

Scripps Research

**POLICY FOR THE PREVENTION OF AND RESPONSE TO  
GENDER-BASED DISCRIMINATION AND SEXUAL MISCONDUCT  
("Title IX Policy")**

To the extent this Policy overlaps with other Scripps Research Policies, this Policy will control in cases involving alleged gender-based discrimination or sexual misconduct, including but not limited to sex discrimination, sexual harassment, sexual assault, sexual exploitation, relationship violence, stalking, and discrimination based on gender identity, gender expression, pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, under Title IX of the U.S. Education Amendments of 1972, its implementing regulations ("Title IX"), and related California and Florida laws.

**A. PURPOSE**

1. This Policy is designed to ensure a safe and non-discriminatory educational and work environment for every member of the Scripps Research community, and to comply with the applicable legal requirements of Title IX and related California and Florida laws.
2. Title IX provides, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." The legal prohibition against discrimination on the basis of sex extends to all forms of gender-based discrimination and sexual misconduct prohibited under this Policy.

**B. POLICY**

1. Scripps Research prohibits all forms of gender-based discrimination and sexual misconduct, including but not limited to sex discrimination, sexual harassment, sexual assault, sexual exploitation, relationship violence, stalking, and discrimination based on gender identity, gender expression, pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
2. Scripps Research also prohibits retaliation against individuals who report, submit a complaint, or otherwise participate in good faith in any inquiry or investigation related to gender-based discrimination or sexual misconduct.

3. The following Scripps Research employees **must** promptly report any gender-based discrimination or sexual misconduct that they become aware of to a Title IX Coordinator or Deputy Coordinator: Faculty; Deans and Associate Deans; Executive Management; Vice Presidents; Directors and Managers; Office of Graduate Studies staff; Career and Postdoctoral Services Office staff; International Services Office staff; and Human Resources staff (collectively, “Responsible Employees”).
4. Scripps Research will assess all reports of gender-based discrimination or sexual misconduct and determine whether or not an investigation or other form of resolution is appropriate. If an investigation is opened, all parties will be provided notice of the allegations and due process. Investigations will be fact-based and neutral, afford the Complainant and Respondent equal opportunity to present witness and evidence, and result in factual findings based on a preponderance of the evidence standard (i.e., whether it is more likely than not that the alleged misconduct occurred).
5. Individuals who violate this Policy may be subject to disciplinary action, including but not limited to the following sanctions: reassignment of one’s position and/or duties; additional mandatory training; increased supervision; involuntary leaves of absence; written discipline; dismissal; termination; and/or permanent separation from Scripps Research.
6. Both the Complainant and the Respondent have the right to appeal, as set forth in section E(2)(g) below.
7. Scripps Research has designated the following people as Title IX Coordinators: Karen Haggemiller on the California campus and Christine Ng-A-Fook on the Florida campus. These individuals will oversee the Institute’s investigation and response to reports of gender-based discrimination or sexual misconduct and serve as resources for individuals who experience gender-based discrimination or sexual misconduct. Their contact information is provided further below.

## C. DEFINITIONS

1. Complainant
  - a. A person who reportedly suffered Prohibited Conduct by the Respondent.

2. Respondent

- a. A person who reportedly engaged in Prohibited Conduct against the Complainant.

3. Reporting Party

- a. An individual who reports a suspected violation of this Policy. A Reporting Party may be a Complainant, Responsible Employee, bystander, or another individual.

4. Gender-Based Discrimination

- a. Action and/ or conduct that deprives a person of educational or employment access, benefits, or opportunities on the basis of gender or sex. Gender-Based Discrimination is an umbrella term that includes but is not limited to discrimination on the basis gender identity, gender expression, sex, pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, as well as sexual misconduct.

5. Sexual Misconduct

- a. Unwelcome sexual conduct; any sexual activity without the affirmative consent of a party to the sexual activity. Sexual Misconduct is an umbrella term that includes but is not limited to sexual harassment, sexual assault, sexual exploitation, relationship violence, and staking.

6. Prohibited Conduct

- a. This Policy prohibits all forms of gender-based discrimination and sexual misconduct, including but not limited to the following: sexual harassment; sexual violence; sexual assault; sexual exploitation; relationship violence; stalking; discrimination based on sex, gender identity, gender expression, pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom; aiding or facilitating the commission of a violation of this Policy; and retaliation.

