

POLICY ON SEXUAL/GENDER DISCRIMINATION, MISCONDUCT AND HARASSMENT (Title IX)

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Policy Audience: All members of the GCSOM community, including anyone our staff or students come in contact with.

Sexual/Gender Discrimination, Misconduct and Harassment

Sex Discrimination: Sex discrimination includes behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in, education programs or activities or employment opportunities because of a person's sex. Examples of sexual discrimination prohibited under Title IX include, but are not limited to, Title IX Sexual Harassment, failure to provide equal opportunity in education programs and extracurricular programs, discrimination based on pregnancy and sex-based employment discrimination.

Sexual/Gender Misconduct is a form of sex discrimination and includes, among other acts, sexual violence, sexual assault, sexual harassment, stalking, cyber-stalking, dating violence, domestic violence, intimate partner violence and hate crimes based on gender or sexuality. Sexual/gender misconduct is a broad term encompassing any behaviors that violate the *Geisinger Commonwealth School of Medicine (GCSOM) Code of Conduct* and/or the *Policy on Sexual/Gender Discrimination, Misconduct, and Harassment (Title IX)* and including sexual harassment prohibited by Title IX. See **Appendix A** for definitions of these terms.

Title IX Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:
(1) an employee of GCSOM conditioning the provision of a GCSOM aid, benefit or service on an individual's participation in unwelcome sexual conduct (i.e., *quid pro quo*);
(2) unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to GCSOM's education program or activity; or
(3) sexual assault (as defined by the Clery Act), or "dating violence," "domestic violence" and "stalking" (as defined by the Violence Against Women Act). See **Appendix A** for definitions of these terms.
See Section 5(D)(1) for the definition of education program or activity.

1. Introduction / Purpose

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. To ensure compliance with Title IX and other federal and state civil rights laws, including regulations related to pregnant and parenting learners, and to ensure that it provides a safe and welcoming campus environment, GCSOM has developed policies and procedures that prohibit sexual/gender misconduct in all of its forms and outlines the process for reporting, investigating

and addressing violations of this policy. GCSOM complies with Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations, the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act as amended by the Campus Sexual Violence Elimination Act (SaVE) Act, Section 304 of the Violence Against Women Reauthorization Act of 2013 and the Department's implementing regulations, and the Commonwealth of Pennsylvania law on Postsecondary Institution Sexual Harassment and Sexual Violence Policy and Online Reporting System 24 P.S. § 20-2001-J, *et. seq.*

GCSOM strives to provide a learning and working environment for members of its community, as well as guests and visitors, that is free from all forms of sex discrimination, sexual/gender misconduct and Title IX Sexual Harassment. All members of the School of Medicine community are expected to conduct themselves in a manner that does not infringe upon the rights of others. GCSOM believes in zero tolerance for sexual/gender misconduct. Zero tolerance means that if, after following a prompt and equitable grievance procedure which affords the parties due process, the accused (the "respondent") is found to have violated this policy, GCSOM will impose sanctions on the respondent up to and including dismissal and provide appropriate remedies to the complainant. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and GCSOM's procedures to establish a mechanism for determining when those expectations have been violated.

This policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom. Academic freedom extends to topics that are pedagogically appropriate and germane to the subject matter of courses or that touch on academic exploration of matters of public concern.

GCSOM treats complainants and respondents equitably in its grievance procedure and includes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance procedure. GCSOM's resolution processes require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.

Scope

This policy addresses Title IX Sexual Harassment, as defined by the U.S. Department of Education (see above) and addresses all complaints of Title IX Sexual Harassment through its Title IX Grievance Process which complies with the Department's Title IX regulations (see Section 6(B)). This policy also addresses sex discrimination, retaliation, and other types of sexual/gender misconduct that do not meet the definition of Title IX Sexual Harassment, which will be handled through either the Title IX Grievance Process or the Other Sexual/Gender Misconduct Process depending on the nature of the alleged misconduct (see Section 6(C)). See Section 6 for further details. **Appendix B** addresses prohibited sex discrimination regarding pregnant and parenting learners.

This policy applies to all faculty, staff and students of GCSOM, as well as to others who participate in GCSOM programs and activities on all campus sites. Individuals who are found to have violated this policy and are members of the Geisinger community will be subject to discipline, up to and including termination or dismissal, and/or any other discipline deemed appropriate. In cases where the respondent is a third party who is not a Geisinger employee or student, GCSOM will still take steps to address any policy violations and provide supportive measures but its ability to take action will be limited by the amount of control that the school has over the third party. When employees are parties to a complaint, as either the complainant or respondent,

Geisinger employee policies will also apply, and the Geisinger Human Resources Department will participate in the process.

2. Governance and Enforcement

Appropriate Vice Dean for each school within GCSOM

3. Policy

A. Statement on Title IX Non-Discrimination

GCSOM is prohibited by Title IX from discriminating on the basis of sex in the education programs and activities that it operates and this requirement to not discriminate extends to admissions and employment. Under Title IX, if GCSOM has actual knowledge of Title IX Sexual Harassment in its education program or activity against a person in the United States, GCSOM must respond promptly in a manner that is not deliberately indifferent. GCSOM's response would be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

Sex discrimination, which includes sexual/gender misconduct and Title IX Sexual Harassment, is prohibited by this policy. This policy is applicable regardless of the sexual orientation and/or gender identity of individuals engaging in sexual activity. In addition, retaliation against the complainant or witnesses is also prohibited by this policy. See Section 9. Applicants, learners or employees who experience sex discrimination or sexual/gender misconduct are encouraged to report it as soon as possible.

Questions regarding Title IX may be referred to the Title IX Coordinator or the Title IX Associate Coordinator (referred to collectively as the Title IX Coordinators) or to the Federal Office of Civil Rights at OCR@ed.gov or the regional federal Office of Civil Rights at OCR.Philadelphia@ed.gov.

B. Title IX Coordination

GCSOM's Title IX Coordinators oversee compliance with all aspects of this *Policy on Sexual/Gender Discrimination, Misconduct and Harassment*, including the sections related to pregnant and parenting students. See **Appendix B**. The Title IX Coordinator(s) will be informed of all reports of sexual/gender misconduct, and will oversee GCSOM's centralized review, investigation and resolution of those reports to ensure GCSOM's compliance with Title IX and the effective implementation of this policy. Questions about any parts of this policy should be directed to one of the Title IX Coordinators. Anyone wishing to make a report relating to sex discrimination or sexual/gender misconduct may do so by reporting the concern to a GCSOM Title IX Coordinator or to any school official with authority to institute corrective measures on behalf of the school. GCSOM's officials with authority are:

- President and Dean
- Vice President for Academic Affairs and Vice Dean for Medical Education
- Associate Dean for Student Affairs
- Chair of the Department of Medical Education
- Vice Dean for Graduate Education
- Associate Dean for Graduate Academic Affairs.
- Director, Office of Institutional Research, Planning and Effectiveness

Any of the above named “officials with authority” must report the incident to the Title IX Coordinator, including the student’s name. If the student wishes the report to remain confidential and anonymous, they should speak to a resource advisor or other trusted member of the faculty or staff who will report the incident to the Title IX Coordinator but is not required to include the student’s name. The student may also speak with a peer resource advisor who is encouraged to report the incident to the Title IX Coordinator and is not required to include the student’s name.

Title IX Coordinator

Arthur Breese
(570) 808-5809
Geisinger South Wilkes-Barre
Email: awbreese@geisinger.edu

Title IX Associate Coordinator for the School of Medicine (Undergraduate Medical Education and Graduate Programs)

Andrea Mulrine
(570) 510-0845
MSB, 525 Pine Street, Scranton
Email: amulrine@som.geisinger.edu

C. Dissemination of Policy

GCSOM’s nondiscrimination policy and its grievance procedure and the contact information for its Title IX Coordinators is provided to all applicants for admission and employment, learners and employees. This information is available online at www.geisinger.edu/titleix.

