



Standard HealthCare Services
College of Nursing
Title IX Grievance Policies and Procedures

Title IX of the Education Amendments of 1972 (“Title IX”) is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. Standard HealthCare Services’ (SHC) grievance procedures are designed to provide a prompt and equitable resolution to a Title IX claim of sexual or gender-based harassment, assault or violence. SHC’s Title IX investigation will be an adequate, reliable, impartial investigation, which will include the opportunity for both parties to present witnesses and other evidence. The procedures will allow for appropriate interim measures to be taken to protect the complainant during the process, and for remedies to the complainant and school community where appropriate. SHC’s Title IX Coordinator has the responsibility for oversight of the reporting process and investigation of a report. These grievance procedures will be applied to complaints filed by students or on their behalf alleging sexual or gender-based harassment, assault or violence, carried out by employees, faculty, other students, or third parties.

Standard HealthCare Services College of Nursing Grievance Policy Statement

SHC is committed to creating and maintaining a community free of sexual or gender-based harassment, assault or violence. Any member of the SHC community may report conduct that may constitute sexual or gender-based harassment, assault or violence, or retaliation to the Title IX Coordinator. Female, male, and gender non-conforming students, faculty, and staff are protected from discrimination under Title IX and SHC’s policies. SHC will promptly and equitably respond to all incidents of sexual or gender-based harassment, assault or violence, of which SHC has notice, including incidents that SHC knew or reasonably should have known about. SHC will take appropriate action to stop, prevent, and remedy the conduct, and when necessary, to discipline the respondent, by imposing the appropriate sanctions.

Prohibited Conduct under this Policy

Prohibited conduct under this policy includes the following forms of behavior: sexual or gender-

based harassment, sexual assault, sexual violence, sexual exploitation, intimidation, hazing, bullying, intimate partner violence, stalking, complicity, and retaliation. Conduct under this policy is prohibited regardless of the sex, sexual orientation and/or gender identity/expression of the complainant.

Definitions:

Complainant: The complainant is the person bringing the complaint of a prohibited conduct.

Respondent: The respondent is the student, employee or third party against whom the complaint is brought.

Sexual Harassment: Sexual harassment is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating. Domestic and dating violence is also a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a person's ability to participate in or benefit from SHC's educational programs and activities.

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes harassment when:

- Submission to, or rejection of, such conduct by an individual is made explicitly or implicitly a term or condition of an individual's employment or participation in academic activities (this is considered quid pro quo harassment);
- Submission to, or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile, or offensive working or study environment.

In other words, examples of behavior that may create a hostile environment and violate SHC policy include but is not limited to:

- Seeking sexual favors or relationships in return for the promise of a favorable grade, or other career opportunity;
- Conditioning an employment-related action (such as hiring, favorable reviews, salary increases, promotions, increased benefits, or continued employment) based on a sexual favor or relationship; or
- Intentional and undesired physical contact, sexually explicit language or writing, lewd pictures or notes, pressure for a date or intimate relationship and other forms of sexually offensive conduct by individuals in positions of authority, co-workers or student peers which results in unreasonably interfering with the ability of a person to perform his or her employment or academic responsibilities.
- Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties.

- Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipient(s).
- Commenting about or inappropriately touching an individual's body.
- Lewd or sexually suggestive comments, jokes, innuendoes, or gestures.
- Stalking

Unwelcome conduct: Unwelcome conduct means an individual did not request or invite the behavior and considers it to be undesirable or offensive.

Hostile Environment: A hostile environment is created when peers, employees, or third parties engage in conduct that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from SHC's education or employment programs and/or activities. In evaluating whether a hostile environment exists, SHC will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or SHC programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

Gender-based harassment: A hostile environment can be created by individuals of either gender; it can occur between individuals of the same gender or different genders. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships. Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity, and SHC will accept and appropriately respond to all complaints of sex discrimination. Gender-based harassment refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature. Discrimination based on gender, gender identity, gender expression, sex- or gender-stereotyping, and sexual orientation violates federal law and SHC policies.

