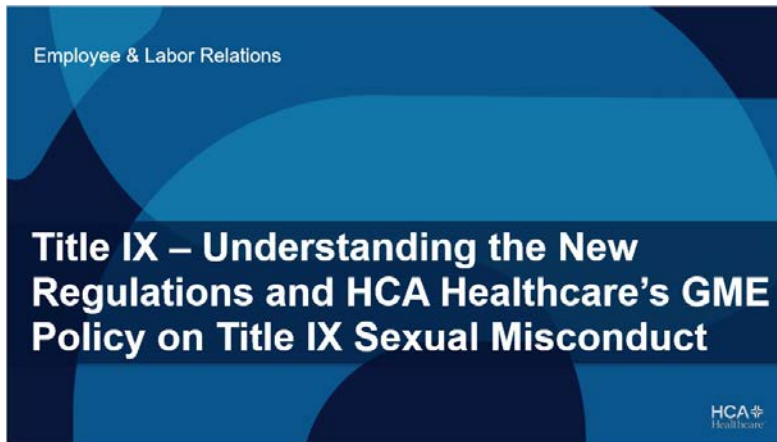


Title IX - Understanding the New Regulations and HCA Healthcare's GME Policy

1. Introduction

1.1 Welcome



Notes:

Welcome to the learning module on Title IX Understanding the New Regulations and our HCA HealthCare's GME policy on Title IX Misconduct. Click Next to begin.

1.2 Agenda



Notes:

In this module, we will review Title IX's history, new regulations as well as its purpose and scope. You will also gain an understanding of prohibited conduct, response obligations and grievance procedures in this module. This module will also cover responsible parties, training and reporting obligations.

1.3 Title IX, Sexual Misconduct, and HCA Healthcare's GME Programs

Title IX, Sexual Misconduct, and HCA Healthcare's GME Programs

New policy to comply with Title IX's requirements on Sexual Misconduct in the Title IX educational setting

This training ensures that individuals responsible for implementing this policy:

- Understand the Title IX rules and regulations
- Our policies
- The importance of preventing and remedying sexual misconduct

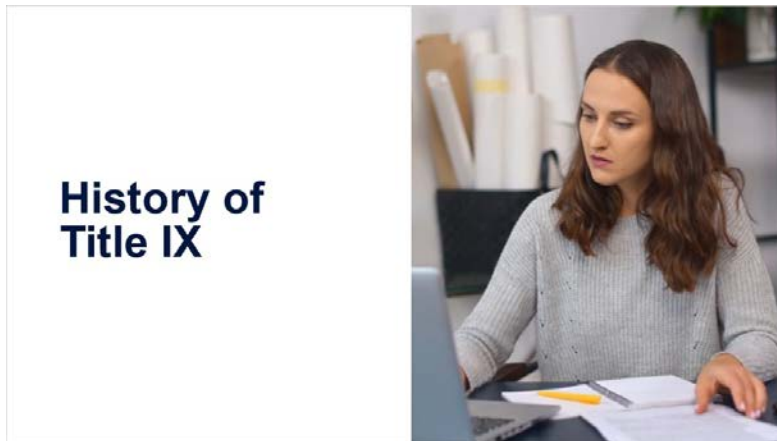


Notes:

In order to comply with Title IX in our GME Programs, HCA Healthcare has implemented a new policy to comply with Title IX's requirements on Sexual Misconduct in the Title IX educational setting.

This training, which is required by Federal law and regulation, ensures that individuals responsible for implementing this policy understand the Title IX rules and regulations, our policies, and the importance of preventing and remedying sexual misconduct in our workplace.

1.4 History of Title IX



Notes:

Let's first review a history of Title IX.

1.5 The Purpose of Title IX



Notes:

Title IX's purpose is to ensure ***"Nondiscrimination on the Basis of Sex in Educational Programs or Activities Receiving Federal Financial Assistance."***

As a civil right it protects those in the educational setting and is "designed primarily to prevent recipients of Federal financial assistance from using the funds in a discriminatory manner."

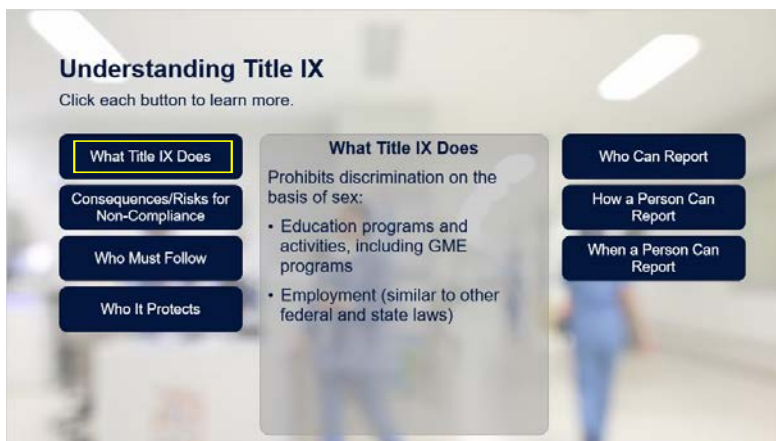
1.6 Understanding Title IX



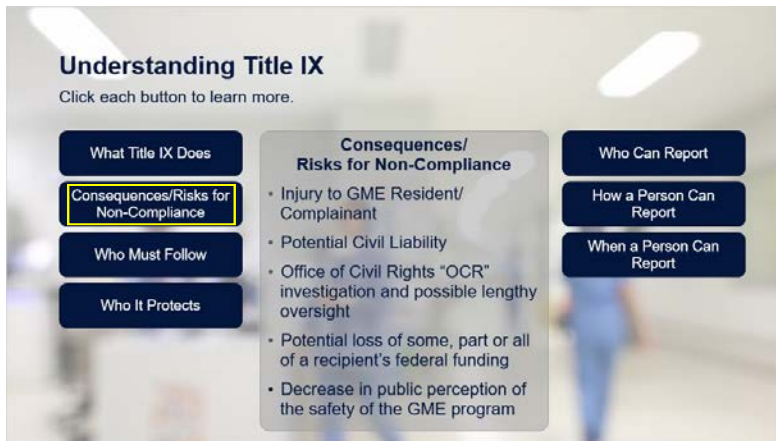
Notes:

Click each button to learn what Title IX does and understand its purpose.

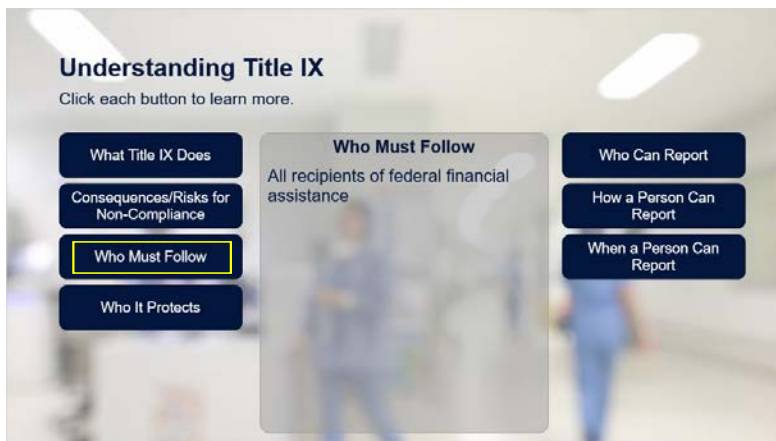
Button 1 (Slide Layer)



Button 2 (Slide Layer)



Button 3 (Slide Layer)



Button 4 (Slide Layer)



Button 5 (Slide Layer)

Understanding Title IX
Click each button to learn more.