## 7. Affirmative Consent

- a. Affirmative Consent is positive, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other(s) to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. *Affirmative Consent must be ongoing throughout a sexual activity and can be revoked at any time.* The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be sufficient consent.
- b. **The lack of Affirmative Consent cannot be excused on the ground that the Respondent believed:**
  - i. The Complainant consented to the sexual activity in either of the following circumstances:
    1. The Respondent believed Affirmative Consent arose from the intoxication or recklessness of the Complainant; or
    2. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented;
  - ii. The Complainant Affirmatively Consented to the sexual activity when the Respondent knew or reasonably should have known that the Complainant was unable to consent, due to any of the following circumstances:
    1. The Complainant was asleep or unconscious.
    2. The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity; or
    3. The Complainant was unable to communicate due to a mental or physical condition.

8. Gender Expression

- a. Gender Expression is how an individual outwardly manifests their gender identity, which may or may not conform to stereotypical notions of masculinity or femininity.

9. Gender Identity

- a. Gender Identity is a person's internal sense of gender, which may be different from the sex which the person was assigned at birth.

10. Relationship Violence

- a. Relationship Violence is physical violence committed by a person who is or has been in a social relationship of a romantic, intimate, domestic partner or dating nature, with the person who is subject to the violence. It is also referred to as dating violence, domestic violence and intimate partner violence.

11. Responsible Employee

- a. The following Scripps Research employees are required to promptly report any Prohibited Conduct that they become aware of to a Title IX Coordinator or Deputy Coordinator:
  - i. Faculty;
  - ii. Deans and Associate Deans;
  - iii. Executive Management;
  - iv. Vice Presidents;
  - v. Directors and Managers;
  - vi. Office of Graduate Studies staff;
  - vii. Career and Postdoctoral Services Office staff;
  - viii. International Services Office staff; and
  - ix. Human Resources staff.

## 12. Retaliation

- a. Retaliation is taking or attempting to take a material adverse action against a person or group because that person or group participated in a good faith report or investigation under this Policy.
- b. Retaliation can be committed by any individual or group of individuals, not just the Respondent or Complainant. Retaliation can take many forms, including but not limited to threats, intimidation, bullying, harassment, physical harm, emotional abuse, damage to or theft of property, adverse changes to the work/education environment, or exclusion from a position, association or event.

## 13. Sexual Assault

- a. Sexual Assault, also referred to as sexual battery, is unwanted touching of another person's intimate body parts (e.g., the sexual organ, inner thigh, groin, or buttocks of any person, and the breast of a female) while clothed or unclothed. Sexual Assault includes any act of sexual intercourse without the affirmative consent of a party to the act. Sexual Assault may be committed by a stranger or a non-stranger, both of which are covered under this Policy.

## 14. Sexual Exploitation

- a. Sexual Exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person and without that person's consent. Examples of behavior that **could** rise to the level of Sexual Exploitation include:
  - i. Prostituting another person;
  - ii. Recording one or more images (e.g., video, photographs) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
  - iii. Distributing one or more images (e.g., video, photographs) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and

- iv. Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent.

## 15. Sexual Harassment

- a. Sexual Harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature done by peers, co-workers, supervisors, visitors, or third parties when: (1) it implies that submission or rejection will be a factor in academic or employment decisions (quid pro quo); or (2) the conduct has the purpose or effect of unreasonably interfering with an individual's academic or work environment or creating a hostile environment. Sexual harassment may take many forms, including subtle and indirect or blatant and overt, or any combination.
- b. The determination of what constitutes sexual harassment depends on the specific details and context of the interaction, including but not limited to: (1) the frequency of the conduct; (2) the nature and severity of the conduct; (3) the effect of the conduct on the Complainant's mental or emotional state, with consideration of whether the conduct unreasonably interfered with the Complainant's educational or work performance/environment or educational programs or activities; (4) whether the conduct was directed at more than one person; (5) whether the conduct arose in the context of other discriminatory conduct; and (6) whether the conduct implicates concerns related to academic freedom or protected speech.
- c. The following are examples of conduct prohibited by Scripps Research that **may** constitute sexual harassment:
  - i. Sending unwanted sexually-oriented jokes to a student, work group email list or other individuals at Scripps Research;
  - ii. Unauthorized sharing or posting one or more sexually explicit photos of another, including a current or former partner/significant other;
  - iii. Making or using derogatory comments, epithets, slurs, or jokes of a gender-based or sexual nature;

- iv. Surreptitiously taking one or more pictures or videos of individuals without their consent, especially of private or intimate areas of their body;
- v. Engaging in unwanted suggestive or obscene communications, including gestures and conduct;
- vi. Making unwanted sexual advances;
- vii. Promising a benefit to someone in exchange for engaging in sexual activity; and
- viii. Exposing one's genitals to another without consent.

