



GEORGETOWN UNIVERSITY
Office of Title IX Compliance

SEXUAL MISCONDUCT
POLICIES AND PROCEDURES

Last Approved September 2025

The policies in this document apply to incidents of alleged sexual misconduct that occur ***on or after August 14, 2020***.

For incidents that occurred before August 14, 2020, find the applicable policies [here](#).

All complaints of alleged sexual misconduct will be resolved using the procedures outlined in this Sexual Misconduct Policies & Procedures document for the ***current academic year***.

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I. Introduction

In recognition of Georgetown University's commitment to provide a safe and hospitable environment for all members of our community to work and study, the University prohibits Sexual Misconduct that constitutes sexual harassment, sexual assault, dating violence, domestic violence, stalking, and related claims of retaliation. Sexual Misconduct subverts the University's mission, diminishes the dignity of both Complainant and Respondent, and threatens permanent damage to the careers, educational experience, and well-being of our students, faculty and staff.

Sexual Misconduct, including unwanted conduct of a sexual nature that constitutes sexual harassment, sexual assault, domestic violence, dating violence, and stalking, as defined in the [University Policy on Sexual Misconduct](#) is prohibited. Sexual harassment is prohibited by Title VII of the Civil Rights Act of 1964 ("Title VII"), Title IX of the Education Amendments of 1972 ("Title IX"), and the District of Columbia Human Rights Act ("DCHRA"). Retaliation for the purpose of interfering with any right or privilege secured by the University's Policy on Sexual Misconduct and these Policies and Procedures is also strictly prohibited.

Individuals of any sex or gender may experience Sexual Misconduct and Sexual Misconduct may occur between persons of the same or different sex(es) or gender(s). In the case of sexual harassment, the injured party does not have to be the person harassed but could be anyone affected by the offensive conduct.

The Sexual Misconduct Policies and Procedures are a supplement to the Code of Student Conduct ("Code") and the Standard Hearing Policies and Procedures. They are designed to provide for prompt, thorough, and equitable investigation and resolution of complaints that involve allegations of Sexual Misconduct filed against University students through the student conduct system. The University will conduct a reliable and impartial investigation of Sexual Misconduct complaints to determine the relevant facts from which a well-informed decision can be made and an appropriate resolution reached. The Georgetown University student conduct procedures are conducted by officials who receive annual and ongoing training on, among other things, the University's policies and procedures, how to conduct a fair and equitable adjudication, and the effects of trauma on parties impacted by Sexual Misconduct.

The student conduct system is designed to fit within the University's larger education system and does not function as a court of law. As such, the Office of Student Conduct utilizes language that is designed to be both educationally-focused and procedurally neutral when describing its policies and procedures. Additionally, procedural issues, including the introduction and consideration of information, are handled in a manner consistent with the University's educational focus. The student conduct system is not a substitute for the criminal and civil courts, but it is an additional option for Complainants to resolve their complaint when the Respondent is a Georgetown University student.

For more information and resources related to Sexual Misconduct at Georgetown University, please visit: <http://sexualassault.georgetown.edu/>.

II. Definitions

The following selected terms are defined in an effort to facilitate a better understanding of the Office of Student Conduct's Sexual Misconduct Policies and Procedures:

- A. "Complainant" refers to an individual(s) who has filed a formal complaint against a Georgetown University student through the student conduct system. In cases when the University serves as the "Complainant," this term may be used to describe both the University and/or the alleged Victim(s).
- B. "Decision Maker" refers to any individual(s) appointed by the University to review the Investigative Report, conduct a hearing, and adjudicate a complaint involving allegations of Sexual Misconduct. The Decision Maker will not be the same individual that serves as Investigator for a complaint, nor will the Decision Maker be the Title IX Coordinator. At the discretion of the Title IX Coordinator, the Decision Maker may be a member of the University community, or may be external to the University. A Decision Maker will have received appropriate training in the University's policies and procedures, including on issues of relevance of questions and evidence; the effects of trauma on parties impacted by Sexual Misconduct; and how to conduct a fair and equitable adjudication, including how to serve impartially, by avoiding prejudice of the facts at issue, conflicts of interest, and bias.
- C. "Director for Student Conduct" refers to the individual responsible for properly implementing fair conduct procedures and overseeing the administration of the student conduct system. The Director may designate any other appropriate individual to perform these duties.
- D. "Formal Complaint" refers to the written Statement of Complaint from an individual indicating their intent to pursue a complaint through the Georgetown University student conduct system as submitted to the University's Title IX Coordinator consistent with the [University Policy on Sexual Misconduct](#).
- E. "Investigator" refers to an individual(s) appointed by the University to conduct a prompt, thorough, and equitable investigation into a complaint involving allegations of Sexual Misconduct.
- F. "Respondent" refers to a Georgetown student who has been alleged through the Georgetown University student conduct system, to have violated the Code of Student Conduct while they were a Georgetown student.
- G. "Hearing Coordinator" refers to the individual responsible for attending any Hearing meeting to ensure that these procedures are conducted in an efficient and orderly fashion. The Hearing Coordinator may interject in cases of clear procedural error, as well as answer questions of the Decision Maker or parties regarding procedures. The Hearing Coordinator will not vote on any decision by the Decision Maker. The Title IX Coordinator may serve as Hearing Coordinator or may designate any appropriate individual to perform these duties.