Sexual Violence: Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). Sexual violence includes attempted or completed rape or sexual assault, as well as sexual harassment, stalking, voyeurism, exhibitionism, verbal or physical sexuality-based threats or abuse, and intimate partner violence. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX and SHC policies.

Consent: Consent is a voluntary agreement to engage in sexual activity. Consent to one form of sexual activity does not imply consent to other forms of sexual activity and the existence of a current or previous dating, marital or sexual relationship is not sufficient to constitute consent to additional sexual activity.

SHC offers the following guidance on consent:

- Someone who is incapacitated cannot consent.
- Past consent does not imply future consent.
- Silence or an absence of resistance does not apply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be withdrawn at any time.
- Coercion, force, or threat of either invalidates consent.
- If a person is mentally or physically incapacitated or impaired, there is no consent.
- When a person who is incapacitated due to alcohol or drug consumption, or being asleep or unconscious, there is no consent.
- If a person is unable to lawfully give his or her consent due to youth, there is no consent.

Sexual Exploitation: Sexual exploitation occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of 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 someone to 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

Other misconduct offenses that fall under Title IX when sex or gender-based:

1. **Threatening or causing physical harm, extreme verbal abuse**, or other conduct which threatens or endangers the health or safety of any person;
2. **Discrimination**, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;
3. **Intimidation**, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. **Hazing**, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation;
5. **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.
6. **Intimate Partner Violence**, defined as violence or abuse between those in an intimate relationship to each other. Examples of intimate partner violence include:
 - a. A boyfriend shoves his girlfriend into a wall upon seeing her talking to a male friend. This physical assault based in jealousy is a violation of the Intimate Partner Violence policy.
 - b. An ex-girlfriend shames her female partner, threatening to out her as a lesbian if she doesn’t give the ex another chance. Psychological abuse is a form of Intimate Partner Violence.
 - c. A graduate student refuses to wear a condom and forces his girlfriend to take hormonal birth control though it makes her ill, in order to prevent pregnancy.
 - d. Married employees are witnessed in the parking garage, with one partner slapping and scratching the other in the midst of an argument.
7. **Stalking**. There are at least two variations of stalking conduct.
 - a. **Stalking 1**: A course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is unwelcome, AND would cause a reasonable person to feel fear. An example of Stalking 1 conduct includes, but is not limited to, the following scenario:

A student repeatedly shows up at another student's on-campus residence,

always notifying the front desk attendant that they are there to see the resident. Upon a call to the resident, the student informs residence hall staff that this visitor is uninvited and continuously attempts to see them, even so far as waiting for them outside of classes and showing up to their on-campus place of employment requesting that they go out on a date together.

- b. **Stalking 2**: Repetitive and menacing pursuit, following, harassing and/or interfering with the peace and/or safety of another. An example of Stalking 2 conduct includes, but is not limited to, the following scenario:

A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate the gift deliveries to stop. The student then started leaving notes of love and gratitude on the graduate assistant's car, both on-campus and at home. Asked again to stop, the student stated by email: "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything necessary to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. We are meant to be together."

Criminal Complaint: Students have the right to file a criminal complaint and a Title IX complaint simultaneously. SHC will support students in understanding, assessing and pursuing these options. Students have the right to notify or decline to notify law enforcement. In keeping with its commitment to taking all appropriate steps to eliminate, prevent, and remedy all prohibited conduct, SHC urges students to report prohibited conduct *immediately* to local law enforcement by contacting:

911 (for emergencies)
City of Fairfax Police [\(703\) 241-5050](tel:7032415050)

Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking Emergency Protective Orders. Although a police report may be made at any time, students should be aware that a one-year statute of limitations may apply to certain misdemeanors in Virginia. SHC will assist students in notifying law enforcement if they choose to do so.