#### 16. Sexual Intercourse

- a. Sexual Intercourse is any penetration, however slight, with any of the following objects or body parts performed by a person upon another person: (1) vaginal penetration by a penis, object, tongue, finger or other body part; (2) anal penetration by a penis, object, tongue, finger or other body part; and (3) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

#### 17. Stalking

- a. Stalking is a type of conduct directed at a specific person that otherwise serves no legitimate purpose and involves two or more occasions of unwelcome attention, harassment, physical or verbal contact, or any other course of conduct that would cause someone to be in reasonable fear for their own safety or the safety of their immediate family or experience substantial emotional distress.
- b. Stalking may include cyber-stalking, in which the internet or social media, cell phone, text messages, or other forms of electronic contact are used to make unwelcome contact with another person.

### D. SCOPE

- 1. This Policy applies to **all** members of the Scripps Research community, including but not limited to: employees; faculty; staff; students (including



- individuals who have applied for admission or are currently enrolled); interns; postdoctoral fellows; postdoctoral associates; visitors; contractors; and third parties. It applies to all acts of Prohibited Conduct, regardless of the sex, gender identity, gender expression, and/or sexual orientation of the individuals involved.
2. Scripps Research has jurisdiction over Prohibited Conduct that is committed by someone on a Scripps Research's campus, in connection with an Institute or Institute-recognized function off campus, or between two members of the Scripps Research community at any off-campus location. Scripps Research may also consider the on-campus impact of conduct that occurs off campus, even if not part of an Institute-recognized function, to determine whether Scripps Research has jurisdiction over the matter.
  3. If Scripps Research does not have jurisdiction over a reported act of Prohibited Conduct, Scripps Research will provide resources to support the Complainant, and take prompt action, as appropriate, to provide for the safety and well-being of the Complainant and the Scripps Research community, including taking reasonable steps to remedy the effects and to prevent reoccurrence of the behavior.
  4. In the event a case involves overlapping allegations of conduct prohibited under this Policy and another Scripps Research policy, the Title IX Coordinator will communicate with the Scripps Research office responsible for administering the other policy to determine the appropriate division of responsibilities.

## **E. PROCEDURES AND GUIDELINES**

### **1. Reporting Gender-Based Discrimination or Sexual Misconduct**

#### **a. FORMAL REPORTING TO SCRIPPS RESEARCH**

- i. Scripps Research has designated Title IX Coordinators and Deputy Coordinators to help address issues of Prohibited Conduct within the Scripps Research community. These individuals have been trained regarding Title IX requirements, and can assist those who experience gender-based discrimination or sexual misconduct, direct them to available resources, and oversee Scripps Research's investigation and response to reports of Prohibited Conduct.

1. Scripps Research has designated the following people as Title IX Coordinators and Deputy Coordinators:

	<b>California Campus</b>	<b>Florida Campus</b>
<b>Title IX Coordinators</b>	Karen Haggenmiller Director, Employee Development Department of Human Resources Phone: (858) 784-8241 Email: khaggenmiller@scripps.edu Office: 3301 N. Torrey Pines Rd, 314	Christine Ng-A-Fook Human Resources Manager Department of Human Resources Phone: (561) 228-2036 Email: cngafook@scripps.edu Office: B, 371
<b>Title IX Deputy Coordinators</b>	Emilie Broderick Director, Lab Administrative Services Phone: (858) 784-8430 Email: emilieb@scripps.edu Office: IMM, 310	Kristen Robbins Graduate Program Manager Phone: (561) 228-2024 Email: krobbins@scripps.edu Office: B, 370

- ii. Anyone who witnesses, experiences, or is otherwise aware of conduct that they reasonably believe may violate this Policy, including retaliation, is urged to contact a Title IX Coordinator or Deputy Coordinator. Anyone may make a report under this Policy to a Title IX Coordinator or Deputy Coordinator, regardless of when or where the alleged incident occurred, and may seek help from campus or external resources.
- iii. Reports may be made to a Title IX Coordinator or Deputy Coordinator in person, by phone, or via email. Anonymous reports are accepted, but Scripps Research’s ability to respond or investigate anonymously reported information may be limited.
- iv. Although prompt reporting helps the assessment and investigation process, Scripps Research does not limit the timeframe for reporting alleged violations of this Policy. It should be noted, however, that a delay in reporting may complicate and impede any investigation.

