

## **POLICY AND PROCEDURES FOR ALLEGATIONS OF TITLE IX SEXUAL HARASSMENT**

To the extent that this Policy and Procedure overlaps with the Laboratory’s Equal Employment Opportunity, Anti-Discrimination, Anti-Harassment, including Sexual Harassment, and Anti-Retaliation Policy, this Policy will control in cases involving sexual harassment as defined by this Policy.

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### **I. Purpose**

To set forth the policy of Cold Spring Harbor Laboratory (“CSHL” or the “Laboratory”) with respect to misconduct that meets the definition of “*Title IX Sexual Harassment*” under the 2020 revised regulations implementing Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 *et seq.*, issued by the U.S. Department of Education (“2020 Title IX Regulations”), and reinstated on January 31, 2025.

### **II. Scope**

This Policy and Procedures for Allegations of Title IX Sexual Harassment (collectively, “Policy”) addresses the Laboratory’s responsibilities with respect to *Title IX Sexual Harassment*, as defined by 2020 Title IX Regulations and set forth in Section V below. This Policy covers all education programs and activities and locations of the Laboratory and applies to all employees, applicants, and students. In addition, where specifically referenced herein, this Policy applies to certain non-employees. This Policy applies only to alleged sexual harassment against a person located in the United States. The Laboratory will make the Policy available on the Laboratory website. Misconduct outside the scope of this Policy may be addressed as appropriate by other Laboratory policies.

### **III. Responsibility**

The administration of this Policy shall be the responsibility of the Title IX Coordinator for the Laboratory. The Title IX Coordinator is responsible for coordinating the Laboratory's response to all Complaints involving possible sexual harassment as well as monitoring outcomes, assessing the campus climate, and addressing any patterns of systemic problems that arise during the review of such Complaints. The Title IX Coordinator is also responsible for coordinating the effective implementation of supportive measures and, as appropriate, remedies. References to "Title IX Coordinator," throughout this Policy and Procedures include a designee of the Coordinator.

### **IV. Definitions**

*Actual knowledge* means notice or allegations of sexual harassment to the Title IX Coordinator or any CSHL official who has authority to institute corrective measures on behalf of CSHL.

*Advisor.* An individual chosen by either party to accompany the party to meetings regarding the investigation or to a hearing. The Advisor of choice may be, but is not required to be, an attorney.

*Affirmative consent* is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.

*Authority to Take Correct Measures.* A Laboratory official designated as having the authority to take corrective measures on behalf of the Laboratory in response to notice or complaints under this Policy. These officials include the Title IX Coordinator, the Chief Operating Officer, the Dean of the Laboratory's School of Biological Sciences, the Director of Research, and any other Laboratory employee in a supervisory or management position.

*Complaint* means a written document filed by a Complainant or signed by the Title IX Coordinator alleging *Title IX Sexual Harassment* against a Respondent and requesting that CSHL investigate the allegation. At the time of filing a complaint, the Complainant must be participating in or attempting to participate in an education program or activity of the Laboratory. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information for the Title IX Coordinator listed in this Policy, and by any additional method designated by CSHL. The phrase "document filed by a Complainant" means a document or electronic submission that contains the physical or digital signature, or otherwise indicates that the

Complainant is the person filing the complaint.

*Complainant* means an individual who is alleged to be the victim of conduct that could constitute *Title IX Sexual Harassment*.

*Dating Violence* is defined at 34 U.S.C. 12291(a)(10) in the Violence Against Women Act of 1994 (“VAWA”). This misconduct is violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the person subjected to such violence, and (2) where the existence of such a relationship is determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

*Domestic Violence* is defined at 34 U.S.C. 12291(a)(8) in VAWA. This misconduct is a crime of violence committed by any person (including a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabiting with, or has cohabitated with, the victim as a spouse or intimate partner, or a person similarly situated to a spouse of the victim) against a person who is protected under the domestic or family violence laws of the state of New York or the laws of the jurisdiction in which the crime was committed.

*Education Program or Activity* means any location, event, or circumstance over which the Laboratory exercises substantial control over both the Respondent and the context in which the alleged violation of this Policy occurs.

*Incapacity* occurs when an individual lacks the ability to knowingly choose to participate in sexual activity (e.g., the person lacks the ability to understand the “who, what, when, where, why, or how” of engaging in sexual activity). Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. This Policy covers a person whose incapacity results from mental, intellectual, or other disability, involuntary physical restraint, and/or from the use of alcohol or drugs.

*Remedies* are measures taken by the Laboratory that are intended and designed to restore access or preserve equal access to the Laboratory’s education programs and activities. Remedies may include supportive measures, as defined below.

*Report* means any written or oral report to the Title IX Coordinator and/or any Laboratory official with the authority to take corrective action on behalf of the Laboratory (as defined above) of information that could constitute a potential violation of this Policy. The term “report” includes “complaints,” as defined by this Policy, and also includes other situations where a complaint has not been made, but CSHL has actual notice of sexual harassment or allegations of sexual harassment, as defined by this Policy.

*Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment in violation of Laboratory Policy.

*Sexual Assault* is defined at 20 U.S.C. 1092(f)(6)(A)(v) of the Clery Act. This offense includes rape and fondling.

*Stalking* is defined at 34 U.S.C. 12291(a)(30) of VAWA. This misconduct includes engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress. This definition incorporates the concept of cyber-stalking, which employs the use of the internet, social media, blogs, texts, cell phones, or other similar devices or forms of communication.

*Supportive measures* mean services offered without fee or charge as appropriate and to the extent reasonable to the Complainant or the Respondent.

*Title IX Sexual Harassment* is defined by Title IX and Section V.A. of this Policy.

