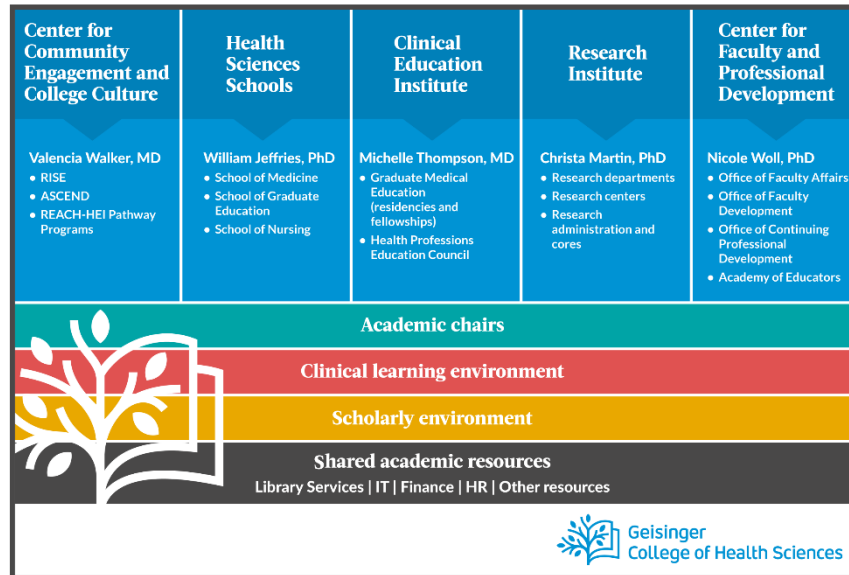


DEFINITIONS

- **Geisinger College of Health Sciences (GCHS).** For the purposes of this policy, GCHS encompasses the students, faculty and employees who comprise the college's five pillars as shown here. This includes the residency and fellowship programs and the health professions programs offered by Geisinger Health.



- **Advisor.** Any person chosen by a party, or appointed by the institution, who may accompany the party to all meetings related to the Resolution Process and advise the party on that process.
- **Appeals Officer.** The person who accepts or rejects a submitted appeal request, determines whether any of the appeal grounds are met, and directs responsive action(s) accordingly.
- **Applicant for Admission.** An individual who submits an application or request for admission into a GCHS program or activity (inclusive of the degree-granting programs, the graduate medical education programs, the health professions programs, and the continuing professional development programs).
- **Complainant.** A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, sexual harassment, or retaliation under the Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct under the Policy and who was participating or attempting to participate in GCHS's education program or activity at the time of the alleged sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct.
- **Confidential Employee.**
 - An employee whose communications are privileged or confidential under federal or state law. The employee's confidential status, for purposes of this definition, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
 - An employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sex discrimination, sexual harassment, retaliation, or Other Prohibited Conduct. The employee's confidential status only applies with respect to information received while conducting the study.

- **Day.** A business day when GCHS is in normal operation. All references in the Policy to days refer to business days unless specifically noted as calendar days.
- **Decision-maker.** The person who reviews evidence, determines relevance, and makes the Final Determination of whether Policy has been violated and/or assigns sanctions.
- **Education Program or Activity.** Locations, events, or circumstances where GCHS exercises substantial control over both the Respondent and the context in which the sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct occurs and also includes any building owned or controlled by a student organization that GCHS officially recognizes.
- **Final Determination.** A conclusion by the preponderance of the evidence that the alleged conduct did or did not violate Policy.
- **Finding.** A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a “finding of fact”).
- **Formal Complaint.** A document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging a Respondent engaged in discrimination, harassment, retaliation, and/or Other Sexual Prohibited Conduct under this Policy and requesting that GCHS investigate the allegation(s).
- **Formal Grievance Process.** A method of formal resolution designated by GCHS to address allegations of Title IX Sexual Harassment, and which complies with the requirements of the Title IX regulations (34 C.F.R. § 106.45) and the Violence Against Women Act § 304.
- **GCHS Employee.** A person employed by GCHS either full- or part-time, including student employees when acting within the scope of their employment. Specifically including:
 - All those who hold a faculty appointment at Geisinger College of Health Sciences, regardless of their primary employer
 - All employees within any of the GCHS five pillars, regardless of their primary employer:
 - Center for Community Engagement and College Culture
 - Health Sciences Schools
 - Clinical Education Institute
 - Research Institute
 - Center for Faculty and Professional Development