- H. “Appeals Committee” refers to the standing Appeals Committee composed of Appeals Committee Chair (Non-voting); Senior-level Administrator; Staff or Faculty representative; a Student representative; and/or a trained external individual designated by the Title IX Coordinator. Appeals Committee members are not individuals that made the original decision of determining findings and sanctions, if any. The Appeals Committee is responsible for reviewing all appeals through the student conduct system. The decision of the Appeals Committee is final. Please see the [Code of Student Conduct](#) for additional information regarding the Appeals Committee and Appeals processes.
- I. “Sexual Misconduct Policy” refers to the policies on Sexual Harassment, Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Other Sex Offenses as based on the [University Policy on Sexual Misconduct](#) (see also: [Sexual Misconduct Policy](#)).
- J. “Sexual Misconduct Procedures” refers to the procedures to address complaints involving allegations of Sexual Harassment, Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Other Sex Offenses against a “Student” Respondent as defined below. These procedures are based on the [University Policy on Sexual Misconduct](#) (see also: [Sexual Misconduct Procedures](#)).
- K. “Student”, for the purposes of these Procedures, refers to an individual admitted into an undergraduate, graduate (not including the Georgetown University Law Center or the School of Medicine), or School of Continuing Studies course or program at Georgetown University. The Law Center and School of Medicine have separate procedures for addressing behavioral issues for students enrolled in those schools.
- L. “Title IX Coordinator(s)” refers to the Title IX Coordinator and Deputy Coordinators, who are the employees designated and authorized to coordinate the University’s efforts to comply with its responsibilities under this Policy. When the Title IX Coordinator is referred to in the singular within this Policy, it means only the Title IX Coordinator and not the Deputy Title IX Coordinators. The Title IX Coordinator may designate any other appropriate individual to perform these duties.

III. Updates to these Sexual Misconduct Policies and Procedures

- A. The Title IX Coordinator, in consultation with the Office of Student Conduct, may update these policies and procedures as appropriate and necessary, consistent with the [University’s Policy on Sexual Misconduct](#).
- B. Revocation by Operation of Law: Regarding the “Title IX Procedural Alterations” included in this document, in the event that any provision of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020) is modified, invalidated, or stayed by federal law (including any federal statute, administrative rule or regulation, direction from the Department of Education, executive order, or controlling judicial order), any related provision in this Policy will be

modified or deemed inoperative consistent with that change in federal law for all pending or new proceedings covered by the Policy as of the effective date of the change in law.

- a. Should the entirety of the “Title IX Procedural Alterations” be invalidated, any conduct that would otherwise be investigated and adjudicated using those procedural alterations shall be investigated and adjudicated consistent with these policies and procedures, but without those procedural alterations.
- b. For an up-to-date chronicle of changes to the University’s Policy on Sexual Misconduct as required by the Revocation by Operation of Law provision, please see Appendix C of the [University’s Policy on Sexual Misconduct](#).

IV. Jurisdiction

- A. These policies and procedures apply for an individual or the University (“Complainant”) filing a complaint involving allegations of Sexual Misconduct against a current Georgetown University student (“Respondent”). These policies and procedures are applicable to behaviors that occur on-campus, as well as behaviors that occur off-campus or while studying abroad, when, in the judgment of the Title IX Coordinator and the Office of Student Conduct, the alleged conduct has a negative impact on the University community, the pursuit of its mission, or the broader community in which we live.
 1. If a complaint involves allegations of both Sexual Misconduct and non-sexual misconduct (e.g. Sexual Misconduct and Physical Assault), these policies and procedures may be utilized to resolve all charges associated with the incident. The Title IX Coordinator will consult with the Director of the Office of Student Conduct to identify any appropriate non-sexual misconduct charges.
 2. Charges of “Title IX Sexual Harassment” as defined below and in the [University Policy on Sexual Misconduct](#) will be addressed using these procedures, with certain procedural alterations as identified throughout this policy.
 3. If the individual filing the complaint (“Complainant”) is not a member of the Georgetown community, then the Respondent may not be charged with "Title IX Sexual Harassment" but may be charged with other forms of Sexual Misconduct as appropriate and such charges may be adjudicated under these Sexual Misconduct Policies and Procedures.
 4. For cases when the University is serving as the Complainant, or when there are multiple Complainant(s) and/or Respondent(s) involved, the Title IX Coordinator may make reasonable alterations to these procedures, including consolidating multiple cases into a single case where appropriate, in the spirit of providing a prompt, thorough, and equitable process for all parties involved in the student conduct process (see also: [Consolidated Cases](#); [Procedural Alterations](#)).

- B. These policies and procedures are not applicable for complaints against faculty/staff, School of Medicine students, or Law Center students. For more information regarding those grievance procedures, please visit: <http://sexualassault.georgetown.edu/>.

V. Multiple Complainant(s)/Respondent(s)

For cases involving **multiple Complainant(s) and/or Respondent(s)**, the Title IX Coordinator may make reasonable alterations to these procedures in the spirit of providing a prompt, thorough, and equitable process for all parties involved in the student conduct process (see also: [Procedural Alterations](#)).

VI. Consolidated Cases

The Title IX Coordinator may **consolidate multiple cases and/or incidents** to resolve as a single case under the following circumstances:

1. The Respondent is alleged to have been involved in multiple incidents of Sexual Misconduct with the same Complainant;
2. The Respondent is alleged to have been involved in the same incident(s) or closely interrelated incident(s) of Sexual Misconduct with multiple Complainants;
3. More than one Respondent is alleged to have been involved in the same incident(s) or closely interrelated incident(s) of Sexual Misconduct with the same Complainant.
4. Complaints are made by both parties against each other, where the allegations of Sexual Misconduct arise out of the same facts or circumstances, and/or during the same timeframe.

VII. Sexual Misconduct Policy¹

Georgetown University has adopted a [Policy on Sexual Misconduct](#) in recognition of our commitment to provide a safe and hospitable environment for all members of our community to work and study. The Office of Student Conduct has adopted the following policies, based on the University's Policy on Sexual Misconduct:

Sexual Misconduct means unwanted conduct of a sexual nature that constitutes Sexual Harassment, Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking. Specifically, Sexual Misconduct includes:

- A. **Sexual Harassment**: Any unwelcome conduct of a sexual nature, including sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual or gender-based nature when:

¹ Note that these policies apply to conduct that occurs on or after August 14, 2020. For conduct that occurred before August 14, 2020, see policies included [here](#).

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or academic relationship; or
2. Submission to or rejection of such conduct is used as a basis for making an employment or academic decision affecting an individual; or
3. Such conduct has the purpose or effect of interfering with an individual's work or academic performance, denying or limiting an individual's ability to participate in or benefit from the University's education programs, or creating an intimidating, hostile, or offensive environment.