b. CONFIDENTIAL REPORTING RESOURCES

- i. While Scripps Research encourages its community members to promptly report all incidents of Prohibited Conduct, it recognizes that sometimes an individual may prefer to initially speak with someone in confidence. In this situation, Scripps Research will help a Complainant identify confidential options, provide support and resources, and take other steps designed to eliminate any hostile environment, prevent recurrence of Prohibited Conduct, and address its effects.
- ii. For members of the community who do not want details of their report of gender-based discrimination or sexual misconduct shared with Scripps Research’s Title IX Coordinator, the following are confidential on-campus resources:

1. **Scripps Research Ombuds Office**

Phone: (858) 784-9911

Email: [ombuds@scripps.edu](mailto:ombuds@scripps.edu)

2. **Scripps Research Counseling & Psychological Services (CAPS)**

California Campus	Florida Campus
<p>Daphne Lurie, Ph.D.            (CAPS director and licensed psychologist)            Phone: 858-784-7915            Email: <a href="mailto:dlurie@scripps.edu">dlurie@scripps.edu</a>            Office: 3300 N. Torrey Pines Rd, 300</p> <p>Tamara Ho, Ph.D.            (CAPS staff psychologist)            Phone: 858-784-2950            Email: <a href="mailto:Tamaraho@scripps.edu">Tamaraho@scripps.edu</a>            Office: 3300 N. Torrey Pines Rd, 300</p>	<p>Dana Scoville, Ph.D.            (CAPS counselor)            Phone: (561) 228-2288            Email: <a href="mailto:dscovill@scripps.edu">dscovill@scripps.edu</a>            Office: B, 133</p>

iii. The Employee Assistance Program provides 24-hour mental health assistance to all benefits-eligible members of the Scripps Research community:

1. **Optum Health**

Phone: (800) 888-2998

Website: [www.liveandworkwell.com](http://www.liveandworkwell.com)

Access Code: 10730

iv. All confidential resources are subject to confidentiality obligations that generally prohibit release of information without an individual's express consent, unless otherwise required by law.

c. REPORTING TO LAW ENFORCEMENT

i. A Complainant has the right to file a criminal complaint at any time, whether before, during, or after making a Title IX complaint or activating the Institute's internal Title IX investigation process.

**2. Institutional Procedure for Responding to Reports of Prohibited Conduct**

a. INITIAL ASSESSMENT

i. Upon receipt of a report of Prohibited Conduct, the Title IX Coordinator will review the information and conduct an initial assessment of the reported conduct.

ii. As part of the initial assessment, Scripps Research will:

1. Address the immediate physical safety and emotional well-being of the Complainant;

2. Assess the nature and circumstances of the reported conduct;

3. Consider the Complainant's expressed preference for resolution;

4. Assess the necessity for any interim interventions; and

5. Assess for pattern evidence and/or systematic problems involving the Respondent or others.
- iii. The Title IX Coordinator's initial assessment typically involves a preliminary meeting with the Complainant to confirm and obtain additional detail regarding the Prohibited Conduct alleged, including the name of the Respondent (if known); the date and time of the alleged incident(s); the location of the alleged incident(s); and the nature of the alleged behavior.
  - iv. The Title IX Coordinator may consult with other Scripps Research administrators, including the Deputy Coordinators, Dean of Graduate and Postdoctoral Studies, Security Services, Director of Graduate Studies, Legal, the Office of Policy, Education, and Risk Administration (OPERA), and Human Resources in connection with any complaint or investigation under this Policy.
  - v. During the initial assessment, the Title IX Coordinator will also provide the Complainant with additional information including:
    1. The right to contact (or decline to contact) law enforcement if the conduct is criminal in nature; and if requested, the right to be assisted with notifying law enforcement;
    2. Options for solving the issue(s) and overcoming any barrier(s) to proceeding with further reporting/ investigation;
    3. Available medical treatment to address physical and/or mental health concerns, and to preserve evidence;
    4. The importance of preserving evidence;
    5. Available interim interventions;
    6. Information about on- and off-campus resources;
    7. An explanation of the procedural process;

8. The right to have an Advisor of their choosing accompany the Complainant throughout the investigation and resolution of the complaint, in accordance with Section F(d) below; and
  9. This policy.
- vi. The initial assessment will proceed to the point where a reasonable assessment of the health and safety of the individual and of the Scripps Research community can be made, and the Title IX Coordinator has sufficient information to determine the appropriate course of action.
1. The Complainant and Respondent will be notified in writing if the Title IX Coordinator determines that a formal investigation, another form of resolution, or interim interventions are appropriate. The Complainant will also be notified if the Title IX Coordinator determines that an investigation will not be opened after the Complainant requested an investigation.