4. Reporting Procedures

Any applicant, learner, employee or member of the GCSOM community who has experienced sex discrimination, sexual/gender misconduct, or Title IX Sexual Harassment is encouraged to immediately seek help. In circumstances involving sexual violence or assault, GCSOM encourages all individuals to seek assistance from a medical provider and/or law enforcement as indicated immediately after an incident of sexual/gender misconduct, whether or not the individual plans to pursue criminal action. See Section 14 for further information.

GCSOM encourages anyone who has experienced any form of sex discrimination or sexual/gender misconduct to report the incident promptly and to pursue GCSOM remedies and interventions as described below, as well as criminal action, if applicable. GCSOM takes complaints seriously and the Title IX Coordinators are prepared to assist complainants to ensure their safety and to provide supportive measures.

GCSOM requires faculty and staff who witness or learn of any incidents of sex discrimination or sexual/gender misconduct to report the issue to the Title IX Coordinator. GCSOM encourages students who witness or learn of any incidents of sex discrimination or sexual/gender misconduct to report the issue to the Title IX Coordinator. Any person may report sexual/gender discrimination, harassment or misconduct whether or not they are the person alleged to be the receiver of such conduct at any time. In such cases where an individual other than the

one experiencing the misconduct makes the report, the Title IX Coordinator will reach out to the party involved (complainant) to offer supportive measures and provide information on filing a formal complaint.

A. Reporting Options

Reports of sex discrimination, sexual/gender misconduct, or Title IX Sexual Harassment can be made to the Title IX Coordinator via mail, email, phone or in person at the contact information listed directly above in Section 3(B). In addition, reports can be made to any GCSOM official with authority listed above in Section 3(B). These school officials will be required to notify the Title IX Coordinator of any reports of sex discrimination or sexual/gender misconduct, including the name of the complainant.

Individuals also have the right to file a formal grievance with the U.S. Department of Education's Office for Civil Rights or the regional OCR office if they believe GCSOM has discriminated on the basis of sex, retaliated against a complainant, witness or respondent, or failed to follow the procedures set forth in this policy:

Office for Civil Rights (OCR)

Regional Office:

The Wanamaker Building
100 Penn Square East, Suite 515,
Philadelphia, PA 19107-3323.
Telephone: (215) 656-8541.
Fax: (215) 656-8605.
Email: OCR.Philadelphia@ed.gov

National Office:

400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
Fax: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

B. Anonymous Reports

Anonymous reports can be made by anyone experiencing sexual/gender misconduct and/or anyone observing sexual/gender misconduct using the online reporting form posted at:

<https://vtools.tcmc.edu/sis/titleix/>

or the following reporting hotlines:

Employees may report on an Anonymous Geisinger Hotline hosted by Global Compliance, Inc. at 800-292-1627 or <http://www.geisinger.org/alertline>

Learners may report at the Anonymous Ethics Hotline 844-600-0042 or www.lighthouse-services.com/gcsom-student

Note that these anonymous reports will prompt a review by the Title IX Coordinator. The School's response to anonymous reports may, however, be limited by the amount of information provided on these reports.

In the event that an incident involves alleged misconduct by a Title IX Coordinator, reports should be made directly to the Director, Office of Institutional Research, Planning and Effectiveness, Kevin Perneta, (570) 955-1336 or kperneta@som.geisinger.edu.

C. False Reports

GCSOM will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Academic and Professional Integrity Governing the MD Program, the Graduate Student Code of Conduct and Geisinger's Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

D. Amnesty for Those Who Experience Sexual/Gender Misconduct and for Witnesses

The GCSOM community encourages the reporting of misconduct and crimes by those who experience it, as well as those who witness it. Sometimes, witnesses or complainants are hesitant to report to school officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as abusing alcohol or drugs at the time of the incident. It is in the best interests of this community that as many individuals as possible choose to report to school officials, and that witnesses come forward to share what they know. To encourage reporting, GCSOM pursues a policy of offering those who experience misconduct, as well as any witnesses, amnesty from minor policy violations related to the incident, including any minor drug and alcohol violations.

Sometimes, learners are hesitant to offer aid to others for fear that they may get themselves in trouble (for example, a learner who has been drinking might hesitate to help take a sexual/gender misconduct victim to security). GCSOM pursues a policy of amnesty for learners who offer help to others in need. While standards of professionalism are paramount in medicine and as patient safety is of primary concern, professionalism policy violations, and especially concerns related to drug and alcohol misuse will generally be addressed through education and/or screening and treatment options, rather than punishment, to those who offer their assistance to others in need.

GCSOM will not be able to overlook serious policy violations or a pattern of policy violations.

5. Initial Response to Reports of Sexual/Gender Misconduct

Upon receipt of a report, the Title IX Coordinator will take prompt and effective action by reaching out to the complainant. The Title IX Coordinator will notify the complainant of the availability of supportive measures with or without the filing of a formal complaint, consider the complainant's wishes with respect to supportive measures and explain to the complainant the process for filing a formal complaint. The Title IX Coordinator will consider the nature of the report, the safety of the individual and the GCSOM community, the complainant's

expressed preference for resolution, and the necessity for any supportive measures or emergency removal to protect the safety of the complainant or the community.

A. Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent. Such measures are designed to restore or preserve equal access to GCSOM's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or GCSOM's educational environment, or to deter sexual harassment. Supportive measures are available to complainants with or without the filing of a formal complaint.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, adjustment of learning modality, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus and other similar measures. The Chair of the Department of Medical Education or the Associate Dean for Graduate Academic Affairs will be consulted regarding any supportive measures regarding course or program-related adjustments.

When the complainant and the respondent participate in the same courses, or participate in the same activities, the parties may request that a fair and immediate way to reassign and/or move one of the persons be decided upon by the designee of the Vice Dean of the appropriate GCSOM school. The Chair of the Department of Medical Education or the Associate Dean for Graduate Academic Affairs will be consulted in making a determination regarding an alternative classroom assignment(s) for the respondent and/or the complainant.

GCSOM will keep any supportive measures provided to the complainant or respondent confidential, to the extent that maintaining such confidentiality would not impair the ability of GCSOM to provide the supportive measures (for example, issuing mutual restrictions on contact requires disclosure to both parties). The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

If GCSOM does not provide supportive measures to a complainant, the Title IX Coordinator will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

B. Emergency Removal

In general, GCSOM will not impose any disciplinary sanctions or other actions that are not supportive measures on the respondent without following its grievance procedure. However, in some circumstances, GCSOM may suspend a learner-respondent from its education programs or activities on an emergency basis. Before suspending the respondent, the Title IX Coordinator, the school's Public Safety Manager and the Vice Dean of the appropriate GCSOM school will conduct an individualized safety and risk analysis to determine if there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual/gender misconduct which justifies the removal of the respondent. If GCSOM makes the decision to temporarily remove the respondent, GCSOM will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. The Vice Dean of the appropriate school at GCSOM will make all decisions regarding emergency removal of learners.

GCSOM has the discretion to place employee-respondents on administrative leave of absence during the pendency of the grievance procedure. (See Geisinger's *Performance Improvement & General Standards of Conduct* policy.)

C. Formal Complaint

A formal complaint must be filed before GCSOM will initiate its grievance procedure. The formal complaint can either be filed by a complainant or signed by the Title IX Coordinator.

The complainant may submit a formal complaint to the Title IX Coordinator in person, by mail or by electronic mail. The formal complaint must include the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint.

