

Pennsylvania Institute of Technology

Sexual Misconduct & Sexual Harassment Policy

TABLE OF CONTENTS

I. SUMMARY.....	3
II. STATEMENT OF NON-DISCRIMINATION, TITLE IX & VAWA	3
III. POLICY STATEMENT.....	4
IV. THE POLICY	5
A. <i>Scope of Policy & General reporting Information.....</i>	<i>5</i>
B. <i>Title IX Coordinator Responsibilities.....</i>	<i>6</i>
C. <i>Prohibited conduct.....</i>	<i>7</i>
i. <i>Sex Discrimination.....</i>	<i>7</i>
ii. <i>Sexual Misconduct.....</i>	<i>7</i>
iii. <i>Sexual Harassment under Title IX.....</i>	<i>9</i>
i. <i>Retaliation.....</i>	<i>11</i>
D. <i>Additional Information</i>	<i>11</i>
Amnesty Provision	11
Free Expression and Academic Freedom.....	12
Privacy, Confidentiality & Privilege	12
Disciplinary Sanctions & Remedies.....	13
False Accusations	14
Jurisdiction of this Policy	14
Retaliation.....	15
Right to an Advisor	16
Supportive Measures	17
V. Definitions	20
VI. Reporting Sex Discrimination, Sexual Misconduct & Sexual Harassment.....	23
i. <i>Reporting to a Responsible Employee.....</i>	<i>24</i>
ii. <i>Anonymous Reporting.....</i>	<i>25</i>
iii. <i>Reporting to Local Law Enforcement.....</i>	<i>25</i>
iv. <i>External Reporting.....</i>	<i>26</i>
A. <i>Preliminary Assessment.....</i>	<i>28</i>
VII. Grievance Processes.....	30
<i>Process A: Title IX Formal Complaint & Grievance Process.....</i>	<i>32</i>
i. FILING A FORMAL COMPLAINT UNDER TITLE IX	32
ii. GRIEVANCE PROCESS FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT	35
c) Role of Pennsylvania Institute of Technology & the Parties.....	36
<i>Process B: Sexual Misconduct Complaint Resolution Process.....</i>	<i>42</i>
i. FILING A SEXUAL MISCONDUCT COMPLAINT	42
ii. COMPLAINT RESOLUTION PROCESS	43
<i>Recordkeeping.....</i>	<i>45</i>

Confidential Resources, Medical Services & Counseling Services 46
 Confidential Resources..... 46
 Off-Campus Resources..... 47

Pennsylvania Institute of Technology

Sexual Misconduct & Sexual Harassment Policy

I. SUMMARY

This Sexual Misconduct & Sexual Harassment Policy (the “Policy”) supersedes all other Pennsylvania Institute of Technology policies and grievance procedures to the extent they cover sex discrimination, sexual harassment and sexual misconduct. The Policy is effective immediately. The Policy is designed to comply with Federal Title IX Regulations issued by the United States Department of Education (effective August 14, 2020) and the updated requirements from the Pennsylvania Department of Education.

The term “sexual harassment” is a term used to refer to all conduct prohibited under Title IX. The term “sexual misconduct” is used to refer to all other prohibited sexual conduct under this policy. As used in the Policy, sexual misconduct and sexual harassment may also encompass criminal conduct under Pennsylvania and/or federal law. Additionally, sexual misconduct under this policy may result in civil and/or administrative legal consequences.

II. STATEMENT OF NON-DISCRIMINATION, TITLE IX & VAWA

Pennsylvania Institute of Technology prohibits any form of discrimination and harassment on the basis of sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital or family status, medical condition, genetic information, veteran status, or disability in any decision regarding admissions, employment, or participation in an institutional program or activity in accordance with the letter and spirit of federal, state, and local non-discrimination and equal opportunity laws, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, The Age and Discrimination in Employment Act, The Americans with Disabilities Act and ADA Amendments Act, The Equal Pay Act, and the Pennsylvania Human Relations Act. To view Pennsylvania Institute of Technology’s full statement on non-discrimination, see Pennsylvania Institute of Technology’s [Student Handbook](#) and [Employee Handbook](#).

Pennsylvania Institute of Technology also complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Policy and Campus Crimes Statistics Act, as amended by the Violence Against Women Act (VAWA). Title IX prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. VAWA imposes additional duties on universities and colleges to investigate and respond to reports of sexual assault, stalking, and dating or domestic violence, and to publish policies and procedures related to the way these reports are handled.

Pennsylvania Institute of Technology has designated the Title IX Coordinator to coordinate its compliance with Title IX and VAWA and to respond to reports of violations. Pennsylvania Institute of Technology has directed the Director of Data and Information to coordinate the College’s compliance with the Clery reporting related to VAWA requirements. Pennsylvania Institute of Technology will promptly and equitably respond to all reports of sex discrimination, sexual misconduct, and sexual harassment in order to eliminate the prohibited conduct, prevent its recurrence, and redress its effects on any individual or the community.

III. POLICY STATEMENT

Title IX of the Education Amendments of 1972 (“Title IX”) prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. Pennsylvania Institute of Technology is committed to the principles of equal opportunity and seeks to establish and maintain an environment which ensures equal access to education for all Pennsylvania Institute of Technology community members including students, applicants for admission, employees, applicants for employment, guests, and visitors. Pennsylvania Institute of Technology does not discriminate on the basis of sex in any education program or activity operated by the College including, but not limited to, admissions, employment, recruitment, compensation, and athletics as well as access to housing and facilities, classes and schools, counseling, employment assistance to students, health and insurance benefits and services, and fringe benefits. Pennsylvania Institute of Technology is required by Title IX and the regulations thereunder not to discriminate in such a manner.

For additional information or inquiries about the application of Title IX and the regulations thereunder, contact Pennsylvania Institute of Technology Title IX Coordinator and/or the Assistant Secretary of the United States Department of Education.

The Title IX Coordinator’s contact information is as follows:

Kamira A. Evans
Director, Student Affairs & Title IX Coordinator
Pennsylvania Institute of Technology
800 Manchester Ave
Media, PA 19063
Phone: (610) 892-1504
Email: KEvans@pit.edu

The contact information for the United States Department of Education, Office for Civil Rights regional office is as follows:

Office for Civil Rights
Philadelphia Office
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: (215) 656-8541
Facsimile: (215) 656-8605
Email: OCR.Philadelphia@ed.gov

Complaints with the Office for Civil Rights must be filed within one hundred eighty (180) days of the last act that the complainant believes was discriminatory. There is no time limit for making a report to Pennsylvania Institute of Technology.

IV. THE POLICY

A. SCOPE OF POLICY & GENERAL REPORTING INFORMATION

This policy applies to prohibited conduct (as defined in this policy) that occurs in a Pennsylvania Institute of Technology educational program or activity that is likely to have a substantial adverse effect on any member of the Pennsylvania Institute of Technology community. There is no time limit for reporting allegations of sex discrimination, sexual misconduct, and sexual harassment, however, Pennsylvania Institute of Technology strongly encourages the prompt reporting of incidents to allow the institution to respond promptly and effectively. If the reported respondent is not a member of the Pennsylvania Institute of Technology community or is no longer associated with Pennsylvania Institute of Technology at the time of the report or at the time in which a resolution process is initiated, Pennsylvania Institute of Technology may be unable to conduct an investigation or take disciplinary action. The appropriate grievance or complaint process regarding a report will depend upon the form of prohibited conduct and status of the complainant at Pennsylvania Institute of Technology.

Pennsylvania Institute of Technology provides the following information on how to report sex discrimination, sexual misconduct, and sexual harassment to Pennsylvania Institute of Technology and outlines Pennsylvania Institute of Technology's response to such reports.

Any person may experience sex discrimination, sexual misconduct, or sexual harassment, irrespective of the identity of the complainant or respondent, and is encouraged to report such incidents to Pennsylvania Institute of Technology. Any person, regardless of whether or not the person reporting the alleged incident is the person alleged to be victimized by the incident, may report sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator. Reports may be made at any time, including during non-business hours, in person, by mail to the office address listed for the Title IX Coordinator, by telephone, by email, or any other means that result in the Title IX Coordinator receiving a person's written or verbal report.

Individuals may submit an [Incident Report](#) by email, mail, or in person directly to the Title IX Coordinator or complete an online Incident Report at: <https://my.pit.edu/title-ix/>.

Pennsylvania Institute of Technology's Title IX Coordinator is:

Kamira A. Evans
Director, Student Affairs & Title IX Coordinator
Pennsylvania Institute of Technology
800 Manchester Ave
Media, PA 19063
Phone: (610) 892-1504
Email: KEvans@pit.edu

When the Title IX Coordinator receives a report (either written or oral) of sexual misconduct or sexual harassment, they will contact the complainant to provide supportive measures. For more information about [Supportive Measures](#), see Section IV.D.

Upon receipt of a report, complaint, or formal complaint, the Title IX Coordinator will review the details of the alleged incident and conduct a preliminary assessment to determine which of Pennsylvania Institute of Technology's grievance procedures will be applied to address the report. Regardless of the type of

incident, Pennsylvania Institute of Technology applies prompt and equitable grievance procedures to resolve complaints of sex discrimination, sexual misconduct, and sexual harassment. Pennsylvania Institute of Technology's grievance procedures apply equally to all persons regardless of sex, gender, sexual orientation or gender identity.

Formal complaints of incidents of **sexual harassment** as defined under Title IX involving Pennsylvania Institute of Technology students or employees will be addressed using **Process A: Title IX Formal Complaint & Grievance Process**, found in Section VII. of this policy.

Complaints of incidents of **sexual misconduct** as defined in Section IV.C.ii. of this policy will be addressed using **Process B: Sexual Misconduct Complaint Resolution Process**, found in Section VI. of this policy.

Incidents of sex discrimination which do not involve sexual harassment as defined under Title IX or sexual misconduct will be addressed using the procedures outlined in the Pennsylvania Institute of Technology Student and Employee Handbooks.

When possible, the Title IX Coordinator will notify the reporting party of Pennsylvania Institute of Technology's grievance procedures which correspond to the alleged incident.

See Section VI. **Reporting Sex Discrimination, Sexual Misconduct & Sexual Harassment** to make a report of prohibited conduct.

B. TITLE IX COORDINATOR RESPONSIBILITIES

All educational institutions receiving federal financial assistance must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under Title IX of the Education Amendment of 1972, which prohibits sex discrimination in education programs and activities. These designated employees are generally referred to as Title IX Coordinators.

The following person has been designated as the Title IX Coordinator at Pennsylvania Institute of Technology:

Kamira A. Evans
Director, Student Affairs & Title IX Coordinator
Pennsylvania Institute of Technology
800 Manchester Ave
Media, PA 19063
Phone: (610) 892-1504
Email: KEvans@pit.edu

The Title IX Coordinator is responsible for responding to reports and complaints of sex discrimination, sexual misconduct, and sexual harassment on behalf of Pennsylvania Institute of Technology. The Title IX Coordinator's responsibilities include, but are not limited to:

- Receiving the required training in relevant state and federal laws, as well as Pennsylvania Institute of Technology's policies and procedures;
- Advising an individual, including a complainant, third-party reporter, or respondent, about Pennsylvania Institute of Technology's policies and procedures related to sex discrimination, sexual misconduct, and sexual harassment as well as explaining courses of action available at

Pennsylvania Institute of Technology and the courses of action available externally regarding any such incidents, including reporting to law enforcement;

- Receiving incident reports of sex discrimination, sexual misconduct, and sexual harassment;
- Informing complainants of the availability of supportive measures;
- Informing complainants of the process for filing a formal complaint under Title IX;
- Offering supportive measures to complainants designed to restore or preserve equal access to Pennsylvania Institute of Technology's education program or activity;
- Conducting Title IX investigations;
- Working with respondents to provide supportive measures, as appropriate;
- Coordinating the effective implementation of both supportive measures (to one or both parties) and remedies to a complainant as well as disciplinary sanctions which may be imposed upon a respondent after the formal complaint process;
- Handling other tasks and responsibilities as determined by the Title IX Coordinator.