Who Can Report

Any Person:

- A harassed GME resident, fellow, applicant or employee
- The GME resident's parent, guardian or faculty member
- A third party

Buttons visible: What Title IX Does, Consequences/Risks for Non-Compliance, Who Must Follow, Who It Protects, Who Can Report (highlighted), How a Person Can Report, When a Person Can Report.

Button 6 (Slide Layer)

Understanding Title IX
Click each button to learn more.

How a Person Can Report

A report, verbal or written, can be received in any manner:

- In person
- By e-mail
- By mail

Buttons visible: What Title IX Does, Consequences/Risks for Non-Compliance, Who Must Follow, Who It Protects, Who Can Report, How a Person Can Report (highlighted), When a Person Can Report.

Button 7 (Slide Layer)

Understanding Title IX
Click each button to learn more.

When a Person Can Report


- A person can report at any time
- The capability must exist for a person to report at any time

Buttons visible: What Title IX Does, Consequences/Risks for Non-Compliance, Who Must Follow, Who It Protects, Who Can Report, How a Person Can Report, When a Person Can Report (highlighted).

1.7 Covered Conduct

Conduct Covered Under Title IX

- Sexual Harassment
 - Quid pro quo
 - Verbal
 - Physical
 - Electronic
- Sexual Assault
 - Rape (including Attempted)
 - Fondling
 - Incest
 - Statutory Rape
- Stalking
- Dating Violence
 - Includes, but is not limited to, sexual or physical abuse OR the threat of such abuse
- Domestic Violence
- Retaliation



Notes:

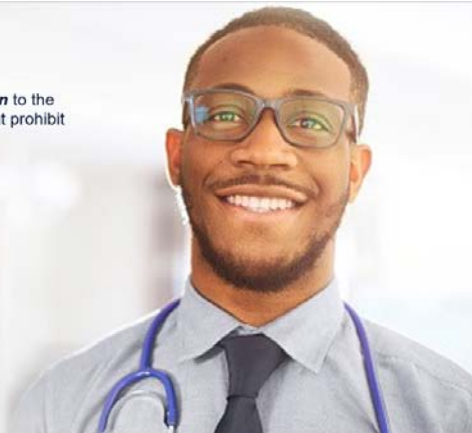
Under Title IX, individuals are protected from conduct including sexual harassment, sexual assault, stalking, dating violence, domestic violence and retaliation.

1.8 Title IX Review

Title IX Review

Title IX obligations are *in addition* to the Title VII rights and obligations that prohibit discrimination on the basis of:

- Race
- Color
- Religion
- Sex
- National origin



Notes:

Title IX obligations are *in addition* to the Title VII rights and obligations that apply to the vast majority of the employers in the US and prohibit discrimination on the basis of race, color, religion, sex and national origin.

1.9 New Title IX Regulations



Notes:

Now let's review new Title IX Regulations.

1.10 New Title IX Regulations



Notes:

To learn more about the new Title IX regulations, click and hold the scrollbar to move it from left to right, stopping at each term along the way.

The New Title IX Regulations

On May 6, 2020, the U.S. Department of Education issues the 2,033 page document that

amended the regulations implementing the Title IX of the Education Amendments of 1972 and which contained the new Final Regulations. Review the important steps that lead to the final regulations.

What do the Final Regulations Require?

The final regulations require educational programs to:

1. Respond **Promptly** and **Supportively** to persons alleged to have been victimized by sexual harassment
2. Resolve allegations of sexual harassment **promptly and accurately** under a **predictable, fair grievance process** that provides **due process** protections to the alleged victim and alleged perpetrators of sexual harassment
3. Effectively implement remedies for victims

Compliance with New Regulations

Effective August 14, 2020, every educational program that has a website must post important information about their Title IX policies and procedures on their website.

The new Title IX regulations specifically require educational programs to post on their websites three critical pieces of information.

- First the contact information for the 's Title IX Coordinator(s)
- Next the GME program's non-discrimination policy
- And finally all training materials used to train the GME program's Title IX personnel

regulations (Slide Layer)

The New Title IX Regulations

Click and hold the scroll bar to move it from left to right, stopping at each term along the way.

The New Title IX Regulations

Steps that led to the Final Regulations:

- In November 2018, the U.S. Department of Education issued proposed changes to Title IX procedures as called the Notice of Proposed Rulemaking or NPRM.
- U.S. Department of Education received over 124,000 comments during a 6 month public comment period following release of the NPRM.
- 18 months later, the final regulations were issued.

Regulations Requirements Compliance

requirements (Slide Layer)



The New Title IX Regulations
Click and hold the scroll bar to move it from left to right, stopping at each term along the way.

What do the Final Regulations Require?
Final Regulations require educational programs to:

1. Respond **Promptly** and **Supportively** to persons alleged to have been victimized by sexual harassment
2. Resolve allegations of sexual harassment **promptly and accurately** under a **predictable, fair grievance process** that provides **due process** protections to the alleged victim and alleged perpetrators of sexual harassment
3. Effectively implement remedies for victims

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Regulations Requirements Compliance

compliance (Slide Layer)



The New Title IX Regulations
Click and hold the scroll bar to move it from left to right, stopping at each term along the way.

Compliance with New Regulations
The new Title IX regulations specifically require educational programs to post on their websites:

1. The contact information for the Title IX Coordinator(s)
2. The GME program's non-discrimination policy
3. All training materials used to train the GME program's Title IX personnel

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Regulations Requirements Compliance

1.11 Purpose, Scope, and Overview



**Purpose/Scope/
Overview of HCA
Healthcare's GME
Policy on Title IX**



Notes:

Now that you are familiar with Title IX’s history and new regulations, lets take a closer look at our HCA Healthcare’s GME Policy on Title IX.

1.12 Purpose



Purpose

To set forth the policy and grievance procedures on Sexual Misconduct in Education Programs and Activities.

Notes:

For our teams at HCA Healthcare, the purpose of Title IX is to set forth the policy and grievance procedures on Sexual Misconduct in Education Programs and Activities, as required by Title IX of the Education Amendments of 1972.

1.13 Scope

Scope

Click each button to learn more about where Title IX is applied and when other policies or procedures should be applied.

[Policy Application](#)

[Other Cases](#)

Notes:

Click each button to learn more about where Title IX is applied and when other policies or procedures should be applied.

This Policy applies to allegations of Title IX Sexual Misconduct of the Education Amendments of 1972 against individuals employed by an HCA Healthcare-affiliated GME Program (hereinafter, interchangeably referred to as “Employer” or “Program”) as a faculty member, Program Coordinator, Resident, or Fellow of that program, regardless of where the alleged conduct occurred. Third parties (e.g., contractors, applicants for admission or employment, vendors, recruiters, affiliates) may also report Title IX Sexual Misconduct against GME Faculty Members, Program Coordinators, Residents, or Fellows of the Program under this Policy.