An Administrator's or Decision Maker's use of interpretative guidance in determining sexual harassment in a case includes, but is not limited to:

- a. A hostile or offensive environment exists when conduct is severe or pervasive. Factors to be considered in determining whether conduct is severe or pervasive include the nature, scope, frequency, and duration of the conduct and the number of persons involved. Simple teasing, offhand comments, or isolated incidents that are not severe or pervasive do not create a hostile or offensive environment.
 - b. If an issue of sexual harassment is raised in strictly academic areas, such as coursework, the matter will be handled in consultation and coordination between the Title IX Coordinator and the Executive Vice President or Dean of the faculty member's school because such matters may also implicate issues of academic freedom.
 - c. To constitute sexual harassment, the conduct in question must be objectively intimidating, hostile or offensive, and must interfere with a person's ability to participate in employment or educational programs or activities of the University. The victim's perception of the offensiveness of the alleged conduct, standing alone, is not sufficient by itself to constitute sexual harassment.
 - d. Sexual harassment is especially serious when it occurs between teachers and students or supervisors and subordinates. In such situations, sexual harassment unfairly exploits the power inherent in a faculty member's or supervisor's position. Although sexual harassment often occurs when one person takes advantage of a position of authority over another, the University recognizes that sexual harassment may also occur between people of equivalent status. This includes peer sexual harassment. Regardless of the form it may take, the University will not tolerate unwelcome conduct of a sexual nature that creates an unacceptable working or educational environment.
- B. Title IX Sexual Harassment is a subset of Sexual Misconduct that satisfies one or more of the following:
- a. Sexual Assault, Dating Violence, Domestic Violence, and Stalking (as defined

below) that occur (a) in the United States and (b) in the Education Program or Activity.¹

- b. Sexual Harassment that occurs (a) in the United States; (b) in the Education Program or Activity; and (c) under the following circumstances:
 - i. An *employee* of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
 - ii. 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 Education Program or Activity.
- C. Sexual Assault as defined under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") (an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation), which includes²:

Any sexual act including Rape, Sodomy, Sexual Assault with An Object, or Fondling directed

¹ For purposes of Title IX Sexual Harassment, "the Education Program or Activity" means the locations, events, or circumstances where Georgetown University exercises substantial control over both the Respondent and the context in which alleged Title IX Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

² Due to a modification in the uniform crime reporting system of the Federal Bureau of Investigation, incidents that occurred *between January 1, 2021- June 22, 2025* will be adjudicated using the following definition of Sexual Assault:

1. Rape (Except Statutory Rape): The carnal knowledge (*penile-vaginal penetration*) of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
2. Sodomy: Oral or anal sexual intercourse (*penile penetration*) with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
3. Sexual Assault With An Object: To use an object or instrument (*e.g. an inanimate object or body part other than a penis*) to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
4. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of the victim's age or because of the victim's temporary or permanent mental incapacity.

Interpretive Guidance

 - a. This definition covers touching over and under clothing.
 - b. Private body parts means the genitalia, anus, groin, breast, inner thigh, or buttocks.
5. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
6. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. The age of consent in the District of Columbia is 16.

against another person, without the consent of the victim, including instances where the victim is incapable of giving consent; also unlawful sexual intercourse.

1. **Rape (Except Statutory Rape)**: The carnal knowledge (*penile-vaginal penetration*) of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary permanent mental or physical incapacity.
2. **Sodomy**: Oral or anal sexual intercourse (*penile penetration*) with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
3. **Sexual Assault With An Object**: To use an object or instrument (*e.g. an inanimate object or body part other than a penis*) to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
4. **Fondling**³: The intentional touching of the clothed or unclothed body parts of another person, without their consent, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. Fondling also includes forcing another person to touch the one's own clothed or unclothed body parts, without the consent of the other person, for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
5. **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
6. **Statutory Rape**: Sexual intercourse with a person who is under the statutory age of consent. The age of consent in the District of Columbia is 16.

Interpretive Guidance

- a. Individuals of any gender may be Complainants under these definitions of Sexual Assault.
- D. **Dating violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.
 - E. **Domestic Violence**: cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the District of Columbia, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the District of Columbia.

³ Georgetown has retained the term "Fondling" in this Policy and related procedures. As defined herein, "Fondling" is consistent with the definition of "Criminal Sexual Contact" contained in the Federal Bureau of Investigation's uniform crime reporting system's National Incident-Based Reporting System (NIBRS).

Interpretative Guidance for Dating and Domestic Violence:

- a. Violence includes attempted violence.
 - b. To constitute Domestic Violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.
- F. Stalking: Engaging in a course of conduct directed at a specific person that would cause reasonable persons to fear for their safety or the safety of others or to suffer substantial emotional distress.

Interpretive Guidance

- a. Fear for an individual's safety includes feeling seriously alarmed, disturbed or frightened.
 - b. Stalking can occur whether or not the offender intended to cause fear or substantial emotional distress.
 - c. Stalking in this provision relates to stalking on the basis of sex or gender.
- G. Other Sex Offenses:
1. Engaging in "sexual contact" that does not otherwise meet the definition of Sexual Assault, without consent.
 - a. *Sexual contact* means the touching with any clothed or unclothed body part or any object, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person *with an intent to abuse, harass, or arouse any person*. "Touching" in this definition includes the touching of a victim's private body parts, and the touching of an individual's own private body parts to any body part of the victim.
 2. Engaging in threatening conduct in the context of a domestic or dating relationship that causes the victim to fear for the victim's safety or causes physical or psychological injury, pain, or illness, where such conduct does not otherwise constitute Dating Violence or Domestic Violence under this Policy.

Interpretive Guidance

A reasonable fear for one's safety can result from the use of physical force and/or abusive behavior intended, or reasonably anticipated to intimidate, manipulate, humiliate, isolate, or coerce another into doing something

against their will or self-interest. Such behavior includes, but is not limited to physical, verbal, sexual, emotional, technological, or financial forms of abuse.