Title IX Coordinators are not a confidential source of support. While they will address your complaint with sensitivity and will keep your information as private as possible, confidentiality cannot be guaranteed. For confidential resources, please see the [Confidential Resources, Medical Services, and Counseling Services](#) section of this policy.

C. PROHIBITED CONDUCT

i. Sex Discrimination

Discrimination against an individual based on that person's sex, gender, gender identity or sexual orientation.

ii. Sexual Misconduct

Pennsylvania Institute of Technology considers the following behaviors to be sexual misconduct under its own policy:

- a. Sexual Exploitation:** Taking sexual advantage of another person or violating the sexual privacy of another when consent is not present. This includes, but is not limited to, the following actions (including when they are done via electronic means, methods or devices):
- Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's consent;
 - Indecent exposure or inducing others to expose themselves when consent is not present;
 - Recording or distributing information, images or recordings of any person engaged in sexual or intimate activity in a private space without that person's consent.
 - Prostituting another individual;
 - Knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge; and
 - Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

- b. Statutory Sexual Assault** – The age of consent for sexual activity in Pennsylvania is 16. Minors under the age of 13 cannot consent to sexual activity. Minors aged 13-15 years old cannot consent to sexual activity with anyone who is 4 or more years older than they are at the time of the activity. Minors aged 16 years of age or older can legally consent to sexual activity with anyone they choose, as long as the other person does not have authority over them as defined in Pennsylvania’s institutional sexual assault statute.
- c. Sexual Contact Without Consent:** The Commonwealth of Pennsylvania considers Sexual Contact Without Consent as knowingly touching or fondling a person’s genitals, breasts, buttocks, or anus, or knowingly touching a person with one’s own genitals or breasts, when consent is not present. This includes contact done directly or indirectly through clothing, bodily fluids, or with an object. It also includes causing or inducing a person, when consent is not present, to similarly touch or fondle oneself or someone else.
- d. Additional examples of sexual misconduct include but are not limited to:**
- Persistent, unwelcome flirtation, advances and/or propositions of sexual nature;
 - Repeated insults, “wolf-whistling,” humor, jokes and/or anecdotes that belittle or demean an individual’s or a group’s sexuality or sex;
 - Repeated, unwelcome comments of sexual nature about an individual’s body or clothing;
 - Unwarranted displays of sexually suggestive objects or pictures;
 - Pressure for sexual favors;
 - Obscene communications, or bullying based on gender or sexual orientation;
 - Administration of date rape drug(s);
 - Non-consensual sexual contact as well as sexual touching, which includes, but is not limited to, any bodily contact with breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner;
 - Invasion of sexual privacy;
 - Prostitution;
 - Going beyond the boundaries of conscience, such as letting friends hide in a closet to watch consensual intercourse;
 - Knowingly transmitting an STI or HIV to another individual;
 - Possession of child pornography;
 - Promotion of human sex trafficking;
 - Committing, attempting, or inciting another to commit sexual contact with another member of the Pennsylvania Institute of Technology community without that person’s consent, including but not limited to, rape and other forms of sexual assault.
 - Other behaviors defined as “sexual harassment” in this policy which occur outside of Pennsylvania Institute of Technology’s education program or activity.

*Note: Certain acts defined in this section may overlap with the definitions of conduct described in Section IV.C.iii. of this policy as Sexual Harassment under Title IX (e.g. statutory rape). In these instances, and if the conduct occurred in a Pennsylvania Institute of Technology education program or activity as well as in the United States, Pennsylvania Institute of Technology will consider such conduct Title IX Sexual Harassment rather than Sexual Misconduct, requiring Pennsylvania Institute of Technology to address formal complaints of such conduct using Process A: Title IX Formal Complaint & Grievance Process. The Title IX Coordinator will assist individuals in understanding the differences between Sexual Harassment under Pennsylvania Law and Title IX Sexual Harassment.

Sexual Harassment is a form of sex discrimination. Title IX defines sexual harassment as conduct on the basis of sex that satisfies **one or more of the following three types of behavior**:

1. Quid pro quo harassment

A Pennsylvania Institute of Technology employee conditioning provision of an aid, benefit or service of Pennsylvania Institute of Technology on an individual's participation in unwelcome sexual conduct. For example, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development or performance. This includes when submission to such conduct would be a condition for access to receiving the benefits of or opportunities in any educational or employment program.

Quid pro quo harassment does not need to be severe and pervasive as required under Item III.2. below, because the abuse of authority in the form of even a single instance is inherently offensive and serious enough to jeopardize equal educational access.

2. Denial of Equal Educational Access due to Severe, Pervasive, and Objectively Offensive Conduct (Davis Standard)

Unwelcome conduct determined by a reasonable person to be so **severe, pervasive and objectively offensive** that it effectively denies a person equal access to Pennsylvania Institute of Technology's education programs or activities.

Signs of enduring *unequal* educational access due to severe, pervasive, and objectively offensive sexual harassment may include skipping class to avoid a harasser, a decline in a student's grade point average, or having difficulty concentrating in class. However, no concrete injury is required to conclude that serious harassment would deprive a reasonable person in the complainant's position of the ability to access Pennsylvania Institute of Technology's education programs or activities on an equal basis with persons who are not suffering such harassment.

3. Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Sexual Assault: Forcible or non-forcible sex offenses under the FBI's Uniform Crime Reporting program (U.C.R.). Various forms of sexual assault include:

Sex Offenses, Forcible: Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

Forcible Rape: (Except Statutory Rape) The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in

instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses, Nonforcible: (Except Prostitution Offenses) Unlawful, nonforcible sexual intercourse.

Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent. In Pennsylvania, the age of consent is 16. Minors under the age of 13 cannot consent to sexual activity. Minors aged 13-15 years old cannot consent to sexual activity with anyone who is 4 or more years older than they are at the time of the activity. Minors aged 16 years of age or older can legally consent to sexual activity with anyone they choose, as long as the other person does not have authority over them as defined in Pennsylvania's institutional sexual assault statute.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship
2. The type of relationship
3. The frequency of interaction between the persons involved in the relationship

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. 12291 (a)(8)

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Sexual assault, which includes rape, is referenced in the third prong of the definitions of sexual harassment. Note that any report of sexual assault, dating violence, domestic violence, or stalking is not subject to the Davis elements referenced in the second prong of definitions of sexual harassment, which consider whether the incident was “severe, pervasive, and objectively offensive.” A single act of sexual assault, dating violence, domestic violence, and stalking does not need to demonstrate severity, pervasiveness, objective offensiveness, or denial of equal access to education because denial of equal access is assumed. Therefore, complainants can feel confident reporting such incidents to Pennsylvania Institute of Technology and receive supportive measures without wondering whether sexual assault is ‘bad enough’ to report.

Pennsylvania Institute of Technology is required under Federal Title IX regulations to respond to incidents of sexual harassment as stated above. Additionally, conduct outlined in the above definitions of sexual harassment and sexual misconduct may be considered a violation of Pennsylvania law and subject to mandatory reporting and/or criminal investigation.

The Commonwealth of Pennsylvania uses the term “Sexual Violence” to include rape, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault, indecent assault, and incest.¹ This range of behavior is included in the prohibited conduct outlined above. Additionally, the Commonwealth of Pennsylvania uses the term “Intimate-Partner Violence,” which encompasses dating violence and domestic violence as defined above. For the purposes of this policy, the prohibited conduct will be referred to using the terms defined in this section (Section IV.C.)

i. Retaliation

Pennsylvania Institute of Technology prohibits any action, directly or through others, which is aimed to deter a reasonable person from reporting sexual misconduct or participating in an investigation or hearing or action that is done in response to such activities. See [Retaliation](#) in Section IV.D. of this policy for further information on retaliation.

D. ADDITIONAL INFORMATION

Amnesty Provision

The health and safety of every student at Pennsylvania Institute of Technology is of utmost importance. Pennsylvania Institute of Technology recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time sexual misconduct occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Pennsylvania Institute of Technology strongly encourages students to report incidents of sexual misconduct. A witness to or individual who experience sexual misconduct, acting in good faith, who discloses any incident of sexual misconduct to Pennsylvania Institute of Technology officials or law enforcement will not be sanctioned under Pennsylvania Institute of Technology’s code of conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident(s) of sexual harassment or sexual violence. Pennsylvania Institute of Technology may request the individual attend an approved alcohol or drug education program and without assessing any charges for such program. This amnesty provision also applies to student groups making a report of sexual misconduct. Amnesty does not preclude or prevent action by police or other legal authorities pursuant to relevant state or federal criminal statutes.

¹ 42 Pa.C.S. § 6402.

Free Expression and Academic Freedom

Pennsylvania Institute of Technology is firmly committed to free expression and academic freedom and to creating and maintaining a safe, healthy, and harassment-free environment for all members of its community. Sexual misconduct, including retaliation, against members of Pennsylvania Institute of Technology are not protected expression nor the proper exercise of academic freedom. Pennsylvania Institute of Technology will consider principles of free expression and academic freedom in the investigation of reports of sexual misconduct or retaliation that involve an individual's statements or speech.

Privacy, Confidentiality & Privilege

Pennsylvania Institute of Technology is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. Privacy, confidentiality and privilege have distinct meanings under this policy.

Privacy generally means that information related to a report of sexual misconduct will only be shared with a limited circle of individuals, including individuals who "need to know" in order to assist in the review, investigation, or resolution of the report or to deliver resources or support services. While not bound by confidentiality or privilege, these individuals will be discreet and respect the privacy of all individuals involved in the process. Pennsylvania Institute of Technology will use its utmost discretion and dignity regarding disclosure of sensitive information. All participants in an investigation of sexual misconduct, including advisors and witnesses, will be informed that privacy helps enhance the integrity of the investigation and protect the privacy interests of the parties and will be asked to keep any information learned in an investigation meeting or hearing confidential, to the extent consistent with applicable law.

Pennsylvania Institute of Technology will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute or regulations, 20 U.S.C. 1232g and 34 CFR part 99, or required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Certain individuals are designated as having confidentiality. For reports made to employees designated with having confidentiality, Pennsylvania Institute of Technology will respect the reporting party's expectations of privacy to the extent permissible by law while still ensuring compliance with other reporting obligations. For example, complaints involving minors are subject to mandatory reporting requirements.

Individuals designated as having confidentiality are required to report the nature, date, time and general location of an incident to the Title IX coordinator. Confidential resources will not share other information with the Title IX Coordinator or any other employee of Pennsylvania Institute of Technology without the express permission of the disclosing party. Confidential resources can provide information about Pennsylvania Institute of Technology and off-campus resources, support services and other options. As noted above, because of the confidential nature of these resources, disclosing information to or seeking advice from a confidential resource does not constitute a report or complaint to Pennsylvania Institute of Technology and will not result in a response or intervention by Pennsylvania Institute of Technology. A person consulting with a confidential resource may later decide to make a report to Pennsylvania Institute of Technology and/or law enforcement.