Cases that allege sex-based discrimination that does not constitute Title IX Sexual Misconduct (e.g., excluding an individual from participation in or denying an individual the benefits of a GME Program, or subjecting an individual to differential treatment, on the basis of sex, as well as ostensibly neutral policies or practices that have a disparate impact on the basis of sex), are addressed under the following policies and procedures: Sexual Harassment, HR.ER.024; Equal Employment Opportunity, HR.ER.013; Respectful Workplace, HR.ER.059.

policy application (Slide Layer)

Scope
Click each button to learn more about where Title IX is applied and when other policies or procedures should be applied.

Policy Application	<ul style="list-style-type: none">• Applies to allegations of Title IX Sexual Misconduct of the Education Amendments of 1972 against individuals employed by an HCA Healthcare-affiliated GME Program
Other Cases	<ul style="list-style-type: none">• Third parties (e.g., contractors, applicants for admission or employment, vendors, recruiters, affiliates) may also report Title IX Sexual Misconduct• Against GME Faculty Members, Program Coordinators, Residents, or Fellows of the Program under this Policy

other cases (Slide Layer)

Scope

Click each button to learn more about where Title IX is applied and when other policies or procedures should be applied.

Policy Application

- Cases that allege sex-based discrimination that does not constitute Title IX Sexual Misconduct
- Addressed under the following policies and procedures:
 - Sexual Harassment, HR.ER.024
 - Equal Employment Opportunity, HR.ER.013
 - Respectful Workplace, HR.ER.059

Other Cases

1.14 Training



Training

- Provided to GME Faculty Members, Program Coordinators, Residents and Fellows of the Program.
- Individuals are responsible for completing training identified as mandatory.

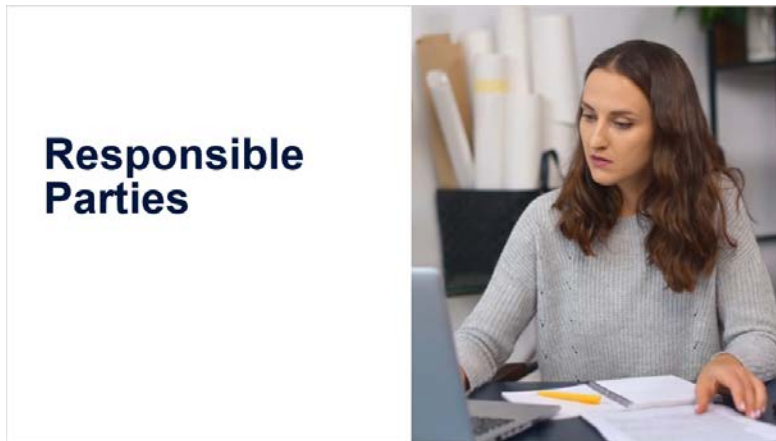
Notes:

This training is an important part of Title IX compliance and is key to implementing an effective program to prevent and remedy sexual misconduct.

Training on this Policy, preventing Title IX Sexual Misconduct, and promoting a respectful community will be provided to GME Faculty Members, Program Coordinators, Residents and Fellows of the Program.

Such individuals are responsible for completing training identified as mandatory. Investigations involving alleged violations of this Policy shall be conducted by officials who receive training on issues related to sexual harassment, sexual assault, dating violence, domestic violence, and stalking as well as on how to conduct a grievance process that protects the safety of all parties involved and promotes accountability.

1.15 Purpose, Scope, and Overview



Notes:

Now, we will review those who have a role in ensuring Title IX implementation.

1.16 Responsible Parties

A woman with dark hair, wearing a white lab coat over a blue shirt, is standing with her arms crossed and smiling. She is positioned on the right side of the slide.

Responsible Parties

Title IX Coordinator and Deputy Title IX Coordinators who:

- Provide a nondiscriminatory educational and work environment
- Provide information about available resources
- Explain the Program's formal complaint process
- Help individuals navigate Employer's systems
- Monitor Employer's environment with respect to Sexual Misconduct

A list of Title IX Coordinators and Deputy Title IX Coordinators is provided in the policy and listed on the website.

Title IX Coordinators, investigators and decision makers, and persons who facilitate informal resolution processes are prohibited from having **conflicts of interest or bias** and retaliation is prohibited.

Notes:

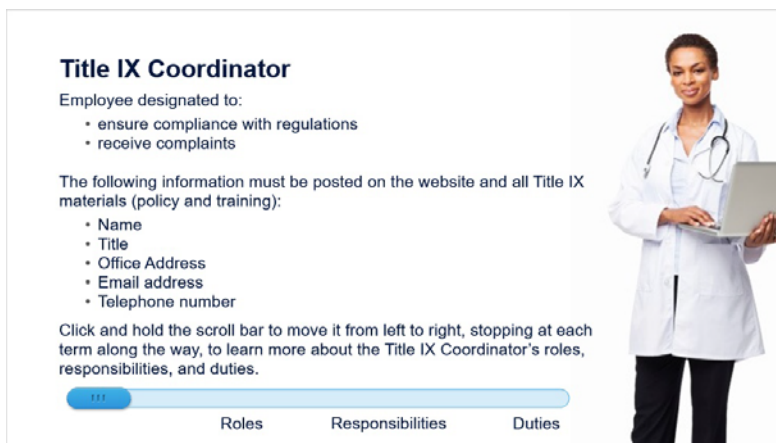
Your employer has appointed a Title IX Coordinator and Deputy Title IX Coordinators who help provide a nondiscriminatory educational and work environment to GME program coordinators, faculty members, residents, and fellows; provide information about available resources; explain the Program's formal complaint process; help individuals navigate Employer's systems; and monitor Employer's environment with respect to Sexual Misconduct. Inquiries about the application of this Policy or Title IX to the Program may be referred to the Program's Title IX Coordinator(s), to the Assistant

Secretary of the U.S. Department of Education, or both.

A list of Title IX Coordinators and Deputy Title IX Coordinators is provided in the policy. Typically, the Title IX Coordinator is the local Human Resources Vice President affiliated with the Program. They are responsible for the effective implementation of Title IX protections and the grievance process and must be trained on Title IX policies and procedures. All training must be posted on our website.

Title IX Coordinators, investigators and decision makers, and persons who facilitate informal resolution processes are prohibited from having **conflicts of interest or bias** and retaliation is prohibited.

1.17 Title IX Coordinator



The screenshot shows a presentation slide with the following content:

- Title IX Coordinator**
- Employee designated to:
 - ensure compliance with regulations
 - receive complaints
- The following information must be posted on the website and all Title IX materials (policy and training):
 - Name
 - Title
 - Office Address
 - Email address
 - Telephone number
- Click and hold the scroll bar to move it from left to right, stopping at each term along the way, to learn more about the Title IX Coordinator's roles, responsibilities, and duties.

At the bottom of the slide, there is a horizontal scroll bar with three segments labeled "Roles", "Responsibilities", and "Duties". The "Roles" segment is currently selected and highlighted in blue.

On the right side of the slide, there is an image of a female doctor in a white lab coat holding a laptop.

Notes:

The Title IX coordinator is an employee designated to ensure compliance with regulations and to receive complaints. His or her name, title, office address, email address, and telephone number must be posted on the company's website and on all Title IX materials, both policy and training.

Click and hold the scroll bar to move it from left to right, stopping at each term along the way, to learn more about the Title IX Coordinator's roles, responsibilities, and duties.