SHC also urges anyone who becomes aware of an incident of sexual or gender-based harassment, assault or violence to report the incident *immediately* to SHC by contacting

Heather Ettus, SHC's Title IX Coordinator by email at hettus@standardcollege.edu, by telephone at (703) 891-1787 or by letter to Standard HealthCare College of Nursing, 7704 Leesburg Pike, Suite 1000 Falls Church, VA 22043

The school will conduct its own Title IX investigation even when a criminal investigation has been initiated. SHC may need to briefly suspend the fact-finding aspect of a Title IX investigation at the request of law enforcement while the law enforcement agency is in the process of gathering evidence. SHC will maintain regular contact with law enforcement to determine when it may begin its investigation. SHC will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own Title IX investigation. Moreover, SHC will take interim measures to protect the complainant in the educational setting during the time period of a criminal investigation, when appropriate.

Confidentiality: If the student requests confidentiality, the Title IX coordinator will make every effort to respect this request and will evaluate the request in the context of the school's responsibility to provide a safe and nondiscriminatory environment for all students. SHC will seek to balance a complainant's request for anonymity or not to participate in an investigation with its broader obligation to campus safety.

The factors SHC may consider in this regard include the seriousness of the alleged harassment, the age of the individual harassed, whether there have been other complaints or reports of harassment against the alleged harasser, as well as the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result. When the school has no credible information about prior sexual violence committed by the alleged respondent and the alleged sexual violence was not perpetrated with a weapon or accompanied by threats to repeat the sexual violence against the complainant or others or part of a larger pattern at a given location or by a particular group, the balance of factors would likely compel the school to respect the student's request for confidentiality.

If the complainant asks that his or her name not be disclosed to the respondent or that no investigation be pursued, the complainant will be informed that the request may limit the scope of SHC's response, including pursuing sanctions against the respondent. Given the sensitive nature of reports of sexual violence, at a minimum, SHC will ensure that the information is maintained in a secure manner and will only disclose information regarding alleged incidents of sexual violence to individuals who are responsible for handling the school's response.

SHC is likely to support a student's interest in confidentiality in cases involving sexual violence.

If the school determines that it must disclose a student's identity to a respondent, it will inform the student prior to making this disclosure. In these cases, SHC will take whatever interim measures are necessary to protect the student and ensure the safety of other students.

When SHC has determined that it will respect a complainant's request for confidentiality and therefore will not respond fully to an allegation of sexual violence and initiate formal action against a respondent, the school will take immediate action to protect the complainant while keeping the identity of the complainant confidential. These actions may include: providing support services to the complainant; changing course schedules, assignments, or tests; and providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred. SHC will also make every effort to protect the larger community by, for instance, providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; changing and publicizing the school's policies on sexual violence; and conducting climate surveys regarding sexual violence.

Rights of the complainant: The complainant has the right to decline to participate in an investigation, appear in a proceeding with the respondent present, or otherwise confront the respondent during the grievance process, including during any hearings or appeals. The parties will not personally cross-examine each other during the grievance process, including during any hearings or appeals.

Responsible Employee: Responsible Employees include all faculty, staff, and administrators at SHC. A Responsible Employee is required to report to SHC's Title IX Coordinator all relevant details (obtained directly or indirectly) about any incident that they observe or learn about regarding sexual or gender-based harassment, assault or violence that involves any student as a complainant, respondent, and/or witness, including dates, times, locations, and names of parties and witnesses.

Off Campus Incidents: SHC will process all complaints of sexual discrimination, regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity. SHC will protect the school community in the same way it would had the conduct occurred on campus.

