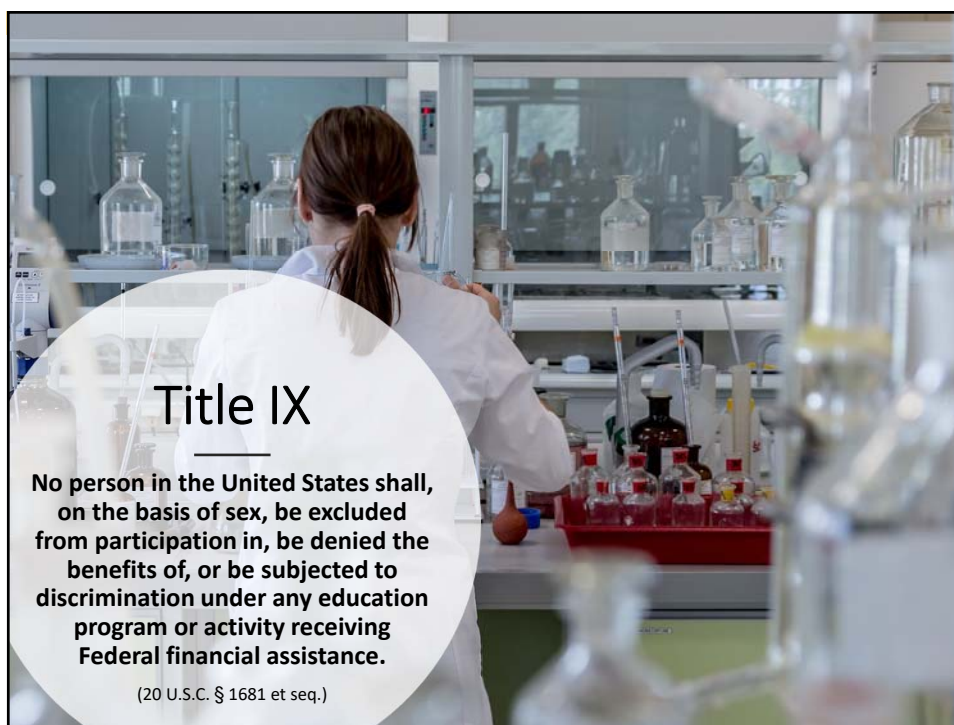





1



2



Title IX Protects all
Students,
Irrespective of
their Gender
Identity, Gender
Expression or
Sexual Orientation

3



Title IX is Not Limited to Students

The Institute's **Title IX 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.

Title IX applies regardless of funding source.

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Title IX requires equal
access to all Scripps
Research “education
programs and activities.”

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“Education Programs and Activities” include:

- ✓ Admissions
- ✓ Recruitment
- ✓ Benefits
- ✓ Clubs and Activities
- ✓ Training Opportunities
- ✓ Leaves of absence; re-entry policies
- ✓ Candidacy Exams
- ✓ Wages
- ✓ Mentorship
- ✓ Thesis Committee Members
- ✓ Re-entry Policies
- ✓ Safety
- ✓ Resources
- ✓ Reasonable Accommodation
- ✓ CAPS

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Scripps Research will Investigate Alleged Gender-Based Misconduct:

1. Committed by someone on a Scripps Research campus or within Scripps Research facilities;
2. In connection with an Institute or Institute-recognized function off campus and Scripps Research exercised substantial control over both the Respondent and the context in which the alleged misconduct occurred.



7

A close-up photograph of a hand holding a glowing, ethereal question mark. Several other faint, glowing question marks are visible in the background, creating a sense of inquiry and uncertainty. The background is a soft, out-of-focus blue.

**Can Scripps Research
investigate conduct that
occurs off campus?**



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Allegations can Implicate Multiple Policies

- Administrative Guideline 1.53 and the Institute's Title IX Policy prohibit discrimination, harassment, and retaliation based on sex or gender.
- The Title IX Policy controls in circumstances where the allegations involve sex or gender-based misconduct that impacts access to educational opportunities or benefits.
- Where no Title IX Policy violation is found, the Title IX Coordinator may refer the allegations to another department within Scripps Research for further inquiry as appropriate.