Communication with certain individuals may be privileged by operation of law and reports made to these individuals will not be shared with Pennsylvania Institute of Technology's Title IX Coordinator or law enforcement except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law.

Pennsylvania Institute of Technology will generally respect a complainant's choice whether to report an incident to local law enforcement or initiate Pennsylvania Institute of Technology's sexual misconduct resolution process, unless Pennsylvania Institute of Technology determines that there is an overriding interest with respect to the safety or welfare of the Pennsylvania Institute of Technology community. Where a report involves suspected abuse of a child (an individual under the age of 18 at the time of the incident(s) as reported), all Pennsylvania Institute of Technology employees and volunteers are required to notify local police and the ChildLine run by the Pennsylvania Department of Human Services. All other members of the Pennsylvania Institute of Technology community are strongly encouraged to report suspected child abuse to law enforcement or the ChildLine.

All Pennsylvania Institute of Technology proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX of the Education Amendments of 1972 ("Title IX"), Violence Against Women Act (VAWA), state and local law, and related Pennsylvania Institute of Technology policy. No information will be released from such proceedings, except as required or permitted by law and Pennsylvania Institute of Technology policy.

Pennsylvania Institute of Technology may share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions.

Disciplinary Sanctions & Remedies

Respondents and complainants may be subject to the following disciplinary sanctions and remedies, respectively.

Disciplinary Sanctions: Respondents found responsible for sexual harassment misconduct and/or sexual harassment as defined in this policy may be subject to disciplinary sanctions at the conclusion of the appropriate grievance process. Disciplinary sanctions may include, but are not limited to:

For student respondents:

- Warning
- Probation
- Suspension
- Expulsion
- Withholding Diploma
- Revocation of Degree
- Transcript Notation
- Organizational Sanctions
- Other Actions as Deemed Necessary

For employee respondents:

- Warning – Written or Verbal
- Performance Improvement Plan
- Required Counseling
- Required Training or Education
- Demotion
- Loss of Annual Pay Increase

- Suspension With or Without Pay
- Revocation of Tenure
- Termination

Remedies: Remedies are provided to the complainant and designed to restore or preserve their equal access to Pennsylvania Institute of Technology education program or activities. Remedies may be the same individualized services as described on in Section IV.D as [Supportive Measures](#). However, remedies do not need to be non-disciplinary or non-punitive and do not need to avoid burdening the respondent. Possible remedies include, but are not limited to:

- Educational programming;
- Staff training;
- Campus climate assessments.

The Title IX Coordinator is responsible for implementation of any remedies.

False Accusations

Pennsylvania Institute of Technology’s Student and Employee Handbooks prohibit parties, including complainants, respondents, and witnesses, from knowingly making false statements or knowingly submitting false information during the grievance process.

Any individual who knowingly or intentionally provides false information as part of a report or investigation under this policy may be subject to discipline. Such charges do not constitute retaliation on behalf of Pennsylvania Institute of Technology against the individual as the individual has violated Pennsylvania Institute of Technology’s own policy. This provision does not apply to a good faith report that is not substantiated or proven by a preponderance of the evidence.

Jurisdiction of this Policy

Any person may experience sex discrimination, sexual misconduct, or sexual harassment anywhere. Therefore, any individual may report any incident to the Title IX Coordinator. However, Pennsylvania Institute of Technology’s response to such incidents is dependent upon the location of the alleged incident.

[Process A: Title IX Formal Complaint & Grievance Process](#) described in this policy must be applied when alleged incidents of sexual harassment as defined in Section IV.C.iii. of this policy occur in Pennsylvania Institute of Technology’s own education program or activity (as defined in Section V. of this policy) and in the United States.

Pennsylvania Institute of Technology’s jurisdiction extends to electronic, digital, and online sexual harassment. Factual circumstances of electronic, digital, and online sexual harassment will be analyzed on a case by case basis to determine the context in which the harassment occurred. Such sexual harassment which occurs in an education program or activity as defined in Section V. of this policy (in which Pennsylvania Institute of Technology exercises substantial control over the respondent and the context in which the harassment occurs) will be addressed using the **[Process A: Title IX Formal Complaint & Grievance Process](#)**.

Alleged incidents of sexual misconduct as well as incidents of sexual harassment which occur outside of Pennsylvania Institute of Technology's own education program or activity or outside of the United States, for example on a study abroad program, will be addressed using [Process B: Sexual Misconduct Complaint Resolution Process](#).

Incidents of electronic, digital, and online sexual misconduct, or sexual harassment which occur outside of Pennsylvania Institute of Technology's own education program or activity, are subject to [Process B: Sexual Misconduct Complaint Resolution Process](#).

For clarification regarding incidents which occur on-campus versus off-campus, see the definition of [Education Program or Activity](#) in Section V. of this policy.

Retaliation

Pennsylvania Institute of Technology prohibits any person from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX and its implementing regulations or in the Pennsylvania Institute of Technology sexual misconduct complaint resolution process.

This retaliation provision may apply to any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment or sexual misconduct, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, any witness, or any other individuals who participate (or refuse to participate) in any manner in an investigation, proceeding, or hearing of Pennsylvania Institute of Technology's Title IX grievance process or sexual misconduct complaint resolution process. This policy includes protecting the complainant, respondent, and witnesses from being coerced, intimidated, threatened, or otherwise discriminated against based on their participation or refusal to participate in the Title IX grievance process or sexual misconduct complaint resolution process.

Retaliation includes intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination, sexual misconduct, or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or report or formal complaint of sexual harassment or sexual misconduct, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of the grievance process does not constitute retaliation. However, a determination regarding responsibility alone is not sufficient to conclude that an individual made a materially false statement in bad faith. A complainant's allegations may not have been false even where the ultimate determination is that the respondent is not responsible and/or that the complainant may not have acted subjectively in bad faith (and conversely, that a respondent may not have made false, or subjectively bad faith, denials even where the respondent is found responsible).

Exercising rights protected under the First Amendment does not constitute retaliation.

The parties have the right to discuss the allegations under investigation, but this right does not preclude Pennsylvania Institute of Technology from warning the parties not to discuss or disseminate the allegations

in a manner that constitutes retaliation or unlawful tortious conduct. It is unacceptable for any person to leak or disseminate information to retaliate against another person.

Complaints alleging retaliation may be filed with Pennsylvania Institute of Technology's Title IX Coordinator, which will be handled using the prompt and equitable grievance procedures available for non-sexual harassment sex discrimination complaints by students and employees, as referenced in Pennsylvania Institute of Technology's harassment and non-discrimination policy in the [Student Handbook](#).

Right to an Advisor

All parties are entitled to an advisor of their choosing to assist them throughout the Title IX grievance process as well as the sexual misconduct complaint resolution process. The advisor may be a friend, counselor, faculty member, family member, attorney or any other individual a party chooses to advise them who is eligible and available to serve during the grievance process. Any person who may be called as a witness may not serve as an advisor. Individuals seeking guidance about how to select an advisor may contact the Title IX Coordinator.

Parties are entitled to be accompanied by their advisor in all meetings, interviews, hearings, and appeals at which the party is entitled to be present during the grievance process.

During [Process A: Title IX Formal Complaint & Grievance Process](#), parties are required to have an advisor present at the live hearing. If a party does not have an advisor available to be present at the live hearing, Pennsylvania Institute of Technology will provide the party with an advisor of its choice in Pennsylvania Institute of Technology's sole discretion, who may or may not be an attorney.

Pennsylvania Institute of Technology cannot guarantee equal advisory rights. Consequently, if one party selects an advisor who is an attorney, but the other party does not or cannot afford an attorney, Pennsylvania Institute of Technology is not obligated to provide an attorney or other advisor, except at the hearing. Pennsylvania Institute of Technology is not required to provide an attorney as an advisor at the hearing.

All advisors are subject to the same rules whether they are attorneys or not. Advisors may not present on behalf of their advisee in a meeting or interview. Advisors must conduct all cross-examination of the other party and all witnesses in a live hearing even in the event that the advisee is not present at the live hearing. Advisors should request or wait for a break in the interview, hearing, or meeting if they wish to interact with Pennsylvania Institute of Technology's Title IX personnel or Hearing Panel. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation.

Advisors may be given an opportunity to meet in advance of any interview or hearing with the Pennsylvania Institute of Technology Title IX personnel or the Hearing Panel during the grievance process.

Any advisor who fails to follow the guidelines established by Pennsylvania Institute of Technology in the grievance process will be provided an oral warning. If the advisor continues to disrupt or otherwise fails to follow those guidelines, the advisor will be asked to leave the proceeding. If an advisor is asked to leave, the meeting, interview, hearing or other proceeding will be suspended until the party advisor is reinstated; the party secures another advisor to accompany them at that meeting, interview, hearing or proceeding; or Pennsylvania Institute of Technology provides the party with another advisor for the hearing.

If an advisor is asked to leave a proceeding, the Title IX Coordinator will determine whether the advisor may be reinstated or must be replaced by a different advisor for the remainder of the grievance process. The parties must advise the Title IX Coordinator of the identity of their advisor at least two (2) business days before the date of their first meeting with Title IX Coordinator and scheduled hearing. The parties must provide subsequent timely notice to the investigators if they change advisors at any time. No audio or video recording of any kind other than as required by institutional procedure is permitted during meetings with internal and external Title IX Personnel.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant and respondent without unreasonably burdening the other party.

Supportive measures are designed to:

- Restore or preserve equal access to the party's education at Pennsylvania Institute of Technology;
- Protect the safety of all parties or Pennsylvania Institute of Technology's educational environment; or
- Deter sexual harassment.

Pennsylvania Institute of Technology's supportive measures include, but are not limited to:

- Counseling services
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Arranging appropriate transportation services to ensure safety
- 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
- Placing an employee on paid or unpaid administrative leave
- Removing a student from campus housing and/or current classes
- Assisting with filing a criminal complaint and/or seeing and order of protection
- Other similar measures as necessary

Pennsylvania Institute of Technology will offer supportive measures to every complainant when the Title IX Coordinator receives a report, complaint, or formal complaint of an incident of sex discrimination, sexual misconduct or sexual harassment. Examples of forms a report may include written or oral reports submitted by a complainant, Responsible Employee, anonymous reporting party, third-party reporter, or other Pennsylvania Institute of Technology community member.

Upon receiving a report, complaint, or formal complaint of an alleged incident of sex discrimination, sexual misconduct or sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures and explain the option for filing a formal complaint as well as the formal complaint process under Process A: Title IX Formal Complaint & Grievance Process and/or Process B. Sexual Misconduct Complaint Resolution Process. The complainant will have the opportunity to express what they would like in the form of supportive measures, and the Title IX Coordinator will take into account the complainant's wishes in determining which supportive measures to offer. Supportive measures will be available to complainants regardless of whether or not they wish to file a formal complaint to initiate a

grievance process or complaint to initiate Pennsylvania Institute of Technology complaint resolution procedures.

Supportive measures remain available to the complainant before and after filing a formal complaint of sexual harassment or a complaint of sexual misconduct as well as when no formal complaint or complaint has been filed. Additionally, Pennsylvania Institute of Technology will provide supportive measures to complainants even when the alleged incident does not constitute sexual harassment under Title IX, fall within the jurisdictional conditions under Title IX, or constitute sexual misconduct under this policy. For example, a complainant may still seek supportive measures when an incident of sexual harassment occurs outside of Pennsylvania Institute of Technology's education program or activity or outside of the United States. A complainant may request supportive measures when the alleged conduct is considered to be sexual misconduct under this policy but does not qualify as sexual harassment under Title IX.