Remedies: Depending on the specific nature of the problem, remedies for the complainant may include, but are not limited to:

- Providing an effective escort to ensure that the complainant can move safely between classes and activities;
- Ensuring the complainant and respondent do not share classes or extracurricular activities;
- Providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring, when possible;
- Arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty; and
- If there are limited sections of required courses offered at a school and both the complainant and respondent are required to take those classes, the school may make alternate arrangements in a manner that minimizes the burden on the complainant.
- Remedies for the broader student population may include, but not limited to:

- Training or retraining school employees on the school's responsibilities to address allegations of sexual violence and how to conduct Title IX investigations;
- Developing materials on sexual violence, which should be distributed to all students;
- Conducting bystander intervention and sexual violence prevention programs with students;
- Issuing policy statements or taking other steps that clearly communicate that the school does not tolerate sexual violence and will respond to any incidents and to any student who reports such incidents;
- Conducting a campus climate check to assess the effectiveness of efforts to ensure that the school is free from sexual violence, and using that information to inform future proactive steps that the school will take.

Sanctions: Possible disciplinary sanctions that might result from a finding of sexual or gender-based harassment, assault or violence may include suspension, expulsion or termination. Sanctions that directly relate to the complainant (but that may also relate to eliminating the hostile environment and preventing recurrence) include, but are not limited to, requiring that the respondent stay away from the complainant until both parties graduate, academic support services for the complainant and other affected students, prohibiting the respondent from attending school for a period of time, or transferring the respondent to another class, or expelling the respondent from the school.

Additional steps the school may take to prevent recurrence may include sexual violence training for faculty and staff, revisions to the school's policies on sexual violence, and campus climate surveys.

The Clery Act requires, and FERPA permits, postsecondary institutions to inform the complainant of the institution's final determination and any disciplinary sanctions imposed on the respondent in sexual violence cases (as opposed to all harassment and misconduct covered by Title IX) not just those sanctions that directly relate to the complainant.

Standard HealthCare Services College of Nursing Grievance Procedures

SHC will respond to complaints, reports, or information about incidents of sex discrimination to stop the prohibited conduct of sexual or gender-based harassment, assault or violence, eliminate any hostile environment, take steps to prevent the recurrence of the sex discrimination, and address any effects on campus or in the context of any SHC programs and activities regardless of location. SHC will promptly take steps to conduct an adequate, reliable, and impartial investigation to resolve the complaint when it knows or reasonably should know about possible discrimination (from any source), regardless of whether the complainant declines to participate in the process.

All staff and employees act as Responsible Employees at SHC, and accordingly, are expected to promptly report sexual and gender-based harassment, assault and violence that they observe or learn about to the Title IX Coordinator.

SHC's grievance procedures will be applied to complaints filed by students or on their behalf alleging sexual harassment or violence carried out by employees, other students, or third parties.

Reporting: Any person may make a report about an incident of sexual or gender-based harassment, assault or violence, including anonymously, to the Title IX Coordinator. While there is no time limit for reporting, reports of discrimination are encouraged to be brought forward as soon as possible. SHC's ability to respond may diminish over time, as evidence may erode, memories may fade, and respondents may no longer be affiliated with SHC. If the respondent is no longer a student or an employee, SHC will provide reasonably appropriate remedial measures, assist the complainant in identifying external reporting options, and take reasonable steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

SHC will not pursue disciplinary action against complainants or witnesses for disclosure of illegal personal consumption of drugs or alcohol where such disclosures are made in connection with a good faith report or investigation of prohibited conduct.

Initial Assessment of a Report: Upon receiving a complaint, report, or information about a potential Title IX violation, the Title IX Coordinator will make an initial assessment regarding the complaint. The Title IX Coordinator may consult with appropriate faculty members and with Human Resources Department for additional information about the complaint. The Title IX Coordinator may also consult further with the person initiating the request and gather additional relevant information as necessary. The Title IX Coordinator will put in place any appropriate interim measures to protect the educational and work environment.

Based on the information gathered, the Title IX Coordinator will determine whether the information, if true, would constitute a violation of the SHC's policy such that an investigation is warranted or whether the information warrants an administrative closure. The Title IX Coordinator will convey this determination to the complainant.