## **V. Prohibited Conduct**

The following conduct is prohibited under this Policy.

### **A. “Title IX Sexual Harassment”**

Conduct on the basis of sex that is:

1. Taken against a person in the United States;
2. Occurs in a Laboratory education program or activity; and
3. Satisfies one or more of the following:
  - a. *Quid Pro Quo Harassment* -- An employee of the Laboratory conditioning the provision of an aid, benefit, or service of the Laboratory on an individual’s participation in unwelcome sexual conduct;
  - b. *Hostile Environment* - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Laboratory’s education program or activity; or
  - c. “*Sexual Assault,*” “*Dating Violence*” “*Domestic Violence,*” or “*Stalking,*” as defined by this Policy.”

### **B. Retaliation**

Retaliation is an adverse action taken against an individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy or as reprisal for filing a complaint or report, supporting a Complainant, and/or otherwise participating or refusing to participate in a proceeding pursuant to this Policy. Retaliation may include intimidation threats, coercion or discrimination. Under no circumstances will the Laboratory tolerate any retaliation against an individual or group

for making a complaint in good faith under this Policy or for participating in an investigation. A party or witness who is threatened in any way should immediately report their concerns to the Title IX Coordinator.

Retaliation does not include charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a proceeding under this Policy, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Retaliation can be committed by or against any individual or group of individuals, including a Respondent or Complainant. Retaliation is still prohibited even when there is a finding of no responsibility for the allegation.

## **VI. Cooperation / Obstructing the Process**

All members of the CSHL community, including students, faculty, and staff, are expected to promptly report all violations of this Policy and assist and cooperate in the application of this Policy, in particular by cooperating in any investigation under this Policy. Any person who knowingly misrepresents the truth, or whose willful action or inaction obstructs the application of these procedures, may be subject to disciplinary action, up to and including termination.

All members of the CSHL community are strongly encouraged to promptly report all violations of this Policy. All Laboratory employees who are designated as officials with authority to take corrective action, as defined above, are required to report violations of this Policy that they know about, or in the exercise of reasonable care, should know about, to the Title IX Coordinator. Furthermore, any member of the CSHL community who observes or learns about the abuse of a minor is required to report it immediately to Security.

## **VII. Alcohol and/or Drug Use Amnesty for Students**

The health and safety of every student at the Laboratory is of utmost importance. The Laboratory strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to Laboratory officials. The Laboratory recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault, occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. A bystander acting in good faith or a reporting individual (Complainant) acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Laboratory officials or law enforcement will not be subject to the Laboratory's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

## **VIII. Confidentiality and Privacy**

At the beginning of the process, the Laboratory will inform the Complainant and Respondent about confidentiality standards and privacy concerns. The Laboratory will provide the student Complainant and student Respondent with the *Students' Bill of Rights* (see Section XIII below). Confidentiality can only be offered by medical providers and counselors with The SightMD Center for Health and Wellness. These individuals are not required by law to report incidents of Prohibited Conduct to the Title IX Coordinator or other Laboratory officials, except for purposes of reporting certain information in an anonymized manner that does not identify the specifics of the crime or the identity of the reporting individual. Even CSHL offices and employees who cannot guarantee confidentiality will maintain a Complainant's privacy to the greatest extent possible. The information provided to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution under this Policy.

In all cases, privacy of information about complaints and investigations will be maintained to the extent required by law and to the extent possible given the Laboratory's obligations under the law and under this Policy. The identity of the Complainant, Respondent, and any witnesses, as well as information about the investigation, will only be shared with those involved in the complaint process to the extent possible. The Laboratory will, to the extent permitted or required by law, keep confidential the identity of any individual who has made a report or filed a complaint under this Policy, 2) any Complainant, 3) any individual who has been reported to be the perpetrator of a Policy violation, 4) any Respondent, and 5) and any witness. The Laboratory does not restrict the ability of either party to discuss an investigation with other individuals.

The potential Complainant may request that the Title IX Coordinator not share their name (or other identifiable information) with the Respondent, or that the Title IX Coordinator take no action in response to a Report. The Title IX Coordinator will evaluate a request for confidentiality or no action on a complaint in the context of the Laboratory's obligations to provide a safe and nondiscriminatory environment for all community members, and to remain true to the principle of fundamental fairness, which requires that a Respondent be provided with notice of the allegations and an opportunity to respond before any action is taken against a Respondent. The Title IX Coordinator will make this determination consistent with the following considerations: 1) the seriousness of the conduct; 2) the respective ages and roles of the Complainant and the Respondent; 3) whether there have been other Complaints against the Respondent; and 4) the right of the Respondent to receive notice and relevant information before disciplinary action is sought. Therefore, while absolute confidentiality cannot be promised, CSHL will treat the concerns of the Complainant with sensitivity and respect. A Complainant will be informed that a request for confidentiality may limit the Laboratory's ability to respond.

## **IX. What To Do If You Experience Prohibited Conduct**

### **A. Available Resources**

It is important for individuals who have been the victim of Prohibited Conduct (especially sexual assault, dating violence, domestic violence, and stalking that involves physical contact) to seek immediate and appropriate medical treatment. Such treatment is also important to preserve evidence that may be necessary for proving the Prohibited Conduct or obtaining an order of protection. The SightMD Center for Health and Wellness is an on-site center for benefits-eligible

CSHL students and employees, open Monday-Friday from 8:30 am to 4:30 pm (closed 1 pm – 2 pm, which is equipped to provide free, confidential, and professional medical care. The SightMD Center for Health and Wellness is located in Dolan Hall, East Wing, and can be reached at 516-422-4222 or [CSHLWellness@NSHS.edu](mailto:CSHLWellness@NSHS.edu). While Center staff members are unable to perform procedures related to the collection of evidence for the purposes of pursuing criminal prosecution, they can provide assistance and support when an individual requests or requires transportation to the [North Shore University Hospital](#) and [University Hospital at Stony Brook](#). Both facilities are [NYS- designated Sexual Assault Forensic Examiner Hospital Programs](#) and provide specialized care to victims of sexual assault.