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Title IX at Scripps Research



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Overview



- Title IX Coordinators are designated on both campuses to receive complaints and conduct an initial assessment
- “Responsible” employees must report all complaints and suspicions of gender discrimination
- Independent investigators may be retained by Scripps to make factual findings and/or legal conclusions
- Burden of proof = preponderance of the evidence
- Title Coordinator notifies parties of outcome and sanctions, if any

Responsible Employees



- Faculty
- Deans and Associated Deans
- Executive Management
- Vice Presidents
- Directors and Managers in:
 - Graduate Office
 - Career and Postdoctoral Services Office
 - International Services
 - Human Resources

Prohibited Gender-Based Conduct



Any unwelcome behavior of a sexual nature that is committed without affirmative consent or by force, intimidation, coercion, or manipulation.

No sexual attraction or desire by the respondent is required.

Examples of Prohibited Conduct



- Sexual harassment
- Discrimination (e.g., based on sex, gender identity, gender expression, pregnancy, childbirth, or recovery therefrom)
- Relationship violence; sexual assault; sexual exploitation
- Stalking
- Retaliation for participating in conduct protected by Title IX

Sexual Harassment is:

Unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature by any individual, including students, interns, peers, co-workers, faculty, supervisors, postdocs, visitors, or third parties when:

1. an employee of Scripps Research implies submission or rejection will be a factor in academic or employment decisions (quid pro quo); or
2. A **reasonable person** would find so severe, pervasive and objectively offensive that it effectively denies them equal access to Scripps' education program or activity.



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What does sexual harassment look like?

- Sending unwanted sexually oriented content, images, videos or recordings
- Sharing sexually explicit photos, videos, images or recordings of another, without authorization
- Making derogatory comments, epithets, slurs, or jokes of a gender-based or sexual nature
- Engaging in unwanted suggestive or obscene communication, including gestures and conduct
- Invading one's personal space or touching another individual's body without the person's consent



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Context Matters

- The relationship between the parties, including whether the alleged harasser had supervisory authority over the Complainant
- The frequency, nature and severity of the conduct
- The effect of the conduct on the Complainant's mental or emotional state, whether the conduct unreasonably interfered with the Complainant's educational or work performance/environment or educational programs or activities
- Whether the conduct was directed at more than one person



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Affirmative Consent Required

- ✓ Positive, conscious, and voluntary agreement to engage in sexual activity
- ✓ Lack of protest ≠ consent
- ✓ Silence ≠ consent
- ✓ Consent must be ongoing, and it can be revoked at any time



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The Power of Power

An **inherent power imbalance** exists in professional relationships between faculty-students, faculty-postdocs, faculty-staff scientists, supervisors-supervisees, Mentors-Mentees, senior faculty-junior faculty, and faculty-staff as a result of their disparate positions with Scripps Research.

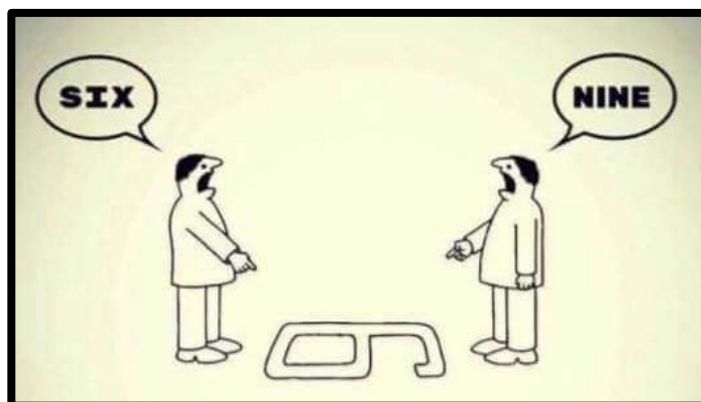
Immutable characteristics such as race, gender, sexual orientation, ethnicity, disability and/or other protected status(es) may exacerbate this imbalance.