Ordinarily, the initial review will be concluded within two weeks of the date the complaint was received by the Title IX Coordinator.

Informal resolution: During the Initial Assessment, the Title IX Coordinator may attempt to aid the parties in finding a mutually acceptable resolution. Informal resolution process will only be used, however, if the parties voluntarily agree to do so. The complainant will not be required to resolve the problem directly with the respondent in the context of an informal resolution. There will be instances when the informal resolution process is inappropriate. Mediation is prohibited in cases of sexual assault, and in cases involving a student complaining of sexual harassment against an employee in a position of authority over the student. Both parties will be notified of the right to end the informal process at any time and request to begin the formal stage of the complaint process.

Interim Measures: To ensure equal access to its education programs and activities and protect the complainant as necessary, interim measures may be taken during the time period of an initial assessment. The school will take interim steps promptly once it has notice of a sexual or gender-based harassment, assault or violence allegation and provide the complainant with

periodic updates on the status of the investigation. SHC will notify the complainant of his or her options to avoid contact with the alleged respondent and allow the complainant to change academic and extracurricular activities or his or her working situation as appropriate. The school will also ensure that the complainant is aware of his or her Title IX rights and any available resources, such as academic support, and the right to report a crime to campus or local law enforcement. SHC may enter into an MOU with a local victim services provider, if possible.

The specific interim measures implemented will vary depending on the facts of each case. SHC will consider a number of factors in determining what interim measures to take, including, for example, the specific need expressed by the complainant; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant and alleged respondent share the same class, transportation, or job location; and whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

SHC will notify complainants, in writing, that interim measures are available during SHC's investigation, and during any student conduct process, including appeals, to protect and support the complainant. The complainant may also directly request to the Title IX Coordinator for interim measures. The Title IX Coordinator will take steps to ensure, where possible and as supported by the available information, that such interim measures minimize the burden on the complainant.

Time Frame and Process: SHC will have a 60-calendar day timeframe to the entire investigation process, which includes (1) an initial assessment, (2) conducting the fact-finding investigation, (3) engaging in a decision-making process to determine whether the alleged sexual or gender-based harassment, assault or violence occurred and created a hostile environment, and (4) determining what actions the school will take to eliminate the hostile environment and prevent its recurrence, including imposing sanctions against the respondent and providing remedies for the complainant and school community, as appropriate. This timeframe does not include appeals. Depending on the complexity of the investigation and the severity and extent of the alleged conduct, however, SHC may require more than the additional 60 calendar day framework in which case both parties will be given periodic status updates throughout the process.

The Fact-finding Investigation: The term "investigation" refers to the process SHC uses to resolve sexual or gender-based harassment, assault or violence complaints. This includes the fact-finding investigation conducted by the Title IX Coordinator to determine: (1) whether or not an act of sexual or gender-based harassment, assault or violence occurred; and, (2) if the act of sexual or gender-based harassment, assault or violence occurred, what actions the school will take to end the sexual or gender-based harassment, assault or violence, eliminate the hostile environment, and prevent its recurrence, which may include imposing sanctions on the respondent and providing remedies for the complainant and broader student population.

The investigation may include, but is not limited to, conducting interviews of the complainant, the respondent, and any witnesses; reviewing law enforcement investigation documents, if applicable; reviewing student and personnel files; and gathering and examining other relevant documents or evidence. SHC has an independent obligation to identify witnesses, seek evidence, and ask questions of the parties and witnesses when resolving reports of sex-based harassment.

All parties will be informed of the process, the grievance decision, and the right and procedures to an appeal.

Following the decision to begin an investigation, the Title IX Coordinator will notify the respondent in writing of the allegations and will provide a copy of SHC's policy and these procedures. The respondent will have one week in which to submit a written statement in response to the allegations.

If the decision is made to begin an investigation in a case where the complainant is unwilling to participate but SHC has assessed the severity of the harassment and the potential risk of a hostile environment for others in the community and has determined to proceed, then, for the purposes of these procedures, the Title IX Coordinator will be considered the complainant.