The SightMD Center for Health and Wellness also offers free on-site counseling services for benefits-eligible students and employees. Sessions are available on Wednesdays 8am-5pm and Fridays 12pm-5pm. Further, the Coalition Against Child Abuse & Neglect (CCAN) provides a broad spectrum of free services from counseling and housing assistance to advocacy and referrals. Lastly, the [NYS Department of Health](#) maintains a list of additional resources available to victims of Prohibited Conduct. Additional resources can be found at the [New York State Office of Victim Services](#).

## **B. Options for Pursuing a Complaint**

A Complainant may pursue a criminal complaint with the appropriate law enforcement agency (if applicable), pursue a complaint through this Policy, or pursue both processes consecutively or concurrently. A Complainant may withdraw a complaint or involvement from the Laboratory process at any time.

If a Complainant wishes to pursue a criminal complaint exclusively, the Complainant may submit a request to temporarily defer the investigation and/or resolution process for a reasonable time by making a formal written request to the Title IX Coordinator, which may delay the investigation and the Laboratory's ability to respond. The Laboratory will maintain documentation of the date of deferral. The Laboratory may continue its investigation where it has reason to believe that the Respondent may be an imminent threat to the safety of the Complainant and/or other individuals. At any time, the Complainant may choose to rescind the deferral by making a formal written request to the Title IX Coordinator, electing to resume the investigation and/or resolution process. The Laboratory will provide written notice to the Complainant and Respondent when it resumes its investigation and resolution process as appropriate.

If a Complainant elects to pursue a criminal complaint exclusively, CSHL's Director of Security will request that the Prosecutor's Office immediately inform the Laboratory of its decision on whether to prosecute the complaint. CSHL will maintain documentation relating to the request.

Any individual who reports possible Prohibited Conduct will be provided written notice of their options to pursue a criminal complaint, to pursue a complaint through the Laboratory procedures, or to pursue both processes consecutively or concurrently, and the potential consequences of pursuing both options (*i.e.*, possible deferral of the Laboratory's investigation and disciplinary process, delays in the Laboratory's investigation) to allow law enforcement to complete their fact finding, etc.). The Laboratory, through the Title IX Coordinator will obtain written

acknowledgment from the Complainant of his/her decision regarding which options, if any, the Complainant wishes to pursue.

The Laboratory will comply with all federal, state, and local mandates regarding the reporting of crimes to appropriate authorities.

## **X. Procedures**

### **A. Making a Complaint or Report at CSHL**

Any person may report a violation or alleged violation of this Policy (whether or not the person reporting is the person alleged to be the victim), in person, by mail, by telephone, or by electronic mail or online portal, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. A report may also be made to any Laboratory official designated as having the authority to take corrective action on behalf of the Laboratory. A report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator. Officials with the authority to take corrective measures who receive a report or complaint under this Policy must promptly refer the report or complaint to the Title IX Office.

For emergency or immediate assistance (twenty-four (24) hours a day, seven (7) days a week) contact Security at (516) 367-5555. All emergency contact numbers are listed on the reverse side of the CSHL identification card.

Complainants or individuals with questions pertaining to this Policy may contact Julie Block-Rosen, Title IX Coordinator in the Nichols Building, 1 Bungtown Rd, Cold Spring Harbor, NY 11724, at [blockro@cschl.edu](mailto:blockro@cschl.edu) or (516) 367-8499 or through EthicsPoint, a third party hotline provider, on a secure server that is not part of the Laboratory at: <https://secure.ethicspoint.com/domain/media/en/gui/46674/index.html> or by calling 1-844-390-9805. The Laboratory encourages individuals to provide their identity when making the report and provide detailed information in order to facilitate an investigation. However, anonymous reports may be made. To file a complaint involving the Title IX Coordinator, contact the Chief Operating Officer.

Complainants may complete an online Incident Report Form located at <https://intranet.cshl.edu/human-resources/report-an-incident/>. This form and any other report or complaint may be filed anonymously.

Once a complaint or report is received, it will be reviewed by the Title IX Coordinator. Complainants will be asked to either complete a written or online complaint form, or meet with the Title IX Coordinator who will complete a written complaint form and who will ask the Complainant to read and sign a verification of the complaint allegations. The complaint should clearly and concisely describe the alleged incident(s), when and where it (they) occurred, details/witnesses, and the desired remedy or remedies sought.

Questions or concerns may be directed externally to the Office for Civil Rights (OCR), U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202; [www.ocr.gov](http://www.ocr.gov).

## **B. Time Frame**

The Laboratory strives to complete all investigations, hearings, and appeals within 90 to 120 business days. The Laboratory goals are to complete informal resolutions, investigations and hearings within 90 business days after receipt of a complaint or report and to complete the appeals process within 30 business days after receipt of the appeal. If an Informal Resolution Process is used, the Laboratory strives to resolve the matter through that process within 30 business days. These processes may be temporarily delayed or extended for a limited time frame for good cause. Good cause may include considerations such as the absence of a party, a party's Advisor or witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities. The Title IX Coordinator will provide written notice of any delays and/or extensions to the parties and describe the reason(s) for the delays and/or extension.