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Mitigate Power Disparities by Recognizing Different Perspectives



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Internal Reporting & Title IX Grievance Process



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Allegations of gender-based discrimination, sexual misconduct, and related retaliatory behavior are **just as serious and detrimental** to the Institute's research, work environment and educational commitments **as instances of research misconduct or ethical violations** that run afoul of the Institute's Administrative Guidelines, related protocol and procedures and will be treated as such.

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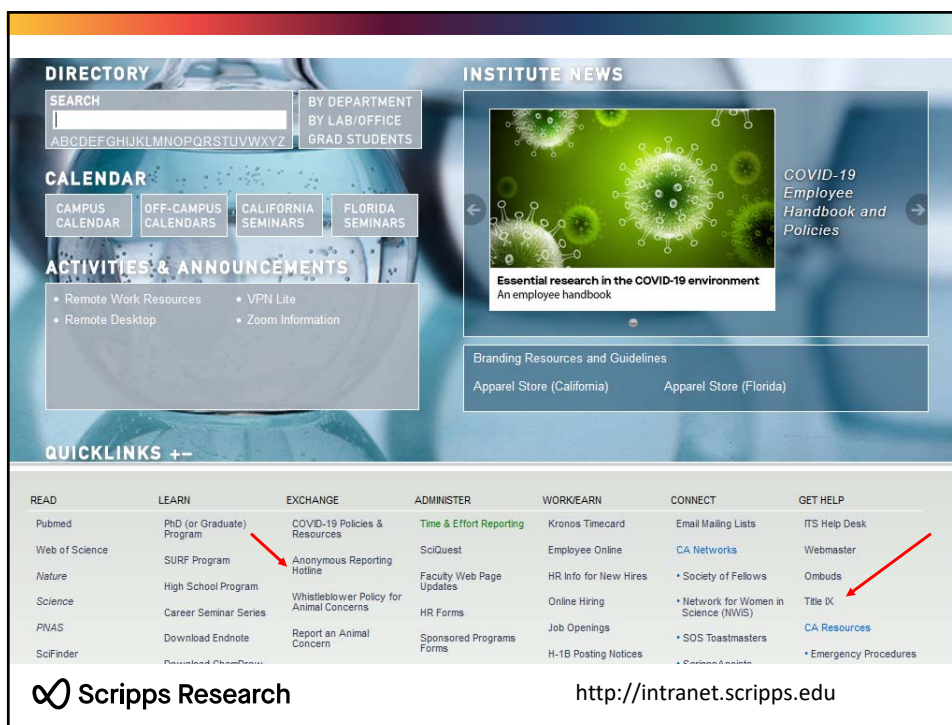


YOU HAVE A VOICE

Don't let bad behavior continue.

- Report concerns via the Title IX intranet link or contact a Title IX Coordinator
- Talk to your PI or a trusted colleague / mentor
- Contact Human Resources
- Advise the Graduate Office or Post-Doc services
- Speak with the Institute's Ombudsman*
- Anonymous reporting
- Contact law enforcement

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DIRECTORY

SEARCH

ABCDEF GHIJKL MNOP QRSTUVWXYZ

BY DEPARTMENT
BY LAB/OFFICE
GRAD STUDENTS

CALENDAR

CAMPUS CALENDAR OFF-CAMPUS CALENDARS CALIFORNIA SEMINARS FLORIDA SEMINARS

ACTIVITIES & ANNOUNCEMENTS

- Remote Work Resources
- VPN Lite
- Remote Desktop
- Zoom Information

INSTITUTE NEWS

COVID-19 Employee Handbook and Policies


Essential research in the COVID-19 environment
An employee handbook

Branding Resources and Guidelines

Apparel Store (California) Apparel Store (Florida)

