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Policy

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.* ("Title IX") is a federal civil rights law that provides: "No person in the United States shall, based on sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any Educational Program or Activity receiving Federal financial assistance." Virginia State University prohibits, and is committed to maintaining an environment that is safe and free from, sex discrimination, including sexual harassment and retaliation, as defined by Title IX and its implementing regulations promulgated by the United States Department of Education.[1]

To that end, the University does not discriminate based on sex in its educational, extracurricular, athletic, or other programs and activities, including admission and employment., This Policy also prohibits any member of the campus community from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

Students, employees, or third-party contractors who are found to have violated this Policy may face disciplinary action, up to and including expulsion (students) or termination of employment or contractual relationship (employees or third-party contractors).

The University also prohibits other forms of discrimination and harassment, as described in the *Discrimination, Harassment, and Retaliation Prevention Policy, Policy 1101.* Remedies designed to restore or preserve equal access to the University's education or work program or activities will be implemented as appropriate, and may range from course-related adjustments and no contact orders to restrictions on access to campus, campus locations, or campus activities.

This *Title IX Sexual Harassment Policy* and its resolution procedures are not a substitute for the criminal justice system. If an individual files a report with the University's Campus Police, that department will report to the appropriate jurisdiction certain alleged crimes, including Sexual Assault, Stalking, Dating Violence or Domestic Violence, as these terms are defined in this Policy, which occur on or off campus and constitute a felony under Virginia law.

The University encourages the reporting of all violations of this Policy. Questions regarding sex discrimination prohibited by Title IX should be referred to the VSU Title IX Coordinator:

Deborah D. Howard
Office of EEO & Title IX Compliance
Room 101-J – Colson Hall
(804) 524-5371
titleix@vsu.edu

[1] Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 85 Fed. Reg. 30,026 (May 19, 2020) (codified at 34 C.F.R. pt. 106).

Applicability, Authority and Jurisdiction

This Policy and the accompanying resolution procedures (Policy 1105 – *Title IX Resolution Procedures*) will apply to all students, employees, applicants for admission and employment, visitors, and contractors participating in, or attempting to participate in, one or more of the University's education programs and activities in the United States. This Policy and the procedures also apply to individuals reporting or participating in investigations of prohibited occurring in a University educational program or activity of the University, against a person in the United States. An educational program or activity includes: (1) locations, events, or circumstances where the University has exercised substantial control over the /complainant, the respondent, and the context in which the sexual harassment occurs, and (2) any building owned or controlled by a student organization officially recognized by the University, and (3) conduct that is subject to the University's disciplinary authority.

This Policy applies to all of the University's educational programs or activities in the United States, whether such programs or activities occur on-campus or off-campus. Title IX regulations and this Policy do not, however, apply to study abroad programs and off-campus activities or locations that are not part of University education programs or activities. The University has an obligation to address a sex-based hostile environment under its education program or activity even when some conduct alleged to be contributing to the hostile environment occurred outside the recipient's education program or activity or outside the United States.

The Title IX Coordinator, at their discretion and on a case-by-case basis, may refer conduct occurring off campus and outside of the Title IX jurisdiction for redress under the University's Code of Student Conduct or other applicable University policies.

The Title IX Coordinator, in collaboration with University Counsel, has the authority to interpret this Policy. Allegations of on-campus or off-campus violations of this Policy should be reported to the Title IX Coordinator.

Notice of Nondiscrimination

As a recipient of federal funds, Virginia State University is required to comply with Title IX. Accordingly, the University does not discriminate on the basis of sex and prohibits sex discrimination in its educational programs or activities, admission, and employment. All faculty, staff, students, including visitors and third-party contractors, are responsible for complying with this Policy. The Title IX Coordinator shall disseminate notices of nondiscrimination to students and employees and shall post notices of nondiscrimination as required by law.