In general, the Title IX Coordinator will honor the decision of the complainant regarding filing a formal complaint unless there is information available that places the complainant or others in the community at risk. In cases where the complainant does not choose to file a formal complaint but where the Title IX Coordinator, after considering all of the circumstances, determines that GCSOM must initiate the grievance process to avoid being deliberately indifferent (such as when an individual or other members of the community may be at risk), the Title IX Coordinator may sign the formal complaint. GCSOM will not act with deliberate indifference in response to any formal complaint.

Formal complaints afford privacy, to the extent possible, to all parties involved in a report of sexual/gender misconduct. Only a small group of officials who need to know will be told about the formal complaint, which may include but is not limited to, the Associate Dean for Student Affairs, the Associate Dean for Graduate Academic Affairs and the Public Safety Manager. Information will be shared as necessary with investigators, decision-makers and witnesses. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' privacy.

D. Classification of Formal Complaint

After a formal complaint is filed, the Title IX Coordinator will determine whether the complaint is alleging Title IX Sexual Harassment, sex discrimination, retaliation or another type of sexual/gender misconduct prohibited by this policy.

In order to be considered Title IX Sexual Harassment, the alleged misconduct must meet the definition of Title IX Sexual Harassment set forth in Section 1, as well as all of the following jurisdictional requirements:

1. The misconduct must occur within GCSOM's "education program or activity" which includes locations, events or circumstances over which GCSOM exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by GCSOM.
2. The alleged misconduct must occur in the United States.
3. The complainant must be participating in or attempting to participate in a GCSOM education program or activity.

If the alleged misconduct does not meet the definition of Title IX Sexual Harassment and the related jurisdictional requirements, the Title IX Coordinator will decide whether it otherwise meets the definitions of sex discrimination or sexual/gender misconduct in Section 1 or the definition of retaliation in Section 9. The alleged misconduct may also be referred to the Associate Dean for Student Affairs or the Associate Dean for Graduate Academic Affairs to be handled under the *Policy on Student Mistreatment* or the *Graduate Ethics Committee*.

The classification of the formal complaint will determine which grievance process is utilized in Section 6.

E. Dismissal of a Formal Complaint

If the Title IX Coordinator determines that alleged sexual/gender misconduct does not meet the definition of Title IX Sexual Harassment or the jurisdictional requirements discussed above, the formal complaint will be dismissed as a Title IX formal complaint and continue as a sexual/gender misconduct formal complaint.

The Title IX Coordinator may also dismiss a Title IX Sexual Harassment or a sexual/gender misconduct formal complaint, if at any time during the investigation or hearing:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled at or employed by GCSOM;
- Specific circumstances prevent GCSOM from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein; or
- The alleged misconduct is not sexual/gender misconduct prohibited by this policy.

The Title IX Coordinator will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties (complainant and respondent), which will also notify the complainant of the right to appeal a dismissal. See Section 8 for more information on appeals.

F. Consolidation of Formal Complaints

The Title IX Coordinator may consolidate formal complaints as to allegations of sexual harassment 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 of sexual harassment arise out of the same facts or circumstances.

G. Confidentiality

GCSOM will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual/gender misconduct, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out GCSOM's sexual/gender misconduct grievance procedure.

6. Grievance Procedures

GCSOM has developed two separate grievance processes within its grievance procedure: the Title IX Grievance Process, which complies with the U.S. Department of Education's requirements in its Title IX regulations, and the Other Sexual/Gender Misconduct Grievance Process.

Formal complaints regarding allegations of Title IX Sexual Harassment, sexual assault, domestic violence, dating violence, stalking and non-consensual sexual contact will be resolved through the Title IX Grievance Process. See Section 6(B).

Formal complaints regarding sex discrimination, retaliation and other sexual/gender misconduct will be resolved through the Other Sexual/Gender Misconduct Grievance Process. See Section 6(C).

These grievance processes apply when a GCSOM learner is a complainant or a respondent (even if an employee is the respondent or complainant, respectively). Complaints between GCSOM employees will only be handled through this grievance procedure if the alleged misconduct is Title IX Sexual Harassment. All other complaints between employees will be referred to Human Resources.

GCSOM plans to conclude the grievance procedure in reasonably prompt time frames. Any time frames listed below are subject to change for good cause. Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Written notice of any delay or extension and the corresponding reasons will be provided to the complainant and the respondent.

All required notices will be shared simultaneously with the complainant and respondent for either formal or informal resolution procedures via email. At the discretion of the Title IX Coordinator, notices may also be sent via postal mail.

A. Notice of Allegations

After receiving a formal complaint, the Title IX Coordinator will provide a written notice to the complainant and respondent, which includes:

- A determination of whether the alleged conduct would qualify as Title IX Sexual Harassment or if it is not Title IX Sexual Harassment, whether the alleged conduct would qualify as sexual/gender misconduct otherwise prohibited by this policy;
- Notification of which grievance process applies to the alleged misconduct (see above) and an explanation of the grievance process that applies as well as the informal resolution process;
- A list of the allegations of misconduct potentially constituting Title IX Sexual Harassment or other sexual/gender misconduct prohibited by this policy, including sufficient details known at the time such as the identities of the parties involved in the incident, the conduct allegedly constituting sexual/gender misconduct and the date and location of the alleged incident;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notification that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;

- Notification that the parties may inspect and review evidence;
- Notification of the provisions in GCSOM’s code of conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process;
- The name of the investigator who will be investigating the formal complaint; and
- Proposed dates, times and locations for the investigator’s initial meeting with each party.

The notice of allegations will be provided at least seven (7) calendar days before the initial interview scheduled with the investigator, to give the complainant and respondent time to review the allegations and prepare for the meeting.

If, in the course of an investigation, GCSOM decides to investigate allegations about the complainant or respondent that are not included in the original notice of allegations, the Title IX Coordinator must provide notice of the additional allegations to the parties.

B. Title IX Grievance Process

a. Grievance Process Requirements

- All Title IX personnel including the coordinators, investigators, decision-makers and the Appeals Officer must be free of conflict of interest or bias for or against a complainant or respondent. If any party has a concern about conflict of interest or bias on the part of any Title IX personnel, that individual should report the concern to the Director, Office of Institutional Research, Planning and Effectiveness.
- All Title IX personnel must be appropriately trained in regard to Title IX policies and regulations. See Section 12.
- All Title IX personnel will assume the innocence of the alleged respondent until a Determination of Responsibility is made.
- The hearing officer will use the preponderance of evidence standard in determining responsibility for formal complaints involving students or employees, which means the decision maker must determine whether there is evidence to indicate a policy violation is “more likely than not” or more than 50% likely.
- All parties to the complaint may present witnesses and other evidence. Each party must have meaningful access to any information that will be used during the live hearing, including the investigative report. The parties will have the opportunity to respond in writing to the investigative report in advance of the determination of responsibility.
- In cases where a respondent is found responsible, complainants will be treated equitably through the application of appropriate remedies implemented to maintain the complainant’s equal access to GCSOM educational programs and activities.
- All respondents will be treated equitably during the investigation and live hearing phase in that no disciplinary sanctions will be imposed prior to the completion of the grievance process, with the

exception of an emergency removal as described in previous Section 5(B).

- All evidence, inculpatory and exculpatory, must be evaluated objectively by the hearing officer.
- The hearing officer will not make credibility determinations based on a person's status as complainant, respondent or witness.
- The hearing officer will not consider the prior sexual behavior of the complainant unless that behavior is offered to prove that someone other than the respondent committed the alleged misconduct or if it is offered to prove consent.

See also the Statements of Rights for complainants and respondents in Section 13.

b. Informal Resolution Procedure

Where it is deemed possible and safe and when the parties agree, an informal resolution procedure may be applied to resolve a formal complaint. The informal procedure will not, however, be used when the complainant is a student and the alleged respondent is an employee.