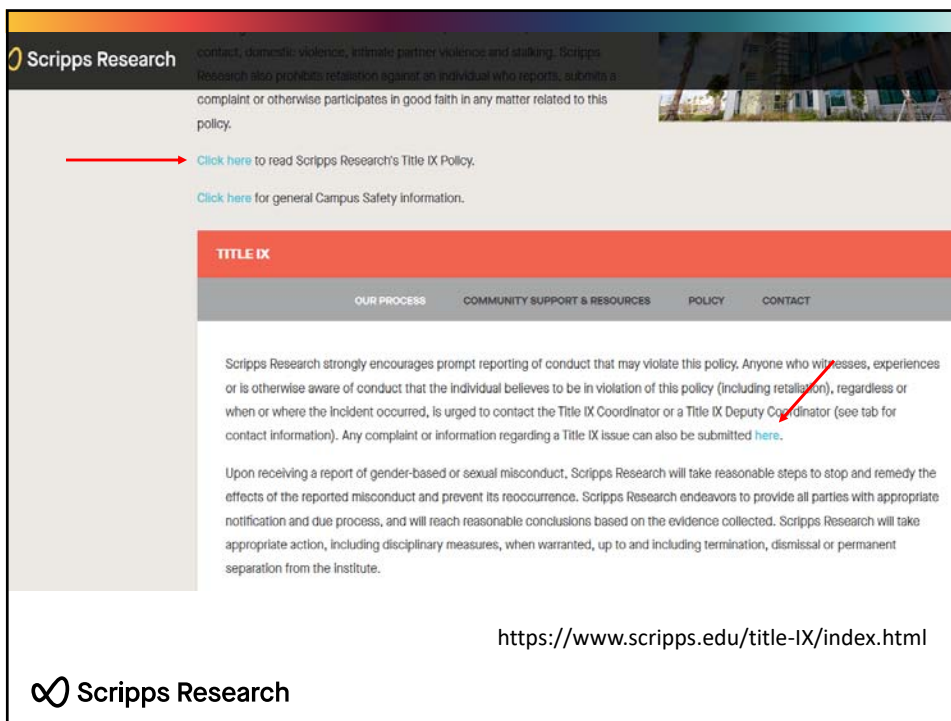
QUICKLINKS +-

READ	LEARN	EXCHANGE	ADMINISTER	WORK/EARN	CONNECT	GET HELP
Pubmed	PhD (or Graduate) Program	COVID-19 Policies & Resources	Time & Effort Reporting	Kronos Timecard	Email Mailing Lists	ITS Help Desk
Web of Science	SURF Program	Anonymous Reporting Hotline	SciQuest	Employee Online	CA Networks	Webmaster
Nature	High School Program	Whistleblower Policy for Animal Concerns	Faculty Web Page Updates	HR Info for New Hires	• Society of Fellows	Ombuds
Science	Career Seminar Series	Report an Animal Concern	HR Forms	Online Hiring	• Network for Women in Science (NWIS)	Title IX
PNAS	Download Endnote		Sponsored Programs Forms	Job Openings	• SOS Toastmasters	CA Resources
SciFinder				H-1B Posting Notices	• Science Article	• Emergency Procedures

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<http://intranet.scripps.edu>

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contact, domestic violence, intimate partner violence and stalking. Scripps Research also prohibits retaliation against an individual who reports, submits a complaint or otherwise participates in good faith in any matter related to this policy.

[Click here](#) to read Scripps Research's Title IX Policy.

[Click here](#) for general Campus Safety Information.