Policy Violations

A. Prohibited conduct that violates this Policy consists of, but is not limited to, the following:

1. Engaging in sexual harassment, sexual assault, stalking, and dating or domestic violence as defined in the Policy.

2. Retaliating in any manner against an individual who reports or initiates a complaint

alleging sexual harassment, sexual assault, stalking, and dating or domestic violence.

3. Interfering with procedures to investigate or redress a complaint of sexual harassment, sexual assault, stalking, and dating or domestic violence.

4. Making an intentionally false accusation of sexual harassment, sexual assault, stalking, and dating or domestic violence through the University's procedures.

B. Any member of the University community who engages in one of these prohibited acts against any other member of the University community will be subject to corrective or disciplinary action, up to and including expulsion (student) or termination from employment.

Definitions

Key terms used in this Policy are defined in *Appendix A*.

Role of the Title IX Coordinator

The Title IX Coordinator is responsible for implementing the University's Title IX policy and procedures, and coordinating the University's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent sex-based discrimination, sexual harassment, and retaliation.

The Title IX Coordinator leads the Title IX Team, acts independently and with the authority to ensure that all resolution procedures are conducted free from bias or conflicts of interest. Title IX Team members are vetted and trained to remain impartial in all cases, in general as well as to all parties. Concerns about bias or potential conflict of interest by the Title IX Coordinator, should be raised with the Director of Equal Employment Opportunity and Title IX Compliance. Concerns of bias or a potential conflict of interest involving any other Title IX Team member should be raised with the Assistant Vice President of Institutional Integrity and Compliance.

Title IX Contact Information

Individuals who receive reports or complaints of discrimination, sexual harassment, or sexual misconduct should immediately notify the Title IX Coordinator. Such individuals should not undertake any independent efforts to determine the validity or merit of a report or complaint before doing so. The University's Title IX Coordinator is Deborah Howard. Her contact information and that of other principal Title IX resource contacts is listed below:

Office of EEO & Title IX Compliance Deborah D. Howard, Title IX Coordinator P.O. Box 9001 Colson Hall - Room 101-J (804) 524-5371 or (804) 524-5070 Email: titleix@vsu.edu	**VSU Campus Police** 2102 Service Road (804) 524-5411 or (804) 524 5360 Email: Police@vsu.edu or confidentialreporting@vsu.edu

University Counseling Center Cyntina Bagley, LPC, Director Memorial Hall - Room 411 (804) 524-6451 Email: ccbagley@vsu.edu	**Office of Student Conduct** Cathleen Braxton, Director Foster Hall (804) 524-2391 Email: cbraxton@vsu.edu
Substance Abuse & Sexual Assault Prevention Services Jacquel Wims, Coordinator Memorial Hall - Room 401 (804) 524-8553 Email:jwims@vsu.edu	**Student Success and Engagement** Regina Barnett-Tyler, Associate Vice President Memorial Hall - Room 306 (804) 524-3662 Email: Rbarnett@vsu.edu

Options for Reporting and Filing Complaints

All students, employees, applicants for admission or employment, visitors, and contractors are encouraged to promptly report conduct that violates this Policy to the Title IX Coordinator, a member of the Title IX Team, any official with authority or responsible employee. Any person may file a Formal Complaint of sex discrimination. including sexual harassment. The written and signed Formal Complaint must be remitted to the Title IX Coordinator, who shall treat it as a request for the University to investigate the allegations in accordance with the *Policy 1105* - Title *IX Complaint Resolution Procedures*, unless the complainant states otherwise.

Reports or formal complaints may be submitted in person, by mail, telephone, or e-mail, or by any other method that ensures receipt by the Title IX Coordinator. Contact information for the Title IX Coordinator may be used at any time, including during non-business hours.

All employees, except those identified as confidential employees under this Policy, who receive such reports or complaints must immediately notify the Title IX Coordinator They should not undertake any independent efforts to assess the validity or merit of the report or complaint before reporting.

In limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University community, the Title IX Coordinator may file a Formal Complaint on behalf of the University.

