

Prairie View A&M University
Office of Equal Opportunity and Affirmative Action

Complaint Form

Prairie View A&M University is committed to the prompt resolution of complaints in a manner consistent with university policies and procedures. This form is to be used to ensure that the necessary steps for reaching a resolution are completed. Please feel free to attach additional sheets of information that you feel are relevant and/or necessary. The Equal Opportunity Officer will assist you in completing this form if you wish.

Complainant

Name: _____
Student: Yes Classification: _____ Major: _____ Work-Study Yes No
Employee: Yes Title: _____ Department: _____ Supervisor: _____
Where do you prefer to be contacted? Work _____ Home: Work Number: _____
Home Number: _____ Address: _____

Were you discriminated against with regard to your rights in:

Employment: Education: _____ Retaliation: _____

Were you discriminated against because of your:

Race: _____ Color: _____ National Origin: _____ Age: _____

Religion: _____ Sex (Gender): _____ Disability: _____ Veteran Status: _____

Sexual Harassment:

Who discriminated against you? (The individual(s) who the complaint is against)

Name: _____
Student: _____ Employee: Both: _____ Department: _____
Work Number: _____ Home Number: _____
Address: _____

When? (Time Limit is within last 30 days)

Date first incident took place: July 10, Date of most recent incident: _____

Where?

Where did these incidents occur? In _____ building. SAA
Attach.

Witnesses: List any witnesses to the incidents. This is not a requirement for a complaint to be investigated, but could help substantiate your complaint. Add extra pages, if necessary. On a second sheet, please explain what you think each witness will be able to tell us.)

<u>Name</u>	<u>Job Title</u>	<u>Telephone No. @ Work</u>
_____	_____	_____
_____	_____	_____

With whom have you discussed the incidents? List anyone with whom you have discussed it, both individuals inside PVAMU and outside. Include any supervisors, managers and fellow employees, as well as anyone outside the University with whom you have discussed your concerns.

<u>Name</u>	<u>Job Title</u>	<u>Date</u>	<u>Telephone @ Work</u>
	Mother	7/10/07	
	Roommate	7/11/07	
	Boy-friend	7/11/07	

Who have you contacted for help regarding this complaint?

Name: Ranea R. Williams Title: Equal Opportunity Officer Date: 7/12/07

Name: _____ Title: _____ Date: _____

Statement of events provided by Complainant:

Please provide a detailed statement of the events, including dates, places and names of witnesses. Please attach additional sheets if you need more space.

See Attach.

Describe the injury or harm you suffered because of the alleged discrimination:

I no longer feel safe in my working environment. He made me feel so so uncomfortable.

Remedies sought by Complainant:

What would you like the University to do as a result of your complaint – what remedy are you seeking?

He should be punished in some way. I don't like to wish bad things on others but something has to be done. I don't want to want him to do it to anyone else. He has to know he can't. If that means firing him so be it.

Complaint Acknowledgement:

I certify that to the best of my knowledge the information that I have provided is accurate and the events and circumstances occurred as I have described them.

I acknowledge that I have been provided a copy of the University's policy relating to this complaint.

I understand, acknowledge and consent to the disclosure of information contained in this complaint to appropriate administrators and witnesses interviewed for the purpose of investigating this complaint. I am willing to cooperate fully in the investigation and provide relevant evidence.

I understand that the nature of this complaint, correspondence and all discussions conducted in the course of investigation of the information contained in this complaint are *confidential* to the extent permitted by law and unauthorized disclosures of information concerning the investigation could result in disciplinary action. I agree to abide by these guidelines.