TITLE IX

OUR PROCESS COMMUNITY SUPPORT & RESOURCES POLICY CONTACT

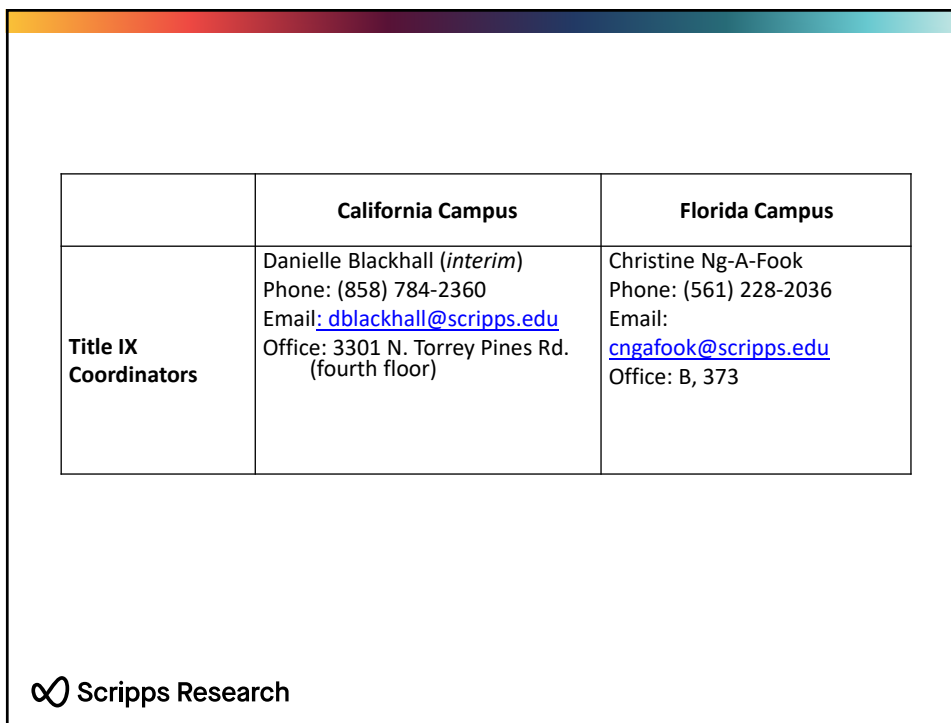
Scripps Research strongly encourages prompt reporting of conduct that may violate this policy. Anyone who witnesses, experiences or is otherwise aware of conduct that the individual believes to be in violation of this policy (including retaliation), regardless of when or where the incident occurred, is urged to contact the Title IX Coordinator or a Title IX Deputy Coordinator (see tab for contact information). Any complaint or information regarding a Title IX issue can also be submitted [here](#).

Upon receiving a report of gender-based or sexual misconduct, Scripps Research will take reasonable steps to stop and remedy the effects of the reported misconduct and prevent its reoccurrence. Scripps Research endeavors to provide all parties with appropriate notification and due process, and will reach reasonable conclusions based on the evidence collected. Scripps Research will take appropriate action, including disciplinary measures, when warranted, up to and including termination, dismissal or permanent separation from the Institute.


<https://www.scripps.edu/title-IX/index.html>

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	California Campus	Florida Campus
Title IX Coordinators	Danielle Blackhall (<i>interim</i>) Phone: (858) 784-2360 Email: dblackhall@scripps.edu Office: 3301 N. Torrey Pines Rd. (fourth floor)	Christine Ng-A-Fook Phone: (561) 228-2036 Email: cngafook@scripps.edu Office: B, 373

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The Parties

Reporting Party – individual who reports a suspected violation of the Institute's Title IX Policy. A Reporting Party may be a Complainant, Responsible Employee, bystander, or another individual.

Complainant* – a person who is alleged to be the victim of suspected Prohibited Conduct, regardless of whether the person files a Formal Complaint under this Policy.

Respondent – person against whom an allegation of Prohibited Conduct is directed or who is the subject of a Title IX inquiry or investigation.



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After a report, what next?



- Initial assessment by Title IX Coordinator
- Notice to respondent(s)
- Provide resources to parties and implement necessary supportive measures
- Opportunities for informal resolution (if appropriate)
- Formal Complaint*