## **C. Supportive Measures**

Upon receipt of a report or complaint alleging *Title IX Sexual Harassment* under this Policy, CSHL will offer supportive measures without fee or charge as appropriate and to the extent reasonable to the Complainant and/or to the Respondent. Supportive measures must be offered before or after the filing of a complaint or where no complaint has been filed. Such measures are non-disciplinary, non-punitive, individualized, and designed to restore or preserve equal access to the Laboratory's programs and/ or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Laboratory's educational environment, or deter discrimination or harassment. Both parties will be informed in writing of the applicable supportive measures available to them.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Laboratory will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of CSHL to provide the supportive measures.

Both the Complainant and Respondent may submit a written request to the Associate Dean to be afforded prompt review, reasonable under the circumstances, of the need for and terms of any supportive measure and accommodation that directly affects him or her, and shall be allowed to submit evidence in support of his or her request. The Associate Dean will issue a determination regarding the supportive measures within five (5) business days of the receipt of such a request.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. The Title IX Coordinator will contact the Respondent concerning supportive measures no later than issuance of notice that an investigation will be conducted.

The Laboratory will promptly address any violation of the protective measures. The Laboratory will take immediate and responsive action to enforce a previously implemented restriction if such restriction is violated.

*Emergency Removal and Administrative Leave:* On an emergency basis, CSHL may place a student on interim suspension, impose administrative leave for an employee, or otherwise remove a student or employee Respondent from or deny access to campus facilities, and/or all or part of the Laboratory's programs or activities during the pendency of the Laboratory's procedures under this Policy. Prior to such removal, the Laboratory will undertake an individualized safety and risk analysis to determine whether there is an immediate threat to the physical health or safety of any student, employee, or other individual arising from the allegations of conduct prohibited by this Policy that would justify a Respondent's removal.

During the emergency removal, a student Respondent may be denied access to the campus, facilities, or events. As determined by Title IX Coordinator, this restriction includes classes, access to research laboratories, student housing or dining facilities, and/or all other activities or privileges for which the student might otherwise be eligible. Similarly, alternative coursework or research options may be pursued to ensure as minimal impact as possible on the Respondent and Complainant. A temporary suspension or other emergency removal of a student Respondent may be enforced until the final disposition of the allegation has been made by the appropriate CSHL official or hearing entity.

In the event that a Respondent employee is accused of a violation, which also constitutes grounds for immediate dismissal as defined pursuant to other employee policies, processes, and procedures, the Title IX Coordinator may recommend that the employee be placed on unpaid leave until such time as the matter is resolved. In the event that a Respondent employee is accused of a violation that does not constitute grounds for immediate dismissal under other employee policies, processes, and procedures, but the continued presence of the employee is disruptive to the work environment, the Title IX Coordinator may recommend that the employee be placed on leave pending resolution of the matter. During such leave, an employee may be denied access to the Laboratory's campus, facilities, or events. At the discretion of the Title IX Coordinator, alternative work options may be pursued to ensure as minimal an impact as possible on the Respondent employee and Complainant or potential Complainant.

The Laboratory will provide the Respondent with written notice of an opportunity to appeal the decision to remove a Respondent or place a Respondent on administrative leave. The written appeal request should state the reasons why the Respondent believes the removal or administrative leave should be overturned. The appeal request must be received by the Associate Dean within five (5) business days of the written notification. The Associate Dean will review the appeal to determine whether the decision was supported. The Associate Dean appeal determination shall be sent to the Respondent within five (5) business days of receipt of the initial appeal request. The appeal determination by the Associate Dean is final.

#### **D. Conflicts of Interest or Bias**

Both parties have a right to an investigation and resolution process free of conflicts of interest or

bias by any Laboratory employee involved in the process, including the Title IX Coordinator, Associate Dean, Investigator, hearing officer, appeal-decision maker, or any person designated by the Laboratory to facilitate an informal resolution process. The Laboratory employee involved in the process should disqualify themselves in a matter or proceeding in which the member's impartiality might reasonably be questioned, including but not limited to instances where:

1. The employee has a personal bias or conflict of interest concerning a participant in the process, or has personal knowledge of disputed facts concerning the matter;
2. The employee has a personal bias or prejudice against Complainants or Respondents generally;
3. The employee was directly involved in the matter in controversy, or a subordinate whom the employee previously supervised is involved in the matter, or the member was a witness to the matter; or
4. The employee or a person in the employee's family is related to a participant in the process.

Failure of a Laboratory employee or official to disqualify themselves or notify the Title IX Coordinator of potential conflicts of interest is considered a violation of this Policy.

A Complainant or potential Complainant and the Respondent have the opportunity to object to the participation of any Laboratory official or employee involved in the process (including the Title IX Coordinator, Associate Dean, Investigator, hearing officer, or individual(s) designated to facilitate the Laboratory's Informal Resolution process) on the grounds of bias or conflict of interest. The investigation or proceeding will be temporarily suspended, and the Title IX Coordinator or another appropriate official who is not the subject of the objection will evaluate whether the objection is substantiated. The parties will be notified in writing of the findings within five (5) business days. If the Laboratory employee or official is found to have a bias or conflict of interest against either party, the Laboratory employee or official will be removed from the matter and (when necessary) replaced. The investigation or proceeding will resume immediately upon a finding of no bias or conflicts, or upon the replacement of the Laboratory employee or official, whichever occurs first.

#### **E. Investigation and Resolution Procedure**

The following sets forth the Procedures for the Laboratory's response to a complaint of an alleged violation or violations of the Policy. The Laboratory affirms its commitment to the fair, equitable, and impartial resolution of all reports and/or complaints made under the Policy. When the Laboratory receives a complaint or report under this Policy, in an education program or activity of the Laboratory against a person in the United States, including, Laboratory-sponsored events that occur off-campus; all campuses and/or satellite sites; off-campus or off-site research facilities, field sites, and while in attendance at conferences and workshops connected to Laboratory activities or programs; and off-campus and/or online speech or conduct, such as social networking sites, which causes a substantial disruption to the Laboratory's operations and/or mission, or affects students, it will respond promptly, including by following the requirements of the

procedures described in this Policy.