To initiate the informal resolution procedure, the Title IX Coordinator will review the procedure with the complainant and the respondent in a timely manner and elicit their interest in engaging in this process. Both parties must give voluntary, informed written consent to participate in the informal resolution procedure. To reach an informal resolution, the Title IX Coordinator (or designee) will speak with both parties and any appropriate witnesses to explore what actions and supportive measures can be agreed upon.

If a satisfactory resolution is reached through this informal conversation, the resolution will be documented and signed by both parties. If both parties sign the resolution, they may not then pursue the formal resolution procedure. If these efforts are unsuccessful or if the complainant or respondent do not accept the informal resolution, the formal resolution procedure may commence.

Either party (complainant or respondent) may stop the informal procedure at any time and request that the complaint be handled through the formal procedure. The complainant may request to end the informal or formal procedure at any time and the Title IX Coordinator will consider whether granting the request to end the process is consistent with GCSOM's responsibilities under Title IX and to its students and the public.

c. Formal Resolution Procedure

Investigation

Upon the receipt of a signed formal complaint, the Title IX Coordinator will assign an objective, trained investigator to commence the investigation. The role of the investigator is to gather the facts, by interviewing all witnesses, collecting appropriate evidence and documenting his/her findings in preparation for a live hearing.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on GCSOM (as represented by the investigator) and not on the parties. However, both

parties must have the opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence to the investigator. The investigator cannot access, consider, disclose or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist or other recognized professional which are made and maintained in connection with the provision of treatment to the party, unless the investigator obtains that party's voluntary, written consent to do so for the grievance process.

The investigation will take place in a timely manner. The parties to the complaint will receive the notice of allegations (described above) at least seven (7) calendar days before their initial meeting with the investigator. The investigator will provide any witnesses with timely notification of the date, location and time of their interview meetings at least three (3) calendar days in advance and will notify the parties of any additional interviews at least three (3) calendar days in advance. Interviews may occur in person or virtually based on the circumstances and investigators will work with the parties and witnesses to handle any scheduling conflicts. The complainant and respondent may be accompanied to any meetings by an advisor of their choice.

Sharing of Evidence: During the investigation, the complainant and respondent will be provided with copies of or allowed to inspect all evidence collected. Within seven (7) calendar days of receipt of the evidence, either party may submit responses to the evidence to the investigator or may submit any additional evidence contradicting or corroborating the evidence collected by the investigator.

Preliminary Investigative Report: The investigator will prepare an investigative report that fairly summarizes the relevant evidence. At the conclusion of the investigation, the investigator will provide the preliminary investigative report to the Title IX Coordinator who will share it with the complainant and respondent and their advisors simultaneously, allowing a fourteen (14) calendar day response period for both parties to review and respond to the report. The Title IX Coordinator will also notify the parties of a proposed hearing date, at least twenty-eight (28) calendar days from the date of receipt of the preliminary investigative report.

Final Investigative Report: Once this 14-day response period is concluded, the investigator will review any responses received and finalize the report. The complainant, the respondent and their advisors will simultaneously receive a copy of this written report from the Title IX Coordinator at least fourteen (14) calendar days before the scheduled hearing.

Supportive Measures: At any time during the investigation, the investigators may recommend that additional supportive measures, including interim protections, be provided to the parties or witnesses. See previous Section 5(A).

Live Hearing

Written Notice of Hearing: The Title IX Coordinator will provide written notification of the date, time, location, participants, allegations and purpose of the hearing to all parties and witnesses whose participation is invited or expected at least fourteen (14) calendar days before the hearing.

Advisors: Both the complainant and the respondent have the right to have an advisor present during all phases of the investigation and hearing. The advisor can be, but is not required to be, an attorney. If a

party does not have an advisor for the live hearing, GCSOM will appoint an advisor of its choice without fee or charge to that party, who may be, but is not required to be, an attorney, to represent the party during the hearing.

Decision-maker: Presiding over the hearing will be an objective decision-making hearing officer who is trained in conducting Title IX hearings. The hearing officer will be hired individually or through a consulting firm contracted to advise GCSOM on Title IX matters. The hearing officer will oversee the resolution of the complaint by interviewing all appropriate parties, including witnesses, determining the relevance of all questions posed under cross-examination, evaluating the relevance of all evidence submitted and rendering a decision of responsibility.

Hearing Format: The live hearing will be conducted in a manner so that all parties can see and hear testimony at all times. During the hearing, the parties may be in separate rooms (at the request of either party) or the hearing (in-part or in-whole) may be conducted virtually as long as there is appropriate technology to allow for the parties, their advisors and the panel members to see and hear testimony at all times. The hearing will be recorded or transcribed, and a copy of the recording/transcription will be provided to both the complainant and respondent for review.

A detailed outline of the hearing process will be provided to all parties along with the written notice of the hearing date/time.

Rules for Questioning Parties and Witnesses: Only the advisors for the parties, the investigator or the hearing officer may question the testifying parties and witnesses. All questioning must be conducted in a professional and polite manner. Questioners may only ask relevant questions. Before the party or witness answers a question, the hearing officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The hearing officer may not require, allow, rely upon or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Impact of Testimony: The hearing officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Determination Regarding Responsibility

Generally, within fourteen (14) calendar days of the hearing, the hearing officer will issue a written determination regarding responsibility applying the preponderance of the evidence standard. The Title IX

Coordinator will ensure that the written determination includes all of the following and will share the determination with all parties simultaneously:

- A list of the allegations potentially constituting Title IX Sexual Harassment or sexual/gender misconduct;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of GCSOM's policies or codes of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- Any disciplinary sanctions imposed on the respondent;
- Whether remedies designed to restore or preserve equal access to GCSOM's educational programs or activities will be provided by GCSOM to the complainant; and
- The procedures and permissible bases for the complainant and respondent to appeal.

Notice of Determination of Responsibility: The complainant and respondent will be given simultaneous notice, in writing via email or postal mail, of the determination of responsibility and any next steps, including the availability of appeal. See Section 8.

C. Other Sexual/Gender Misconduct Grievance Process

The Other Sexual/Gender Misconduct Grievance Process also has informal and formal procedures for resolving complaints of sex discrimination, retaliation and other sexual/gender misconduct. The complainant may request to end the informal or formal procedure at any time and the Title IX Coordinator will consider whether granting the request to end the process is consistent with GCSOM's responsibilities to its students and the public.

In either procedure, the investigator and decision-maker must be free of actual or reasonably perceived conflicts of interest and biases for or against any party. If a party has a concern about conflicts of interest or biases on the part of the investigator or decision-maker, he/she should report these concerns to the Title IX Coordinator, the Associate Dean for Student Affairs or the Associate Dean for Graduate Academic Affairs.

a. Informal Resolution Procedure

Where it is deemed possible and safe and when the parties agree, an informal resolution procedure may be applied to resolve a formal complaint.

To initiate the informal resolution procedure, the Title IX Coordinator will review the procedure with the complainant and the respondent in a timely manner and elicit their interest in engaging this process. Both parties must give voluntary, informed written consent to participate in the informal resolution procedure. To reach an informal resolution, the Title IX Coordinator will speak with both parties and any appropriate witnesses to explore what actions and supportive measures can be agreed upon.

If a satisfactory resolution is reached through this informal conversation, the resolution will be documented and signed by both parties. If both parties sign the resolution, they may not then pursue the formal resolution procedure. If these efforts are unsuccessful or if the complainant or respondent does not accept the informal resolution, the formal resolution procedure may commence.

Either party (complainant or respondent) may stop the informal procedure at any time and request that the complaint be handled through the formal procedure.

b. Formal Resolution Procedure

Under the formal resolution procedure for the Other Sexual/Gender Misconduct Grievance Process, a formal complaint of sexual/gender misconduct will be investigated by an objective, trained investigator. The investigation shall commence within fourteen (14) calendar days of receiving the formal complaint and be completed within sixty (60) calendar days, absent any extenuating circumstances.

