



# PA State System of Higher Education Board of Governors

**Effective:** Month XX, 2020

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## **Policy 2020-01: Sexual Misconduct**

### **See Also:**

Board of Governors Policy 1983-11: *Equal Opportunity*

Board of Governors Policy 1984-13-A: *Student Disciplinary Due Process Requirement*

Board of Governors Policy 1983-01-A: *Merit Principles*

Board of Governors Policy 1984-14-A: *Terms and Conditions of Employment of Senior Policy Executives*

Board of Governors Policy 2020-02: *Amorous Relationships*

**Adopted:** Month XX, 2020

### **A. Purpose and Scope**

Sexual misconduct is a form of sex discrimination prohibited by federal and state discrimination laws, including Title IX of the Education Amendments of 1972 and Title VII of the Civil Rights Act. In addition, some forms of sexual misconduct violate the criminal laws of the Commonwealth of Pennsylvania. Sexual misconduct includes sexual harassment and sexual violence.

Pennsylvania's State System of Higher Education (State System) is committed to maintaining educational environments and workplaces free from sexual misconduct. The State System and its universities must take steps to prevent sexual misconduct, prevent its recurrence and address discriminatory effects on the victim(s) and others, if appropriate. Sexual misconduct can be committed by any person, regardless of gender identity, and can occur between persons of the same or different sex, sexual orientation, or gender expression.

### **B. Policy**

In accordance with the regulations promulgated under Title IX of the Education Amendments of 1972:

1. Each university President shall appoint an individual to serve as the university's Title IX Coordinator to coordinate the university's efforts to comply with its responsibility under Title IX of the Education Amendments of 1972 and related regulations.

2. Each university shall prominently display the name and contact information of the individual(s) designated as the Title IX Coordinator(s) on its website and in handbooks or catalogs and other appropriate materials. The name and contact information of the University Title IX Coordinator(s) shall also be provided to those individuals required to be notified under applicable federal and state law.
3. Each university shall disseminate its policy on sexual misconduct to those individuals required to be notified under applicable federal and state law.
4. Each university shall adopt a policy for resolving sexual misconduct complaints in a prompt and equitable manner.
5. Each university shall train those individuals serving as Title IX Coordinator(s), investigators, decision makers, appeals officers, and individuals who facilitate informal resolutions on how to carry out their respective responsibilities under the university's policy.
6. The chancellor shall publish a template policy for resolving sexual misconduct complaints that may be adopted or adapted for use by universities.
7. The chancellor, in consultation with the Executive Leadership Group, shall adopt procedures, standards, related policies and guidelines, as necessary, for implementation of this policy as applicable to employees accused of having engaged in sexual misconduct violations prohibited under federal and state law, including the regulations promulgated under Title IX of the Education Amendments of 1972.

**D. Effective Date**

This Policy is effective August 14, 2020