In this process, the Laboratory will treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility has been made against the Respondent, and by following the investigation and resolution process described in this section before the imposition of any disciplinary sanctions or other actions that are not supportive measures, as defined in this Policy, against a Respondent.

The Laboratory recognizes, and will advise the parties, that there is a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation and resolution process.

The Laboratory will use the preponderance of evidence standard to determine responsibility for any alleged violation of this Policy. A preponderance of the evidence means such evidence that, when considered and compared with that opposed to it, is more convincing, creating the belief that what is sought to be shown is more likely than not to have occurred. In all investigations and determinations of responsibility, the Laboratory will conduct an objective evaluation of all relevant evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

The Laboratory will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

1. Sexual Predisposition and Prior Sexual Behavior

The sexual predisposition and prior sexual behavior of the Complainant are generally not relevant and will not be considered as evidence. However, either party's prior sexual behavior may be offered as evidence under the following limited circumstances:

- a. To provide that someone other than the Respondent committed the conduct alleged by the Complainant; and
- b. To prove consent by offering specific incidents of the Complainant's prior sexual behavior with respect to the Respondent. As noted, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent.

2. Initiation of a Complaint

Upon receipt of a complaint or other notice of possible prohibited conduct, the Laboratory will take immediate and appropriate steps pursuant to the procedures described in this section of the Policy.

*i. Intake Meeting*

Upon receipt of a report or complaint, the Title IX Coordinator will promptly contact the

Complainant for an intake meeting to discuss the availability of supportive measures under this Policy, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a report and explain to the Complainant the process for filing a Complaint. If the potential Complainant is unknown, the Title IX Coordinator will make reasonable efforts to identify the potential Complainant and reach out to that person. During the intake meeting, the Title IX Coordinator will seek to get a basic understanding of the reported conduct so that the Title IX Coordinator can appropriately assess key facts to determine how to proceed. Follow-up intake meetings will be had as deemed necessary by the Title IX Coordinator.

*ii. Initial Determination*

The Title IX Coordinator will make an initial determination as to whether the reported conduct, if true, could constitute a violation of the Policy. This determination will be made

based on information in the report or complaint as well as information provided by the potential Complainant during the intake meeting(s).

If the Title IX Coordinator determines that the reported conduct, if true, could constitute a violation of this Policy, the Laboratory will proceed to an investigation.

If the reported conduct does not appear to allege a violation of this Policy, the Title IX Coordinator will dismiss the complaint if a complaint has been filed. CSHL will also dismiss the complaint if the Complainant is no longer enrolled or employed by CSHL and/or if the alleged conduct did not occur in connection with a Laboratory education program or activity, or did not occur against a person in the United States. As appropriate, CSHL may address the allegation(s) under another Laboratory policy.

The Laboratory may also dismiss the complaint or any allegations, if at any time during the investigation, hearing or appeal:

- a. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the complaint or any allegations;
- b. The Respondent is no longer enrolled or employed by CSHL; or
- c. Specific circumstances prevent the Laboratory from gathering evidence sufficient to reach a determination as to the complaint or allegations therein.

The Title IX Coordinator will promptly provide written notice to the Complainant of its determination to dismiss a complaint or any allegations, the reason(s) therefore, and the appeal process available for dismissals.

If the Title IX Coordinator determines that the allegations, if true, could constitute a violation of the Policy, and that an investigation must commence, an impartial investigator(s) will be assigned by the Title IX Coordinator to conduct an investigation to determine if the Policy may

have been violated. Upon notice of the assignment of the investigator(s), the parties will have seven (7) calendar days to raise any objections to the Title IX Coordinator regarding the ability of the investigator to conduct an impartial investigation.

Complainants have the option of formal or informal dispute resolution procedures. However, informal resolution is not an option for complaints of sexual harassment made by a student or students against an employee. Under both options, the investigator(s) will meet with the Complainant(s) and the Respondent separately to discuss the complaint and the process.

The Laboratory may consolidate complaints as to allegations of violations of this Policy against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

*iii. Notice of the Investigation to the Parties*

The Title IX Coordinator will notify the Complainant and Respondent, in writing and simultaneously, of its decision to proceed to investigation of any alleged violation of this Policy. The written notification to the Complainant and to the Respondent will include the following, where known at that time:

- a. A description of this Policy, including the Informal Resolution process.
- b. A description of the allegations potentially constituting a violation of this Policy, including sufficient details known at the time about the identities of the parties involved in the incident, the conduct allegedly constituting a violation of this Policy, and the date and location of the alleged incident.
- c. Notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the investigation and resolution process in this Policy.
- d. Notice to the parties that they may have an Advisor of their choice, who may be, but is not required being an attorney.
- e. Notice to the parties of the Laboratory's policy that prohibits knowingly making false statements or knowingly submitting false information under this Policy.
- f. Notice to the parties that they may, as described below in this Policy, inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in a complaint.

The Laboratory will provide the parties with sufficient time to review the written notice and prepare a response before any initial interview. In the course of the investigation, CSHL will provide written notice of any additional allegations to the parties if CSHL decides to

investigate additional or different allegations.