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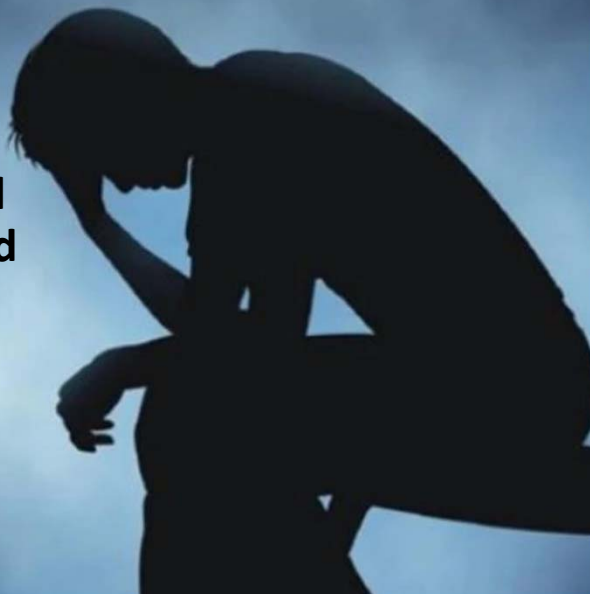
**If a Formal
Complaint is Filed:**

- Investigation
 - Live Hearing
- Decision-Maker
issues decision re:
responsibility and
sanctions, if any
- Appeal



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**Supportive
measures are
available even
when no Formal
Complaint is filed**



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Supportive Measures include:

- No contact orders
- Modifying schedules, adjusting program requirements, extending deadlines
- Enhanced security or monitoring of areas on campus

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Supportive Measures include:

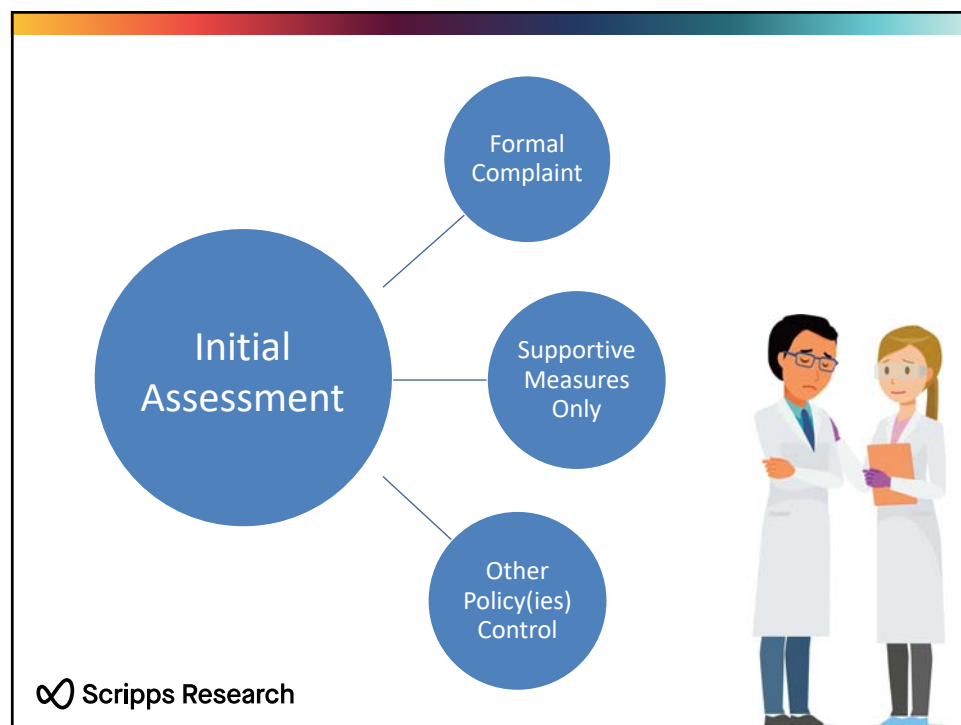
- Access to counseling and/or medical services
- Leaves of absence
- Assistance with protective orders issued by a court of law

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Initial Assessment

- Completed by Title IX Coordinator within 14 days of report or Formal Complaint
- **Addresses the immediate physical safety and emotional well-being of the Complainant (and others if appropriate)**
- Assesses the nature and circumstances of the reported conduct;
- Considers the Complainant's expressed preference for resolution*
- **Assesses the necessity of supportive measures**
- Assesses for pattern evidence and/or systematic problems involving the Respondent or others