b. INTERIM INTERVENTIONS

- i. Upon receipt of information regarding Prohibited Conduct, Scripps Research may implement interventions as appropriate for the Complainant, Respondent, or for the larger Scripps Research community. The scope of the interim interventions will be determined by the Title IX Coordinator.
- ii. Interim interventions may include, but are not limited to: (1) letters instructing the Complainant and Respondent not to contact each other; (2) separating or modifying the Complainant's or the Respondent's academic, employment, and/or extracurricular schedule; (3) providing counseling and/or medical services; (4) assistance in obtaining/responding to a protective order issued by a court of law; (5) providing a security escort; (6) limiting an individual's access to campus; (7) retaking of or withdrawal from courses without penalty; and (8) suspensions or leaves of absence, while Scripps Research completes the investigation.

c. VOLUNTARY RESOLUTION

- i. Scripps Research recognizes that voluntary resolution options may, if implemented consistently, be an appropriate means of addressing some forms of Prohibited Conduct reported under this Policy. These options are designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the Complainant and is consistent with the safety and well-being of the Scripps Research community.
- ii. Voluntary resolution is not appropriate for all forms of Prohibited Conduct including sexual assault, and the responsible Title IX Coordinator has the authority to determine which cases may be appropriate for voluntary resolution. In most cases, voluntary resolution is facilitated by trained professionals from outside Scripps Research.

d. INVESTIGATION

- i. If a formal investigation is opened, the Respondent is provided with written notice of the allegations that constitute a potential violation of Scripps Research's Policy, including sufficient detail and time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved, the specific provisions of this Policy allegedly violated, the precise conduct alleged that may constitute a violation, and the date(s) and location(s) of the alleged incident. The Respondent will also be notified of the following:
  1. Their right to interim interventions;
  2. Information about on- and off-campus confidential resources;
  3. An explanation of the procedural process;
  4. The right to have an Advisor of their choosing assist them throughout the investigation and resolution of the complaint, in accordance with Section F(d) below; and
  5. This policy.

- ii. Each investigation is a neutral fact-finding process that will be conducted by one or more qualified, impartial investigator(s) selected by the Title IX Coordinator and kept as confidential as possible; information will be shared only on a need-to-know basis. The Complainant and Respondent will be kept informed of the status of the investigation.
  - iii. Each party has the right to offer relevant witnesses, documents, and other evidence to the investigator(s). Each party may also choose to provide a written statement regarding the matter to the investigator(s).
  - iv. The investigator(s) will collect relevant information and interview parties and/or witnesses (in person, by telephone, or video conference) as they deem appropriate, for the purpose of fact-finding.
  - v. Scripps Research will aim to complete the investigation and make a conclusion within sixty (60) calendar days; however, in more complex cases involving multiple allegations and/or witnesses, the investigation may take longer. The parties will be notified in writing of any extensions or delays.
- e. FINDINGS
- i. Following the formal investigation, the investigator(s) will prepare a final report that includes the investigation findings.
  - ii. Based on the investigation findings, the Title IX Coordinator will make a finding as to whether or not a violation of this Policy occurred.
- f. SANCTIONS
- i. If there is a finding that the Respondent violated this Policy, the Title IX Coordinator will provide the investigation report to the appropriate sanctioning officer who determine sanctions.
    - 1. For students, sanctions will be determined by the Office of Graduate Studies;



2. For scientific and administrative staff, sanctions will be determined by the Office of People Services;
  3. For faculty, sanctions will be determined by the Office of the Executive Vice President of Academic and Research Affairs.
- ii. Once a determination has been made regarding the appropriate sanction(s), the Title IX Coordinator will provide the parties a written Outcome Letter, including information about the investigation findings, the determination of whether this Policy was violated, the sanctions imposed, the right to file an appeal, and the appeals process.
  - iii. The Title IX Coordinator has an ongoing responsibility to monitor any sanctions imposed pursuant to this Policy.
  - iv. Scripps Research may undertake additional actions beyond those sanctioned against the Respondent, such as increased security in certain areas, education and training for specific groups, increased publication and dissemination of information regarding the Institute's policies, expectations and resources available to prevent and remedy the effects of gender-based discrimination and sexual misconduct.

g. APPEALS

- i. Both parties have equal rights to an impartial appeal. Appeals will be heard solely on the following grounds:
  1. A procedural error or an omission that materially impacted the outcome of the original finding(s);
  2. New evidence that, despite reasonable diligence, was unknown or unavailable during the original investigation, and, the new evidence may have a material impact on the investigation outcome; or
  3. The sanctions imposed are disproportionate to the severity of the violation(s).