### 3. Informal Resolution

At any time prior to reaching a determination regarding responsibility and after the filing of a complaint, the Laboratory may offer and facilitate an informal resolution process that does not involve a full investigation and adjudication. Informal resolution is a voluntary, structured interaction between or among the parties that is designed to reach an effective resolution to a Complaint. These informal procedures may include, but are not limited to, mediation, counseling, and/or any other means of resolving a complaint other than a formal resolution process. The informal resolution process attempts to resolve the issue with the Complainant and Respondent by mutual agreement. If an informal resolution process is used, CSHL strives to resolve the matter through that process within 30 business days.

Informal resolution is not appropriate for all forms of possible Prohibited Conduct and the Title IX Coordinator retains the discretion to determine which cases are appropriate for informal resolution. The Title IX Coordinator will determine if informal resolution is appropriate based upon: 1) the willingness of the parties to participate in informal resolution; 2) the nature of the conduct at issue; and 3) the susceptibility of the conduct to informal resolution. Informal resolution will not be used to address allegations that an employee sexually harassed a student.

Participation in the informal resolution process is voluntary, and CSHL will not require the parties to participate in an informal resolution process. Both a Complainant and a Respondent can request to end this type of resolution and pursue an investigation at any time. CSHL must obtain the parties' voluntary, written consent to the informal resolution process. The Laboratory will provide the parties with written notice disclosing: 1) the allegations; 2) the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming an investigation 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 formal resolution process; and 3) any consequences resulting from participating in the informal resolution process, including records that will be maintained or could be shared.

Individuals may be accompanied by an Advisor at any meetings related to the informal resolution process. Information shared or obtained during informal resolution will be treated as confidential to the extent permitted by law, and will not result in subsequent disciplinary actions by the Laboratory, unless additional action is deemed necessary to fulfill the Laboratory's legal obligations.

Written notification will promptly be sent by the Title IX Coordinator to the Complainant and the Respondent of the conclusion of the informal resolution process. The notification will describe the terms of the approved resolution, if any. The Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the resolution may result in appropriate responsive actions.

### 4. Formal Resolution Process

If the Complainant or Respondent chooses to proceed with the formal resolution process, and/or the complaint is not resolved informally, then the investigator(s) will proceed with an investigation of the complaint. All investigations will be prompt, adequate, thorough, reliable, impartial and equitable, incorporating applicable investigation techniques, including, but not limited to, interviewing relevant parties and witnesses, and obtaining available and relevant evidence.

When investigating a complaint under this Policy, CSHL will:

- a. Ensure that the burden of proof and the burden of gathering evidence rest on CSHL and not on the parties;
- b. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Complainant and Respondent will be asked to provide a list of possible witnesses to the incident, as well as any supporting documents (e.g., text messages, emails, social media, photographs, telephone records, etc.) that they wish to be considered during the investigation. A “witness to the incident” is defined as an individual who had direct contact with at least one of the individuals involved in the incident(s) before, during, or after the incident(s) occurred. Character witnesses are not permitted;
- c. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- d. Provide the parties with the same opportunities to have others present during the procedures, including the opportunity to be accompanied to any related meeting or proceeding by the Advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of Advisor for either the Complainant or Respondent in any meeting or proceeding under this Policy;
- e. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate; and
- f. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a complaint. In addition, prior to completion of the investigative report, the Laboratory will send to each party and Advisor the evidence subject to inspection and review in an electronic format or a hard copy. The Laboratory will also make all such evidence subject to the parties’ inspection and review available at any hearing.

5. Investigation Report

*i. Draft Investigation Report*

Once the investigation is complete, the Title IX Coordinator will prepare a written Draft Investigation Report that fairly summarizes relevant evidence gathered during the course of the investigation. The Draft Investigation Report will state specific factual findings and will include the Title IX Coordinator's preliminary determination as to whether the evidence supports that Respondent has violated the Policy. The standard for determining each factual finding will be the preponderance of the evidence standard.

The Draft Investigation Report will be provided in electronic format or in a hard copy to the parties and their Advisors, if any, for review at least ten (10) business days prior to a hearing. The parties must respond to the Draft Investigation Report within ten (10) business days of receipt. The parties may provide: 1) a written response to the information and findings in the Draft Investigation Report, including the provision of additional clarifying information; 2) identification of new witnesses; and/or 3) submission of new evidence. The Title IX Coordinator will review any responses provided and consider whether the responses establish a basis for additional investigation and/or for altering any information or preliminary findings in the Draft Investigation Report.

*ii. Final Investigation Report*

The Title IX Coordinator will issue a Final Investigation Report that will include: the Draft Investigation Report; the parties' responses to the Draft Investigation Report (if applicable); the Title IX Coordinator's determinations regarding the parties' responses (if applicable); and the Title IX Coordinator's preliminary finding(s) as to whether the evidence supports that Respondent has violated the Policy. The Final Investigation Report will also, if applicable, describe any sanctions or discipline proposed for the Respondent or remedies for the Complainant. The Final Investigation Report will be simultaneously provided to both parties. Factors relating to possible sanctions, discipline and remedies are described below.

6. Hearing

The Laboratory will provide a live hearing for both parties. The Hearing Officer will not be the same person(s) as the Title IX Coordinator, the investigator(s) or the Appeal Decision-maker. The Hearing Officer will determine whether the evidence supports a finding of "Responsible" under the Policy using the preponderance of the evidence standard. During the same hearing, the Hearing Officer will determine any applicable sanctions or discipline for violations of the Policy. The Hearing Officer will not re-investigate facts in a report and will consider only the evidence presented and any facts that may be pertinent to the determination of responsibility and the sanctioning or discipline determination.

