Relationships While Social Distancing


In April, OIEA joined institutions and organizations nationwide in recognizing the 19th annual Sexual Assault Awareness Month, organized by the National Sexual Violence Resource Center (NSVRC). Sexual Assault Awareness Month seeks to raise awareness about sexual harassment, sexual assault, and abuse. OIEA created virtual offerings, which incorporated NSVRC's I Ask Campaign. An excerpt of the campaign is included in OIEA's Sexual Assault Awareness Month Virtual Resource Guide.

The culminating event for this month of virtual events was the Navigating Safe Relationships webinar, where OIEA partnered with EAP to discuss best practices for preventing partner violence while social distancing.



### Pride Month: Visibility, Identity, & Advocacy

As part of its Summer Learning Series, the Division of Title IX hosted a joint program with the Division of Diversity & Inclusion in recognition of Pride Month. The program, entitled Visibility, Identity, and Advocacy highlighted marginalized voices in the community to discuss relevant issues affecting the LGBTQ+ community, and presenting collaborative paths forward. Registrants and attendees received a Resource Guide following the event, and feedback was overwhelmingly positive.



OFFICE OF INSTITUTIONAL  
EQUITY & ACCESS

### THE TIME IS NOW

A RESOURCE GUIDE FOR EMPLOYEES

JULY 2020

### The Time is Now: A Conversation with Dr. Lauren Powell of TIME'S UP Healthcare

Continuing the OIEA Summer Learning Series, the Division of Title IX hosted The Time is Now: A Conversation with Dr. Lauren Powell, Vice President of Health Care at Time's Up Healthcare. Dr. Powell discussed issues related to safety, equity, and power in the healthcare setting. With over 90 registrants, the event also received positive reviews as part of the exit survey following the event.

# STAFFING & ROLES

## NEW INSTITUTIONAL PARTICIPANTS

UT Southwestern has designated approximately 15 roles to supplement the new Title IX Grievance Process. Each institutional participant will receive training in their capacity as a Hearing Officer, Appeal Officer, Liaison, or Advisor, and will receive refresher training prior to the start of a new Title IX Grievance Process.