Advisors: The complainant and the respondent may be accompanied during the course of the investigation by an advisor of their choice. Advisors are restricted from speaking during the investigation; their role is purely supportive and advisory.

Evidence: The investigation may include interviews of the parties involved, including witnesses, and the gathering of other relevant information. Separate interviews will occur with the complainant and respondent. Parties to the complaint may present witnesses and other evidence. Each party will be given the opportunity to submit written, relevant questions that a party wants asked of the other party or witness. The Title IX Coordinator will provide each party with the answers to the questions, and allow for additional, limited follow-up questions from each party.

Supportive Measures: At any time during the investigation, the Title IX Coordinator or investigator may recommend that additional supportive measures, including interim protective measures, be provided for the parties or witnesses. See previous Section 5(A).

Report of Findings: At the conclusion of the investigation a full report of findings and a summary of the relevant exculpatory and inculpatory evidence, as well as a recommendation for disposition for each alleged policy violation, shall be rendered to the Vice Dean for the appropriate GCSOM school for final decision and action. If the respondent is an employee, the Vice Dean will consult with Geisinger Human Resources before issuing a determination and recommendation for sanctions. The final decision shall be based on the preponderance of evidence standard which means the decision-maker must determine whether there is evidence to indicate a policy violation is “more likely than not” or more than 50% likely.

Notice of Findings: The Title IX Coordinator will give the parties involved simultaneous notice, in writing via email or postal mail, of the conclusion of the investigation and any next steps, including the availability of appeal. See Section 8. The notice will set forth the decision-maker’s findings of responsibility regarding the allegations and any sanctions or remedies that may be appropriate. See Section 7.

7. Remedies and Disciplinary Sanctions

GCSOM will not implement remedies or disciplinary sanctions until the decision of the decision-maker is final.

The determination regarding responsibility becomes final either on the date that the parties receive the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

A. Remedies

Remedies must be designed to restore or preserve equal access to GCSOM's educational programs or activities and do not need to avoid burdening the respondent. The decision-maker(s) may develop remedies appropriate to the individual facts of each case, including but not limited to the following:

- counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- classroom re-assignment
- campus escort services
- restrictions on contact between the parties
- changes in work locations
- leaves of absence
- increased security and monitoring of certain areas of the campus

When the respondent is a third party, GCSOM's ability to respond will be limited based on the degree of control it exercises over the third party. In cases where the third party is associated with an entity that GCSOM has a relationship with (such as a hospital), GCSOM will work with the entity to address allegations of sexual/gender misconduct.

B. Sanctions

The decision-maker(s) may impose the following sanctions on a respondent found to have violated this policy. Factors considered in sanctioning are defined in the *Policy on Academic and Professional Standards Governing the MD Program*; *Graduate Policy on Academic and Professional Performance*; or Geisinger Human Resources policies. The following are the typical sanctions that may be imposed upon learners or employees singly or in combination:

Learner Sanctions (listed below and defined in *Policy on Academic and Professional Standards Governing the MD Program* and *Graduate Policy on Academic and Professional Performance*)

- warning
- probation
- suspension
- dismissal
- revocation or withholding of diploma or degree

Employee Sanctions (listed below and defined in Geisinger’s *Performance Improvement & General Standards of Conduct Policy*)

- performance improvement plan
- verbal counseling
- written counseling
- suspension
- termination

Sanctioning for Sexual Violence

Note that Geisinger’s Human Resources Department will be included in any decisions for sanctions involving employees.

Any person found to have violated this policy by engaging in non-consensual sexual contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to dismissal (learner) or written counseling to termination (employee), depending on the severity of the incident, and taking into account any previous disciplinary violations.

Any person found to have violated this policy by engaging in sexual assault will likely face a recommended sanction of suspension or dismissal (learner) or suspension or termination (employee).

Any person found to have violated this policy by engaging in sexual exploitation, sexual harassment, intimate partner violence (including dating violence and domestic violence) or stalking will likely receive a recommended sanction ranging from warning to dismissal or termination, depending on the severity of the incident, and taking into account any previous disciplinary violations.

The decision-maker reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the decision-maker nor the Appeals Officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

C. Release of Information Regarding Remedies and Sanctions

The outcome of an investigation involving learners is part of the education record of the learner parties involved, and is protected from release under the federal law, FERPA, with some exceptions. GCSOM is allowed to notify the parties involved and others whom GCSOM determines need to be informed based on the law and this policy. Specifically, GCSOM may disclose information to the complainant about any sanctions imposed upon a respondent learner who was found to have engaged in sexual/gender misconduct when the sanction directly relates to the complainant. Further, when the conduct involves a crime of violence or a non-forcible sex offense, GCSOM may disclose to the complainant the final results of a disciplinary proceeding against the respondent learner, regardless of whether GSCOM concluded that a violation was committed.

GCSOM may release publicly the name, nature of the violation and the sanction for any learner who is found in violation of a GCSOM policy that is a “crime of violence,” including: arson, burglary, robbery, criminal homicide, sex offenses (including non-forcible sex offenses), assault, destruction/damage/vandalism of property and kidnapping/abduction.

8. Appeal Process

A complainant or respondent may appeal the final determination of a formal complaint under the Title IX Grievance Process or the Other Sexual Misconduct Grievance Process or the dismissal of a formal complaint.

Grounds for Appeal: An appeal made by either party must be made on one or more of the following grounds:

- A procedural irregularity that affected the outcome of the matter
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter
- The Title IX Coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter

Decision-maker: Appeals for both GCSOM learners and employees will be decided by the Appeals Officer, who is the Director of the Office of Institutional Research, Planning and Effectiveness. The Appeals Officer will conduct the appeal in an impartial manner and will not serve as a decision-maker for any other part of the grievance procedures. The Appeals Officer will ensure both parties are treated fairly in the process and afforded their rights as set forth in this policy.

Appeals Procedure:

- The parties will be notified of the availability of an appeal and the grounds for filing an appeal in the notice of the Determination of Responsibility.
- Both parties will have seven (7) calendar days in which to notify the Title IX Coordinator if they intend to file an appeal and the grounds for the appeal.
- Both parties will be notified of the notice of intent to file an appeal and the appeal procedures by the Title IX Coordinator.
- Both parties may submit a written statement to the Title IX Coordinator in response to the appeal within fourteen (14) calendar days of receipt of the notice of appeal.
- The Title IX Coordinator will provide all related documents to the Appeals Officer.
- The Appeals Officer will consider the related documents, (such as the investigative report, hearing transcript, and determination of responsibility for the Title IX Grievance Process, the investigative report and written determination for the Other Sexual/Gender Misconduct Grievance Process, and prior disciplinary records) but will not consider information that is not relevant, including information about the prior sexual history of the complainant.
- The Appeals Officer may interview people involved in the case including witnesses and other staff. The Appeals Officer will issue a written decision to the Title IX Coordinator, describing the result of the appeal, the rationale for the result and the grounds on which the appeal was granted.

Notification of Result: The written decision on the appeal will be issued by the Title IX Coordinator, in writing, to both parties within fourteen (14) calendar days after the deadline by which the parties must submit their written statements, absent extenuating circumstances. The decision of the Appeals Officer is final.

9. Retaliation

Title IX prohibits covered institutions or other persons from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding or hearing required by the Title IX regulations.

GCSOM strictly prohibits retaliation against any person using this grievance procedure, or for filing, testifying, assisting or participating in any manner in any investigation or proceeding involving allegations of sexual/gender misconduct. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or dismissal if they are a student.

Retaliation is any act or attempt to retaliate against or seek retribution from any individual or group of individuals involved in the investigation and/or resolution of a report under this policy. Retaliation can take many forms, including continued abuse or violence, threats and intimidation. Any individual or group of individuals, including a complainant or respondent, can engage in retaliation and will be held accountable under this policy.