Criminal Reporting

A victim in immediate danger or in need of immediate attention should contact 911 or use a campus emergency call box to connect directly to campus police. Some conduct in violation of this Policy may also be a crime under Virginia law. Individuals are encouraged to report incidents of sexual harassment, stalking, and dating or domestic violence to law enforcement even if the reporting individual is not certain the conduct constitutes a crime. VSU will assist in notifying local law enforcement if the victim so chooses. Crimes involving minors must be reported to law enforcement. Reports made to campus police will automatically be referred to the Title IX Coordinator for investigation whether the complainant chooses to pursue criminal charges or not.

Privacy and Confidentiality

The University is committed to protecting the privacy of all individuals involved in the reporting, investigation, and resolution of formal complaints under this Policy. It also aims to support students, employees, and third parties in making informed choices. In handling complaints, the University will make reasonable efforts to protect participants' privacy in accordance with state and federal laws, while ensuring it can gather necessary information to assess the complaint, eliminate prohibited conduct, prevent reoccurrence, and remedy its effects. The University does not restrict parties from re-disclosing incidents or discussing their participation in proceedings under this Policy.

As used in this Policy, "privacy" refers to limiting the sharing of information related to a formal complaint to only the University employees who need to know in order to assist with assessment, investigation, and resolution. All employees involved in the University's response to formal complaints and implementation of any aspect of this Policy receive training on safeguarding private information in compliance with state and federal law.

Student education records are protected under the Family Educational Rights and Privacy Act ("FERPA"). Medical and related records generally are protected by the Health Insurance Portability and Accountability Act ("HIPAA"), except where protected by FERPA and/or by Virginia's Health Records Privacy Act, Va. Code § 32.1-127.1:03. Access to employee personnel records may be restricted under the Virginia Freedom of Information Act, ("FOIA"), Department of Human Resources Management ("DHRM") policies, including Policy 6.05 Personnel Records Disclosure and DHRM Policy 6.10 Personnel Records Management.

Confidentiality applies to legally protected relationships, such as those with medical providers, clinical care providers, mental health professionals, counselors, ordained clergy, and those who provide administrative services related to the provision of such care, all of whom may engage in confidential communications under Virginia law. The University designates certain individuals as Confidential Employees, who may not disclose shared information to any third party unless: an applicable law or a court order requires or permits disclosure of such information. Such information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a risk of serious physical harm to self or others; or (iii) the information involves suspected abuse or neglect of a minor under the age of 18.

Rights of the Complainant and Respondent

The University is committed to addressing all complaints of sex discrimination and sexual harassment while safeguarding due process and presumption of non-responsibility for Respondents. Upon receipt of a complaint of sexual harassment, sexual assault, stalking, and dating or domestic violence, the University will provide both the Complainant and Respondent with a written explanation of their rights and options, as well as information regarding available resources and support services. *(See Appendix B - Trojan Bill of Rights)*

Supportive Measures

Upon receipt of a Formal Complaint, the University will provide reasonable and appropriate supportive measures designed to eliminate any existing hostile environment and protect the parties involved. The University will make reasonable efforts to communicate with the parties to ensure that all safety, emotional, and physical well-being concerns are addressed.

Supportive Measures may be temporary or permanent. Examples of Supportive Measures for students may include, but are not limited to:

a. Referral to counseling. medical, and/or other healthcare services;
b. The imposition of campus No-Contact Orders;
c. Rescheduling of exams and assignments;
d. Providing alternative course completion options;
e. Change in the class schedule;
f. Change in work schedule or job assignment;
g. Change in on-campus housing;
h. Limit an individual or organization's access to certain University facilities or activities pending resolution of the matter.

Examples of Supportive Measures for employees may include, but are not limited to:

a. Referral to the Employee Assistance Program;
b. Modifications of work schedules;
c. Mutual restrictions on contact between the parties;
d. Changes in work locations;
e. Leaves of absence;
f. Increased security and monitoring or certain areas of the campus.