For purposes of these definitions, the following terms are defined:

1. *Consent* is words or overt actions indicating a freely given agreement to the sexual act or sexual contact in question.

An Administrator's or Decision Maker's use of interpretative guidance in determining consent in a case includes, but is not limited to:

- a. The willingness to participate must be clearly indicated prior to any sexual act or sexual contact.
- b. If at any time during the sexual act or sexual contact any confusion or ambiguity should arise on the issue of consent, it is incumbent upon the individual to stop the activity and clarify, verbally, the other's willingness to continue.
- c. A verbal "no," even if it may sound indecisive or insincere, constitutes lack of consent.
- d. The absence of an overt action or an explicit verbal response to a verbal request for consent constitutes lack of consent.
- e. It is expected that, once consent has been established, persons who change their mind during the sexual act or sexual contact will communicate through words or overt actions their decision to no longer proceed.
- f. Past consent to sexual act or sexual contact does not imply future ongoing consent, and the fact that two persons are in an on-going relationship shall not preclude the possibility that Sexual Misconduct might occur within that relationship.
- g. A person's use of alcohol and/or other drugs shall not diminish such person's responsibility to obtain consent.
- h. Lack of verbal or physical resistance, or submission by the unwilling participant, when such submission results from the use of force, threats, or coercion by the respondent shall not constitute consent.
- i. A person is considered incapable of giving consent if he/she/they are asleep, unconscious, and/or losing and regaining consciousness, or clearly mentally or physically incapacitated, for example, by alcohol and/or other drugs (signs of incapacitation include, but are not limited to, difficulty walking, inability to speak in a coherent manner, vomiting or the presence of vomit, etc.)

- j. Consent cannot be obtained through use of force, threats, fear, or by administering to that other person by force or threat of force, or without the knowledge or permission of that other person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that other person to appraise or control that other person's conduct.
 - k. In determining whether consent exists, consideration will be given to what a reasonable person should have known about the other person's capability to give consent.
2. *Force* means the use or threatened use of a weapon; the use of such physical strength or violence as is sufficient to overcome, restrain, or injure a person; or the use of a threat of harm sufficient to coerce or compel submission by another person.

VIII. Sexual Misconduct Procedures⁴

Parties may be accompanied by an advisor of their choosing throughout the entire sexual misconduct complaint process. For more information on the role of an advisor, please see: [Advisors](#).

A. Filing a Complaint

1. In order to initiate the formal complaint process, an individual (Complainant) must submit a written statement ("Statement of Complaint") detailing the allegations of Sexual Misconduct to the Title IX Coordinator (see also: [Reporting Contact Information](#)). While the Statement of Complaint is not meant to be an exhaustive account of the incident(s), the statement must state the name or clear identifier of the Respondent and describe with reasonable specificity any of the alleged incident(s) that they want to be addressed by the University, including the date and place of the incident(s).
 - a. The Statement of Complaint may not exceed five (5) pages (see also: [Written Statement Guidelines](#)).
 - b. While prompt reporting may aid an investigation, there is no time limit imposed as to when a formal complaint may be initiated against a current student, provided they were a Georgetown University student at the time of the alleged incident.
 - c. If a Complainant wishes to remain anonymous and/or does not wish to initiate a formal complaint, the University will strive to accommodate the Complainant's wishes. However, due to the University's commitment to provide a reasonably safe and non-discriminatory environment for all

⁴ For Hearing procedures that are used to resolve complaints that do not involve allegations of Sexual Misconduct, please refer to the [Standard Hearing Policies and Procedures](#).

students, the Title IX Coordinator may initiate an investigation of any allegations brought to their attention (see also: [Requests for Anonymity and/or Non-Pursuit of a Complaint](#)).

- d. If an individual is unsure about whether they want to file a formal complaint, the individual is encouraged to contact a confidential counselor. Confidential counselors can help students understand what reporting options are available and assist with the process if they choose to file a formal complaint. Going to a confidential counselor does not foreclose the opportunity to make a report to the University or file a formal complaint at a later time (see also: [Confidential Resources](#)).
2. A Complainant may also choose to file a criminal report with the Georgetown University Police Department (“GUPD”) and/or Metropolitan Police Department (“MPD”).
 - a. The University student conduct system is a separate system from the criminal justice system. Typically, the University will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own Sexual Misconduct investigation. At the request of law enforcement authorities, however, the University may need to delay temporarily the fact-finding portion of a Sexual Misconduct investigation while the police gather evidence. In those circumstances, the University may still implement Supportive Measures and/or additional remedies (see also: [Supportive Measures and Remedies](#)) to protect and support all parties and the University community. The University may also continue to update the parties on the status of the investigation and inform the parties when the school resumes its Sexual Misconduct investigation.

B. Charges

1. Upon receipt of a Statement Complaint, the Title IX Coordinator will consult with the Office of Student Conduct to review the Statement of Complaint and to determine what Code of Student Conduct policy charges, if any, should be applied in each case.
2. The Title IX Coordinator will also review Statements of Complaint to determine whether the alleged conduct falls within the definition of Title IX Sexual Harassment as defined by the [University’s Policy on Sexual Misconduct](#).
 - a. If the alleged conduct *could* fall within the definition of Title IX Sexual Harassment, the Respondent(s) will be charged with Title IX Sexual Harassment and may, at the discretion of the Title IX Coordinator and the Director for Student Conduct, be charged with other violations of the Code of Student Conduct. In these cases, the procedures outlined below will be

modified per the “Title IX Procedural Alterations” which are specifically noted throughout this document.