10. Overview of GCSOM Expectations with Respect to Consent

The expectations of our community regarding sexual/gender misconduct can be summarized as follows:

In order for individuals to engage in sexual activity of any type with each other, there must be consent prior to and during sexual activity. Consent is clear and knowing permission for specific sexual activity given through voluntary words or actions. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous consent does not imply consent to sexual activity in the future. Silence or passivity — without actions demonstrating permission — cannot be assumed to show consent. Consent, once given, can be withdrawn at any time. There must be a clear indication that consent is being withdrawn. Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a "No."

11. Overview of GCSOM Expectations with Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and learner, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of

the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable student and employee policies. GCSOM does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the School of Medicine.

12. Sexual Misconduct Educational Programming and Training

Because GCSOM recognizes sexual misconduct as an important issue, the Title IX Coordinator and/or Human Resources will be responsible for providing educational programming to a variety of groups such as: campus personnel (public safety, faculty and staff), incoming students, matriculating students, new employees and faculty, and members of student organizations. The programming may be presented by the Title IX Coordinator, GCSOM faculty or staff members, or through consultants hired for this purpose.

Sexual misconduct educational programming will address matters such as: a statement that the school prohibits these offenses; a definition of what constitutes sexual/gender misconduct, including definitions of “dating violence,” “domestic violence,” “sexual assault,” and “stalking”; the definition of consent; safe and positive options for bystanders; how to avoid potential abuse/risk reduction; procedures for reporting sexual misconduct; the importance of preserving evidence; options for involving law enforcement; options for protective orders; confidentiality; supportive measures and community resources available; GCSOM’s conduct system and disciplinary proceedings; and the rights of complainants and respondents.

Training for GCSOM Staff Participating in Grievance Procedures

GCSOM staff participating in the grievance procedure (including, but not limited to, the Title IX Coordinators, investigators, decision-makers or any person facilitating an informal resolution process) will receive training on the following topics:

- the definition of Title IX Sexual Harassment;
- the scope of the education program or activity for Title IX purposes;
- how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, as applicable;
- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias;
- training on any technology to be used at a live hearing (decision-makers only);
- issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant (decision-makers only);
- issues of relevance to create an investigative report that fairly summarizes relevant evidence (investigator only).

Any training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

The Title IX Coordinator will maintain training records for a period of seven (7) years and training materials will be made available on the GCSOM resource page at <https://www.geisinger.edu/titleix>.

13. Rights of the Parties

A. Statement of Complainant Rights

GCSOM recognizes that sexual/gender misconduct is an offense in which the complainant often feels powerless. GCSOM assures complainants the following rights:

1. The power to make decisions affecting their medical and emotional treatment and whether they choose to file a formal complaint.
2. To have control over making decisions about whether to cooperate with law enforcement.
3. To be notified in advance of the date, time and location of any investigative meetings and/or hearings in order to effectively prepare.
4. To review and comment on all evidence that will be considered in the investigation and decision-making process if a formal complaint is filed.
5. To receive supportive measures from GCSOM including, but not limited to, obtaining needed counseling or other support, such as access to victim advocate services in the community.
6. To be assured of confidentiality by GCSOM to the extent possible and consistent with procedures outlined in this policy.
7. Have an advisor of their choice, which could be, but is not required to be an attorney, during any GCSOM investigation, hearing or appeal proceeding.
8. Not have prior sexual history discussed during the investigation or hearing unless relevant in determining responsibility or consent.
9. Be informed of the outcome of the informal and formal resolution procedures.
10. Be informed of the process to appeal the final determination (on the permitted grounds) or the dismissal of a formal complaint.

Victims of crime in the state of Pennsylvania are guaranteed rights listed in the **PA Crime Victim Bill of Rights**: <https://www.pccd.pa.gov/Victim-Services/Documents/Bill%20of%20Rights.pdf>

B. Statement of Respondent's Rights

GCSOM assures respondents the following rights:

1. To receive a notice of allegations of this policy made against them including the name of the complainant, the specific section of this policy or the Code of Conduct allegedly violated, the precise conduct allegedly constituting the potential violation, and the date(s) and location(s) of the alleged incident(s).
2. To be notified in advance of the date, time and location of any investigative meetings and/or hearings in order to effectively prepare.
3. To review and comment on all evidence that will be considered in the investigation and decision-making process if a formal complaint is filed.
4. To receive support from GCSOM in obtaining needed counseling or other supportive measures, including referral to the appropriate community agencies.
5. To be assured of confidentiality by GCSOM to the extent possible and consistent with procedures outlined in this policy.
6. Have an advisor of their choice, which could be, but is not required to be an attorney, during any

GCSOM investigation, hearing or appeal proceeding.

7. Be informed of the outcome of the informal and formal resolution procedures.
8. Be informed of the process to appeal the final determination (on the permitted grounds) or the dismissal of a formal complaint.

14. Cooperation with Law Enforcement

GCSOM will comply with law enforcement requests for cooperation and such cooperation may require GCSOM to temporarily suspend the fact-finding aspect of an investigation while the law enforcement agency is in the process of gathering evidence. GCSOM will promptly resume its investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process, which typically takes three to ten business days, although the delay in GCSOM investigation may be longer in certain instances.

GCSOM will implement appropriate supportive measures during the law enforcement agency's investigation period to provide for the safety of the parties and the campus community and the avoidance of retaliation.

15. Federal Statistical Reporting Obligations

Campus Security Authorities have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act) to GCSOM's Public Safety Manager. All personally identifiable information is kept confidential, but statistical information must be passed along by the campus security authority regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety. Campus Security Authorities (who are mandated reporters of crimes) include student/conduct affairs, campus law enforcement, local police, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for learner and campus activities (including the Title IX Coordinators). The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the complainant and may be done anonymously.

16. Federal Timely Warning Reporting Obligations

Those who experience sexual/gender misconduct should also be aware that GSCOM administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community to comply with the Clery Act. GCSOM will ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Appendix A: Definitions

The following definitions are applicable to this policy.

Sex Discrimination: Sex discrimination includes behaviors and actions that deny or limit a person's ability to benefit from, and/or fully participate in, the educational programs or activities or employment opportunities because of a person's sex. Examples of sexual discrimination prohibited under Title IX include, but are not limited to, Title IX Sexual Harassment, failure to provide equal opportunity in educational programs and curricular programs, discrimination based on pregnancy, and sex-based employment discrimination.

Sexual/Gender Misconduct is a form of sex discrimination and includes, among others, acts of sexual violence, sexual assault, sexual harassment, stalking, cyber-stalking, dating violence, domestic violence, intimate partner violence, hate crimes based on gender or sexuality, and sexual harassment prohibited by Title IX ("Title IX Sexual Harassment"). When the following conduct is based on sex or gender it will also be considered to be sexual/gender misconduct:

- Threatening or causing physical harm, extreme verbal abuse or other conduct which threatens or endangers the health or safety of any person;
- Intimidation, defined as implied threats or acts that cause reasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the GCSOM community, when related to the admission, initiation, pledging, joining or any other group-affiliation activity;
- Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally, that is not speech or conduct otherwise protected by the 1st Amendment.

Title IX Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) an employee of GCSOM conditioning the provision of a GCSOM aid, benefit or service on an individual's participation in unwelcome sexual conduct (i.e., *quid pro quo*);
- (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to GCSOM's educational program or activity; or
- (3) sexual assault (as defined by Clery Act), or "dating violence," "domestic violence" and "stalking" (as defined by Violence Against Women Act).

Complainant: An individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment or sexual/gender misconduct.

Respondent: Any individual(s) who have been reported to be the perpetrator of conduct that could constitute Title IX Sexual Harassment or sexual/gender misconduct.