Supportive measures may remain in place throughout an appeal process.

Regardless of the result of Process A: Title IX Formal Complaint & Grievance Process or Process B: Sexual Misconduct Complaint Resolution Process, Pennsylvania Institute of Technology reserves the right to continue supportive measures. Therefore, if Pennsylvania Institute of Technology determines that a respondent is not responsible for violating Title IX, this policy, or other Pennsylvania Institute of Technology policies, Pennsylvania Institute of Technology may continue providing supportive measures to a complainant or respondent to restore or preserve equal access to their education.

Pennsylvania Institute of Technology adheres to Federal Title IX regulations, which require the equitable treatment of complainants and respondents. Equitable treatment under Title IX includes providing supportive measures and remedies for complainants and avoiding disciplinary action against respondents until the formal grievance process as outlined in this policy is completed. While respondents will be offered supportive measures, Title IX does not require equality or parity with respect to the supportive measures provided to complainants and respondents.

Confidentiality & Supportive Measures: Pennsylvania Institute of Technology will keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Pennsylvania Institute of Technology to provide the supportive measures. For example, where a no-contact order is appropriate, the respondent would need to know the identity of the complainant in order to comply with the no-contact order, or campus security is informed about the no-contact order in order to help enforce its terms. For more information about [Confidentiality](#) during the Title IX grievance process, see Section IV.D. of this policy.

In order for Pennsylvania Institute of Technology to provide supportive measures to the complainant, Pennsylvania Institute of Technology must know the identity of the complainant. Therefore, it is not possible for the complainant to remain anonymous and receive supportive measures because at least one school official (such as the Title IX Coordinator) must know the complainant's identity in order to offer and implement any supportive measures. A complainant or third party may desire to report sexual harassment without disclosing the complainant's identity—and may do so using the reporting options detailed in Section VI. of this policy—but Pennsylvania Institute of Technology will be unable to provide supportive measures in response to the report without knowing the complainant's identity.

Implementation of Supportive Measures: The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Although supportive measures may require collaboration with various Departments on campus, the Title IX Coordinator will serve as the point of contact for complainants and respondents.

Emergency Removal

Pennsylvania Institute of Technology reserves the right to remove a respondent from a Pennsylvania Institute of Technology education program or activity without undergoing a grievance process on an emergency basis in the event that Pennsylvania Institute of Technology undertakes an individualized safety and risk analysis and 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.

In the event of emergency removal, Pennsylvania Institute of Technology will provide the respondent with post-removal notice and the opportunity to challenge the decision immediately following the removal.

If a report of misconduct discloses a serious or immediate threat to the campus community, Pennsylvania Institute of Technology will issue a timely notification to the community to protect the health and safety of the community. The timely notification will not include any identifying information about the complainant.

Administrative Leave

Pennsylvania Institute of Technology reserves the right to place all non-student employee respondents on administrative leave during the pendency of a grievance process outlined in this policy.

V. DEFINITIONS

The following terms are related to the grievance processes outlined in Section VII. [Grievance Processes](#).

Actual Knowledge: Notice of sexual harassment or allegations of sexual harassment delivered to Pennsylvania Institute of Technology's Title IX Coordinator. Such notice may be written or verbal and includes reports sent to the Title IX Coordinator in person, by mail, by telephone, by email, telephone call, in-person, or any other means that result in the Title IX Coordinator receiving a person's written or verbal report.

Advisor: An individual who provides support, guidance, and/or assistance to the complainant or responding party throughout the investigation, hearing, appeals, and/or informal resolution process. Complainants and respondents have the right to select an advisor of their choice. Advisors may be a friend, mentor, family member, attorney, union representative, or any other supporter a party chooses to advise them who is both eligible and available. Advisors are required during the hearing process. If a party does not have an advisor present at the hearing process, Pennsylvania Institute of Technology will provide the party with an advisor. Additional information about [Advisors](#) can be found in Section IV.D. of this policy.

Complaint: A document that initiates [Process B: Sexual Misconduct Complaint Resolution Process](#) against a respondent alleging sexual misconduct. For more information about how to file a complaint, see Section VII. of this policy.

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment. A complainant may, but is not required to be, a student, employee, or other Pennsylvania Institute of Technology community member.

Consent: A knowing and voluntary agreement to engage in specific sexual activity at the time of the activity. In order to be valid, consent must be knowing, voluntary, active, present and ongoing. Consent is not present when an individual is incapacitated due to alcohol, drugs, or sleep, or otherwise without capacity to provide consent due to intellectual or other disability or other condition.

When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence of or impaired by the use of the drug. Alcohol and other drugs impact each individual differently. Determining whether an individual is incapacitated requires an individualized determination.

When determining whether a person has the capacity to provide consent, Pennsylvania Institute of Technology will consider whether a sober, reasonable person in the same position knew or should have known that the other party could or could not consent to the sexual activity. When determining whether consent has been provided, all the circumstances of the relationship between the parties will be considered.

Education Program or Activity: All of the operations of Pennsylvania Institute of Technology, which may be on or off campus, as well as locations, events, or circumstances over which Pennsylvania Institute of Technology exercises substantial control over both the respondent and the context in which an incident of sexual harassment occurs. Additionally, any building owned or controlled by student organizations which are officially recognized by Pennsylvania Institute of Technology are also considered to be part of Pennsylvania Institute of Technology's education program or activity, irrespective of whether the building is on or off campus and irrespective of whether Pennsylvania Institute of Technology exercises substantial control over the respondent and the context of the harassment other than the fact that Pennsylvania Institute of Technology officially recognizes the fraternity, sorority, or other student group that owns or controls the

building. Therefore, Title IX requires Pennsylvania Institute of Technology to investigate formal complaints alleging sexual harassment that occurred in a fraternity or sorority building (located on or off campus) owned by a fraternity or sorority that is officially recognized by Pennsylvania Institute of Technology as a Greek life organization.

Pennsylvania Institute of Technology's education program or activity also extends to operations which include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Pennsylvania Institute of Technology.

Formal Complaint: A document that initiates [Process A: Title IX Formal Complaint & Grievance Process](#), as outlined in Section VII. of this policy against a respondent alleging Title IX sexual harassment. A formal complaint must be filed by the complainant or signed by the Title IX coordinator alleging sexual harassment against a respondent and requesting that Pennsylvania Institute of Technology investigate the allegation of sexual harassment. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in an education program or activity at Pennsylvania Institute of Technology. A formal complaint may be a document delivered to the Title IX Coordinator's office or electronic submission sent via email which contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the complaint.

Submission of a formal complaint to Pennsylvania Institute of Technology is not equivalent to filing charges with local law enforcement and does not require a complainant to file charges with local law enforcement. Pennsylvania Institute of Technology may, however, have a statutory reporting obligation when it becomes aware of certain factual allegations. For more information about reporting incidents of sexual misconduct or sexual harassment to local law enforcement, see Section VI. of this policy.

Hearing panel: A panel of three members of Pennsylvania Institute of Technology's employee list. In general, a Title IX Hearing Panel will be convened to deal with alleged violations of this policy by a member of the Pennsylvania Institute of Technology's Community. In determining whether or not a Title IX Hearing Panel is appropriate, the Title IX Coordinator will consult with members of the professional staff as circumstances indicate. The Panel will be convened in a timely manner, soon after a Title IX complaint has been investigated.

Incapacitation: A state in which an individual cannot fully understand or comprehend the nature or context of their decisions and/or actions. An incapacitated person cannot, by definition, consent to sexual activity because they cannot understand or appreciate the "who, what, when, where, why, or how" of the sexual activity in question. Incapacitation may result from a person consuming a large amount of alcohol or other drugs, having a mental disability, being asleep or passed out, or being involuntarily physically restrained. Incapacitation is a state beyond intoxication.

A person cannot consent to sexual activity if they are incapacitated. An individual who engages in sexual activity when that individual knows or reasonably should know that the other person is physically or mentally incapacitated has violated the Comprehensive Policy. The intoxication of a respondent, such that the respondent may not have realized the incapacity of an affected party, does not excuse such a violation.

Report: Notice, either written or oral, provided to the Title IX Coordinator of an alleged incident of sex discrimination, sexual harassment, or sexual misconduct. Any person, regardless of whether or not the person reporting the alleged incident is the person alleged to be the victim the incident may report sex discrimination, sexual misconduct or sexual harassment. Reports may be made at any time, including during non-business hours, in person, by mail to the office address listed for the Title IX Coordinator, by telephone, by email, or any other means that result in the Title IX Coordinator receiving a person's written or verbal report. Individuals may also download and submit an [Incident Report](#) by email, mail, or in person directly

to the Title IX Coordinator or complete the online Incident Report at: <https://my.pit.edu/title-ix/>. A report is distinguished from a formal complaint or complaint as defined above.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or sexual misconduct.

Responsible Employees: Employees who have been given the duty of reporting incidents of sexual violence or any other misconduct by members of the Pennsylvania Institute of Technology community (students, staff, faculty, guests, visitors) to the Title IX Coordinator or other appropriate Pennsylvania Institute of Technology designees, or whom a reporting party could reasonably believe have this authority or duty. Responsible Employees who receive information or a report about any act that potentially constitutes sexual misconduct or sexual harassment must further report that information to the Title IX Coordinator unless they serve in a role that makes such reports privileged or are recognized as providing a confidential resource (see [Privacy, Confidentiality & Privilege](#) in Section IV.D).

All Pennsylvania Institute of Technology officials, employees (including student employees), and volunteers are considered “responsible employees” under this policy. Responsible Employees are expected to make every effort to explain their duty to report to anyone disclosing, or about to disclose, information to them.

Preponderance of the Evidence: The standard of evidence used to determine if a Title IX policy violation occurred. Pennsylvania Institute of Technology uses a “preponderance of the evidence” standard, which means that the evidence collected and presented during the grievance process demonstrates that it is more likely than not that the alleged conduct or policy violation occurred.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to Pennsylvania Institute of Technology’s education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Pennsylvania Institute of Technology’s educational environment, or deter sexual harassment. [Supportive Measures](#) are described in further detail in Section IV.D. of this policy.

VI. REPORTING SEX DISCRIMINATION, SEXUAL MISCONDUCT & SEXUAL HARASSMENT

Any person may report an incident(s) of sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator. The reporting party may be the person directly affected by the alleged incident (referred to as “complainant”) or a third party. Reports of sex discrimination, sexual misconduct, and sexual harassment may be written or verbal and may be made at any time (including non-business hours) in person, by using the telephone number or email address, or by mail to the office address, of the Title IX Coordinator. Individuals may also submit an [Incident Report](#) by email, mail, or in person directly to the Title IX Coordinator or complete an online Incident Report at: <https://my.pit.edu/title-ix>. Electronic reports of sex discrimination, sexual misconduct, and sexual harassment will be used by the Title IX Coordinator as outlined in this policy. Additionally, Pennsylvania Institute of Technology may share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions.