Hearing Procedures

Hearings will be held in accordance with the following procedures:

1. The Title IX Coordinator and/or Investigator will be called as the first witness and will testify as to the preliminary findings of the investigation.
2. Live hearings may be conducted with all parties physically present in the same geographic location or, at CSHL's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. Both the Complainant and the Respondent may choose to request that the live hearing occur with the parties located in separate rooms. The technology used for virtual hearings or hearings with the parties in separate rooms must allow each of the participants to simultaneously see and hear the party or the witness answering questions.
3. Both the Complainant and the Respondent are entitled to have one Advisor or support person present, who may be an attorney. If a party does not have an Advisor present at the live hearing, CSHL will provide without fee or charge to that party, an Advisor of CSHL's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
4. The Hearing Officer will provide each party with an opportunity for cross-examination:
  - a. Each party's Advisor must be permitted to ask the other party and any witnesses all relevant questions and follow up questions, including those challenging credibility.
  - b. Cross-examination must be conducted directly, orally, and in real time by the party's Advisor and never by a party personally, notwithstanding the discretion of the Laboratory to otherwise restrict the extent to which Advisors may participate in the proceedings.
  - c. 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 Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
  - d. If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Hearing Officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing.
5. Both the Complainant and the Respondent may rebut unfavorable inferences.
6. Both the Complainant and the Respondent may provide an impact statement, in which each party can explain how the violation or alleged violation has impacted them.
7. CSHL will create an audio or audiovisual recording, or transcript, of the hearing and make it available to the parties, upon request, for inspection and review.

A. Sanctions/Disciplinary Actions and Remedies

Factors considered by the Hearing Officer when determining a sanction or other disciplinary action may include, but are not limited to:

1. The nature, severity of, and circumstances surrounding the violation;
2. An individual's disciplinary history;
3. Class standing (hours earned) where necessary to determine the impact of the sanction on the Complainant, Respondent, or CSHL community. The academic records of the parties shall not be considered in determining sanctions;
4. Previous allegations involving similar conduct;
5. Completion of required training related to this Policy;
6. The need for sanctions to bring an end to the discrimination, harassment, and/or retaliation;
7. The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation; and
8. The need to remedy the effects of the discrimination, harassment, and/or retaliation on the victim and the community.

The following are the possible sanctions that will be imposed upon individuals who are found to be responsible for specific violations of the Policy. The sanctions listed below may be imposed singularly or in combination and second or subsequent offenses will receive more severe sanction. Possible sanctions include, but are not limited to:

1. **Warning:** Notice, verbally or in writing, that continuation or repetition of the Policy violation may be cause for additional disciplinary action.
2. **Censure:** A written reprimand for violating the Policy.
3. **Disciplinary Probation:** Exclusion from participation in privileged activities for a specified period of time.
4. **Restitution:** Repayment to the Laboratory or to an affected party for damages (amount to be determined by the Laboratory) resulting from a violation of the Policy. To enforce this sanction against students, CSHL reserves the right to withhold its transcripts and degrees or to deny a student participation in graduation ceremonies and privileged events.
5. **Removal from Laboratory Housing:** Students may be removed from Laboratory

housing and/or barred from applying for Laboratory housing due to disciplinary violations of the Policy.

6. **Suspension:** Temporary exclusion from Laboratory premises, attending classes, and other privileges or activities for a specified period of time. Notice of this action will remain in the individual's conduct file and will be permanently recorded on a student's academic transcript. Conditions for readmission may be specified in the suspension notice.

7. **Expulsion:** For students, permanent termination of student status and exclusion from CSHL premises, privileges, and activities. This action will be permanently recorded on the student's academic transcript. For employees, termination of employment, including permanent exclusion from Laboratory premises and other privileges or activities. Notice of this action will remain in the employee's conduct file.

#### 8. **Termination of Employment**

9. **Revocation of Admission and/or Degree:** For students, admission to, or a degree awarded by, the Laboratory may be revoked.

10. **Withholding Degree:** For students, CSHL may withhold awarding a degree otherwise earned until completion of the process in the Policy, including the completion of all sanctions imposed, if any.

11. **Other:** Other sanctions may be imposed, including, but not limited to: meetings with administrators, psychological assessment, alcohol or drug counseling, no contact orders, or the assignment of service, education or research projects.

For *Student Respondents*, sanctions imposed by the Hearing Officer are implemented immediately. Sanctions of suspension and expulsion are permanently noted on a student's transcript. For violent misconduct, the Laboratory shall make a notation on the transcript of students found responsible under this Policy that they were "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation." For the Respondent who withdraws from the Laboratory while such conduct charges are pending, and declines to complete the disciplinary process, the Laboratory shall make a notation on the transcript of such students that they "withdrew with conduct charges pending." A Respondent may file an appeal to the Associate Dean seeking removal of a transcript notation for a suspension, but the notation shall not be removed prior to one year after conclusion of the suspension, and notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

For *Employee Respondents*, sanctions, discipline and remedies recommended by the Title IX Coordinator will be forwarded to the President, Chief Human Resources Officer and General Counsel of the Laboratory immediately for review.

All parties are expected to comply with sanctions or discipline within the time frame specified. Failure to follow or complete the sanctions or discipline by the date specified – whether by refusal,

neglect, or any other reason – may result in additional sanctions or disciplinary action up to and including termination from CSHL.

The Hearing Officer may also decide to provide remedies to the Complainant.

#### 7. Written Determination

Both the Complainant and the Respondent shall be simultaneously provided with a written determination, which will include:

- a. Identification of the allegations, names of the parties, and name of the Investigator;
- b. A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c. Applicable policies and procedures;
- d. Information considered during investigation (witnesses questioned, documents and other evidence);
- e. Supportive measures requested/provided;
- f. Responses from either the Complainant or Respondent to the investigator's draft report;
- g. Findings of fact to support the determination;
- h. Conclusions, using the preponderance of evidence standard, regarding the application of the Laboratory's Policy to the facts;
- i. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Laboratory imposes on the Respondent, and whether remedies will be provided by the Laboratory to the Complainant; the sanctions and/or other appropriate measures and remedies will be approved by the Associate Dean; and
- j. CSHL's appeal procedures and the permissible bases for the Complainant and Respondent to appeal.