What is the Role of the Title IX Coordinator?

- Monitoring the program's compliance with Title IX
- Ensuring appropriate education and training is provided

- Coordinating the investigations, responses and resolutions of all reports under this policy
- Ensuring appropriate actions to eliminate sexual harassment, prevent its recurrence and remedy its effects
- Reviewing regularly the effectiveness of the efforts of the recipient to ensure that the educational setting is free from sexual harassment

What are the Responsibilities of the Title IX Coordinator?

The Title IX Coordinator should make themselves:

- Accessible and visible
- Available to meet with any GME resident, employee or third party to discuss this policy or the accompanying procedures

The Title IX Coordinator should have a trained designee or designees (e.g. Deputy Title IX Coordinator) who are equipped with the same skills and abilities to execute the duties of the Title IX Coordinator and the office when the Coordinator is unable to do so or when there is a need.

All Title IX Coordinators must:

- Receive appropriate training to discharge their responsibilities
- Deliver continuous and updated training to the community

What are the Duties of the Title IX Coordinator?

- Contacts each complainant (i.e., person who is alleged to be the victim of sexual harassment) to discuss supportive measures
- Considers the complainant's wishes regarding supportive measures
- Informs the complainant of the availability of supportive measures with or without the filing of a formal complaint
- Explains to the complainant the process for filing a formal complaint.
- Must treat complainants and respondents equitably, meaning for a respondent, the recipient must follow a grievance process that ensures due process before imposing any disciplinary sanctions, if respondent is found responsible
- If a respondent is found to be responsible for sexual harassment, they must effectively implement remedies for the complainant, designed to restore or preserve the complainant's equal educational access
- May impose disciplinary sanctions

roles (Slide Layer)


Title IX Coordinator

What is the Role of the Title IX Coordinator?

- Monitors the program's compliance with Title IX
- Ensures appropriate education and training is provided
- Coordinates the investigations, responses and resolutions of all reports under this policy
- Ensures appropriate actions to eliminate sexual harassment, prevent its recurrence and remedy its effects
- Reviews regularly the effectiveness of the efforts of the recipient to ensure that the educational setting is free from sexual harassment

111

Roles Responsibilities Duties



duties (Slide Layer)


Title IX Coordinator

What are the Duties of the Title IX Coordinator?

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- May impose disciplinary sanctions

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Roles Responsibilities Duties



responsibilities (Slide Layer)

Title IX Coordinator

What are the Responsibilities of the Title IX Coordinator?

The Title IX Coordinator should make themselves:

- Accessible and visible
- Available to meet with any GME resident, employee or third party to discuss this policy or the accompanying procedures


The Title IX Coordinator should have a trained designee or designees (e.g. Deputy Title IX Coordinator) who are equipped with the same skills and abilities to execute the duties of the Title IX Coordinator and the office when the Coordinator is unable to do so or when there is a need.

All Title IX Coordinators must:

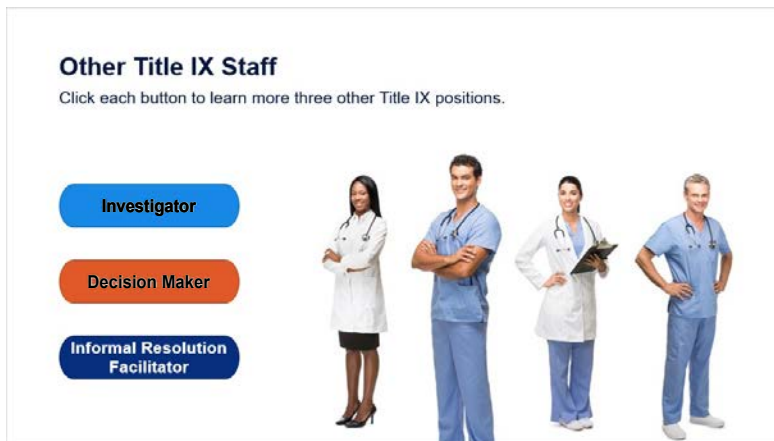
- Receive appropriate training to discharge their responsibilities
- Deliver continuous and updated training to the community

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Roles Responsibilities Duties



1.18 Other Title IX Staff



Notes:

Click each button to learn more about three other Title IX positions.

The **Investigator** is assigned by the Title IX Coordinator. Except in cases presenting a conflict of interest, the investigator should be the employer's Title IX Coordinator or Deputy Title IX Coordinator. He or she must be impartial, unbiased and free from conflicts. This position oversees the prompt, thorough gathering of all facts based on the filing of formal complaint, effectively communicates with all participants throughout and involved in the investigation, provides notice of any good faith delays, and understands relevance to create an investigative report that fairly summarizes relevant evidence.

The **Decision Maker** is charged with making decisions regarding responsibility, sanctions and appeals. He or she must be a member of employer management and impartial, unbiased and free from conflicts. This person must receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant. Title IX Coordinator and Investigators cannot serve as the Decision Maker.

The **Informal Resolution Facilitator** serves as a mediator and oversees the informal resolution process seeking a resolution to a formal complaint that both parties agree, in writing, to resolve using restorative justice or mediation practices. He or she must be impartial, unbiased and free from conflict.

investigator (Slide Layer)

Other Title IX Staff

Click each button to learn more three other Title IX positions.

Investigator

- Assigned by the Title IX Coordinator
 - * Except in cases presenting a conflict of interest, the investigator should be the employer's Title IX Coordinator or Deputy Title IX Coordinator
- Must be impartial, unbiased and free from conflicts
- Oversees the prompt, thorough gathering of all facts based on the filing of formal complaint
- Effectively communicates with all participants throughout and involved in the investigation
- Provides notice of any good faith delays
- Understands relevance to create an investigative report that fairly summarizes relevant evidence

Decision Maker

Informal Resolution Facilitator

decision maker (Slide Layer)

Other Title IX Staff

Click each button to learn more three other Title IX positions.

Investigator

Decision Maker

- Charged with making decisions regarding responsibility, sanctions and appeals
 - Must be a member of employer management
 - Must be impartial, unbiased and free from conflicts
 - Must receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence

Title IX Coordinator and Investigators cannot serve as the Decision Maker

Informal Resolution Facilitator

informal resolution facilitator (Slide Layer)

Other Title IX Staff

Click each button to learn more three other Title IX positions.

Investigator

Decision Maker

Informal Resolution Facilitator

- Serves as a mediator and oversees the informal resolution process seeking a resolution to a formal complaint that both parties agree, in writing, to resolve using restorative justice or mediation practices
- Must be impartial, unbiased and free from conflict

1.19 Impartiality

Impartiality

- GME programs are not required to utilize outside unaffiliated Title IX personnel to avoid conflicts and may use their own employees to comply with the final regulations.
- Administrative hierarchy employment relationships and professional experiences or affiliations (such as a self-described survivor or feminist) are not automatically prohibited conflicts of interest.
- GME programs have discretion how to best implement the prohibition on conflicts of interest and bias, including providing a process for parties to assert claims of conflict of interest or bias during the investigation.