- b. If the alleged conduct, even if proved, would *not* fall within the definition of Title IX Sexual Harassment, the Respondent(s) will not be charged with Title IX Sexual Harassment but may, at the discretion of the Title IX Coordinator and the Director for Student Conduct, be charged with other violations of the Sexual Misconduct Policy or Code of Student Conduct. In these cases, the alleged violations will be adjudicated using the procedures outlined below.
 - c. The Title IX Coordinator may, at any time during the investigation or adjudication process, modify their determination regarding whether the alleged conduct could fall within the definition of Title IX Sexual Harassment, and may add or dismiss a charge of Title IX Sexual Harassment.
 - d. The Title IX Coordinator may also, but is not required to, dismiss a charge of Title IX Sexual Harassment if:
 - i. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Title IX Complaint or any allegations therein;
 - ii. The Respondent is no longer enrolled at the University (see also: [Code of Student Conduct](#) policy on Withdrawal Prior to Resolution); or
 - iii. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Title IX Complaint or allegations therein.
 - e. Upon dismissing a charge of Title IX Sexual Harassment, the Title IX Coordinator will promptly send written notice of the dismissal and the reason(s) simultaneously to the parties. When appropriate, the Respondent(s) may still be charged with other violations of the Sexual Misconduct Policy, which will be adjudicated using the procedures outlined below. The Title IX Coordinator will also notify the parties of the process by which the dismissal decision may be appealed to the Associate Vice President for Equal Opportunity, Affirmative Action, and Compliance, or their designee.
3. The Title IX Coordinator will send to each party and the party’s advisor, if any, a notice and description of the decision-making process and the expected timeframe for the process.

C. Responding to a Complaint

1. The Office of Student Conduct will issue a “No Contact Order” between the Complainant and Respondent.
2. The Respondent will be notified that a Statement of Complaint has been submitted to the Title IX Coordinator and a mandatory initial intake meeting will be scheduled with the Office of Student Conduct and the Title IX Coordinator to review the Sexual Misconduct adjudication process.
3. The Respondent will be provided access to the Statement of Complaint. They will be granted seven (7) calendar days from receipt of the Statement of Complaint to submit their written response (“Statement of Response”) to the complaint. Submission of the Statement of Response is not mandatory.
 - a. The Statement of Response may not exceed five (5) pages (see also: [Written Statement Guidelines](#)).
 - b. If the Respondent acknowledges responsibility for the alleged behaviors identified in the Statement of Complaint in their Statement of Response, the Title IX Coordinator will determine whether in lieu of conducting a full hearing, the matter may be resolved most promptly and equitably via Administrative Action. In such cases, the Title IX Coordinator will appoint a Decision Maker who will review the complaint and the acknowledgement of responsibility, meet with the Respondent to confirm they acknowledge responsibility, and thereafter determine appropriate findings and sanctions. Both parties will have an opportunity to appeal any sanctions assigned. For more information regarding Administrative Action, please refer to the [Code of Student Conduct](#).

Title IX Procedural Alterations: Administrative Action

In cases where the Respondent has been charged with Title IX Sexual Harassment, the following modification will be made:

In order for a charge of Title IX Sexual Harassment to be resolved via Administrative Action, both parties must provide written, voluntary consent to having the case resolved through this process.

- c. If the Respondent fails to submit a Statement of Response and/or denies responsibility for the alleged behaviors identified in the Statement of Complaint, the Title IX Coordinator in consultation with the Office of Student Conduct will determine the most appropriate method of resolution, which may include forwarding the Statement of Complaint and the Statement of

Response to an Investigator (“Investigator”) to conduct a prompt, thorough, and equitable investigation into the complaint.

- d. The Complainant will be provided access to the Respondent's Statement of Response, when applicable, prior to the Complainant's meeting with the Investigator.

D. Alternative Methods of Resolution⁵

1. Both parties, the Title IX Coordinator, and/or the Director for Student Conduct may suggest attempting to resolve the complaint via an alternative method of resolution, such as mediation or restorative justice processes, at any time during the process.
2. The Complainant and Respondent must agree, voluntarily, and in writing, to the alternative method of resolution. The University will never compel a Complainant and/or Respondent to engage in any type of alternative resolution and/or to directly confront the other party. Participation in an alternative resolution is voluntary and either party can request to resume the formal adjudication process at any time prior to agreeing to a resolution.
3. If the parties elect to participate in restorative justice processes as part of the alternative resolution, facilitators will guide a dialogue between the parties either with both parties present, or with both parties separately with the goal of identifying how the harm(s) alleged by the Complainant can be repaired. Together or separately, the parties and the facilitators will create a written agreement that may include items such as apology letters, agreement to a No Contact Order, restriction of access, and/or education related to the offense. The content of the agreement is created on a case by case basis, and students are supported in creating their own agreements. The Office of Student Conduct will monitor the parties’ adherence to the signed agreement and close the matter when compliance is deemed complete.
4. An Alternative Resolution will be completed within approximately 45 days of the parties’ agreement to participate in an Alternative Resolution, but the Title IX Coordinator or the Office of Student Conduct may extend the timeframe for good cause.

⁵ Georgetown's Office of Student Conduct uses the terms "Alternative Methods of Resolution" and “Alternative Resolution” to encompass forms of resolution that fall under the term "informal resolution" in the [University’s Policy Statement on Sexual Misconduct](#) and in federal Title IX regulations.

E. Investigation

1. The Title IX Coordinator will provide the finalized Statement of Complaint and the Statement of Response, when applicable, to the Investigator, Complainant, and Respondent.
2. The Investigator will contact the Complainant and Respondent to conduct separate interviews with each party.
 - a. Parties are expected to have their initial interview within seven (7) calendar days of their initial contact by the Investigator.
 - b. During the interviews, the Investigator will ask the parties to identify possible relevant witnesses related to the complaint (see also: [Prohibited Testimony](#)).
3. The Investigator may request any additional documentation and/or information that they deem relevant to the investigation.
4. In order to ensure a prompt, thorough, and equitable investigation, parties are expected to adhere to the Investigator's requested deadlines for any follow up interviews and/or submission of materials (see also: [Prohibited Testimony](#)).
5. The Investigator has the discretion to determine what information they deem relevant to be included in the Investigative Report.

F. Investigative Report

1. Upon completing the investigation, the Investigator will compile the Investigative Report ("Report"). Within the Report, the Investigator will describe the relevant information learned during the investigation and summarize all interviews conducted by the Investigator. The Investigator may not offer any recommendations as to whether a violation of the Code of Student Conduct occurred.