The determination regarding responsibility becomes final either on the date that the Laboratory provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## 8. Appeal Process

The Respondent and/or the Complainant may appeal the Laboratory's closure or dismissal of a complaint or allegations therein, or the Hearing Officer's written determination of responsibility. Either party may also appeal the sanctions or discipline imposed by the Hearing Officer. The appeal decision-maker(s) will not be the same person as Hearing Officer or the decision-maker(s) that reached the determination regarding dismissal, the investigator(s), or the Title IX Coordinator.

The Laboratory will implement the appeal procedures equally for both parties and will use the preponderance of the evidence standard for its determination. A request for an appeal must be submitted in writing to the Associate Dean for consideration by an Appeal Decision-maker within seven (7) calendar days of the issuance of the written determination. Upon notice of the assignment of the Appeal Decision-maker, the parties will have seven (7) calendar days to raise any objections to the Associate Dean regarding the ability of the Appeal Decision-maker to conduct an impartial appeal. When an appeal is filed by one party, the Laboratory will notify the other party in writing that an appeal has been filed. The Laboratory will provide both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

An appeal of the decision may be considered if one of the following grounds is present:

- a. Procedural Error: A procedural error occurred that affected the outcome, including the findings and/or sanctions or discipline. A description of the error and its impact on the outcome of the case must be included in the written appeal. Minor or harmless deviations from the process will not invalidate the proceedings.
- b. New Evidence: New evidence that was not reasonably available at the time that the determination of responsibility was made and that could affect the outcome, including the findings and/or sanctions. Information that was known to the Complainant or Respondent during the investigation, but which he or she chose not to present, is not new evidence. A summary of this new evidence and its potential impact on the investigation findings and/or sanctions must be included in the written appeal.
- c. Conflict of Interest or Bias: The Title IX Coordinator, Investigator(s), or the Hearing Officer 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 matter.

Once an appeal request is received, a decision will be issued on eligibility for appeal usually within five (5) business days. If the process is extended beyond five (5) days, the Associate Dean will inform the parties of the extension of time to complete the appeal and the reason(s) for the extension. If the grounds for an appeal are not met, the request for an appeal will be denied and the parties will be simultaneously informed in writing. Regardless of whether all parties request an appeal, the Complainant and Respondent will be informed in writing, and

permitted to participate in the appeal and to respond to the information provided by the other party.

The role of the Appeal Decision-maker regarding appeals is limited. Appeals are not intended to be a full rehearing of the complaint. The Laboratory strives to complete the appeals process within 30 business days after receipt of the appeal.

Appeals are confined to a review of the statements submitted by the parties and the investigative and hearing record for the grounds stated above, including but not limited to evidence presented at the hearing and documentation pertinent to the grounds for appeal.

The Appeal Decision-maker will simultaneously notify both parties in writing of that outcome, including the result of the appeal and the rationale for the result. The decision shall be final.

#### 9. Student Withdrawal or Employee Resignation While Charges Pending:

The Laboratory places a hold on the records of any student who has a complaint pending that alleges the student violated the Policy. Should a student decide to voluntarily withdraw and/or not participate in the investigation and/or hearing, the process will nonetheless proceed in the student's absence to completion. The student will not be permitted to register for classes and/or return to CSHL unless the conditions of all sanctions have been satisfied.

Should an employee resign while an investigation is pending, the records of the employee will reflect that status. The investigation will be completed based on the information available. The Laboratory's response to any future inquiries regarding employment references for that individual may also reflect that the employee resigned while an investigation was pending.

## **XI. Records**

The Laboratory will maintain records relating to allegations of Prohibited Conduct under this Policy for a period of seven years or to the extent they are required by law. Records will be retained in accordance with the New York State Model Records Retention Schedule. Complaints and information gathered in the course of an investigation will be kept private to the extent permitted by law. The records shall include:

- a. Each sexual harassment investigation, including any determination regarding responsibility and any recording or transcript of the hearing, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant;
- b. Any appeal and the result of the appeal;
- c. Any informal resolution and the result; and
- d. All materials used to train Title IX Coordinators, Investigators, Hearing Officers, other decision-makers, and any person who facilitates an informal

resolution process. The Laboratory will make these training materials publicly available on its website.

e. Records of any actions, including any supportive measures, taken in response to a *Title IX Sexual Harassment* report or complaint. CSHL will document the basis for its conclusion that its response was not deliberately indifferent, and that it has taken measures designed to restore or preserve equal access to its education program or activity. If CSHL decides not to provide a Complainant with supportive measures, it will document why such a response was not clearly unreasonable in light of the known circumstances.

## **XII. Training**

CSHL shall take steps to ensure that any individual designated as a Title IX Coordinator, Investigator, Hearing Office, decision-maker, informal resolution facilitator, or Appeal Decision-maker receives training as required by Title IX. The training materials will not rely on sex stereotypes and will promote impartial investigations and adjudications of complaints of sexual harassment. The Laboratory will post the training materials on its website.

## **XIII. Students' Bill of Rights**

The Laboratory's statement of the rights of student Complainants and student Respondents is available, at <https://www.cshl.edu/phd-program/student-bill-of-rights/>.

Adopted: 8/14/20  
Reinstated: 1/31/25  
Revised: 9/5/25