



MEMORANDUM

DATE March 28, 2018

TO: Complainant 2
Student

FROM: Dr. Dwayne Snider (Designated Administrator)
Associate Vice President, Academic Affairs

Dwayne Snider

RE: Decision - Complaint Dated June 27, 2017

On February 26, 2018, I received the investigation report regarding the above-referenced complaint. On March 9, 2018, I requested some clarification from the investigative authority. On March 20, 2018, I received the revised final investigation report regarding the above-referenced complaint addressing the following allegations:

- Did [Respondent] sexually harass [Complainant], Complainant 2, and/or Complainant 3?

The investigative authority concluded: “Based on the preponderance of the evidence (i.e., more likely than not), I conclude that [Respondent] did not sexually harass [Complainant] or the other two anonymous complainants. There were no witnesses to the comments of a sexual nature attributed to him, and he denied making them. Therefore, the allegations that [Respondent] sexually harassed [Complainant] or the other two anonymous complainants are unsubstantiated.”

- Did [Respondent] create a hostile educational environment?

The investigative authority further concluded: “... that the comments of a sexual nature attributed to [Respondent] were not sufficiently severe, persistent, or pervasive so as to unreasonably interfere with a student’s educational environment or performance. Therefore, the allegation that [Respondent] created a hostile educational environment is unsubstantiated.

The investigative authority further concluded: “That being said, the fact that three separate female students were sufficiently concerned about [Respondent’s] interactions with them to report them is troubling. Further, [Respondent’s] invitation to a student for dinner, drinks, and a movie was inappropriate, and his admitted sharing a hotel room with a student was highly inappropriate and unprofessional behavior.”

I have carefully reviewed and considered the complaint and the investigation report with exhibits and I concur with the conclusions.

Based on this finding, I recommend that Respondent’s employment with the University be terminated.



You have a right to appeal in accordance with the provisions of TSU Rule 08.01.01.T1, *Civil Rights Compliance*, within Five (5) business days of receipt of this letter. In accordance with the provisions of A&M System Regulation 08.01.01, *Civil Rights Compliance*, subsection 4.5.1, an appeal should be submitted only on the following bases, as applicable:

- (a) A procedural error or omission that significantly impacted the outcome;
- (b) New evidence, unknown or unavailable during the investigation, that could have significantly impacted the outcome; or
- (c) The appropriateness or severity of the sanctions.

If you wish to inspect a redacted copy of the investigation report and exhibits please contact Ms. Angie Brown, Assistant Vice President for Employee Services at (254) 968-9128.

Pursuant to A&M System Regulation 08.01.01, subsection, 4.5.1, the decision with regard to the appeal will be final.

cc: Ms. Angie Brown, Assistant Vice President, Employee Services