Title IX Procedural Alterations: Investigative Report

In cases where the Respondent has been charged with Title IX Sexual Harassment, the following modifications will be added to the procedures at this point.

- i. Prior to completion of the Investigative Report, the Investigator will make available to each party and the party's advisor, if any, all evidence directly related to the allegations raised in the formal complaint, including inculpatory and exculpatory evidence. The parties may inspect and review this evidence and may submit a written response, which the Investigator will consider prior to completion of the Investigative Report.

- a. The written response may not exceed five (5) pages and must be submitted within ten (10) calendar days after receiving access to the Report (see also: [Written Statement Guidelines](#)).
 - b. Complainants and Respondents are not permitted to share the Report with any individual(s) other than their advisor and/or parent/guardian(s), provided the parent/guardian(s) is not serving as a witness (see also: [Advisors](#)).
- ii. Once all deadlines have passed to submit materials, the Investigator will review and consider the parties' written responses prior to completion of the Investigative Report. The Investigator will submit the final Investigative Report to the Office of Student Conduct.

2. The final Report will be provided to the Title IX Coordinator, who will ensure that it follows the process' established policies and procedures. The Complainant and Respondent will receive access to the Report at least ten days before the Hearing and may each submit a written response to the Report.
 - a. The written response may not exceed five (5) pages and must be submitted within ten (10) calendar days after receiving access to the Report (see also: [Written Statement Guidelines](#)).
 - b. Complainants and Respondents are not permitted to share the Report with any individual(s) other than their advisor and/or parent/guardian(s), provided the parent/guardian(s) is not serving as a witness (see also: [Advisors](#)).
3. In rare circumstances, where there is no evidence in the Report to support the allegations in the Complaint, the Title IX Coordinator, in consultation with the Office of Student Conduct, may determine not to move the case forward to a Hearing. In such circumstances, the case will be deemed closed and no further action will be taken within the student adjudication process.

G. Case File

- a. The Report, written responses, and any other materials will be compiled into the official Case File ("Case File").
- b. The Case File will include all evidence that was subject to the parties' inspection and review at the conclusion of the investigation and will be available during any hearing to give each party equal opportunity to refer to such evidence during the hearing.
- c. The inclusion of any materials into the Case File is at the discretion of the Title IX Coordinator. The Title IX Coordinator may remove and/or redact any materials that they deem necessary to ensure a fair and equitable process, such as, but not limited

to, testimony and evidence prohibited in these processes (see also: [Prohibited Testimony](#)).

- d. The Decision Maker, Complainant, and Respondent will receive access to the Case File at least two (2) calendar days prior to the Hearing.
 - a. Any hard copies of the Case File must be returned to the Hearing Coordinator at the conclusion of the Hearing.
 - b. If a digital copy of the Case File is made available to the parties, the parties will lose access to the digital copy at the conclusion of the Hearing.
 - c. Complainants and Respondents are not permitted to share the Case File with any individual(s) other than their advisor and/or parent/guardian(s), provided the parent/guardian(s) is not serving as a witness (see also: [Advisors](#)).

H. Impact Statement

1. The Complainant and Respondent may also submit an additional written statement regarding the impact (“Impact Statement”) of the complaint and/or requested remedies by two (2) calendar days before the scheduled Hearing.
2. The Impact Statement may not exceed five (5) pages and may not be included in the official Case File. The Decision Maker may only consider the Impact Statement during sanctioning if a Respondent is found “Responsible” (see also: [Sanctioning](#); [Written Statement Guidelines](#)).

I. Hearing

1. A Decision Maker will be appointed to review the Case File, conduct a live Hearing, and determine if the Respondent violated a policy of the Code of Student Conduct, based on the applicable standard of proof and the information submitted to the Decision Maker.
2. For all allegations of behaviors included under the policy definition of Sexual Misconduct, including those included under the definition of Title IX Sexual Harassment, the Decision Maker will use a Preponderance of the Evidence standard (i.e., “**More Likely than Not**”) to determine if a violation occurred.
3. The Complainant and Respondent will be notified of the time and place of the Hearing at least seven (7) calendar days prior to the Hearing.
4. During the Hearing, the Decision Maker will conduct separate interviews with the Complainant and Respondent regarding the information in the Case File (see also: [Appendix A and B: Hearing Agenda](#)).
5. The Complainant and Respondent may not be present in the Hearing room at the same time. However, each party may listen to and/or watch the other individual’s interview from another room via audio and/or visual technology.

6. In the event of technical difficulties, the Hearing Coordinator will make appropriate adjustments to ensure a prompt, thorough, and equitable hearing. These reasonable adjustments may include, but would not be limited to, having the parties in the same room and using a physical barrier to separate and limit interaction between the parties.
7. It is expected that the Decision Maker will rely on the Case File and interviews with the Complainant and Respondent for their determination of the relevant facts of the case. However, at their discretion, the Decision Maker may request, in advance of the Hearing, additional information or witnesses referenced in the Case File to be presented at the Hearing.
8. The Title IX Coordinator, the Office of Student Conduct and/or the Decision Maker may institute rules of decorum for all participants in the Hearing. These rules will apply equally to all parties.

Title IX Procedural Alterations: Hearing

In cases where the Respondent has been charged with Title IX Sexual Harassment, the following modifications will be made to the hearing procedures.

1. Cross-Examination. At the live hearing, the Decision Maker will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility (see also: [Appendix B: Hearing Agenda](#)).
 - a. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
 - b. At the same time the Response to the Investigative Report is due, each party must submit to the Hearing Coordinator the names of

⁶ For more information about the Standard of Proof and Burden of Proof, please refer to the [Code of Student Conduct](#).

witnesses that they would like their advisor to cross-examine during the hearing. The Hearing Coordinator will notify the requested witnesses that their participation at the hearing is requested, but will not mandate attendance or participation by witnesses. Hearing dates will not be adjusted to accommodate witness availability, but reasonable efforts may be made to accommodate witnesses who have limited availability, including permitting real-time virtual testimony by witnesses via technology.