Quid Pro Quo Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development or performance. This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational or

employment program. For example, *quid pro quo* harassment occurs if an instructor or other employee conditions an educational decision or benefit on the student's submission to unwelcome sexual conduct.

Sexual Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent, that meets the definition of rape, fondling, incest and statutory rape.

Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Fondling: the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. (Under Pennsylvania law, incest occurs when a person knowingly marries or cohabits or has sexual intercourse with an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood. 18 Pa. Cons. Stat. § 4302.)

Statutory Rape: sexual intercourse with a person who is under the statutory age of consent. (Under Pennsylvania law, the statutory age of consent is 16 with some exceptions. 18 Pa. Cons. Stat. § 3122.1.)

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed:

- (a) by a current or former spouse or intimate partner of the victim;
- (b) by a person with whom the victim shares a child in common;
- (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- (e) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (a) fear for the person's safety or the safety of others, or
- (b) suffer substantial emotional distress.

For the purposes of this definition:

- (i) course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly or through third parties, by any action, method, device or means, follows monitors,

observes, surveils, threatens or communicates to or about a person, or interferes with a person's property; and

(ii) reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Non-Consensual Sexual Contact: Any intentional sexual touching, however slight, with any object, by a person upon another person, that is without consent and/or by force.

Sexual Touching: Includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner.

Sexual Exploitation: When one person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: invasion of sexual privacy; prostituting another person; non-consensual digital, video or audio recording of nudity or sexual activity; unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity; engaging in voyeurism; going beyond the boundaries of consent (such as letting your friend hide in the closet to watch you having consensual sex); knowingly exposing or transmitting an STI, STD or HIV to another person; intentionally or recklessly exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals. Sexually based stalking and/or bullying may also be forms of sexual exploitation.

Intimate Partner Violence: Violence or abuse, including psychological abuse, between those in an intimate relationship to each other. Intimate Partner Violence includes dating violence and domestic violence.

Some examples of possible Intimate Partner Violence include:

- A boyfriend shoves his girlfriend into a wall upon seeing her talking to a male friend.
- An ex-girlfriend shames her female partner, threatening to out her as a lesbian if she doesn't give the ex another chance.
- A learner refuses to wear a condom and forces his girlfriend to take hormonal birth control, even though it makes her ill, in order to prevent pregnancy.
- Married employees are witnessed in the parking garage, with one partner slapping and scratching the other in the midst of an argument.

Cyber-Stalking: A particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts and other similar devices or forms of contact are used to pursue, harass or make unwelcomed contact with another person in an unsolicited fashion. Some examples of cyber-stalking include, but are not limited to, unwelcomed/unsolicited emails, instant messages and messages on online bulletin boards. It also includes, but is not limited to, unsolicited communications about a person, their family, friends or co-workers or sending/posting unwelcomed and unsolicited messages with another username.

Hate Crimes based on Gender or Sexuality: A crime, usually violent, motivated by prejudice or intolerance toward an individual based upon that individual's gender or sexual orientation.

Consent: Consent is clear and knowing permission for specific sexual activity given through voluntary words or actions. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can

be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. Consent can be withdrawn once given, as long as that withdrawal is clearly communicated. In order to give consent, one must be of legal age. Sexual activity with someone you know to be or should know to be incapacitated is non-consensual and constitutes a violation of this policy. Under Pennsylvania law, consent can never be given by minors under the age of 13. Statutory provisions also prohibit sexual activity with minors under the age of 16 where there are 4 or more years difference in age between the parties.

Incapacitation: Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). Incapacitation can occur mentally or physically, from developmental or mental disability, by alcohol or other drug use (intentional or not), during sleep, unconsciousness or blackout, or involuntary physical restraint. The question of what the respondent should have known is objectively based on what a reasonable person in the place of the respondent, sober and exercising good judgment, would have known about the condition of the complainant.

Possession, use and/or distribution of any incapacitating drugs known as “date rape drugs”, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to a learner or employee is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes free will or resistance or that produces consent (“Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”).

Coercion: Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure to go beyond that point can be coercive.

Note: There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

Pennsylvania State Definitions of Crimes of Sexual Violence

(These definitions are included herein for reference.)

Rape (Pennsylvania) is defined as when a person engages in sexual intercourse with another person

- By forcible compulsion
- By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution
- Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring
- Where the person has substantially impaired the complainant’s power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant,

- drugs, intoxicants or other means for the purpose of preventing resistance
- Who suffers from a mental disability which renders the complainant incapable of consent

Forcible compulsion (Pennsylvania) is defined as compulsion by use of physical, intellectual, moral, emotional or psychological force, either express or implied. The term includes, but is not limited to, compulsion resulting in another person's death, whether the death occurred before, during or after sexual intercourse.

Sexual Assault (Pennsylvania) is when a person engages in sexual intercourse with a complainant without the complainant's consent.

Dating Violence (Pennsylvania) is behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control the person's dating partner.

Domestic Violence (Pennsylvania) includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the Domestic or Family Violence Laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws.

Stalking (Pennsylvania) is (1) engaging in a course of conduct or repeatedly committing acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or (2) engaging in a course of conduct or repeatedly communicating with another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

Pennsylvania does not define consent.

For reference to the pertinent state statutes on sex offenses, please see:

<https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/18/00.031..HTM>

Appendix B: Pregnant and Parenting Learners

1. Introduction/Purpose

GCSOM is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendments of 1972. Sex discrimination, which can include discrimination based on pregnancy, marital status, or parental status, is prohibited and illegal in admissions, education programs and activities, hiring, leave policies, employment policies and health insurance coverage. GCSOM hereby establishes a policy and associated procedures for ensuring the protection and equal treatment of pregnant individuals, persons with pregnancy-related conditions and new parents.

Under the Department of Education's (DOE) Title IX regulations, an institution that receives federal funding "shall not discriminate against any learner or exclude any learner from its educational program or activities, including any class or extracurricular activity, on the basis of such learner's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom." According to the DOE, appropriate treatment of a pregnant learner includes granting the learner leave "for so long a period of time as is deemed medically necessary by the learner's physician," and then effectively reinstating the learner to the same status as was held when the leave began.

Please note that nothing in this policy requires modification of the essential elements of any academic program.

2. Definitions

Caretaking - caring for and providing for the needs of a child.

Medically Necessary - a determination made by a health care provider (of the learner's choosing) that a certain course of action is in the patient's best health interests.

Parenting - the raising of a child by the child's parents in the reasonably immediate post-partum period.

Pregnancy and Pregnancy-Related Conditions - include (but are not limited to) pregnancy, childbirth, false pregnancy, termination of pregnancy, conditions arising in connection with pregnancy and recovery from any of these conditions.

Pregnancy Discrimination - includes treating an individual affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected and includes a failure to provide legally mandated leave or accommodations.

Pregnant Student/Birth-Parent - refers to the learner who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

3. Policy

Pregnancy Related Leaves of Absences (LOAs)

As long as learners can maintain appropriate academic progress, faculty, staff or other GCSOM employees will not require them to take a leave of absence or withdraw from or limit their studies as the result of pregnancy, childbirth or related conditions.

Enrolled learners may elect to take a leave of absence because of pregnancy and/or the birth, adoption or placement of a child. Learners taking a leave of absence under this policy should provide notice of the intent to take leave 30 calendar days prior to the initiation of leave, or as soon as practicable.

Under GCSOM's *Policy on Leave of Absence*, a medical student may request a leave of absence (LOA) for a minimum of one month and a maximum of one year. The leave term may be extended in the case of extenuating circumstances or medical necessity. The time approved for the LOA will be applied to the maximum seven-year limit to complete a Medical Degree. Under the *Policy on Graduate Leave of Absence*, a learner may request a LOA for a period of up to one year.