This Policy does not apply to all of the employees of Geisinger Health (“GH”). It applies only to GH employees who are also GCHS Employees (as defined above). It also applies to individuals who are employed by other entities but are appointed as faculty of GCHS.

- **Informal Resolution.** A resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a Final Determination in the Resolution Process. See **Appendix C: Types Of Informal Resolution**.
- **Investigation Report.** The Investigator’s summary of all relevant evidence gathered during the investigation. Variations include the Draft Investigation Report and the Final Investigation Report.
- **Investigator.** The person(s) authorized by GCHS to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report.
- **Knowledge.** When GCHS receives Notice of conduct that reasonably may constitute sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct in its education program or activity.

- **Mandated Reporter(s).** All GCHS employees who are obligated by Policy to share Knowledge, Notice, and/or reports of sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct with the Title IX Coordinator.¹ The only GCHS employees who are not Mandated Reporters are GCHS employees who are Confidential Employees or student employees.
- **Notice.** When an employee, student, or third party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct.
- **Official with Authority (OWA).** A GCHS employee who has responsibility to implement corrective measures for discrimination, harassment, retaliation, and/or Other Sexual Prohibited Conduct on behalf of GCHS.
- **Parties.** The Complainant(s) and Respondent(s), collectively.
- **Peer Retaliation.** Retaliation by a student against another student.
- **Relevant Evidence.** Evidence that may aid a Decision-maker in determining whether the alleged sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct occurred, or in determining the credibility of the Parties or witnesses.
- **Remedies.** Typically, post-resolution actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to GCHS's Education Program and Activity.
- **Resolution Process.** The investigation and resolution of allegations of prohibited conduct under this Policy, including Informal Resolution or Hearing Resolution.
- **Respondent.** A person who is alleged to have engaged in conduct that could constitute sex discrimination, sexual harassment, retaliation for engaging in a protected activity under this Policy, or Other Sexual Prohibited Conduct.
- **Sanction.** A consequence imposed on a Respondent who is found to have violated this Policy.
- **Sex.** Sex assigned at birth.
- **Student.** Any person who has gained admission to a GCHS program including:
 - Students enrolled in a degree-granting program of [Geisinger College of Health Sciences](#)
 - Residents and Fellows in Geisinger's [Graduate Medical Education](#) programs
 - Students in Geisinger's [Health Professions](#) programs
 - Students enrolled in Geisinger's [Continuing Professional Development](#) programs

An individual who is a Student may also be considered a GCHS Employee or an employee of Geisinger Health ("GH"). This Policy applies to GCHS Employees but does not apply to all employees of GH. For an individual who is a Student and is also a GH employee, but not a GCHS Employee, this policy applies to the individual if the sex discrimination, sexual harassment, retaliation, or Other Sexual Prohibited Conduct occurs while the individual is a Student participating or attempting to participate in a GCHS education program or activity but does not apply to the individual in his/her capacity as a GH employee. If the prohibited conduct impacts the individual as both a Student and a GH employee, this Policy will apply to the entire scope of the conduct.

- **Title IX Coordinator.** Official(s) designated by GCHS to ensure ultimate oversight of compliance with Title IX and GCHS's Title IX Policy. References to the Coordinator throughout the Policy may also encompass a designee of the Coordinator for specific tasks.

¹ Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of persons with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility under this Policy.

- **Title IX Team.** The Title IX Coordinator, any assistant coordinators, investigators, decision-makers and any other persons responsible for implementing GCHS's Title IX policies and procedures.