The University will maintain the privacy of any Supportive Measures provided under this Policy to the extent practicable and will promptly address any violation of the Supportive Measures. The Title IX Coordinator has the discretion to impose and/or modify any Supportive Measure based on all available information and is available to meet with a complainant or respondent to address any concerns about the provision of Supportive Measures.

The University will provide reasonable Supportive Measures to third-party complainants or respondents, as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the University.

Emergency Removal

The University may remove a Respondent from an education program or activity on an emergency basis while an investigation is pending. The University will only remove a Title IX Respondent on an emergency basis if, following an individualized safety and risk analysis, it determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. The University also may place a non-student employee that is a Respondent on paid administrative leave during the pendency of a Title IX sexual harassment resolution process. The University will provide the Respondent with written notice of removal and information explaining the process to appeal the decision before removal.

The Title IX Coordinator will convene the Title IX Review Committee, as appropriate, within 72 hours after receiving information about an incident, and will convene again, as necessary, to review new information as it becomes available. The meeting of the Title IX Review Committee is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the Emergency Removal is appropriate.

The Title IX Review Committee operates pursuant to Va. Code § 23. 1-806 (the "Virginia Reporting Statute") and has access, under Virginia law, to certain otherwise confidential information, including law enforcement records, criminal history record information, as provided in Va. Code § 19.2-389 and § 19.2-389.1; health records, as provided in Va. Code § 32.1-127.1:03; University disciplinary, academic and/or personnel records; and known facts and circumstances of the information reported to the Title IX Review Committee and any other information or evidence known to the University or to law enforcement. The Title IX Review Committee may seek additional information about the reported incident through any other legally permissible means.

The University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Review Committee, these actions may include, but are not limited to: removing a student from a residence hall, issuing mutual no contact orders, restricting a student's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics. If the Title IX Committee determines that supportive measures will not mitigate the health and safety risk, or if the least restrictive emergency action is removal from campus, the Title IX Office will proceed with the emergency removal process.

At the discretion of the Title IX Review Committee, alternative coursework options may also be pursued to ensure as minimal an academic impact as possible on the parties. The chair of the Committee will inform the parties simultaneously, in writing, in detail, of the outcome of emergency removal review.

The University may place an employee Respondent on administrative leave during the pendency of a grievance or investigation when it is determined that such action is in the best interest of the University, the employee, or the workplace. Placement on administrative leave will be evaluated on a case-by-case basis, considering such factors as the nature of the allegations, workplace safety, operational needs, and potential disruption. Decisions will comply with the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) and other applicable laws.

The Associate Vice President for Human Resources or designee will determine whether the administrative leave will be with pay and benefits or without pay and benefits, consistent with applicable University policies, the Commonwealth of Virginia Department of Human Resource Management ("DHRM") policies, and/or any relevant federal or state laws. This determination will be documented and communicated to the employee in writing, including the anticipated duration and conditions of the leave. This provision does not apply to student employees.

Emergency removals or leaves of absence must comply with any other relevant laws, policies, administrative procedures, and agreements governing removals of students and/or employees

from the University's education program or activity. The Senior Vice President and Chief Operating Officer or the Provost and Senior Vice President for Academic Affairs or their assigned designee, as appropriate, will review and decide challenges to an emergency removal, to avoid conflicts of interest for those already involved in the investigation and/or resolution process.

Amnesty for Other Violations

The University encourages reporting of prohibited conduct. Recognizing that some parties or witnesses may hesitate to report prohibited conduct or cooperate in an investigation due to concerns about potential student conduct violations, the University generally will not pursue disciplinary action against complainants, respondents, or witnesses for disclosure of minor policy violations (such as personal consumption of drugs or alcohol at the time of the incident) where such disclosures are made in connection with a good faith report or investigation of Prohibited Conduct. Other policy violations will be evaluated on a case-by-case basis to determine a course of action and appropriate response.