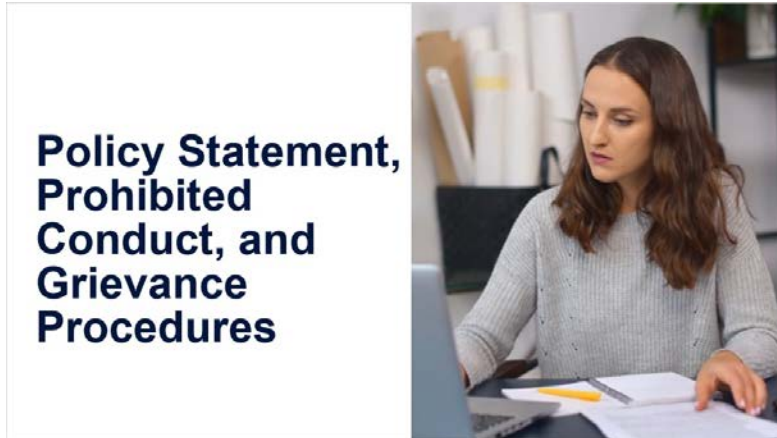
Notes:

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Administrative hierarchy employment relationships and professional experiences or affiliations (such as a self-described survivor or feminist) are not automatically prohibited conflicts of interest.

GME programs have discretion how to best implement the prohibition on conflicts of interest and bias, including providing a process for parties to assert claims of conflict of interest or bias during the investigation.

1.20 Policy Statement, Prohibited Conduct, and Grievance Procedures



Notes:

Now, we will review the policy statement, prohibited conduct, and grievance procedures.

1.21 Grievance Process Map



Notes:

Let's review the grievance process map.


First, we receive the complaint. Then, we determine the appropriate grievance procedures. The complainant is provided notice, then dismissal or consolidation occurs. After an investigation, the decision making process begins. The Decision maker will notify the parties of the decision, and then sanctions may be imposed. Finally, both


parties will be notified of their appeal rights.

1.22 Policy Statement

Policy Statement

Click each button to learn more.





Notes:


Now let's turn our attention to the policy statement, prohibited conduct, and grievance procedures. We will begin with the Policy Statement. Click each button to learn more.


para 1 (Slide Layer)

Policy Statement

Click each button to learn more.

Employer has adopted this Policy on Title IX Sexual Misconduct in Education Programs and Activities ("Policy") in recognition of our commitment to provide a safe and hospitable environment for all members of our community to work and study. Title IX Sexual Misconduct subverts Employer's mission, diminishes the dignity of members of the community, and threatens permanent damage to the careers, educational experience, and well-being of our GME program coordinators, residents, fellows, and faculty.






para 2 (Slide Layer)

Policy Statement

Click each button to learn more.

Employer prohibits Title IX Sexual Misconduct as defined in this Policy, including unwanted conduct of a sexual nature that constitutes sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Retaliation for the purpose of interfering with any right or privilege secured by this Policy is also strictly prohibited.





para 3 (Slide Layer)

Policy Statement

Click each button to learn more.

Title IX Sexual Misconduct may be experienced by individuals of any sex or gender and it may occur between persons of the same or different sex(es) or gender(s). In the case of sexual harassment, the injured party does not have to be the person harassed but could be anyone affected by the offensive conduct.






para 4 (Slide Layer)

Policy Statement

Click each button to learn more.

Each GME program location has developed specific Grievance Procedures for the prompt, fair, and impartial resolution of all Complaints of Title IX Sexual Misconduct, as described in Appendix B.







1.23 Prohibited Conduct

Prohibited Conduct

Click each button to learn more.



Notes:

Click each button to learn more about prohibited conduct.

para 1 (Slide Layer)

Prohibited Conduct

Click each button to learn more.

Employer has adopted this Policy on Title IX Sexual Misconduct in Education Programs and Activities ("Policy") in recognition of our commitment to provide a safe and hospitable environment for all members of our community to work and study. Title IX Sexual Misconduct subverts Employer's mission, diminishes the dignity of members of the community, and threatens permanent damage to the careers, educational experience, and well-being of our GME program coordinators, residents, fellows, and faculty.



para 2 (Slide Layer)

Prohibited Conduct

Click each button to learn more.

Employer **prohibits Title IX Sexual Misconduct** as defined in this Policy, **including unwanted conduct of a sexual nature that constitutes sexual harassment, sexual assault, domestic violence, dating violence, and stalking.** Retaliation for the purpose of interfering with any right or privilege secured by this Policy is also strictly prohibited.





para 3 (Slide Layer)

Prohibited Conduct

Click each button to learn more.

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para 4 (Slide Layer)

Prohibited Conduct

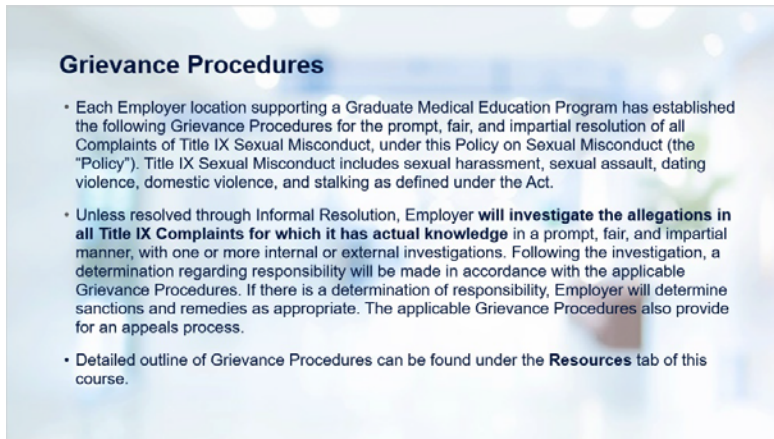
Click each button to learn more.

Each GME program location has developed specific Grievance Procedures for the prompt, fair, and impartial resolution of all Complaints of Title IX Sexual Misconduct, as described in Appendix B of the Policy.





1.24 Grievance Procedures



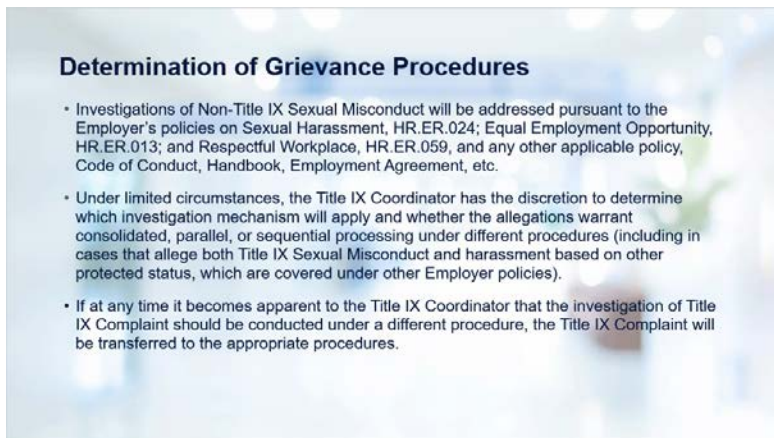
Grievance Procedures

- Each Employer location supporting a Graduate Medical Education Program has established the following Grievance Procedures for the prompt, fair, and impartial resolution of all Complaints of Title IX Sexual Misconduct, under this Policy on Sexual Misconduct (the "Policy"). Title IX Sexual Misconduct includes sexual harassment, sexual assault, dating violence, domestic violence, and stalking as defined under the Act.
- Unless resolved through Informal Resolution, Employer **will investigate the allegations in all Title IX Complaints for which it has actual knowledge** in a prompt, fair, and impartial manner, with one or more internal or external investigations. Following the investigation, a determination regarding responsibility will be made in accordance with the applicable Grievance Procedures. If there is a determination of responsibility, Employer will determine sanctions and remedies as appropriate. The applicable Grievance Procedures also provide for an appeals process.
- Detailed outline of Grievance Procedures can be found under the **Resources** tab of this course.