When a complaint involves allegations that, if true, also might constitute criminal conduct, respondents will be advised to seek legal counsel before making any written or oral statements. The investigation process is not a legal proceeding, but respondents may wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

After the collection of additional information is complete but prior to the conclusion of the investigation, the Title IX Coordinator may request individual follow-up interviews with the Complainant and the Respondent to give each the opportunity to respond to the additional information.

SHC's Title IX investigation will be an adequate, reliable, impartial investigation, which includes, but is not limited to, the following:

- Both parties will be promptly and effectively notified of the initiation of an investigation.
- Both parties will be notified of the potential policy violation(s) at issue.
- Both parties will be notified of the right to participate in the investigation.
- Both parties will be notified of the timeframe for responding.
- Both parties will be notified that the investigation may proceed without the participation of either party.
- Both parties will have an equal opportunity to present relevant witnesses and other evidence.

- Both parties will have similar and timely access to information and regular updates regarding the status of the investigation being considered in the process.
- If the school permits one party to have lawyers or other advisors at any stage of the proceedings, it will do so equally for both parties.
- Any restrictions on the lawyers/representatives' ability to speak or otherwise participate will be applied equally to both parties
- If the school permits one party to submit third-party expert testimony, it will do so equally for both parties.
- If the school provides for an appeal, it will do so equally for both parties.
- Both parties will be notified, in writing, of the outcome of both the complaint and any appeal.

Mediation: As part of the investigation, the Title IX Coordinator may initiate a mediation process between the complainant and the respondent to resolve an issue in a sexual harassment matter. Mediation will never be used in cases of sexual violence.

Determining whether a hostile environment was created: SHC considers a variety of related factors to determine if a hostile environment has been created as a result of sexual or gender-based harassment, assault or violence. SHC will examine the totality of the facts and circumstances involved in the incident, including the nature of the alleged conduct and the context in which it occurred. SHC will also consider the conduct in question from both a subjective and an objective perspective. Specifically, SHC's standards require that the conduct be evaluated from the perspective of a reasonable person in the alleged victim's position, considering all the circumstances. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. Indeed, a single or isolated incident of sexual violence may create a hostile environment. SHC recognizes that the offensiveness of a particular expression as perceived by some students, standing alone, is not a legally sufficient basis to establish a hostile environment under Title IX.

Evidentiary Standard: The school will use a preponderance-of-the-evidence (i.e., more likely than not that sexual harassment/violence occurred) standard in all Title IX proceedings.

Notice of the Outcome: Both parties will be notified, in writing, about the outcome of both the complaint and any appeal concurrently. The school will inform the complainant as to whether or not it found that the alleged conduct of sexual harassment or violence occurred, any individual remedies offered or provided to the complainant or any sanctions imposed on the respondent that directly relate to the complainant, and other steps the school has taken to eliminate the hostile environment, if the school finds one to exist, and prevent recurrence. The respondent will not be notified of the individual remedies offered or provided to the complainant.

After the completion of the investigation, students and employees found to have engaged in acts of sex discrimination, including sexual and gender-based harassment, assault, and violence, will be promptly disciplined. Such discipline may include, if circumstances warrant, suspension, expulsion or termination.

Appeals: Either side may appeal the decision. Both parties may participate equally in the appeal process, even if the party has not herself or himself filed an appeal. An appeal must be made in writing within five days of receiving the notice of the outcome by notifying the Title IX Coordinator. The grounds for the appeal may only be based on a claim that either (1) a procedural error occurred; (2) previously unavailable relevant evidence could significantly impact the outcome of a case; or (3) that the sanction is substantially disproportionate to the findings.

The type of review SHC will apply to the appeal is the preponderance of the evidence standard. The school will allow a complainant to appeal a suspension on the grounds that it was not severe enough, and similarly, the respondent may appeal a suspension on the grounds that it is too severe.