Prevention and Education Programs and Training

The University is committed to preventing prohibited conduct and provides primary, regular, and ongoing prevention and awareness programs for students and employees. These efforts include training designed to end and prevent Policy violations and to ensure understanding of the Policy and related issues essential to maintaining an educational and workplace environment free from harassment and discrimination.

Academic Freedom and Free Speech

In addressing sexual harassment complaints, the University will take actions to ensure the safety of students and employees while respecting the free speech rights of students and employees, as required by the regulations of the Department of Education's Office of Civil Rights, federal law and laws of the Commonwealth of Virginia.

Annual Review

This Policy will be reviewed annually and/or revised as needed by University Counsel.

References

Definitions (Appendix A)
Virginia State University Trojan Bill of Rights (Appendix B)
Virginia State University Violence Prevention/Threat Assessment
Virginia State University Student Code of Conduct
Virginia State University Protocol for Student Administrative Withdrawal for Medical, Emotional or Psychological Emergencies
Virginia State University Student Guide to Responding to Sexual Misconduct and Assault (Appendix C)
Virginia State University Campus Security Authority (Appendix D)

Approval By: _____
President

Date: 10/22/26

Appendix A

Definitions

A. **Title IX Coordinator** is the designated University official with ultimate oversight and responsibility for the University's compliance with Title IX of the Higher Education Act Amendments of I972, 20 U.S.C. § I681 *et seq.* ("Title IX"), implementing regulations and relevant supplemental guidance.

B. **Sex Discrimination** is the inequitable and unlawful treatment, based on an individual's sex, sexual orientation, gender identity, or any other sex-based characteristics, that excludes an individual from participation in, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in an educational program or activity.

C. **Sexual Harassment** is defined under Title IX as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome conduct (i.e., *quid pro quo);*

2. Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or

3. Sexual assault, "dating violence", "domestic violence", or "stalking" as defined in this Policy and under federal law.

Sexual harassment, including sexual assault, can involve persons of the same or different sexes. Sexual harassment may also include sex-based harassment directed toward stereotypical notions of what is female/feminine v. male/masculine or a failure to conform to those gender stereotypes.

D. **Hostile Environment** may be created by oral, written, graphic or physical conduct that is sufficiently severe, pervasive and objectively offensive that it interferes with, limits or denies, the ability of an individual to participate in or benefit from educational programs, services, opportunities, or activities or the individual's employment access, benefits or opportunities. Mere subjective offensiveness is not enough to create a hostile environment. In determining whether conduct is severe, pervasive, and objectively offensive, and thus creates a hostile environment. the following factors will be considered: (a) the degree to which the conduct affected one or more individuals' education or employment; (b) the nature, scope, frequency, duration, and location of the incident(s); (c) the identity, number, and relationships of persons involved; (d) the perspective of a "reasonable person" in the same situation as the person subjected to the conduct, and (e) the nature of higher education,

E. Sexual Assault is non-consensual contact of a sexual nature. It includes any sexual contact when the victim does not or is unable to consent through the use of force, fear, intimidation, physical helplessness, ruse, impairment or incapacity (including impairment or incapacitation as a result of the use of drugs or alcohol, knowingly or unknowingly) when the victim does not give or is unable to give consent; intentional and non-consensual touching of, or coercing, forcing, or attempting to coerce or force another to touch, a person's genital area, groin, inner thigh, buttock or breast; and non-consensual sexual intercourse, defined as anal, oral, or vaginal penetration with any object. Some types of sexual acts that fall under the category of sexual assault include rape, attempted rape, and fondling.

F. Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Consent can be withdrawn at any time.

Consent cannot be granted by an individual who:

1. Is incapacitated by any drug or intoxicant.
2. Has been purposely compelled by force or threat of force.
3. Is unaware that the act is being committed.
4. Is impaired because of a mental or physical condition.
5. Is coerced by supervisory or disciplinary authority.
6. Is less than the statutory age of consent.