**TIX  
COORD.  
&  
DEPUTY**

**HEARING  
OFFICER**

**APPEAL  
OFFICER**

**TITLE IX  
LIAISON**

**TITLE IX  
ADVISOR**

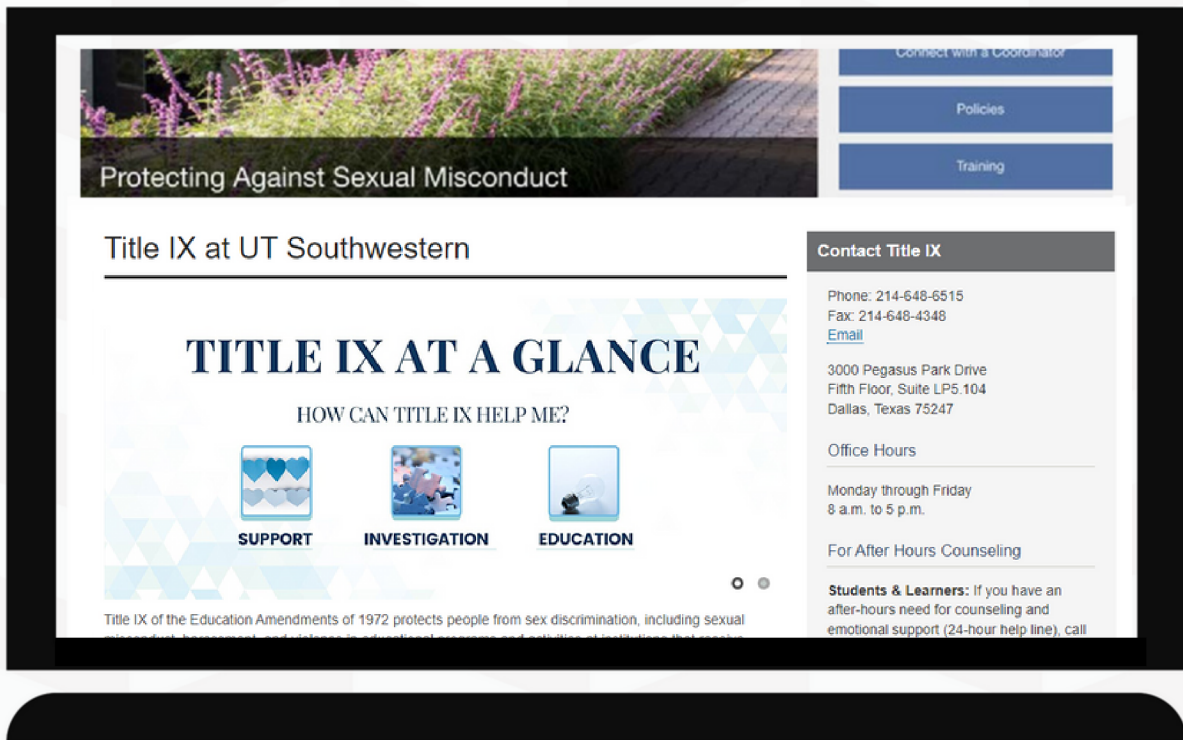
## OTHER INSTITUTIONAL STAKEHOLDERS

- BCAL Team (Behavioral Concerns Advice Line) : Campus Police, Employee Assistance Program
- **Student Wellness**

# WEBSITE & MARKETING

## COMMUNICATIONS UPDATES

UT Southwestern is utilizing all communication channels to apprise the campus community of the upcoming changes and their responsibilities, including the recording of a Fireside Chat Q&A video.



## DIGITAL CONTENT LIBRARY

To further its commitment to supporting the campus community with resources, UT Southwestern is building out a Digital Content Library as part of the Title IX educational rollout.

## KEY COMMUNICATION UPDATES:

- Updated Web content, links, policies, and downloadable handouts.
- New website page dedicated to an overview of new policy and procedural changes under the TX regulations

# RESOURCES & HANDOUTS

## EQUITABLE SUPPORT THROUGHOUT THE PROCESS

### HERE TO HELP

Available Assistance During the Title IX Process



### Supportive Measures

Supportive measures must be offered to an alleged victim once an institution has actual knowledge of potential harassment. Assistance must be offered also to respondent once a formal complaint is filed.

### WHAT TO EXPECT

as a Complainant

Title IX is a segment of the Education Amendments of 1972 that prohibits exclusion or discrimination on the basis of sex from any federal funded education program or activity. The Office for Access & Title IX at UT Southwestern has been empowered to process and investigate all allegations of Title IX violations. This includes allegations that if proven true could constitute Title IX Sexual Harassment as defined in UT Southwestern's Title IX Policy.

#### THE INVESTIGATOR

- An investigator will serve as a neutral third-party administrator who will gather and compile the factual allegations and available evidence in a case.
- The primary goal is to gather factual information through the course of this investigation.
- The investigator will ask official questions that will assist the parties in presenting all relevant facts with appropriate context to assist the hearing officer in evaluating the case.
- The investigator will gather all of the information and evidence gained during the course of an investigation and compile it into a written report.
- Each party will have an opportunity to review the written report before it is finalized. The investigator then provides the written report to a Title IX Hearing Officer who will render a final decision upon conclusion of a formal hearing.