The appeal will be formally resolved within 15 business days upon receipt of the written appeal.

The Title IX Coordinator will handle the appeal process and inform each party in writing, concurrently, with the final outcome.

Conflicts of Interest: SHC will not allow conflicts of interest (real or reasonably perceived) by those investigating or adjudicating complaints. There will be no actual bias or conflict of interests for individuals with responsibility to respond to or address sexual harassment

Retaliation: It is unlawful for SHC to retaliate against any individual for bringing a possible sexual or gender-based harassment, assault or violence claim to the school's attention. This includes publicly opposing sexual violence or filing a sexual violence complaint with the school. SHC will not retaliate against an individual because he or she testified, or participated in any manner, in an Office of Civil Rights (OCR) or school's investigation or proceeding. Therefore, if a student or other individual complains formally or informally about sexual violence or participates in an OCR or school's investigation or proceedings related to sexual violence, SHC is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual's complaint or participation. SHC will take steps to prevent retaliation and will take strong responsive actions if retaliation occurs. SHC will take also steps to prevent retaliation against a student who filed a complaint either on his or her own behalf or on behalf of another student, or against those who provided information as witnesses. The school will protect the complainant and witnesses and ensure their safety as necessary. At a minimum, SHC will make sure that the complainant and witnesses know how to report retaliation by school officials, other students, or third parties by making follow-up inquiries to see if there have been any new incidents or acts of retaliation, and by responding promptly and appropriately to address continuing or new problems. A

school will also tell complainants and witnesses that Title IX prohibits retaliation, and that school officials will not only take steps to prevent retaliation, but will also take strong responsive action if it occurs.

A student, witness, school official, or third party may seek further information about retaliation or report retaliation by contacting the Title IX Coordinator, Heather Ettus, by email at hettus@standardcollege.edu, by telephone at (703) 891-1787 or by letter to Standard HealthCare College of Nursing, 7704 Leesburg Pike, Suite 1000 Falls Church, VA 22043

Jurisdiction over Reports of Prohibited Conduct: SHC has jurisdiction over alleged claims of sexual or gender-based harassment, assault or violence that occur on SHC's property, such as offices and classrooms, or in connection with Standard HealthCare activities, programs, or events. In addition, SHC may exercise jurisdiction over conduct that occurs off-campus which (1) affects the learning or working environment; or (2) would violate other SHC policies had it occurred on campus.

Documenting Complaints: SHC will document each incident or complaint of discrimination on the basis of sex, including sexual or gender-based harassment, assault and sexual violence, received by SHC, whether formal or informal, written or verbal, which will require, at a minimum:

- documentation describing the incident or complaint;
- a record of when and how the incident or complaint was brought to the attention of the University;
- documentation regarding any investigation conducted by the University, including: witnesses interviewed, documents reviewed, transcripts, recordings and other information considered;
- documentation describing the SHC's disposition of the complaint, which includes the date of the disposition, the basis for the disposition and a description of any personal sanctions imposed, systemic remedies applied and/or SHC action taken;
- documentation of the dates that SHC updated the parties regarding the status of the investigation;
- documentation that SHC promptly provided the parties written copies of any decisions, including any appeals, regarding the complaint;
- documentation regarding any contacts with law enforcement regarding each incident or complaint, and any actions taken by law enforcement, if known to SHC;
- documentation of any interim measures offered to the complainant pending the SHC's investigation; documentation of any interim measures used by the complainant during the investigative process; and documentation that the complainant was provided with notice of SHC resources available and that SHC took steps to ensure that these were provided;
- any other relevant official SHC records related to the case;

- documentation of any remedies provided to individuals found to have been subjected to sex discrimination (including sexual and gender-based harassment, assault and violence); and
- where sexual or gender-based harassment, assault or violence is found to have occurred, documentation that the University followed up with the complainant(s) to ensure the harassment has not recurred, and that the discriminatory effects of the harassment have been remedied.