- ii. If either the Complainant or Respondent requests an appeal based on one or more of the grounds listed above, a formal appeal letter must be submitted to the Title IX Coordinator in writing within ten (10) business days from receipt of the Outcome Letter. The Title IX Coordinator will notify the opposing party of the grounds identified for the appeal.
- iii. A trained and independent appeals officer will consider the appeal. The appeal process is conducted in writing and the appeals officer generally will not meet with either the Complainant nor Respondent. Therefore, when submitting documents in the appeal process, parties should include any and all information they would like to have considered by the appeals officer.
- iv. An appeal is not a new fact-finding process. The appeals officer will not substitute his or her own judgment for that of the investigator(s), Title IX Coordinator, or sanctioning officer, but is instead act in the role of error correction.
- v. The appeals officer may act in the following ways: (1) reject the appeal in whole or in part; (2) issue a new decision regarding responsibility and/or the allegations of gender-based discrimination or sexual misconduct; (3) in the case of new evidence or procedural error, remand the investigation back to the investigator(s); or (4) issue new or revised sanctions and/or remedies. The appeals officer will make every effort to provide the final written appeal decision, including rationale for the decision, within fourteen (14) calendar days after receipt of all appeal documents. The appeal decision is final and will be provided in writing to both parties.

### **3. Understanding the Difference Between Privacy and Confidentiality**

- a. When disclosing information about Prohibited Conduct to a Scripps Research employee, community members should be aware of how their information may be shared within the Institute based on Scripps Research's Title IX obligations. The following information is presented to help a Complainant make an informed choice about how to proceed.

b. Privacy and confidentiality have distinct meanings under this Policy.

i. PRIVACY

1. Privacy generally means that information related to a report will only be shared with those individuals who need to know (e.g., the Title IX Coordinator, Deputy Coordinators) or, in some cases, those who have a legitimate educational interest (e.g., Graduate Program Administration). These individuals are obligated to be discreet and respect the privacy of all individuals involved.
2. Scripps Research strives to maintain the privacy of all individuals involved in a report/investigation of gender-based discrimination or sexual misconduct to the extent possible. All Scripps Research employees designated to assist with Title IX complaints, including the Title IX Coordinator, Deputy Coordinators, and investigators, receive specific training about respecting and safeguarding private information. Throughout the process, every reasonable effort is made to protect the privacy interests of the individuals involved in a manner consistent with the need for a thorough review of the matter.
3. The privacy of students' education records will be protected in accordance with the Family Education Rights and Privacy Act (FERPA).

ii. CONFIDENTIALITY

1. Information shared with campus or community professionals who have legal confidentiality obligations may only be disclosed: (1) with the individual's express written permission; (2) where there is a continuing threat of serious harm to the reporter or community member or to others; (3) where there is suspected abuse or neglect of a minor; or (4) as required by state or federal law.

#### **4. Nepotism**

- a. Certain personal relationships between members of the Scripps Research community have a higher risk of negatively impacting the work environment. Examples include: personal relationships between student and faculty advisor, principal investigator and postdoctoral scholar or research assistant, mentor and trainee, or employee and supervisor. Because of the potential for conflicts of interest, exploitation, favoritism, and/or bias, such personal relationships can undermine the real or perceived integrity of the supervision and evaluation provided. Such personal relationships may also have unintended, adverse effects on the climate of the laboratory, classroom or department.
- b. Scripps Research expects faculty and persons of power to maintain interactions that are free from influences that may interfere with the learning and personal development experiences to which students and employees are entitled.
- c. If a relationship does exist, both parties are encouraged to advise their respective PIs, department chair(s), dean/assistant dean and/or the Office of Human Resources to address any concerns and potential conflicts.

#### **5. Retaliation**

- a. Individuals who believe they have been subject to retaliation should immediately report such conduct to the Title IX Coordinator on their campus. All complaints of retaliation will be investigated as described above. Scripps Research will consider appropriate disciplinary action, up to and including the immediate dismissal of any individual who retaliates against a Scripps Research community member for engaging in protected conduct.

#### **6. Amnesty for Alcohol and/or Drug Use by Reporting Individuals**

- a. The health and safety of each member of the Scripps Research community is paramount. The Institute recognizes that community members who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time a suspected Policy violation occurs, may be hesitant to report such incident(s) out of fear

for the potential consequences of their own conduct. The Institute strongly encourages reporting Prohibited Conduct to Institute officials.