GCSOM may grant a medical leave to a learner upon the written recommendation of a physician or other relevant health care provider that such leave is considered necessary for the learner's emotional, mental or physical health. Upon their return, the learner must provide documentation from a physician or other health care provider that they are medically cleared to return to their studies. Please see the *Policy on Leave of Absence* or the *Policy on Graduate Leave of Absence* for further information.

To the extent possible, GCSOM will take reasonable steps to ensure that pregnant learners who take a medical LOA, return to the same position of academic progress that they were in when they took leave, including no tuition penalty and access to the same course catalog that was in place when the leave began. However, a learner may be required to shift course order or join a subsequent cohort when returning from leave. Learners are encouraged to work with the faculty members and GCSOM's support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence and get back on track as efficiently and comfortably as possible. The Title IX Coordinator will assist with plan development and implementation as needed.

Learners who elect to take leave under this policy may register under an inactive/on leave, etc. status to continue their eligibility for certain benefits. While registered under that status, learners who choose to take a leave of absence under this policy can elect to keep their health insurance coverage, subject to the payment of applicable fees.

Continuation of scholarship or similar GCSOM-sponsored funding during the leave term will depend on the learner's registration status and the policies of the funding program regarding registration status. Learners will not be negatively impacted by or forfeit their future eligibility for a scholarship or similar GCSOM-supported funding by exercising their rights under this policy.

In the case of adoption or placement of a child or to take a LOA after the birth of a child that is longer than is medically necessary, a learner may request a LOA for parenting or caretaking, which will be granted at GCSOM's discretion. The learner may be asked to provide documentation verifying the date of birth or placement of the child. (Please refer to the *Leave of Absence Policy*.)

PREGNANCY-RELATED EXCUSED ABSENCES FOR MEDICAL STUDENTS

Note: M3 refers to third-year medical students; M4 refers to fourth-year medical students.

Under GCSOM's *Policy on Class Attendance and Excused Absences*, a learner may be excused from class or clinical activities to seek medical and/or mental health services, but the learner must contact his/her individual instructor(s) to provide notification of the absence with as much advance notice as possible. Irrespective of the instructor's attendance policy, the school will excuse a learner's pregnancy-related absences as long as a doctor deems them to be medically necessary. Learners must provide written documentation from their health care providers. Please see the *Policy on Class Attendance and Excused Absences* for further information.

Absence from any M3 academic activities requires prior approval one week in advance (except in cases of illness or emergency) from the Regional Assistant Dean and/or the Regional Dean. The form "M3 Student: Request for Excused Absences" is available on the Portal. Learners are allowed 7 days of excused absences during the M3 year (with limitations by rotation length) and must make up any additional excused absences. Please see the *Policy on Class Attendance and Excused Absences* for further information.

Absence from any M4 academic activities requires prior notification to the M4 Educational Specialist and prior approval (except in cases of illness or emergency) from the Regional Dean. Learners are not allowed more than 2 excused absence days during any 4-week course and no more than 1 excused absence during any 2-week course. Please see the *Policy on Class Attendance and Excused Absences* for further information.

PREGNANCY-RELATED EXCUSED ABSENCES FOR GRADUATE STUDENTS

Per the *Policy on Graduate Class Attendance*, the attendance policy for each course activity is at the discretion of the Course Director. Please see the *Policy on Graduate Class Attendance* for further information.

PREGNANCY-RELATED REASONABLE ADJUSTMENTS

To ensure a pregnant learner's access to its educational programs, GCSOM will make adjustments to its regular programs that are reasonable and responsive to the learner's temporary pregnancy status. Pregnant learners should contact the Title IX Coordinator to request adjustments. The Title IX Coordinator will determine whether such adjustments are reasonable and responsive and will work with faculty members and/or the administration to implement reasonable adjustments.

The Title IX Coordinator will communicate all requests under this policy to the learners' academic advisors and coordinate accommodation-related efforts with the advisors/Curriculum Office/regional team unless the learner specifically requests that their advisors be excluded. Learners are encouraged to work with their advisors, faculty members and/or regional team to reschedule course assignments, lab hours, examinations or other requirements, and/or to reduce their overall course load, as appropriate once authorization is received from the Title IX Coordinator. If, for any reason, caretaking/parenting learners are not able to work with their advisors/faculty members/regional team to obtain appropriate modifications, learners should alert the Title IX Coordinator as soon as possible for help facilitating needed accommodations and modifications.

The benefits and services provided to learners affected by pregnancy will be no less than those provided to learners with temporary medical conditions, and pregnant learners cannot be channeled into an alternative program or school against their wishes.

The timeframe for implementing adjustments will vary depending on the nature of the request. Learners should request adjustments as far in advance as possible, because GCSOM may be limited in its ability to impact or implement adjustments immediately. Adjustments are never implemented retroactively.

Reasonable adjustments may include, but are not limited to:

- Providing accommodations requested by a pregnant learner to protect the health and safety of the learner and/or the pregnancy (such as allowing the learner to maintain a safe distance from hazardous substances)
- Making modifications to the physical environment (such as accessible seating)
- Providing mobility support
- Making academic adjustments such as extending deadlines and/or allowing the learner to make up tests or assignments missed for pregnancy-related absences. (Please see the *Policy on Class Attendance and Excused Absences* for further information.)
- Offering remote learning options (if available)
- Implementing incomplete grades for classes that will be resumed at a future date
- Allowing breastfeeding learners reasonable time and space to pump breast milk in a location that is private, clean and reasonably accessible. Bathroom stalls do not satisfy this requirement
- Nothing in this policy requires modification to the essential elements of any academic program, although GCSOM will consider effective alternatives for meeting the essential elements if available

PREGNANCY-RELATED DISABILITIES UNDER ADA, SECTION 504

Complications resulting from pregnancy may be considered disabilities under the Americans with Disabilities Act (ADA) and Section 504 (pregnancy-related disabilities). For example, while the list is not exhaustive, the following pregnancy-related complications may qualify as disabilities: anemia, sciatica, carpal tunnel syndrome, gestational diabetes, severe nausea, abnormal heart rhythms, swelling, pelvic inflammation, disorders of the uterus and cervix, preeclampsia and depression. However, a pregnancy, by itself, is not considered a disability under the ADA or Section 504 of the Rehabilitation Act. Learners with complications resulting from pregnancy, like any learner with a disability, may be entitled to reasonable accommodations. Learners should consult *GCSOM Student – Policy and Procedures for Disability Services* and may seek the assistance of the Title IX Coordinator or the Coordinator of Accessibility Services in the Center of Learning Excellence.

CONFIDENTIALITY

Information about pregnant learners' requests for adjustments or LOAs will be shared with faculty and staff only to the extent necessary to provide the reasonable adjustment. Faculty and staff will regard all information associated with such requests as private and will not disclose this information unless necessary. Administrative responsibility for these adjustments lies with the Title IX Coordinator, who will maintain all appropriate documentation related to accommodations.

RETALIATION

Title IX prohibits retaliation by GCSOM or members of the GCSOM community against a learner for requesting reasonable adjustments, leaves of absence or excused absences due to pregnancy or pregnancy-related conditions or parental status. GCSOM will take steps to prevent retaliation and will take strong responsive actions if retaliation occurs.

POLICY VIOLATIONS

Any member of the GCSOM community may report a violation of this component of the *Policy on Sexual/Gender Discrimination, Misconduct and Harassment*, to any official with authority to institute corrective measures or to the Title IX Coordinator. All officials with authority to institute corrective measures must promptly forward such reports to the Title IX Coordinator. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving adjustments for pregnant learners; complaints of discrimination based on pregnancy that do not involve adjustments will be handled through the Other Sexual/Gender Misconduct Grievance Process. See Section 6(C) of this policy.