Pennsylvania Institute of Technology’s Title IX Coordinator contact information is as follows:

Kamira A. Evans
Director, Student Affairs & Title IX Coordinator
Pennsylvania Institute of Technology
800 Manchester Ave
Media, PA 19063
Phone: (610) 892-1504
Email: KEvans@pit.edu

An immediate auto-response email with information about resources and options will be sent in response to reports filed electronically via <https://my.pit.edu/title-ix>. When the Title IX Coordinator receives notice through a report (either written or oral), complaint, or formal complaint of an alleged incident of sex discrimination, sexual misconduct, or sexual harassment, the Title IX Coordinator will contact the complainant promptly to:

- A. Discuss the availability of [Supportive Measures](#), as defined on in Section IV.D. of this policy;
- B. Consider the complainant’s wishes with respect to supportive measures;
- C. Inform the complainant of the availability of supportive measures with or without filing a complaint or formal complaint;
- D. Explain to the complainant:
 - i. Pennsylvania Institute of Technology’s procedures for handling non-sexual harassment sex discrimination;
 - ii. Process for filing a formal complaint under Title IX to initiate [Process A: Title IX Formal Complaint & Grievance Process](#);
 - iii. Process for filing a complaint and initiating [Process B: Sexual Misconduct Complaint Resolution Process](#).

The Title IX Coordinator will conduct a preliminary assessment of the report, complaint, or formal complaint to assist the complainant in determining which grievance process or procedures the complainant may initiate. For more information about the [Preliminary Assessment](#), see Section VI.A. of this policy.

Victims and witnesses of sexual misconduct have the right to be assisted by Pennsylvania Institute of Technology in notifying law enforcement authorities of sexual misconduct or they can decline to notify such authorities. Pennsylvania Institute of Technology may, however, have a statutory reporting obligation when it becomes aware of certain factual allegations. Additional information about reporting to local law enforcement authorities is provided below.

Stranger & Non-Stranger Respondents

Individuals may report incidents in which the respondent is known and a member of the Pennsylvania Institute of Technology community, known but not a member of the Pennsylvania Institute of Technology community, or unknown to the complainant or reporting party.

Incidents in which the respondent is known and a member of the Pennsylvania Institute of Technology community that occur **in the school's own education programs or activities** will be addressed using [Process A: Title IX Formal Complaint & Grievance Process](#) if a formal complaint is filed by the complainant or Title IX Coordinator.

Incidents in which the respondent is known and a member of the Pennsylvania Institute of Technology community that occur **outside of the school's own education programs or activities** may be addressed under using the appropriate non-Title IX grievance processes such as [Process B: Sexual Misconduct Complaint Resolution Process](#) if a complaint is filed. However, Pennsylvania Institute of Technology's ability to investigate and impose disciplinary sanctions may be limited.

To address incidents in which the respondent is known but not affiliated with the Pennsylvania Institute of Technology community, Pennsylvania Institute of Technology will take reasonably available steps to support the complainant by offering supportive measures and will assist a complainant in identifying external reporting mechanisms.

If a complainant does not know the respondent's identity, the complainant will still be offered supportive measures and the opportunity to file a complaint of sexual misconduct or formal complaint of sexual harassment. The subsequent investigation may reveal the respondent's identity. If the respondent's identity becomes known and is part of the Pennsylvania Institute of Technology community, Pennsylvania Institute of Technology will provide the respondent with the necessary information to participate in a fair and equitable grievance process. However, if a respondent's identity remains unknown, Pennsylvania Institute of Technology will be unable to comply with the required grievance process outlined in this policy and therefore unable to impose disciplinary sanctions against the respondent.

In addition to reporting an incident of sex discrimination, sexual misconduct, or sexual harassment to the Title IX Coordinator, individuals have the following reporting options:

i. Reporting to a Responsible Employee

A person may report an alleged incident of sex discrimination, sexual misconduct, or sexual harassment to a Pennsylvania Institute of Technology Responsible Employee, as defined in [Section V.](#) of this policy. Responsible Employees must report the alleged incident to the Title IX Coordinator or appropriate Pennsylvania Institute of Technology designees. After reporting the alleged incident to the Title IX Coordinator, the Title IX Coordinator will contact the complainant. Responsible Employees are expected to make every effort to explain their duty to report to anyone disclosing, or about to disclose, information to them.

ii. Anonymous Reporting

Pennsylvania Institute of Technology permits anonymous parties to report alleged incidents of sex discrimination, sexual misconduct, and/or sexual harassment by telephone or by mail to the office of the Title IX Coordinator.

If the anonymous report contains the identity of the complainant, upon receipt of the report, the Title IX Coordinator will contact the complainant to offer supportive measures and explain the process for filing a formal complaint. However, if the anonymous report does not contain the identity of the complainant, Pennsylvania Institute of Technology will be unable to contact the complainant to offer supportive measures. While the Title IX Coordinator will keep confidential complainant's identity (unless disclosing the complainant's identity is necessary to provide supportive measures for the complainant, such as issuing no-contact orders), the Title IX Coordinator must know the identity of the complainant to offer such supportive measures.

iii. Reporting to Local Law Enforcement

Pennsylvania Institute of Technology encourages anyone who has experienced sexual misconduct or sexual harassment to pursue criminal action for incidents that may also be crimes under applicable criminal statutes. Law enforcement officers are trained in handling sexual assault and other cases involving sexual misconduct and harassment. Reporting to law enforcement does not require prosecution of the offense and the reporting party's wishes will be taken into account by law enforcement. The police report and any supporting evidence may be turned over to the Delaware County District Attorney's Office, which decides whether there is sufficient evidence to prosecute. Information about the law enforcement process of reporting, the investigation, arrests, filing of charges, hearings, the trial and sentencing will be explained at the time of the report. Pennsylvania Institute of Technology employees will assist the reporting party in contacting local law enforcement, if explicitly requested by the reporting party. However, reporting an incident of sexual misconduct or sexual harassment to Pennsylvania Institute of Technology does not in any way equate to reporting the incident to local law enforcement. An individual may decide to report an incident exclusively to Pennsylvania Institute of Technology, exclusively to local law enforcement, or to both Pennsylvania Institute of Technology and local law enforcement.

Pennsylvania Institute of Technology does not have its own police force. However, employees of Pennsylvania Institute of Technology are obligated to promptly report incidents of sexual misconduct that also constitute criminal conduct of which they become aware during the scope of their employment to the Title IX Coordinator, regardless of whether the individual who is making the report chooses to pursue criminal charges.

Contact information for local police departments:

In case of emergency, call 911

Media Borough Police Department
Media Municipal Center
301 N. Jackson Street
Media, PA 19063

Any police response: 911
Administrative Phone: (610) 565-6656

Delaware County Bureau of Park Police & Fire Safety

201 West Front Street
Media, PA 19063
General: (610) 891-5000
Dispatch: (610) 891-0591
Emergency: 911

Should an individual report an incident of sexual misconduct or sexual harassment to both Pennsylvania Institute of Technology and local law enforcement, Pennsylvania Institute of Technology will comply with law enforcement requests for cooperation. Pennsylvania Institute of Technology will generally proceed with its investigation and resolution of a complaint even during the time of a pending law enforcement investigation. However, cooperation with local law enforcement may require Pennsylvania Institute of Technology to temporarily suspend its own investigation into the alleged incident while local law enforcement gathers evidence. During this time, Pennsylvania Institute of Technology will continue to offer supportive measures to the complainant. As soon as local law enforcement or Pennsylvania Institute of Technology determines that a delay is no longer necessary, Pennsylvania Institute of Technology will promptly resume its Title IX or sexual misconduct investigation.

Pennsylvania Institute of Technology's policy, definitions, and standard of proof differ from Pennsylvania criminal law. Neither law enforcement's determination whether to prosecute a respondent nor the outcome of any criminal prosecution will determine whether sexual misconduct or sexual harassment has occurred under this policy. Proceedings under this policy may be carried out prior to, simultaneously with or following civil or criminal proceedings off campus.

Parties may also have options to file civil actions in court or with administrative agencies.

iv. External Reporting

The contact information for the United States Department of Education, Office for Civil Rights regional office is as follows:

Office for Civil Rights
Philadelphia Office
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Telephone: (215) 656-8541
Facsimile: (215) 656-8605
Email: OCR.Philadelphia@ed.gov

Complaints with the Office for Civil Rights must be filed within one hundred eighty (180) days of the last act that the complainant believes was discriminatory.

A person may also file a complaint with the Pennsylvania Human Relations Commission. The contact for the Pennsylvania Human Relations Commission is as follows:

Pennsylvania Human Relations Commission
Philadelphia Regional Office
110 North 8th Street, Suite 501
Philadelphia, PA 19107
Telephone: (215) 560-2496
Text Telephone (TT/TTY): (215) 560-3599

Pennsylvania Human Relations Commission
Harrisburg Regional Office
333 Market Street, 8th Floor
Harrisburg, PA 17101-2210
Telephone: (717) 787-9780
Text Telephone (TT/TTY): (717) 787-7279

Pennsylvania Human Relations Commission
Pittsburgh Regional Office
301 Fifth Avenue
Suite 390, Piatt Place
Pittsburgh, PA 15222
Voice: (412) 565-5395

Employees may also file a charge with the Equal Employment Opportunity Commission. The contact for the Equal Employment Opportunity Commission is as follows:

Equal Employment Opportunity Commission
Philadelphia District Office
801 Market Street, Suite 1000
Philadelphia, PA 19107-3126
United States
Telephone: 1-800-669-4000 / (267) 589-9700
Email: PDOContact@eeoc.gov

A. PRELIMINARY ASSESSMENT

Upon receiving a report, complaint or formal complaint of an alleged incident of sex discrimination, sexual misconduct, or sexual harassment, the Title IX Coordinator will conduct a preliminary assessment to determine Pennsylvania Institute of Technology's response using the following threshold criteria:

1. Would the incident be considered "**sexual harassment**" under Title IX, as defined in Section IV.C.iii. of this policy?
 - a. In assessing the type of incident, the Title IX Coordinator will determine if the alleged conduct was either:
 - i. Quid pro quo harassment (involving a Pennsylvania Institute of Technology employee);
 - ii. Sexual Assault, Dating Violence, Domestic Violence, or Stalking; or
 - iii. Unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Pennsylvania Institute of Technology program or activity.
2. Did the incident occur in Pennsylvania Institute of Technology's education program or activity, as defined in Section V. of this policy?
3. Did the incident occur in the United States?

If the answer is "no" to any of these questions, the alleged incident may be considered one or more of the following forms of conduct and addressed accordingly:

1. Non-sexual harassment sex discrimination: Pennsylvania Institute of Technology's grievance procedures for handling incidents of sex discrimination can be found in Pennsylvania Institute of Technology's Student and Employee Handbooks.
2. Sexual Misconduct: Incidents of sexual misconduct will be addressed using **Process B: Sexual Misconduct Complaint Resolution Process.**
3. Non-actionable: Complainant may request and Pennsylvania Institute of Technology may provide supportive measures as appropriate.

If the answer is "yes" to all three threshold criteria, the incident may constitute sexual harassment under Title IX, and the complainant may file a formal complaint under Title IX to initiate an investigation and grievance process, as outlined in **Process A: Title IX Formal Complaint & Grievance Process.**

After conducting the assessment, the Title IX Coordinator will send a written notification of their preliminary assessment to the complainant.

The complainant may appeal the Title IX Coordinator's preliminary assessment of the alleged incident to Pennsylvania Institute of Technology's Vice President of Administration within ten (10) business days of receiving written notice from the Title IX Coordinator.

If a formal complaint or complaint is filed, the respondent may appeal the Title IX Coordinator's preliminary assessment to Pennsylvania Institute of Technology's Vice President of Administration within ten (10) business days of receiving the notice of the complaint.

Complainants may request supportive measures or an investigation into allegations of conduct that do not meet Title IX jurisdictional conditions, under **Process B. Sexual Misconduct Complaint Resolution Process.**

Regardless of whether an alleged incident is determined to constitute sexual harassment, sexual misconduct, or sex discrimination, and regardless of whether or not the complainant files a formal complaint under Title IX or a complaint to initiate the sexual misconduct complaint resolution process, Pennsylvania Institute of Technology will provide supportive measures to the complainant. For more information about [Supportive Measures](#), see Section IV.D. of this policy.