G. Coercion is unreasonable pressure for sexual activity. Coercion cannot be used to obtain consent. Coercion includes the use of physical force, threats, and intimidating behavior to get another party to engage in sexual activity. When someone makes it clear that they do not want to be a part of such sexual activity, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

H. Incapacitation occurs when an individual is unable to give consent because they are mentally and/or physically helpless, unconscious, or unaware, due to drug or alcohol consumption (voluntarily or involuntarily) or for some other reason. Engaging in sexual activity with someone a person knows to be (or should know to be) mentally or physically incapacitated is non-consensual and a violation of this Policy. Mental or physical incapacitation can, among other causes, be a result of alcohol or other drug use, unconsciousness, blackout, sleep, involuntary physical restraint, or consuming so-called "date-rape" drugs.

I. Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not meet the definition of sexual assault. Sexual exploitation includes prostituting another person; non-consensual visual or

audio recording of sexual activity; non-consensual distribution of photos, or postings (such as audio, video, images, or transcriptions) of an individual's sexual activity or intimate body parts with an intent to embarrass such individual, non-consensual voyeurism and observation of people engaging in intimate behaviors. performing normal bodily functions, or displaying various states of undress without the person's consent; knowingly transmitting a sexually transmitted infection ("STI"); exposing one's genitals to another in a non-consensual circumstance; or inducing incapacitation with the intent to engage in sexual misconduct.

J. **Stalking** is a course of conduct directed at a specific person that would cause a reasonable person to: (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress.

K. **Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

L. **Domestic Violence** is a pattern of behavior, including acts or threatened acts, that includes asserted violent misdemeanor and felony offenses committed by (i) acurrent or former spouse or intimate partner of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the Commonwealth of Virginia; or (v) any other person against an adult or youth victim who is protected from that person' acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

M. **Responsible Employee** is the Title IX Coordinator. It also includes any employee who has the authority to act to redress violations of this Policy, any employee who has been given the duty to report to the Title IX Coordinator or other appropriate school officials about incidents of sexual harassment, sexual assault, harassment, stalking, and dating or domestic violence by students or employees. A responsible employee includes anyone a student could reasonably believe has this authority or responsibility. A responsible employee must report to the Title IX Coordinator all relevant information received about an incident of conduct that potentially is in violation of this Policy as soon as practicable after addressing any immediate needs of the victim of such conduct.

N. **Formal Complaint** means a document filed, including an electronic submission, by a complainant or signed by the Title IX Coordinator alleging sexual harassment, sexual assault, stalking, or dating or domestic violence against a respondent. The complaint is considered a request for the University to investigate the incident and take appropriate actions. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the University.

O. **Complainant** means the person who has filed the complaint and is the alleged victim of conduct that is in violation of this Policy.

P. Respondent means the person or persons identified in the complaint alleged to have violated this Policy.

Q. Report means to inform or give notice of an incident or conduct that may violate this Policy.

R. Investigation is the process for factfinding, collecting and reviewing information relating to complaints and reports of alleged misconduct, which may include interviewing the complainant, the respondent, and any witnesses or other parties with knowledge of the alleged incident to help determine whether a policy violation occurred.

S. Remedies are designed to restore or preserve equal access to the University educational programs or activities.

T. Supportive Measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to (1) the complainant before or after the filing of a formal complaint or where no formal complaint has been filed, (2) the respondent after a formal complaint has been filed; or (3) at the discretion of the Title IX Coordinator, witnesses who may be impacted by incidents of sexual misconduct or harassment. Such measures are designed to restore or preserve equal access to the University's education programs or activities, and to protect the safety and well-being of the parties and the University's educational environment without unreasonably burdening either party. Supportive measures, which may be temporary or permanent, may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The University must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

U. Retaliation means any adverse action taken against a person for making a good faith report of conduct prohibited under this policy or participating in any proceeding or process under this policy, including any adverse actions against the Title IX Coordinator. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. The definition of retaliation does not preclude an individual from engaging in good faith actions, lawfully pursued, in response to a report of conduct prohibited under this Policy.