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Formal Complaint

- Triggers formal investigation under Title IX Policy grievance process
- Qualified investigator (typically external) is retained
- Parties have an equal opportunity to present evidence to investigator, including witnesses
- Equal right to a live hearing

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Role of Advisors

1. Any supporter who a Complainant or Respondent chooses to assist them throughout the investigation process, (cannot be a Party to or witness in the matter) – cannot “stand in” for party
2. May accompany their advisee at all meetings and interviews
3. Copied on all written correspondence to their Advisee
4. Must question witnesses on behalf of their Advisee at a live hearing

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Investigations


- Investigators review available evidence and conduct witness interviews
- They prepare a report summarizing their factual findings based on a preponderance of the evidence
- Parties review the draft investigative report and evidence prior to finalization and provide feedback
- Investigator finalizes the Report and simultaneously provides a copy to the Parties and Scripps Research


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Live Hearing Upon Request

- Either party may request a live hearing prior to the determination of responsibility by the Decision-Maker
- Advisors must conduct questioning on behalf of Parties
- Only relevant questions may be asked
- Hearing Officer appointed and retains sole discretion over proceedings
- Decision-Maker must be present



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Notification of Outcome

- Decision-Maker issues finding re responsibility
- Decision-Maker or Title IX Coordinator provides simultaneous written notice of outcome to parties
- Parties have equal right to appeal findings



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Sanctions for Policy Violations



Decision-Maker determines sanctions*



Fact-specific inquiry; circumstances relevant



Focus on remediation and prevention

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Sanctions are Case Specific

- Written discipline
- Involuntary and/or unpaid leaves of absence
- Elimination of supervisory privileges
- Reassignment of one's position and/or duties
- Mandatory training or coaching
- Increased supervision or monitoring
- Termination of employment or appointment with Scripps Research



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Bases for Appeal

1. A procedural error or omission was committed that materially impacted the original finding(s)
2. New, material evidence that was unknown or unavailable during the original investigation
3. The outcome is not supported by the evidence
4. The sanction(s) imposed is disproportionate to the severity of the violation(s)



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Possible Outcomes on Appeal

1. **Deny** the appeal in whole or in part;
2. **Grant** the appeal in whole or in part on the basis that the decision(s) constitutes an **abuse of discretion** or was reached as a result of **bias**;
3. In the case of **new evidence** or **procedural error**, **remand** the investigation back to the investigator and/or Decision Maker to consider the new evidence or cure the procedural defect as appropriate; or
4. Issue new or revised sanctions and/or remedies if an appeal is granted on the basis that there an abuse of discretion or bias that impacted the outcome.



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Confidentiality v. Privacy

- Information obtained by Scripps Research in connection with any Title IX investigation will be kept as confidential and private as reasonably practicable.
- Scripps Research cannot promise absolute confidentiality given its legal obligations to respond to and address potential misconduct under Title IX.



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Retaliation is Prohibited



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Retaliation Under Title IX

Taking or attempting to take an adverse action against a person *because* they exercised rights protected by Title IX



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Adverse actions may include:

- Reassignment of duties, assignments or projects
- Demotion or transfer to new lab/dept.
- Reduction in pay
- Denial of access to benefits, resources or opportunities
- Silent treatment or passive aggressive behavior
- Spreading rumors or revealing private/confidential without authorization



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Protected Conduct Includes:

- Exercising one's right to equal access to educational opportunities, resources, benefits and/or training provided by Scripps Research
- Reporting suspected gender discrimination or sexual misconduct
- Requesting supportive measures
- Participating in an investigation
- Advocating for a party's rights under this Policy; serving as an advisor
- Related conduct protected by law



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Resources



CRISIS INTERVENTION



MENTAL HEALTH SERVICES

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QUESTIONS?

Contact us anytime!

Christine Ng-A-Fook, Title IX Coordinator (FL)
Danielle Blackhall, *interim*, Title IX Coordinator (CA)
Karen Haggenmiller, VP Human Resources (CA)



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