VII. GRIEVANCE PROCESSES

Upon completion of the preliminary assessment by the Title IX Coordinator, a complainant may decide to proceed with a formal investigation and grievance process.

Complainants alleging sexual harassment under Title IX may file a formal complaint to proceed with [Process A: Title IX Formal Complaint & Grievance Process](#), whereas complainants alleging sexual misconduct may initiate [Process B: Sexual Misconduct Complaint Resolution Process](#).

If you are unsure as to which process corresponds to the alleged prohibited conduct, refer to the [Preliminary Assessment](#) information in Section VI.A. of this policy and/or contact the Title IX Coordinator for clarification.

If at any time during the course of the investigation and grievance process in Process A: Title IX Formal Complaint & Grievance Process, the Title IX Coordinator determines that the alleged sexual harassment no longer falls within the jurisdictional criteria of Title IX, the allegation may be addressed under Process B: Sexual Misconduct Complaint Resolution Process.

Conversely, if it is determined during the investigation and complaint resolution process in Process B: Sexual Misconduct Complaint Resolution Process that the alleged incident would constitute sexual harassment under Title IX, the complaint will be addressed under Process A: Title IX Formal Complaint & Grievance Process.

The Title IX Coordinator will provide the parties with written notice simultaneously in the event that the grievance process used to handle the complaint of sexual misconduct or formal complaint of sexual harassment must be changed.

General Information about Pennsylvania Institute of Technology's Grievance Processes

Pennsylvania Institute of Technology will treat complainants equitably by providing the complainant and respondent with supportive measures throughout the appropriate grievance process, following the grievance process before imposing any disciplinary sanctions (or other actions that are not supportive measures) against a respondent, and providing remedies to a complainant where a determination of responsibility for sexual harassment or sexual misconduct has been made against a respondent.

Pennsylvania Institute of Technology's grievance process relies upon an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Pennsylvania Institute of Technology applies the preponderance of the evidence standard, which means that the evidence collected and presented during the grievance process demonstrated that it is more likely than not that the alleged conduct or policy violation occurred. Pennsylvania Institute of Technology applies the same standard of evidence for formal complaints against students and employees, including faculty, and applies the same standard of evidence to all formal complaints of sexual harassment.

Determination of a party's credibility will not be based on a person's status as a complainant, respondent, or witness. Pennsylvania Institute of Technology presumes that the respondent is not responsible for the alleged conduct until a determination regarding responsibility at the conclusion of the grievance process.

All Pennsylvania Institute of Technology employees involved in the Title IX investigation and grievance process have received the appropriate training to participate in the Title IX grievance process, and training materials have been made publicly available on Pennsylvania Institute of Technology's website. Training

topics include, but are not limited to, the definition of sexual harassment under Title IX, steps to conducting a Title IX investigation and grievance process, and how to serve impartially, including by avoiding prejudgment of facts, conflicts of interest, and bias.

If a complainant or respondent considers Pennsylvania Institute of Technology's treatment of a formal complaint of sexual harassment to constitute discrimination on the basis of sex under Title IX, they may file a report of sex discrimination with the Title IX Coordinator.

Conflicts of Interest

Pennsylvania Institute of Technology employees participating in Process A: Title IX Formal Complaint & Grievance Process as well as Process B: Sexual Misconduct Complaint Resolution Process, including the Title IX Coordinator, investigators, decision-makers, informal resolution facilitators, and Hearing Panel members as well as external parties employed by Pennsylvania Institute of Technology to complete Title IX investigation and adjudication functions (hearings, appeals, and informal resolution options) are prohibited from having a conflict of interest or bias for or against complainants or respondents generally or as an individual complainant or respondent.

In an effort to avoid potential conflicts of interest, Pennsylvania Institute of Technology may provide the names and titles of internal and external Title IX investigators and adjudicators or the Hearing Panel members to the parties at the initiation of the investigation, informal resolution process, or hearing. Such information will be provided no less than five (5) business days before any meeting or hearing between the party and the investigator, adjudicator, or Hearing Panel. The complainant or respondent may request the removal of an investigator, adjudicator, or Hearing Panel member on the grounds of personal bias or other conflicts of interest by submitting a written statement to the Title IX Coordinator setting forth the basis for the request no more than two (2) business days after receiving notice of the identity of the individual involved in the grievance process. The Title IX Coordinator will review the written statement and make a determination if there is a conflict of interest. Appropriate steps will be taken to ensure that no conflict of interest exists on the part of anyone involved in the Title IX investigation, hearing, appeals, or informal resolution processes or the Pennsylvania Institute of Technology Complaint Resolution Process. If a conflict of interest exists, another individual will be assigned to the appropriate role. If a conflict of interest exists between the complainant or respondent and the Title IX Coordinator, reports should be directed to the Pennsylvania Institute of Technology Vice President of Administration.

Timelines for the Grievance Process

Pennsylvania Institute of Technology aims to complete the appropriate grievance process, including appeals and informal resolution processes, in a reasonably prompt time frame. Generally, Pennsylvania Institute of Technology will conclude the grievance process within ninety (90) business days.

Pennsylvania Institute of Technology reserves the right to allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of the party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

PROCESS A: TITLE IX FORMAL COMPLAINT & GRIEVANCE PROCESS

The following information pertains to complaints of sexual harassment under Title IX, as defined in [Section IV.C.iii.](#) of this policy.

i. FILING A FORMAL COMPLAINT UNDER TITLE IX

Filing of a formal complaint of an alleged incident of sexual harassment under Title IX initiates the investigation and grievance process outlined in section **ii. Grievance Process for Formal Complaints of Sexual Harassment.**

Who Can File a Formal Complaint?

The complainant or Title IX Coordinator must file the formal complaint.

Third parties cannot file formal complaints. Additionally, fundamental fairness and due process principles require that a respondent be informed of the details of the allegations made against them, to the extent that the details are known, to provide an adequate opportunity for the respondent to respond. Therefore, a complainant cannot remain anonymous and file a formal complaint. However, the Title IX Coordinator will keep confidential the identities of the complainant and respondent (and witnesses) from anyone not involved in the grievance process, except as permitted by FERPA, required by law, or as necessary to conduct the grievance process. For more information about [Confidentiality](#), see Section IV.D. of this policy.

While a formal complaint requires the complainant's identity, Title IX does not require a complainant to identify the respondent in a formal complaint. If a complainant does not know the respondent's identity and files a formal complaint, Pennsylvania Institute of Technology is still required to investigate the formal complaint because an investigation may reveal the respondent's identity. If the respondent's identity becomes known, Pennsylvania Institute of Technology will send both parties the written notice of allegations, follow the grievance process outlined in this policy, and may impose disciplinary sanctions against the respondent at the conclusion of the grievance process. However, if a respondent's identity remains unknown, Pennsylvania Institute of Technology will be unable to comply with the required grievance process outlined in this policy and therefore unable to impose disciplinary sanctions against the respondent.

Under certain circumstances, the Title IX Coordinator may determine that an investigation is necessary, even when the identity of the complainant is unknown or the complainant does not want an investigation. In this case, the Title IX Coordinator may choose to sign a formal complaint and initiate the grievance process. When this occurs, the Title IX Coordinator is not a complainant or otherwise considered a party included in the grievance process. The alleged victim will remain the complainant and be treated as a party in the grievance process. However, the complainant is not required to participate in the grievance process.

How to File a Formal Complaint:

Formal complaints may be submitted in person, by mail, or by email to the Title IX Coordinator, whose contact information is listed in Section III. of this policy.

Formal complaints cannot be filed by telephone.

What is a Formal Complaint?

A formal complaint is a document or electronic submission (such as an email) that contains the complainant's physical or digital signature or otherwise indicates that the complainant is the person filing the complaint.

A formal complaint alleges sexual harassment against a respondent and requests that Pennsylvania Institute of Technology investigate the allegation of sexual harassment. Therefore, submitting a formal complaint indicates an intentional decision on behalf of the complainant to initiate the Title IX grievance process.

When Can A Formal Complaint be Filed?

There is no time limit on a complainant's decision to file a formal complaint, so the decision to sign and file a formal complaint does not need to occur in the immediate aftermath of an alleged incident or reporting an incident. Nevertheless, students should understand that incidents should be reported as soon as possible when memories, information and evidence is fresh. The longer a student or employee waits to file a complaint, the more difficult it might be for the investigators to obtain evidence and conduct a thorough, impartial and reliable investigation.

However, at the time of filing a formal complaint, the complainant must be participating in or attempting to participate in Pennsylvania Institute of Technology's education program or activity.

This requirement does not exclude a complainant who has graduated or is on a leave of absence if the complainant intends to apply to a different Pennsylvania Institute of Technology program, intends to remain involved in Pennsylvania Institute of Technology's alumni programs and activities, or may intend to re-apply after a leave of absence.

Dismissal of a Formal Complaint

The investigation of the conduct alleged in the formal complaint may uncover new information about the incident. In accordance with Title IX, Pennsylvania Institute of Technology must dismiss the formal complaint of sexual harassment under Title IX if at any point during the investigation or hearing process it is determined that the conduct alleged in the formal complaint:

1. Would not constitute [sexual harassment](#) as defined under Title IX (defined in Section IV.C.iii. of this policy), even if proven;
2. Did not occur in Pennsylvania Institute of Technology's education program or activity; or
3. Did not occur against a person in the United States.

Such dismissal does not indicate that a Pennsylvania Institute of Technology policy violation did not occur. Therefore, Pennsylvania Institute of Technology may choose to address such incidents using the grievance procedures outlined in [Process B: Sexual Misconduct Complaint Resolution Process](#) or in other Pennsylvania Institute of Technology policies such as the Student or Employee Handbooks.

Pennsylvania Institute of Technology reserves the right to dismiss a formal complaint or allegations therein, if at any time during the investigation or hearing:

1. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
2. The respondent is no longer enrolled or employed by Pennsylvania Institute of Technology
3. Specific circumstances prevent Pennsylvania Institute of Technology from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint (either as required or not), Pennsylvania Institute of Technology will promptly send a written notice of dismissal and reason(s) therefor simultaneously to both parties.

The complainant and respondent have the right to appeal Pennsylvania Institute of Technology's dismissal of the formal complaint or any allegations therein on several bases. For more information about the bases of appeal, see sub-section J) under section ii. [Grievance Process for Formal Complaint of Sexual Harassment](#) in this policy.

Consolidation of Formal Complaints

Pennsylvania Institute of Technology may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

ii. GRIEVANCE PROCESS FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT

The following grievance process complies with 34 CFR § 106.45 of Title IX. All processes, provisions, and rules stated in this policy apply equally to both parties—complainants and respondents.

a) Written Notice

Upon receipt of a formal complaint, Pennsylvania Institute of Technology will provide a written notice of allegations to both parties, if known, simultaneously. The notice includes the following information:

- A. Notice of the allegation of **sexual harassment**, as defined in Section IV.C.iii. of policy, containing sufficient details known at the time, including:
 - a. Identities of the parties involved in the incident (if known);
 - b. Conduct allegedly constituting a policy violation;
 - c. Date and location of the alleged incident (if known).
- B. Sufficient time for each party to prepare a response before any initial interview.
- C. Explanation of each party's right to an advisor of their choice, who may be, but is not required to be, an attorney. The advisor may participate during the grievance process, subject to limitations established by Pennsylvania Institute of Technology. For more information about advisors, see Section IV.D. of this policy.
- D. Explanation of each party's right to inspect and review all evidence gathered during the investigation.
- E. Reference to the sections of this policy and the Pennsylvania Institute of Technology Student and Employee Handbooks which prohibit knowingly making false statements or knowingly submitting false information during the grievance process.
- F. Statement that the respondent is presumed not to be responsible for the alleged conduct unless and until a determination of responsibility is final.
- G. Statement that a determination of responsibility will be made at the conclusion of the grievance process.
- H. Provide a copy of Pennsylvania Institute of Technology Policy on Sexual Misconduct & Sexual Harassment, which outlines the grievance process utilized to address alleged incidents of sexual harassment under Title IX.
- I. List of on-campus and off-campus support resources for complainants.