- b. A bystander, Reporting Party, or Complainant who, in good faith, reports an incident of Prohibited Conduct to Institute officials or law enforcement will not be subject to disciplinary action for violation of the Institute's Substance Abuse Policy occurring at the time of, or in connection with, the reported incident.

## **7. Prevention, Awareness and Training Programs**

- a. Scripps Research is committed to maintaining a welcoming education and work environment and preventing Prohibited Conduct through regular and ongoing training and education for students, faculty, and employees. This programming may be in the form of live presentations, workshops, printed materials, and the use of online resources and social media.

## **F. ROLES/RESPONSIBILITIES**

### **1. Title IX Coordinator**

- a. Promotes the creation of policies, procedures, and notifications designed to ensure compliance with Title IX;
- b. May receive information and allegations of gender-based discrimination or sexual misconduct, and may provide interim measures;
- c. Oversees Title IX complaints and investigations;
- d. Determines whether a violation of this Policy occurred based on the Investigation Report;
- e. Answers questions and provides guidance and training about Title IX compliance and the Institute's related policies and procedures;
- f. Monitors all other aspects of Title IX compliance; and
- g. Is knowledgeable about, and will provide information on, the Institute's Policy and procedures, and on the wide range of resources available to the Scripps Research community.

## **2. Title IX Deputy Coordinator**

- a. May receive information and allegations of gender-based discrimination or sexual misconduct, and may provide interim measures;
- b. Serves as a resource for questions about gender-based discrimination or sexual misconduct;
- c. Is knowledgeable about, and will provide information on, this Policy and related procedures, and on the wide range of resources available to the Scripps Research community; and
- d. May assume the role of Title IX Coordinator when appropriate or necessary.

## **3. Responsible Employee**

- a. Must report any Prohibited Conduct they become aware of to a Title IX Coordinator or Deputy Coordinator.

## **4. Advisor**

- a. May be a friend, mentor, family member, attorney, or any other supporter a Complainant or Respondent chooses to advise them throughout the investigation process;
- b. May accompany their advisee in all meetings and interviews at which the advisee is present; and
- c. May not present or speak on behalf of the advisee in any meeting or interview, and are expected to refrain from interfering with the investigation and resolution.

## G. RESOURCES

### 1. On Campus Resources

CALIFORNIA	FLORIDA
<b>On-Campus Scripps Research Emergency:</b> Dial 77 or 4-2000	<b>Scripps Research Security Services:</b> Dial 2757
<b>Local Police/Fire/Rescue:</b> Dial 9, 911 or non-emergency line: (858) 552-1700	<b>Local Police/Fire/Rescue:</b> 911 or non-emergency line: (561) 746-6201
<b>San Diego County Crisis Hotline:</b> Dial 888-724-7240	<b>Palm Beach County Crisis Intervention Helpline:</b> Dial 211

### 2. 24-hour Hotlines and Treatment Centers

- a. National Domestic Violence Hotline: 800-799-SAFE (7233)
- b. National Sexual Assault Hotline: 800-656-HOPE (4673)
- c. LGBTQ Hotline 1-888-843-4564

### 3. Internet Resources

- a. National Domestic Violence Hotline:  
[www.thehotline.org](http://www.thehotline.org)  
<http://www.ndvh.org/>
- b. Rape, Abuse & Incest National Network:  
[www.rainn.org](http://www.rainn.org)  
<http://www.rainn.org/>
- c. The National Center for Victims of Crime:  
[www.ncvc.org](http://www.ncvc.org)

### 4. Shelters / Community Resources (Please see Appendix A for additional Florida resources)

CALIFORNIA	FLORIDA
<p><b>YWCA of San Diego County</b>  Hotline: (619) 234-3164  <a href="http://www.ywcasandiego.org/">http://www.ywcasandiego.org/</a></p> <p><b>Center for Community Solutions</b>  Hotline: 1-888-385-4657  <a href="http://www.ccssd.org/">http://www.ccssd.org/</a></p>	<p><b>YWCA of Palm Beach County</b>  (Harmony House – shelter address is confidential/accessible via public transportation)  Hotline: (561) 640-9844  <a href="http://www.ywcapbc.org">http://www.ywcapbc.org</a></p> <p><b>Aid to Victims of Domestic Abuse (AVDA)</b>  – shelter address is confidential/accessible via public transportation)  Hotline: (800) 355-8547  <a href="https://www.avdaonline.org">https://www.avdaonline.org</a></p>