Signature of Complainant

7/12/07
Date

On July 10, 2007 I () went to work. I reported to the tutoring just on time to start. I went about my day as I normally would. Towards the end of the shift I had to go and return Dr. () his key to the lab. So at about 12:45 I walked down the hall toward his office to return his key but I saw him crossing the hall. So I called out to him and told him I was bringing him his key. As I was walking toward him I could smell popcorn. So as I was walking I was taking the key off the ring and saying "I'm hungry, the popcorn smells good I wish I had some popcorn". So I approached him still looking down at the doorway of this room and that's when he suddenly tried to kiss me. It was so sudden that it didn't really register in mind that it had just happened. Then I kind of just froze up and walked off. I can remember him saying something about vending machines or popcorn but I was so out of it I can barely remember what he was referring to. So I just left and went back to the tutoring room and told my boyfriend I needed to go to the restroom. Then I went to the restroom and called my mom. By this time it was really close to 1:00. My mom calmed me down and told me what I should do and then I returned to the tutor lab and sat with my boyfriend until my shift ended. I did not discuss what had happened any more that day. The next day on Wednesday, July 11 2007 I returned to work at 10:00. I had not talk to Dr. () all that day. Then about mid way through my shift I called and asked if he could come by the tutor lab before he left to sign my time sheets. When 2:00 came around he still had not come so I had to go by his office to get them signed. I had come up with a plan to say that I was in hurry and I needed to go to the post office. I went into the office at about 2:00 with this attitude so I wouldn't have to stay long. He asked me about my work study situation while he was signing the papers and I explained it to him. Once he signed the papers I said goodbye and started to leave. Then he called my name and asked for me to come back. I walked back into the office leaving the door open and asked what. He was just looking at me making hand gestures looking really weird saying "You know you're not my student anymore, so we don't have any ties." I reply "I know but you're my supervisor now." Then he continues to make hand gestures and pat his head and stuff. So I ask "What Dr. ()". He says "That means we can screw now. I want to screw you." I replied "Absolutely not you are my supervisor and that's it. We do not have that type of relationship I am your employee. Plus I have a boyfriend who I love very much and were planning to get married. I know he would not like to hear this." Then he starts trying to engage in the fact that I was getting married. But I just walked to the door and as I was walking out he point at my chest and says "You chest even nice too." Then I just made a sigh of disgust with a awkward bye and walked out. While walking out I noticed that Dr. () office door was open. I then immediately tried to call my boyfriend () but I could not get him so I called my roommate or cousin (). I told her about everything that had happened and she told me I had to turn him in. I really did know who to tell or what to do. At this point I was an emotional wreck. I went by Dr. () office but he was not there. I can't really remember the time. So then at about 3:35 I made it to my boyfriend's house. We ate lunch and then I told him what happened. He was really upset and after we finished talking he decided to call Dr. () (I don't really remember much of their conversation but there was a point when () wanted me to tell Dr. () what he had done. I told DR. () but he said he did not know what I was talking about and we only discuss work study. After that me and () continued to talk and I went home the next morning on July 12, 2007 I spoke with my mom again at about 8:09

and I told her about the stuff that took place on the 11. Then I went to Prairie View in search of someone to talk with and I spoke with Renee Williams at about 11:00.

July 12, 2007

07/12/07



PRAIRIE VIEW A&M UNIVERSITY

A Member of The Texas A&M University System

P.O. Box 576

Prairie View, Texas 77446



Office of
EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

(936) 857-4847

(936) 857-4824

FAX: (936) 857-4848

TO: Dr. E. Joahanne Thomas-Smith
Provost and Senior Vice President
For Academic Affairs

FROM: Renee R. Williams
Equal Opportunity Officer/Title IX Coordinator

DATE: September 19, 2007

SUBJECT: Report of Discriminatory Behavior of a Faculty Member

ADMINISTRATIVE & CONFIDENTIAL Complaint Investigation Report

Report on Complaint

This report of investigation arises out of a complaint brought by a student, Ms. [redacted] ("Complainant") alleging inappropriate sexual harassment conduct by a professor, Dr. [redacted]. The Complainant is a junior [redacted] major and also works as a paid [redacted] tutor. Dr. [redacted] ("Respondent"), a male Associate Professor of [redacted] has been employed with the University since [redacted]. The Office of Equal Opportunity received the complaint on July 12, 2007 and the Respondent was notified of the complaint on July 13, 2007. The Respondent is the supervisor of the [redacted] student tutors. The Complainant is one of the student [redacted] tutors.

Summary of Allegations, Findings, & Witnesses' Statements

The Office of Equal Opportunity interviewed the Complainant; the Respondent and contacted four (4) witnesses. The witnesses contacted included: (1) Complainant's mother; (2) [redacted]; Complainant's cousin and roommate; (3) [redacted]; Complainant's boyfriend; and Dr. [redacted].