#### INVESTIGATION PROCESS

- The investigator will meet with the Complainant, Respondent and Witnesses as part of the investigation.
- All parties involved will have an equal opportunity to discuss their knowledge of the situation and provide any relevant documentation and names of witnesses pertaining to the matter.
- The investigator will meet with the witnesses identified by the Complainant and Respondent to the extent necessary for the investigators to conduct a fair and impartial investigation.
- The investigators may also call upon additional necessary witnesses that are identified through the course of the investigation.
- The investigator will review the evidence gathered throughout the course of the investigation process. As requested by the parties, the investigator will update the Complainant and Respondent about the status of the case throughout the course of the investigation.
- After the investigator completes the final written report, the case will be referred to the Title IX Hearing Officer who is responsible for conducting a formal hearing.
- During the hearing, the Complainant and Respondent will have the opportunity to provide statements and answer questions from the Title IX Hearing Officer.
- Additionally, both the Complainant and Respondent will have the opportunity to cross-examine witness testimony through an Advisor.

### THE ROLE OF AN ADVISOR

Complainants, Respondents, and Witnesses involved in a grievance process of an allegation under ETH-153 Title IX Sexual Harassment may have an advisor of choice accompany them to any meetings and grievance proceedings. The accompanying person to the participant in the grievance process is the Advisor.

As an advisor, please note the following:

- One advisor may accompany a complainant, respondent, or witness to a meeting or grievance proceeding.
- An advisor may be a friend, parent, family member, attorney, or another person of the participant's choice. The participant may choose to change their advisor at any time in the process.
- An advisor may inspect and review all evidence gathered related to the allegations and obtained in the course of the investigation in accordance with ETH-154 Sexual Harassment and Sexual Misconduct or ETH-153 Title IX Sexual Harassment.
- An advisor cannot also be witness or participant in the same grievance process.
- An advisor may be dismissed from a meeting or grievance proceeding due to disruptive behavior or violations of decorum.
- A complainant and respondent advisor is not permitted to actively participate in any meeting or grievance proceeding, except in a hearing under the grievance process in ETH-153 Title IX Sexual Harassment for the purpose of asking questions of the other party and any other witnesses participating in the hearing. If the hearing takes place under ETH-153 Title IX Sexual Harassment, the advisor may advise only and is not permitted to ask questions of witnesses.
- If a complainant or respondent does not have an advisor of choice for a hearing under the grievance process in ETH-153 Title IX Sexual Harassment, the University will provide one for that party.
- For matters governed by ETH-153 Title IX Sexual Harassment, the complainant and respondent may each request the university to provide an advisor.
- For purposes of mandatory reporting of incidents of Sexual Misconduct, an advisor provided to a student by the University is designated as confidential by the University when the advisor learns about a potential incident of Sexual Misconduct while serving in the role of an advisor.

### FOR MORE INFORMATION

Contact the Office for Access & Title IX  
TitleIX@UTSouthwestern.edu

### TITLE IX HEARING

#### WHAT TO EXPECT

#### WHO IS PRESENT

You and your advisor will attend the hearing. A hearing officer will lead the proceedings between you and the other party.

#### PRESENT EVIDENCE

Following opening statements from you and the other party, you will each present evidence supporting your argument.

You will have an opportunity to provide an overview statement of your argument in this matter.

#### OPENING STATEMENT

#### HEARING OFFICER QUESTIONS

The Hearing Officer will pose questions to you, the other party, and any witnesses.

#### CROSS EXAMINATION

You and the other party will have an opportunity to ask each other questions about the evidence presented.

#### DELIBERATION PERIOD

The Hearing Officer will consider all testimony and evidence presented by you and by the other party.

You will then make a statement to summarize your argument and the evidence you presented to support it.

#### CLOSING STATEMENTS

#### 5 WORKING DAYS

#### DECISION

Within five working days, the Hearing Officer will provide a Notice of Determination describing the outcome of this matter. You and the other party may appeal this decision based on the grounds listed in the Title IX Policy.

Insert additional text re: Ground Rules and logistical setup of hearing

Contact OIA with additional questions about the Hearing Process, to request a Disability Accommodation related to the Hearing, or to request additional assistance related to the Hearing.

## VIRTUAL RESOURCE GUIDE FOR EMPLOYEES

THE OFFICE FOR ACCESS & TITLE IX

Updated resources are now available through the **Office for Access & Title IX**, and on the **Title IX website**.