**H. KEY DATES**

1. Effective Date: August 1, 2018.



**APPENDIX A**

**Palm Beach County**

**Crisis Intervention**

<p><b>Jerome Golden Mobile Crisis Team</b></p>	<p>561- 383-5777  West Palm Beach <a href="http://www.goldenctr.org">www.goldenctr.org</a></p>	<p>For clients north of Southern Blvd. Provides emergency intervention, de-escalation, screening and assessment for individuals in emotional distress.  AVAILABLE 24/7</p>	<p>Free</p>
<p><b>South County Mental Health Center</b></p>	<p>561- 495-0522 option 2 or 561-637-2102</p>	<p>For clients south of Southern Blvd. Emergency Screening and Evaluation of children and adults.  <b>AVAILABLE 24/7</b></p>	<p>Free</p>
<p><b>Palm Beach County Clerk &amp; Comptroller - Baker Act Information</b></p>	<p>561-355-2996  Clerk/Circuit Court Main Courthouse 205 N Dixie Hwy West Palm Beach, FL 33401 <a href="http://www.mypalmbeachclerk.com">www.mypalmbeachclerk.com</a></p>	<p>Provides legal assistance to patients involved in mental competency proceeding under Baker Act.</p>	
<p><b>Palm Beach County Victim Services and Certified Rape Crisis Center</b></p>	<p>561-355-2418  205 Dixie Hwy, Suite 5.1100 West Palm Beach</p>	<p>Domestic violence, sexual violence, stalking, bullying assault, homicide  Speaks Spanish</p>	<p>Free</p>

## Mental Health Services

<b>Alpert Jewish Family &amp; Children's Services</b>	561-684-1991  5841 Corporate Way Suite 200 West Palm Beach, FL 33407	Provides individual, family and group counseling. Support groups, geriatric and child psychiatry, guardianship, case management and companionship for the elderly, domestic abuse program and residential services	Private insurance, sliding scale
<b>Association for Community Counseling</b>	561-638-0908  4723 W. Atlantic Ave, Delray Beach, FL 33445 <a href="http://www.unseling.org">www.unseling.org</a>	Offers low or no cost counseling for all ages, families, individuals, couples, and groups. Community-based work in school, after school, senior residences, and community sites.	Sliding scale
<b>Banyan Group</b>	561-967-2566  Main Office: 3898 Via Poinciana Dr. Suite 13 Lake Worth, FL 33467  Other locations available	Provides individual, family, couples, and group counseling. Medication management, psychiatric evaluation, court evaluations, and substance use treatment.	Sliding scale, private insurance, Medicare
<b>Center for Family Services, Inc.</b>	561-616-1222  4101 Parker Ave West Palm Beach, FL 33405  561-793-1698  12773 Forest Hill Blvd Wellington, FL 33414	Counseling for individuals, families, and children; education and homeless intervention programs.  <b>S.A.F.E. Kids Program:</b> counseling for children and adult survivors of domestic violence, physical abuse, and sexual abuse	Medicaid, private insurance, sliding scale
<b>Center for Trauma Counseling, Inc.</b>	561-444-3914  6801 Lake Worth Road Suite 101 Greenacres, FL 33467	Provides individual, family, and group counseling. Specializes in therapy for trauma-related issues.	Sliding scale

<b>ERE Associates</b>	561-626-8070 3450 Northlake Blvd, Suite 212 Palm Beach Gardens, FL	Individual Therapy Marital and Family Therapy Eating Disorders Diabetes and Chronic Illness Counseling	Sliding scale
<b>Florida Community Alliance, Inc.</b>	561-904-6514  1870 Forest Hill Blvd West Palm Beach, FL	Therapy for individuals, Family, and Groups. Education and Prevention classes for specific topics such as Drug and Alcohol, Anger Management. Psychiatric Services for Adults.	Medicaid, Medicare, Private insurance, Sliding scale
<b>Jerome Golden Center for Behavioral Health (West Palm Beach office)</b>	561-383-8000  1041 45th St. West Palm Beach, FL	Baker Act receiving facility, mobile crisis team, and inpatient psychiatric hospital services. Outpatient therapy and medication management, case management, medical services, partial hospitalization program, housing assistance.	Medicaid, Medicare, Private insurance, Sliding scale
<b>Jupiter Counseling and Wellness</b>	561-575-0575  175 Toney Penna Drive, Suite 100 Jupiter, FL	Areas Covered: Marriage Counseling, Couples Counseling, Counseling for Adults, Counseling for Children and Teens, Group Counseling, EMDR Therapy, Anxiety and Depression, Stress and Anger Management, Addiction Recovery, Co-Dependency, Women's Issues, Trauma and PTSD, Grief and Loss, Life Transitions, Parenting Issues, Faith Based Counseling.	Sliding scale