- iii. The Decision Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
 - iv. The Decision Maker may consider the statements of persons who were not present at the hearing, or persons who were present at the hearing but who nevertheless were not subject to cross-examination, if such statements are deemed relevant by the Decision Maker and are not otherwise subject to exclusion under this Policy. This includes, but is not limited to, opinions and statements in the Investigative Report, police reports or other official reports, medical records, emails, written statements, text messages, social media postings, and the like.
2. Provision of Advisors. If a party does not have an advisor present at the live hearing, the University will provide, without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
 3. Relevance Determinations. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision Maker will first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent (see also: [Prohibited Testimony](#)).

J. Sanctioning

1. If the Decision Maker finds the Respondent "Responsible," the Decision Maker will impose sanctions. The Decision Maker will receive access to each party's Impact

- Statement and the information regarding any prior Code of Student Conduct violations by the Respondent, if applicable, to review while deliberating sanctions.
2. Due to the serious nature of a Sexual Misconduct violation, a Decision Maker will first consider if the Respondent should be removed from the University community to protect the Complainant and/or the common good of the University community. There are no minimum sanctions that must be assigned to a Respondent; however, sanctions may likely include Disciplinary Suspension or Dismissal (see also: [Sanctioning Guide](#)).
 3. In considering the appropriate sanction(s), the Decision Maker may take into account several factors, including, but not limited to:
 - a. Nature of the violation;
 - b. University Sanctioning Guidelines;
 - c. Respondent's conduct history;
 - d. Impact Statements by the Complainant and Respondent; and/or
 - e. Any other aggravating, mitigating, or relevant factors.

K. Notice of Outcome and Written Determination

1. Every reasonable effort will be made for the Decision Maker to reach their decision within one (1) business day after the Hearing. However, a failure to announce a decision within that time period does not constitute grounds for appeal.
2. After the Decision Maker reaches their decision, the Hearing Coordinator will compile the "Notice of Outcome," detailing the outcome of the complaint:
 - a. Notice of Outcome
 1. Approximately one (1) business day after the Decision Maker's decision, the Hearing Coordinator, Title IX Coordinator, and/or Director for Student Conduct will disclose verbally to the Complainant and Respondent the Decision Maker's findings for each alleged violation and any sanctions that have been assigned.
 - b. Written Determination
 - i. Within 10 business days of notifying both parties of the outcome, the Hearing Coordinator, Title IX Coordinator, and/or Director for Student Conduct will distribute on behalf of the Decision Maker, the Decision Maker's Written Determination to the Complainant and Respondent. The Written Determination will offer a detailed rationale regarding the Decision Maker's decision.

- ii. The Written Determination will include:
 1. Identification of the allegations, including those potentially constituting Title IX Sexual Harassment;
 2. A description of the procedural steps taken from the receipt of the Statement of 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;
 3. Findings of fact supporting the determination;
 4. Conclusions regarding the application of the University Policy on Sexual Misconduct and the Code of Student Conduct, as applicable, to the facts;
 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University will impose on the Respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the Complainant; and
 6. The procedures and grounds for the Complainant and Respondent to appeal.
- iii. The University will provide the written determination to the parties simultaneously.
- iv. The determination regarding responsibility will be final unless either Party appeals per the process as outlined below.

L. Appealing a Decision

1. Overview
 - a. The outcome of a formal complaint may be appealed by the Complainant and/or Respondent by submitting a Statement of Appeal to the Office of Student Conduct. A Complainant and/or Respondent who submits a Statement of Appeal is called an “Appellant.”
 - b. An Appellant must submit their Statement of Appeal within seven (7) calendar days of the date on their Written Determination. An Appellant may not submit more than 20 pages of materials in support of their Appeal (see also: [Written Statement Guidelines](#)).

- i. A Complainant and/or Respondent may request to review the original Case File while they prepare a Statement of Appeal. The Complainant and/or Respondent must return any hard copies of the Case File to the Office of Student Conduct upon submission of an Appeal. If a digital copy of the Case File is made available to the Complainant and/or Respondent, they will lose access to the digital copy upon submission of an Appeal.

- c. Complainants and/or Respondents may appeal on the following grounds in cases involving Sexual Misconduct:
 - i. **Substantial Procedural Error:** A specified procedural error or error in interpretation of University regulations that substantially affected the process, such that the Complainant and/or Respondent was denied a fair process.

 - ii. **New Information of a Substantive Nature:** New, significant or relevant information becomes available that could not have been discovered by a properly diligent Investigator at the time of the original decision and that may have substantially affected and/or changed the decision of the Decision Maker.

 - iii. **Substantial Disproportionate Sanction:** The sanction appears to be substantially disproportionately lenient and/or severe based on the facts of the case, as determined by the Decision Maker.

Title IX Procedural Alterations: Grounds for Appeal

In cases where the Respondent has been charged with Title IX Sexual Harassment, regardless of the outcome, either party may appeal and the grounds for appeal are as follows:

- i. Procedural irregularity that affected the outcome of the matter, including that the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias that affected the outcome of the matter

- ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- iii. The sanction appears to be substantially disproportionately lenient and/or severe based on the facts of the case, as determined by the Decision Maker.

- d. After a Statement of Appeal has been submitted by a Complainant and/or Respondent, the Office of Student Conduct will review the document to ensure that it follows established policies and procedures. After review, the Office of Student Conduct will allow the Complainant and/or Respondent access to the other party's Statement of Appeal, in addition to any other information that the Office of Student Conduct deems relevant to the Appeal.
- e. Each party may submit to the Office of Student Conduct a written response to the other party's Statement of Appeal within two (2) calendar days of receiving access to the Statement of Appeal. The response must respond to the specific ground(s) for appeal raised in the other party's Statement of Appeal. The response may not include more than 10 pages of materials. The Director for Student Conduct will allow the other party to review the response (see also: [Written Statement Guidelines](#)).
 - i. The Complainant and/or Respondent must return any hard copies of the other party's Statement of Appeal to the Office of Student Conduct upon their deadline to submit a written response. If a digital copy of the other party's Statement of Appeal is made available to the Complainant and/or Respondent, they will lose access to the digital copy upon their deadline to submit a written response.
- f. Once all deadlines have passed to submit materials, the Office of Student Conduct will review all materials to ensure that they follow established policies and procedures. The Office of Student Conduct will compile the Statement of Appeal and any other materials (e.g. the original Case File, the other party's written response) into the official Appeal Case File. The inclusion of any materials into the Appeal Case File is at the discretion of the Director for Student Conduct.
- g. The burden of proof rests on the Appellant to establish that the original decision by the Decision Maker was flawed by a "Preponderance of Evidence" standard of proof.
- h. The Appeals Committee will review the Appeal Case File and make a decision (see also: [Appeals Committee](#)). Appeals will not consist of any live testimony or interviews.