Notes:

Over the next few slides, we will look at the Grievance Procedures.

1.25 Grievance Procedures



Determination of Grievance Procedures

- Investigations of Non-Title IX Sexual Misconduct will be addressed pursuant to the Employer's policies on Sexual Harassment, HR.ER.024; Equal Employment Opportunity, HR.ER.013; and Respectful Workplace, HR.ER.059, and any other applicable policy, Code of Conduct, Handbook, Employment Agreement, etc.
- Under limited circumstances, the Title IX Coordinator has the discretion to determine which investigation mechanism will apply and whether the allegations warrant consolidated, parallel, or sequential processing under different procedures (including in cases that allege both Title IX Sexual Misconduct and harassment based on other protected status, which are covered under other Employer policies).
- If at any time it becomes apparent to the Title IX Coordinator that the investigation of Title IX Complaint should be conducted under a different procedure, the Title IX Complaint will be transferred to the appropriate procedures.

Notes:

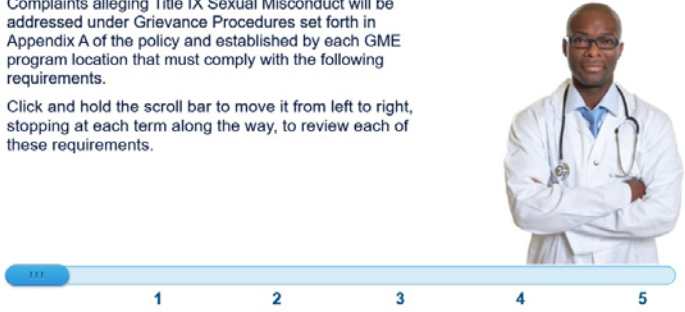
Here are some things to know about the determination of grievance procedures.

1.26 Grievance Procedures for Title IX Sexual Misconduct

Grievance Procedures for Title IX Sexual Misconduct

Complaints alleging Title IX Sexual Misconduct will be addressed under Grievance Procedures set forth in Appendix A of the policy and established by each GME program location that must comply with the following requirements.

Click and hold the scroll bar to move it from left to right, stopping at each term along the way, to review each of these requirements.



Notes:

Complaints alleging Title IX Sexual Misconduct will be addressed under Grievance Procedures set forth in Appendix A of the policy and established by each GME program location that must comply with the following requirements.

Click and hold the scroll bar to move it from left to right, stopping at each term along the way, to review each of these requirements.

Burden of Proof and Standard of Evidence

The burden in reaching a determination regarding responsibility rest on Employer and not on the parties. The relevant standard is whether it is more likely than not that Title IX Sexual Misconduct occurred.

No Conflicts of Interest

The Title IX Coordinator(s) will perform their duties neutrally and without conflict of interest or bias. Any individual designated as an investigator, Decision-maker, or any person designated to facilitate an Informal Resolution process, may not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

Interim Suspension / Emergency Removal

As required by Title IX, before doing so in cases alleging Title IX Sexual Misconduct, Employer must undertake an individualized safety and risk analysis, determine that an immediate threat to the physical health or safety of any GME Resident, Fellow, or other individual arising from the allegations of Title IX Sexual Misconduct justifies removal, and provide the Respondent with notice and an opportunity to challenge the decision immediately following removal.

Administrative Leave

The Employer's policy provides procedures for placing an employee on investigatory suspension during the pendency of an investigation or grievance process.

Advisors


The parties have the opportunity to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. Employer will not limit the choice or presence of an advisor for either party in any meeting or grievance proceeding, except that the advisor may not be a party or witness or an individual who would otherwise create a conflict of interest. Employer may require all advisors in a proceeding to adhere to rules of decorum.

1 (Slide Layer)

Grievance Procedures for Title IX Sexual Misconduct

Burden of Proof and Standard of Evidence

The burden in reaching a determination regarding responsibility rest on Employer and not on the parties. The relevant standard is whether it is more likely than not that Title IX Sexual Misconduct occurred.




1 2 3 4 5

2 (Slide Layer)

Grievance Procedures for Title IX Sexual Misconduct

No Conflicts of Interest

The Title IX Coordinator(s) will perform their duties neutrally and without conflict of interest or bias. Any individual designated as an investigator, Decision-maker, or any person designated to facilitate an Informal Resolution process, may not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.





1 2 3 4 5

3 (Slide Layer)

Grievance Procedures for Title IX Sexual Misconduct

Interim Suspension / Emergency Removal

As required by Title IX, before doing so in cases alleging Title IX Sexual Misconduct, Employer must undertake an individualized safety and risk analysis, determine that an immediate threat to the physical health or safety of any GME Resident, Fellow, or other individual arising from the allegations of Title IX Sexual Misconduct justifies removal, and provide the Respondent with notice and an opportunity to challenge the decision immediately following removal.



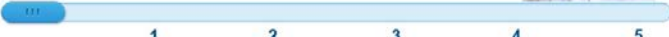

1 2 3 4 5

4 (Slide Layer)

Grievance Procedures for Title IX Sexual Misconduct

Administrative Leave

The Employer's policy provides procedures for placing an employee on investigatory suspension during the pendency of an investigation or grievance process.





1 2 3 4 5

5 (Slide Layer)

Grievance Procedures for Title IX Sexual Misconduct

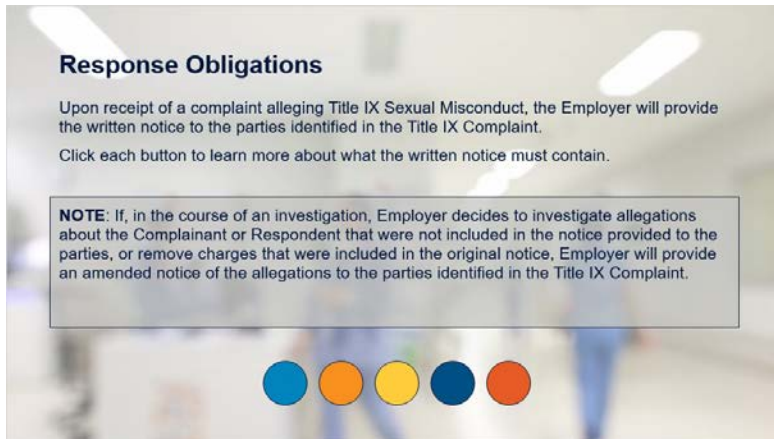
Advisors

The parties have the opportunity to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. Employer will not limit the choice or presence of an advisor for either party in any meeting or grievance proceeding, except that the advisor may not be a party or witness or an individual who would otherwise create a conflict of interest. Employer may require all advisors in a proceeding to adhere to rules of decorum.



1 2 3 4 5

1.27 Response Obligations



Response Obligations

Upon receipt of a complaint alleging Title IX Sexual Misconduct, the Employer will provide the written notice to the parties identified in the Title IX Complaint.

