

University of Dallas Policy CRI

CIVIL RIGHTS POLICY – PROTOCOL FOR RESPONDING

1. **Purpose** – This Policy provides the exclusive process for investigating and responding to complaints of violations of the University Civil Rights Policy, including, but not limited to, Non-Title IX Sexual Harassment, Title IX Sexual Harassment, Sexual Assault, Dating Violence and Stalking.
2. **Definitions** – Relevant terms for implementation of this Policy are set forth in University Policy CRT – Civil Rights Policy – Relevant Terms.
3. **Implementing Policies and Procedures** – The President of the University

the

- 7.1.1. When deciding whether to sign the Formal Complaint, the Civil Rights Coordinator will consider factors such as:
 - 7.1.1.1. The seriousness / nature of the allegations;
 - 7.1.1.2. Whether the alleged behavior or conduct presents a threat to individuals other than the Complainant;
 - 7.1.1.3. Whether effective measures can be put in place to protect the Complainant against continued physical or psychological harm or retaliation;
 - 7.1.1.4. Whether delaying an investigation could reasonably result in the destruction or deterioration of potential evidence to corroborate or refute the allegations;
 - 7.1.1.5. Whether the University has received other reports allegedly committed by the same individual(s); and
 - 7.1.1.6. Any other information that has a reasonable bearing on the decision.
- 7.2. **Investigator** – The Civil Rights Coordinator will assign an Investigator, who will be responsible for conducting a prompt and equitable investigation of the allegations in the Formal Complaint.
- 7.3. **Consolidation** – The Civil Rights Coordinator may consolidate Formal Complaints as to allegations against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.
- 7.4. **Opening of Investigation** – The Investigator shall provide contemporaneous notice to the Complainant and Respondent that an investigation has been opened.
- 7.5. **Dismissal** – The Civil Rights Coordinator may dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing:
 - 7.5.1. The Complainant notifies the Civil Rights Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
 - 7.5.2. The Respondent is not affiliated with the University or is no longer enrolled at or employed by the University;

7.5.3. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein; or

7.5.4. Other reasons set out in policies or procedures adopted by the President of the University.

7.5.5. **Exceptions** – If a Respondent withdraws or graduates (if a student) or leaves the University (if a faculty member)

electronically, written or electronic communications, social media posts, or physical evidence, redacted as necessary to comply with any applicable federal or state law regarding confidentiality; and

8.2.3. the Civil Rights Coordinator shall take reasonable steps to protect the Complainant and Respondent from Retaliation and Harassment during the pendency of the disciplinary process.

8.3. Decision – The Hearing Panel shall provide the Complainant and Respondent with contemporaneous written notice of the decision of the Hearing Panel. The written notice must include findings of fact, conclusions, and a rationale for any determination regarding responsibility and any disciplinary sanctions imposed on the Respondent.

8.4. Appeal of Final Decisions – The Complainant and Respondent may appeal all final decisions of the Hearing Panel, as well as any dismissal, to the Appeal Officer.

8.4.1. The University shall notify the other party of the appeal.

8.4.2. Both parties shall have a reasonable

the University's policy or code of conduct by committing Sexual Harassment, Sexual Assault, Dating Violence, or Stalking.