If, during the course of the investigation, Pennsylvania Institute of Technology decides to investigate allegations about the complainant or respondent that are not included in the initial notice provided to the parties, Pennsylvania Institute of Technology will provide written notice of the additional allegations to the parties whose identities are known.

b) Investigation of Formal Complaints

Pennsylvania Institute of Technology is obligated to investigate formal complaints of sexual harassment. Promptly after a formal complaint has been filed and all parties have been issued Written Notice, the investigation will begin. Generally, Pennsylvania Institute of Technology will complete the investigation within thirty (30) business days. Pennsylvania Institute of Technology will inform the parties of the name and title of the assigned investigator in the written notices of investigative interview issued to the parties.

c) Role of Pennsylvania Institute of Technology & the Parties

During the investigation, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Pennsylvania Institute of Technology and not on the parties. Parties may decide not to share their side of the story or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Pennsylvania Institute of Technology and does not indicate responsibility. Additionally, Title IX Investigators shall not make an adverse inference against a party for refusing to participate in an investigation or hearing, nor will a party's refusal to participate affect decisions regarding sanctions.

Both parties are provided with an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence during the grievance process. Pennsylvania Institute of Technology will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Pennsylvania Institute of Technology is prohibited from accessing, considering, disclosing, or otherwise using a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Pennsylvania Institute of Technology obtains the party's voluntary, written consent to do so for the grievance process outlined in this policy.

d) Participation of the Parties in the Investigation Process

Pennsylvania Institute of Technology will provide written notice to a party who is invited and expected to participate in any investigative interviews, hearings, or other meetings. This written notice will include the date, time, location, names of participants, and purpose of the meeting and be provided not less than five (5) business days prior to the meeting, providing the party with sufficient time to prepare.

Parties may not attend interviews of any other party or witness or any meeting or hearing related to the investigation, unless invited and expected to participate by Pennsylvania Institute of Technology.

Prior to completion of the investigative report at the conclusion of the investigation, all parties have the opportunity to have not more than one other person present during any grievance proceeding, including the opportunity to be accompanied to any grievance-related meeting or proceeding by an advisor of their choice, who may be an attorney. A party may only be accompanied by their advisor during the live hearing. Pennsylvania Institute of Technology does not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding, including investigative interviews. However, Pennsylvania Institute of Technology reserves the right to establish restrictions regarding the

extent to which the advisor may participate in the proceedings, which will apply equally to both parties. For more information about the [Right to an Advisor](#), see Section IV.D. of this policy.

All parties and their advisors will be given an equal opportunity to inspect and review all evidence gathered during the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which Pennsylvania Institute of Technology does not intend to rely in reaching a determination regarding responsibility as well as inculpatory and exculpatory evidence, regardless of the source. The evidence subject to inspection and review will be provided either in electronic format or hard copy to the parties and their advisors, if any. The parties will have ten (10) business days to submit a written response regarding the investigation evidence. The investigator will consider the parties' responses prior to completion of the investigative report.

Pennsylvania Institute of Technology may redact confidential portions of the investigation file or require the parties and their advisors to execute nondisclosure agreements to preserve the confidentiality of confidential information prior to release of the investigation file to the parties and their advisors.

All of the evidence which was provided to the parties for inspection and review will be made available at any hearing related to the formal complaint to provide each party the equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

The parties may submit any additional evidence prior to the investigator finalizing the investigative report with a copy provided to the other party and their advisor.

e) Investigative Report

The Title IX investigator will create an investigative report that fairly summarizes relevant evidence.

Upon completion, investigator will send the investigative report to each party and the party's advisor, if any, at least ten (10) business days prior to a scheduled hearing, in electronic format or hard copy. Upon review, the parties may submit a written response to the decision-maker not less than five (5) business days prior to the scheduled hearing, with a copy to the other party and their advisor. The other party may submit a written reply to the written response at least two (2) business days prior to the scheduled hearing, with a copy to the other party and their advisor.

The investigator may include recommended findings or conclusions in the investigative report, but the decision-maker is under an independent obligation to objectively evaluate relevant evidence in making a determination.

f) Hearing Process

Live hearings are a mandatory part of the Title IX grievance process. Generally, Pennsylvania Institute of Technology's Hearing Panel will be comprised of three people, with one being the decision-maker. The panel will include a diverse group of faculty and/ or staff selected by senior leadership and have rotating schedules for hearings or ad hoc scheduling. The decision-maker must not be the same person as the Title IX Coordinator or investigator. Pennsylvania Institute of Technology will provide specific procedural rules for the live hearing to the parties and their advisors at least ten (10) business days prior to the scheduled hearing.

Live hearings may be conducted with all parties physically present in the same geographic location. In this instance, at the request of either party, Pennsylvania Institute of Technology will arrange for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and the parties to simultaneously see and hear the party or witness answering the questions.

Pennsylvania Institute of Technology also reserves the right to require or permit any or all parties, witnesses and other participants to appear at the live hearing virtually, with technology enabling participants to simultaneously see and hear each other.

Pennsylvania Institute of Technology will create an audio recording, audiovisual recording, or transcript of any live hearing and make it available to the parties for inspection and review.

Both parties have the right to present relevant fact and expert witnesses as well as inculpatory and exculpatory evidence at the hearing. A written summary of any evidence not included in the investigation file should be provided to the decision-maker and the other party and their advisor no less than five (5) business days prior to the hearing.

The Title IX Coordinator or designee will coordinate with the parties, the parties' advisors, and the hearing panel throughout the grievance process. Specific tasks include, but are not limited to:

- Coordinating trainings and hearing logistics (e.g., conference room/zoom meeting, recording, etc.)
- Sending hearing notices/charging decision letters to parties
- Compiling hearing files for panelists
- Scheduling hearings
- Coordinating parties and witnesses to testify
- Reading instructions to panel
- Post-hearing:
 - Notifying parties of decision,
 - Facilitating the appeal process

g) Cross-Examination

During the live hearing, the decision-maker will permit each party's advisor to ask the other party and any witnesses any relevant questions and follow-up questions, including questions which challenge credibility.

Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor, and cross-examination may never be conducted by a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless: 1.) such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or 2.) if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) may not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the decision-maker(s) may not draw an inference about the determination regarding responsibility based solely on a party's or witnesses' absence from a live hearing or refusal to answer cross-examination or other questions.

h) Hearings & Advisors

Apart from the advisor's role in cross-examination, Pennsylvania Institute of Technology reserves the right to restrict the extent to which advisors may participate in the proceedings.

If a party does not have an advisor present at the live hearing, Pennsylvania Institute of Technology will provide, without fee or charge to that party, an advisor of Pennsylvania Institute of Technology's choice to conduct cross-examination on behalf of that party. Pennsylvania Institute of Technology has a pool of advisors available for complainants and respondents. The advisor may be, but is not required to be, an attorney.

Pennsylvania Institute of Technology will include details regarding the role of the advisors in the hearing procedural rules provided to the parties at least five (5) business days prior to the scheduled hearing.

i) Determination Regarding Responsibility

Following the live hearing, the decision-maker(s) will issue a written determination. To reach the determination, the decision-maker(s) will apply the preponderance of the evidence standard of evidence, as defined in Section V. of this policy.

The decision-maker(s) will issue the written determination to the parties simultaneously generally no more than ten (10) business days after the conclusion of the live hearing. Copies will be sent to the parties and their advisors by email, certified mail, or overnight delivery service such as Federal Express, with receipt of acknowledgement.

The written determination will include the following information:

- A. Identification of the allegations potentially constituting sexual harassment, as defined in Section IV.C.iii. of this policy.
- B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of this policy and/or the Pennsylvania Institute of Technology Student and/or Employee Handbooks to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the respondent, and whether remedies designed to restore or preserve equal access to Pennsylvania Institute of Technology's

education program or activity will be provided by Pennsylvania Institute of Technology to the complainant; and

- F. Pennsylvania Institute of Technology's procedures and permissible bases for the complainant and respondent to appeal.

The determination is final either:

1. On the date Pennsylvania Institute of Technology provides the parties with the written determination of an appeal, if an appeal was filed; or
2. The date for filing an appeal expires without an appeal having been filed.

j) Appeals

Either complainant or respondent may file a written notice of appeal of a determination of dismissal of a formal complaint within five (5) business days after receiving the written determination or notice of dismissal. The notice of appeal must be delivered to the Title IX Coordinator within such 5-day period by email, personal delivery, certified mail or overnight delivery service.

A party may appeal from a) determination regarding responsibility, and b) Pennsylvania Institute of Technology's dismissal of a formal complaint or any allegations therein, on the following bases:

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

In the event that a party files an appeal, the appeal decision-maker(s) will generally be the Director of Data and Technology.

The appeal decision-maker will be free of bias as well as conflict of interest and will not be the Title IX Coordinator, investigator involved in the investigation, or decision-maker who reached the determination regarding responsibility or dismissal. The appeal decision-maker will have received required training under Title IX.

Pennsylvania Institute of Technology will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties, including a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The appealing party must submit a statement to the appeal decision-maker in support of the appeal within five (5) business days of filing the notice of appeal with a copy to the other party and their advisor. Although the other party is not obligated to respond to the appealing party, should the other party wish to respond, the other party must submit a written response to the statement filed by the appealing party to the appeal decision-maker within five (5) business days of receipt of the appealing party's statement with a copy to the other party and their advisor.

No oral arguments will be held on the appeal unless so directed by the appeal decision-maker, in which case both parties' advisors will be given an equal opportunity to present oral arguments.

The appeal decision-maker will issue a written decision simultaneously to both parties, describing the result and the rationale of the decision generally within ten (10) business days of receiving the final written statements from the parties.

k) Informal Resolutions

At any time following the filing of a formal complaint and prior to reaching a determination regarding responsibility, Pennsylvania Institute of Technology offers complainants and respondents informal resolution options such as mediation, restorative justice, or other forms of alternative dispute resolution, which do not involve or require a full investigation and adjudication (hearing process).

In order for Pennsylvania Institute of Technology to proceed with informal resolution options, Pennsylvania Institute of Technology will:

A. Provide the parties with a written notice disclosing the following:

- iii. The allegations;
- iv. The requirements of the informal resolution process, including the circumstances under which the informal resolution process would preclude the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- v. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

B. Obtain voluntary, written consent from the parties to the informal resolution process.

Pennsylvania Institute of Technology will provide the parties with the specific guidelines corresponding to the various informal resolution options prior to the parties signing a written consent to the informal resolution process.

Pennsylvania Institute of Technology is prohibited from offering informal resolution options in cases which involve a Pennsylvania Institute of Technology employee's sexual harassment of a student.