Click each button to learn more about what the written notice must contain.

NOTE: If, in the course of an investigation, Employer decides to investigate allegations about the Complainant or Respondent that were not included in the notice provided to the parties, or remove charges that were included in the original notice, Employer will provide an amended notice of the allegations to the parties identified in the Title IX Complaint.

Five colored circles (blue, orange, yellow, dark blue, red) are arranged horizontally at the bottom of the slide.

Notes:

Upon receipt of a complaint alleging Title IX Sexual Misconduct, the Employer will provide the written notice to the parties identified in the Title IX Complaint. Click each button to learn more about what the written notice must contain.

- Notice of Employer’s Grievance Procedures, including the Informal Resolution process.
- Notice of the allegations of Title IX Sexual Misconduct, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX Sexual Misconduct, and the date and location of the alleged incident, if known.
- Notice that, under the relevant Grievance Procedures, the Respondent is not treated as responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- Notice to the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
- Notice of the provision in the applicable Grievance Procedure that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

para 1 (Slide Layer)

Response Obligations

Upon receipt of a complaint alleging Title IX Sexual Misconduct, the Employer will provide the written notice to the parties identified in the Title IX Complaint.

Click each button to learn more about what the written notice must contain.

Notice of Employer's Grievance Procedures, including the Informal Resolution process.



para 2 (Slide Layer)

Response Obligations

Upon receipt of a complaint alleging Title IX Sexual Misconduct, the Employer will provide the written notice to the parties identified in the Title IX Complaint.

Click each button to learn more about what the written notice must contain.

Notice of the allegations of Title IX Sexual Misconduct, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX Sexual Misconduct, and the date and location of the alleged incident, if known.




para 3 (Slide Layer)

Response Obligations

Upon receipt of a complaint alleging Title IX Sexual Misconduct, the Employer will provide the written notice to the parties identified in the Title IX Complaint.

Click each button to learn more about what the written notice must contain.

Notice that, under the relevant Grievance Procedures, the Respondent is not treated as responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.



para 4 (Slide Layer)



Response Obligations

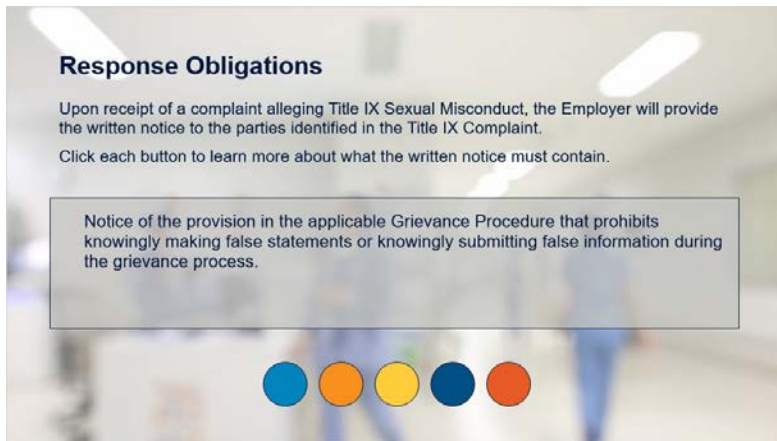
Upon receipt of a complaint alleging Title IX Sexual Misconduct, the Employer will provide the written notice to the parties identified in the Title IX Complaint.

Click each button to learn more about what the written notice must contain.

Notice to the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.

Five colored circles (blue, orange, yellow, dark blue, red) are arranged horizontally at the bottom of the slide.

para 5 (Slide Layer)



Response Obligations

Upon receipt of a complaint alleging Title IX Sexual Misconduct, the Employer will provide the written notice to the parties identified in the Title IX Complaint.

Click each button to learn more about what the written notice must contain.

Notice of the provision in the applicable Grievance Procedure that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Five colored circles (blue, orange, yellow, dark blue, red) are arranged horizontally at the bottom of the slide.

1.28 Supportive Measures



Supportive Measures

Click each button to learn more about supportive measures.

What are supportive measures?

When can they be used?



The slide features two buttons on the left and a photograph on the right. The photograph shows two women in a professional setting, possibly a meeting or consultation. One woman is wearing a white lab coat and has her hand near her face, while the other woman is partially visible on the left.

Notes:

Let's look at supportive measures, specifically, what they are and when they can be used. Click each button to learn more.

- Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to any individual alleging to have experienced Title IX Sexual Misconduct, or any individual accused of engaging in Title IX Sexual Misconduct before, during, or after the filing of a Complaint or where no Complaint has been filed.
- Supportive Measures are available on an equitable basis to individuals who are alleged to have experienced and those who have been accused of Title IX Sexual Misconduct. Individuals impacted by Title IX Sexual Misconduct are encouraged to seek confidential counseling and other support resources offered by Employer. Individuals are encouraged not to wait to seek confidential counseling.

what? (Slide Layer)

Supportive Measures

Click each button to learn more about supportive measures.

What are supportive measures?	Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to any individual alleging to have experienced Title IX Sexual Misconduct, or any individual accused of engaging in Title IX Sexual Misconduct before, during, or after the filing of a Complaint or where no Complaint has been filed.
When can they be used?	

when? (Slide Layer)

Supportive Measures
Click each button to learn more about supportive measures.

What are supportive measures? Supportive Measures are available on an equitable basis to individuals who are alleged to have experienced and those who have been accused of Title IX Sexual Misconduct. Individuals impacted by Title IX Sexual Misconduct are encouraged to seek confidential counseling and other support resources offered by Employer. Individuals are encouraged not to wait to seek confidential counseling.

When can they be used?

1.29 Informal Resolution

Informal Resolution
Informal Resolution is defined as an Employee engaged in Title IX Sexual Misconduct against a GME Resident or Fellow. Employer may, at any time prior to reaching a determination regarding responsibility after the filing of a Title IX Complaint, facilitate a voluntary Informal Resolution process, such as mediation, provided that the following conditions are met.

Move the scroll bar from left to right, stopping at each term along the way, to learn more about the conditions.

Notice Voluntary Consent Timeframe



Notes:

Informal Resolution is defined as an Employee engaged in Title IX Sexual Misconduct against a GME Resident or Fellow, Employer may, at any time prior to reaching a determination regarding responsibility after the filing of a Title IX Complaint, facilitate a voluntary Informal Resolution process, such as mediation, provided that the following conditions are met.

Move the scroll bar from left to right, stopping at each term along the way, to learn more about the conditions.

NOTICE

Employer will provide to the parties a written notice disclosing: the allegations; the requirements of the Informal Resolution process including the circumstances under

which it precludes the parties from resuming a Title IX Complaint arising from the same allegations; the right of any party to withdraw from the Informal Resolution process and resume the grievance process with respect to the Title IX Complaint prior to agreeing to a resolution; and any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.

VOLUNTARY CONSENT

Employer will obtain the parties' voluntary, written consent to the Informal Resolution process.