University Policy

The complaint alleges two (2) incidents which occurred on July 10 and 11,

Prairie View A&M University is a member of the Texas A&M University System, which is committed to equal opportunity and a discrimination free work and learning environment. A&M System Policy 34.01 prohibits students, faculty and staff from conduct constituting sexual harassment. Prairie View A & M University has adopted a Policy Against Sexual Harassment, (the "Policy") which prohibits sexual harassment, sexual misconduct and consensual relationships between faculty members, supervisors and other members of the University community who have professional responsibility for other individuals and the students they teach or currently supervise. The definitions of Title IX Sexual Harassment/Sexual Misconduct are set forth in the policy. A copy of the Policies are attached as Exhibits 1 & 2.

Summary of Complainant's Allegations

The Complainant alleged that the Respondent, her immediate supervisor, violated the Texas A&M University System and Prairie View A&M University's Policy Against Sexual Harassment Policy by: (1) his inappropriate embrace and attempt to kiss her on her lips and (2) his inappropriate comments to her that he wanted to screw her and that her chest looked good.

The Complainant stated that as a resolution to her complaint she would like to be reassigned to another working area and to see the Respondent disciplined in some way so that no other female students have to be subjected to such behavior even if it means that Respondent would be removed from his duties as a teaching professor.

The Complainant's written statement and formal complaint are attached as Exhibits 3 & 4.

Summary of Respondent's Statement

The Respondent's was given an opportunity to respond in writing to the allegations submitted by the Complainant. The Respondent declined.

The Respondent admitted to the allegation that he embraced the Complainant and kissed her on her cheek. The Respondent denied the allegation that he told the Complainant he wanted to screw her. The Respondent stated he did instead tell her cousin () that he wanted to screw her () because she was no longer his student since she graduated from the University

Ms. [redacted] stated that the Respondent spoke to her and to the Complainant when she returned to the store after her lunch break. Ms. [redacted] stated that the Respondent stated he was looking to buy some cologne and they did not discuss anything else about her or the Complainant. Ms. [redacted] stated that when the Respondent was leaving the store he said good-bye.

Determination as a Result of Interviews

Allegation (1)

Respondents' inappropriate embrace and attempt to kiss the Complainant on her lips.

Finding: Substantiated

Allegation (2)

Respondent's inappropriate comments to the Complainant that he wanted to screw her and that her chest looked good.

Finding: Substantiated

Summary of Any Previous Complaints

There have been no previous formal complaints filed against the Respondent in the Equal Opportunity Office or the Office of Human Resources.

Conclusion

In conclusion, the Complainant's allegations of inappropriate behavior against the Respondent have been substantiated.

The Complainant stated she felt the behavior of the Respondent was inappropriate and unprofessional and she was made to feel very uncomfortable working and reporting to the Respondent.

The Respondent admitted that he kissed the Complainant out of sympathy for her hunger because the Complainant's tone of speech provoked him and their proximity to each other at the time of the incident.

The Respondent admitted that he made the comments outlined in allegation #2 to Complainant's cousin (a former student) but not to the Complainant.

The Respondent has been informed that he is expected to adhere to the Texas A & M Policy 34.01.01 on Sexual Harassment and Prairie View A & M University's Policy Against Sexual Harassment and both policies were given to the Respondent for review on Monday, July 16, 2007 in the presence of _____ Director of Human Resources and Renee R. Williams, Equal Opportunity Officer.

***Recommendations will be decided upon by the Senior Vice President for Academic and Student Affairs.



PRAIRIE VIEW A&M UNIVERSITY

A Member of The Texas A&M University System

January 2, 2008

MEMORANDUM

TO: Dr.

FROM: Dr. E. Joahanne Thomas-Smith
Provost and Senior Vice-President for
Academic and Student Affairs

SUBJECT: *Dismissal*

This is to inform you after consultation with _____ I am recommending your immediate dismissal for cause to the President of Prairie View A&M University, under the provisions of System Regulation 12.01 paragraph 8.1. My reasons for this decision are your unprofessional conduct and your violation of System rules and laws related to the performance of your duties as a faculty member.

Your violation of rules and unprofessional conduct are:

You violated System Policy 34.01 and 34.01.01 and University Policy by sexually harassing a student.

You inappropriately embraced the student and attempted to kiss her on her lips.

You told the student that you wanted to "screw her" and that her "chest (was) even nice too."

Your termination from employment shall become effective on January 31, _____. You have a right to appeal this decision by requesting a hearing in writing to the President within 10 business days of receiving this notice in accordance with the provisions of Paragraph 8.2., of System Policy 12.01.

xc:

HUMAN RESOURCES

STUDENT SERVICES