Pennsylvania Institute of Technology is prohibited from requiring as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment as outlined in this policy. Additionally, Pennsylvania Institute of Technology cannot require the parties to participate in an informal resolution process and cannot offer an informal resolution process unless a formal complaint has been filed.

If a resolution is reached, the complainant and the respondent shall be notified in writing, and the Title IX Coordinator and/or designee will confer with appropriate parties to memorialize the agreed upon resolution

and any consequences for non-compliance in a memorandum. This memorandum will be included in the respondent's student record. If no agreement is reached within a reasonable time, the Title IX Coordinator shall proceed with the formal resolution process.

PROCESS B: SEXUAL MISCONDUCT COMPLAINT RESOLUTION PROCESS

The following procedures pertain to alleged incidents of [sexual misconduct](#), as defined in Section III.C.ii. of this policy.

i. FILING A SEXUAL MISCONDUCT COMPLAINT

Complainants may file a complaint with the Title IX coordinator to initiate Pennsylvania Institute of Technology's sexual misconduct complaint resolution process. If a complainant files a complaint directly with the Title IX Coordinator rather than submitting a report, Pennsylvania Institute of Technology will promptly contact the complainant to provide [Supportive Measures](#) and additional information as referenced in Section VI. of this policy, [Reporting Sex Discrimination, Sexual Misconduct & Sexual Harassment](#).

Who Can File a Complaint?

The complainant or Title IX Coordinator must file the complaint.

Third parties cannot file complaints. Additionally, fundamental fairness and due process principles require that a respondent be informed of the details of the allegations made against them, to the extent that the details are known, to provide an adequate opportunity for the respondent to respond. Therefore, a complainant cannot remain anonymous and file a complaint to initiate the complaint resolution process. However, the Title IX Coordinator will keep confidential the identities of the complainant and respondent (and witnesses) from anyone not involved in the complaint resolution process, except as permitted by FERPA, required by law, or as necessary to conduct the grievance process. For more information about [Privacy, Confidentiality & Privilege](#), see Section IV.D. of this policy.

While a complaint requires the complainant's identity, Pennsylvania Institute of Technology does not require a complainant to identify the respondent in a complaint. If a complainant does not know the respondent's identity and files a complaint, Pennsylvania Institute of Technology will still investigate the complaint to the best of its ability because an investigation may reveal the respondent's identity. If the respondent's identity becomes known, Pennsylvania Institute of Technology will send both parties the written notice of allegations, follow the complaint resolution process outlined in this policy, and may impose disciplinary sanctions against the respondent at the conclusion of the process. However, if a respondent's identity remains unknown, Pennsylvania Institute of Technology will be unable to comply with the required grievance process outlined in this policy and therefore unable to impose disciplinary sanctions against the respondent.

Under certain circumstances, the Title IX Coordinator may determine that an investigation is necessary, even when the identity of the complainant is unknown, or the complainant does not want an investigation. In this case, the Title IX Coordinator may choose to sign a complaint and initiate the complaint resolution process. When this occurs, the Title IX Coordinator is not a complainant or otherwise considered a party included in the grievance process. The alleged victim will remain the complainant and be treated as a party in the complaint resolution process. However, the complainant is not required to participate in the complaint resolution process.

When can a complaint be filed?

Complaints of sexual misconduct may be made at any time, so the decision to sign and file a complaint does not need to occur in the immediate aftermath of an alleged incident or reporting an incident. Nevertheless, students should understand that incidents should be reported as soon as possible when memories, information and evidence is fresh. The longer a student or employee waits to file a complaint, the more difficult it might be for the investigators to obtain evidence and conduct a thorough, impartial and reliable investigation. Therefore, Pennsylvania Institute of Technology may have a limited ability to respond.

Additionally, if the reported respondent is not a member of the Pennsylvania Institute of Technology community or is no longer associated with the Pennsylvania Institute of Technology at the time of the report or complaint or at the time in which a resolution process is initiated, Pennsylvania Institute of Technology may be unable to conduct an investigation or take disciplinary action.

ii. COMPLAINT RESOLUTION PROCESS

All processes, provisions, and rules stated in this policy apply equally to both parties—complainants and respondents.

1. Written Notice

Upon receipt of a complaint, the Title IX Coordinator will provide a written notice of allegations to both parties, if known, simultaneously.

The written notice will include the same information referenced in this policy under Process A: Title IX Formal Complaint & Grievance Process, subsection [ii. Grievance Process for Formal Complaints of Sexual Harassment](#), a) **Written Notice**, with the exception that the notice will contain information regarding the allegation of sexual misconduct rather than sexual harassment.

2. Investigation of the Complaint

The Title IX Coordinator or designee will investigate the complaint and will generally complete the investigation within thirty (30) business days.

During the investigation, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on Pennsylvania Institute of Technology and not on the parties. Complainants and respondents may decide not to share their side of the story or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Pennsylvania Institute of Technology and does not indicate responsibility. Additionally, the Title IX Coordinator or designee will not make an adverse inference against a complainant or respondent based upon the party's refusal to participate in an investigation, nor will the respondent's refusal to participate result in increased sanctions if the respondent is found responsible for the accusations.

Generally, the Title IX Coordinator or designee will follow the investigation procedures outlined in this policy under Process A: Title IX Formal Complaint & Grievance Process, subsection [ii. Grievance Process for Formal Complaints of Sexual Harassment](#), b) **Investigation of Formal Complaints**.

The involved parties will also be invited to submit written impact statements to the Title IX Coordinator or designee, which will be reviewed by the Hearing Panel while determining sanctions, if necessary.

3. Formal Resolution of Complaint

Upon completion of the Investigative Report, the Hearing Panel will convene to review the complaint, Investigative Report, and the parties' written responses to the Investigation Report (if any).

If the Hearing Panel determines that there is sufficient information to find, by a preponderance of the evidence, that a policy violation occurred, the Hearing Panel will consider the imposition of disciplinary sanctions designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting Pennsylvania Institute of Technology's educational mission, and internal policies. Disciplinary sanctions or interventions may also serve to promote safety or deter individuals from similar future behavior.

The Hearing Panel is responsible for determining the appropriate disciplinary sanction(s). The Hearing Panel may also consult with the Title IX Coordinator, Title IX Deputy Coordinator, or designee. In reaching this determination, the Hearing Panel will review and consider the written impact statements provided by the parties.

4. Determination of Responsibility

Once the Hearing Panel has reviewed relevant information, impact statements, and determined if the respondent is responsible for the alleged sexual misconduct, it will issue a written determination to both parties simultaneously.

The procedures for issuing as well as the information contained in the written determination is outlined in this policy under Process A: Title IX Formal Complaint & Grievance Process, subsection [ii. Grievance Process for Formal Complaints of Sexual Harassment](#), **d) Determination of Responsibility**. However, the written determination in Process B will identify allegations potentially constituting [sexual misconduct](#), as defined in Section IV.C.ii, rather than sexual harassment.

5. Appeals

Either party may appeal the outcome of the complaint. Bases and procedures for appeal are found in this policy under Process A: Title IX Formal Complaint & Grievance Process, subsection [ii. Grievance Process for Formal Complaints of Sexual Harassment](#), **e) Appeals**.

Generally, the Appellate Officer is the Director of Data and Technology.

6. Informal Resolution

At any time following the filing of a complaint and prior to reaching a determination regarding responsibility, Pennsylvania Institute of Technology offers complainants and respondents informal resolution options such as mediation, restorative justice, or other forms of alternative dispute resolution, which do not involve or require a full investigation and adjudication (hearing process).

Pennsylvania Institute of Technology's procedures for proceeding with Informal Resolution options are outlined in this policy under Process A: Title IX Formal Complaint & Grievance Process, subsection [ii. Grievance Process for Formal Complaints of Sexual Harassment](#), **f) Informal Resolutions**.

RECORDKEEPING

Pennsylvania Institute of Technology will maintain for a period of seven years the records regarding the following:

- A. Each sexual harassment investigation, including any determination regarding responsibility, the audio recording, audiovisual recording, or transcript of the hearing, any disciplinary sanctions imposed on the respondent, as well as any remedies provided to the complainant designed to restore or preserve equal access to Pennsylvania Institute of Technology's education program or activity;
- B. Any appeal and the result therefrom;
- C. Any informal resolution and the result therefrom; and
- D. All materials used to train Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators. Pennsylvania Institute of Technology will make these training materials publicly available on its website.

For each response to a report or formal complaint of sexual harassment, Pennsylvania Institute of Technology will create and maintain for a period of seven years, records of any actions, including any supportive measures taken. In each instance, Pennsylvania Institute of Technology will document the basis for its conclusion that its response was not deliberately indifferent and document that it has taken measures designed to restore or preserve equal access to Pennsylvania Institute of Technology's education program or activity. If Pennsylvania Institute of Technology does not provide a complainant with supportive measures, then Pennsylvania Institute of Technology will document the reasons why such a response was not clearly unreasonable in light of the circumstances.

CONFIDENTIAL RESOURCES, MEDICAL SERVICES & COUNSELING SERVICES

Confidential Resources

Individuals designated as having confidentiality are required to report the nature, date, time and general location of an incident to the Title IX coordinator. Confidential resources will not share other information with the Title IX Coordinator or any other employee of Pennsylvania Institute of Technology without the express permission of the disclosing party. Confidential resources can provide information about Pennsylvania Institute of Technology and off-campus resources, support services and other options. As noted above, because of the confidential nature of these resources, disclosing information to or seeking advice from a confidential resource does not constitute a report or complaint to Pennsylvania Institute of Technology and will not result in a response or intervention by Pennsylvania Institute of Technology. A person consulting with a confidential resource may later decide to make a report to Pennsylvania Institute of Technology and/or law enforcement.

To make a report to a confidential resource, please contact:

Katie Isselman

KIsselman@pit.edu

Instructor, Nursing Simulation Lab

Communication with certain individuals may be privileged by operation of law and reports made to these individuals will not be shared with Pennsylvania Institute of Technology's Title IX Coordinator or law enforcement except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law.

To make a report to a privileged resource, please contact:

Laura Blomgren

LBlomgren@pit.edu

Director of Admissions and Financial Aid

Intimate Partner Violence and Stalking (24 hours)

800-464-8340

Rape Abuse and Incest National Network (RAINN)

1-800-656-HOPE

www.rainn.org

The RAINN hotline offers free, confidential counseling and support 24 hours a day, from anywhere in the country.

National Resource Center on Domestic Violence Hotline (24 hours)

800-799-SAFE

For more information about confidentiality, see the [Privacy, Confidentiality & Privilege](#) section of this policy.

Off-Campus Resources

Off-Campus Resources List

- Emergency:
 - 9-1-1 (local law enforcement)
 - The Special Victims Unit – 215-685-3251

24-Hour Hotline/Organizations:

- Women Organized Against Rape (Philadelphia): 215-985-3333
- Women Against Abuse (Philadelphia): 1-866-723-3014
- Delaware County Women Against Rape: 610-566-4342
- “Menergy” Men’s Resource Center: 215-242-2235
- Domestic Abuse Project of Delaware County: 610-565-6272

Sexual Assault Medical Evaluation

- Thomas Jefferson Hospital Emergency Room: 215-955-6840
- Episcopal Hospital: 215-707-0800
- Riddle Hospital Emergency Room: 484-227-3214
- Crozer Chester Medical Center Emergency Room: 610-447-2188
- Delaware County Memorial Hospital Emergency Room: 610-284-8400
- Springfield Hospital: 610-328-8700
- Mercy Fitzgerald Hospital Emergency Room: 610-237-4701
- Taylor Hospital Emergency Room: 610-595-6480