TIMEFRAME



Informal Resolution will be completed within approximately forty-five (45) days of the parties' agreement to participate in Informal Resolution, but Employer may extend the timeframe for good cause.

notice (Slide Layer)

Informal Resolution

NOTICE

Employer will provide to the parties a written notice disclosing: the allegations; the requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a Title IX Complaint arising from the same allegations; the right of any party to withdraw from the Informal Resolution process and resume the grievance process with respect to the Title IX Complaint prior to agreeing to a resolution; and any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.



voluntary consent (Slide Layer)

Informal Resolution

VOLUNTARY CONSENT

Employer will obtain the parties' voluntary, written consent to the Informal Resolution process.



timeframe (Slide Layer)

Informal Resolution

TIMEFRAME



Informal Resolution will be completed within approximately forty-five (45) days of the parties' agreement to participate in Informal Resolution, but Employer may extend the timeframe for good cause.



1.30 Confidentiality

Confidentiality

Click each button to learn more.



Notes:


Now let's look at confidentiality. Click each button to learn more.

- Complaints and investigations under this Title IX Sexual Misconduct Policy will be treated as confidential by Employer. The decision and sanctions will be shared with official(s) of the Employer to the extent necessary to implement sanctions and remedies.
- As it relates to Title IX and this policy, Employer complies with the Family Educational Rights & Privacy Act (FERPA) and other applicable privacy laws at all times in the course of investigations. Employer will keep confidential the identity of any individual who has made a Report or Complaint of Sexual Misconduct, any Complainant, any individual who has been reported to be the perpetrator of Sexual Misconduct, any Respondent, and any witness, except as may be permitted by FERPA, or as required by law, or in order to conduct any investigation, hearing, or judicial proceeding arising from this Policy.
- Employer will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, as long as such conduct is not harassing or retaliatory. The investigation, investigation report, and proceedings are considered confidential.

para 1 (Slide Layer)

Confidentiality

Click each button to learn more.



Complaints and investigations under this Title IX Sexual Misconduct Policy will be treated as confidential by Employer. The decision and sanctions will be shared with official(s) of the Employer to the extent necessary to implement sanctions and remedies.



para 2 (Slide Layer)

Confidentiality

Click each button to learn more.



As it relates to Title IX and this policy, Employer complies with the Family Educational Rights & Privacy Act (FERPA) and other applicable privacy laws at all times in the course of investigations. Employer will keep confidential the identity of any individual who has made a Report or Complaint of Sexual Misconduct, any Complainant, any individual who has been reported to be the perpetrator of Sexual Misconduct, any Respondent, and any witness, except as may be permitted by FERPA, or as required by law, or in order to conduct any investigation, hearing, or judicial proceeding arising from this Policy.



para 3 (Slide Layer)

Confidentiality

Click each button to learn more.




Employer will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, as long as such conduct is not harassing or retaliatory. The investigation, investigation report, and proceedings are considered confidential.



1.31 Reporting Obligations

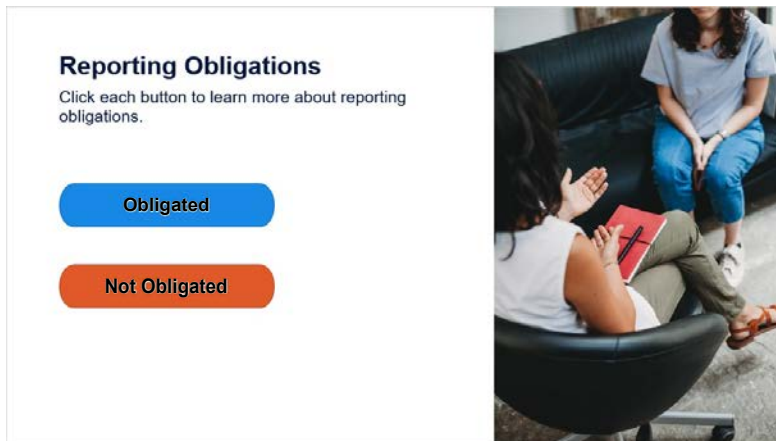
Reporting Obligations



Notes:

Now, we will review employee and employer reporting obligations.

1.32 Reporting Obligations

The image shows a digital interface on the left and a photograph on the right. The interface has a white background with the title "Reporting Obligations" in bold black text. Below the title is the instruction "Click each button to learn more about reporting obligations." There are two buttons: a blue one labeled "Obligated" and an orange one labeled "Not Obligated". The photograph shows two people sitting on a black leather couch. One person is seen from the back, wearing a white shirt and green pants, holding a red folder. The other person is facing them, wearing a light blue shirt and blue pants.

Notes:

Click each button to learn more about when a reporting obligation exists.

Any Employee (other than those who are prohibited from reporting, noted below) of a GME program who learns of conduct that may violate this Policy **must report the conduct** to the Title IX Coordinator or appropriate Deputy Title IX Coordinator within 24 hours, or as soon as possible. Employer recognizes that supervisors (including those who supervise employees and those who supervise residents and fellows) bear a particularly important responsibility to deter Sexual Misconduct.

Only those individuals who are statutorily prohibited from reporting or identified by Employer as confidential (such as health professionals and those designated as ombudspersons) shall not have a duty to report to the Title IX Coordinator or Deputy Title IX Coordinator. If in doubt as to whether certain conduct violates this Policy, or if you have any questions about this Policy or its application, please consult with the Title IX Coordinator or a Deputy Title IX Coordinator

obligated (Slide Layer)

Reporting Obligations
Click each button to learn more about reporting obligations.

Obligated Any Employee (other than those who are prohibited from reporting, noted below) of a GME program who learns of conduct that may violate this Policy **must report the conduct** to the Title IX Coordinator or appropriate Deputy Title IX Coordinator within 24 hours, or as soon as possible. Employer recognizes that supervisors (including those who supervise employees and those who supervise residents and fellows) bear a particularly important responsibility to deter Sexual Misconduct.

Not Obligated

not obligated (Slide Layer)

Reporting Obligations
Click each button to learn more about reporting obligations.

Obligated Only those individuals who are statutorily prohibited from reporting or identified by Employer as confidential (such as health professionals and those designated as ombudspersons) shall not have a duty to report to the Title IX Coordinator or Deputy Title IX Coordinator. If in doubt as to whether certain conduct violates this Policy, or if you have any questions about this Policy or its application, please consult with the Title IX Coordinator or a Deputy Title IX Coordinator

Not Obligated

1.33 Additional References

Additional References

- Grievance Procedures (Resources tab)
- Definitions (Glossary tab)



Click the tabs in the top right corner of the player or your screen.



Notes:

For additional references, please click the Resources tab of this course to review the Grievance Procedures. And be sure to click the Glossary tab to review important definitions.

1.34 Review



The image shows a screenshot of a course review slide on the left and a photograph of a woman working at a desk on the right. The slide has the title "Review" in a large, bold, dark blue font. Below the title is a vertical orange line, followed by a bulleted list of topics: "History of Title IX", "New Title IX Regulations", "Purpose/Scope/Overview", "Prohibited Conduct, Response Obligations and Grievance Procedures", "Responsible Parties", "Training", and "Reporting Obligations". At the bottom of the slide, it says "Click the Exit button to close the course." The photograph shows a woman with long brown hair, wearing a grey sweater, sitting at a desk with a laptop and papers, looking down at her work.

Notes:

In this module, we reviewed Title IX's history, new regulations as well as its purpose and scope. You should have an understanding of prohibited conduct, response obligations and grievance procedures in this module. This module also covered responsible parties, training and reporting obligations. Click the Exit button to close the course.