2. Appeals Committee Outcome

- a. The following actions may be taken by the Appeals Committee:
 - i. Affirm the finding of "Responsibility" and the original sanctions;

- ii. Affirm the finding of “Responsibility” and alter the original sanctions; or
 - iii. Overturn the initial findings and sanctions and return the matter to the Office of Student Conduct for action consistent with the Appeals Committee’s determination.
 - b. Any decision must be determined by a majority vote of the Appeals Committee.
- 3. Notice of Appeal Outcome
 - a. The Chair of the Appeals Committee will be responsible for compiling the Notice of Appeal Outcome.
 - b. The Chair of the Appeals Committee and/or the Director for Student Conduct will disclose, in writing, the Notice of Appeal Outcome to the Appellant and the other party simultaneously.
 - c. Every reasonable effort will be made to issue the Notice of Appeal Outcome within 15 business days of the deadline for submission of the Statement of Appeal.
 - d. The Notice of Appeal Outcome may include, but is not limited to:
 - i. Findings for each ground on which the Appellant appealed;
 - ii. Any alterations to sanction(s) that impact the respective party;
 - iii. Appeals Committee’s rationale for its decision; and
 - iv. Information if the case was referred back to the Office of Student Conduct.
 - e. The Appeals Committee’s decision is final and binding on all parties.

IX. Sexual Misconduct Decision Maker and Appeals Committee

A. Decision Makers

- 1. The Title IX Coordinator will appoint a Decision Maker to review the Investigative Report, conduct a hearing, and adjudicate a complaint involving allegations of Sexual Misconduct. The Decision Maker will not be the same individual that serves as Investigator for a complaint, nor will the Decision Maker be the Title IX Coordinator. At the discretion of the Title IX Coordinator, the Decision Maker may be a member of the University community, or may be external to the University. For more

information about Decision Makers, please see the [Definitions](#) section of this document.

2. The Hearing Coordinator will attend the Hearing. The Hearing Coordinator will not vote on any decision, but will work with the Decision Maker to ensure that these procedures are conducted in an efficient and orderly fashion. The Hearing Coordinator may interject in cases of clear procedural error, as well as answer questions of the Decision Maker regarding procedures.
3. The Title IX Coordinator may request University legal counsel to be present at the Hearing and during deliberations. Legal counsel will not vote on any decisions.

B. Appeals Committee

1. The Appeals Committee is a standing committee of the Office of the Vice President for Student Affairs. The Appeals Committee is composed of Appeals Committee Chair (Non-voting); Senior-level Administrator; Staff or Faculty representative; a Student representative; and/or a trained external individual designated by the Title IX Coordinator. The Appeals Committee is responsible for reviewing all appeals through the student conduct system. The decision of the Appeals Committee is final. Please see the [Code of Student Conduct](#) for additional information regarding the Appeals Committee and Appeals processes.
2. Appeals Committee members are not permitted to hear appeals for cases if they served as Decision Maker adjudicating the case.
3. The Office of Student Conduct will designate an Appeals Committee Chair to attend the Appeals Committee deliberations. The Appeals Committee Chair will not vote on any decision, but will work with the Appeals Committee to ensure that these procedures are conducted in an efficient and orderly fashion, and to compile the Notice of Appeal Outcome.
4. The Director for Student Conduct may request University legal counsel to be present at Appeals Committee deliberations. Legal counsel will not vote on any decisions.

X. Supportive Measures and Remedies

- A. The University is committed to preventing the recurrence of any Sexual Misconduct and correcting its discriminatory effects on the Complainant and University community. (See also: [University Policy on Sexual Misconduct](#))
- B. A Decision Maker, the Title IX Coordinator, Deputy Title IX Coordinator(s), and/or the Director for Student Conduct may determine that Supportive Measures and/or additional remedies are necessary and appropriate in order to eliminate a hostile environment, prevent the recurrence of Sexual Misconduct, and, as appropriate, remedy the effects of Sexual Misconduct. To ensure equal access to the University's educational programs and

activities for all students, Supportive Measures and/or additional remedies may be implemented before, during, and after the processing of a student conduct complaint.

- C. Since these measures are meant to protect and support all parties involved in the student conduct process and the University community, they may not be considered sanctions and may be implemented regardless of a finding of responsibility.
- D. The Title IX Coordinator, may determine the most appropriate Supportive Measures and/or remedies to implement for each specific incident. The Title IX Coordinator may also refer individuals to other offices at the University to discuss Supportive Measures and/or remedies outside the purview of the Office of Title IX Compliance/IDEAA.
- E. Supportive Measures and/or remedies for individual students may include, but are not limited to:
 - 1. No Contact Orders;
 - 2. Temporary housing and dining changes;
 - 3. Employment and/or co-curricular accommodations;
 - 4. Temporary course changes;
 - 5. Medical and counseling services;
 - 6. Academic support services and accommodations; and
 - 7. Additional training and education for students.
- F. Remedies for the entire University community may include, but are not limited to:
 - 1. Training or retraining employees on the University's responsibilities to address allegations of Sexual Misconduct;
 - 2. Developing materials on Sexual Misconduct, which could be distributed to University community members; and/or
 - 3. Conducting bystander intervention and Sexual Misconduct prevention programs.

XI. Advisors

- A. Each Complainant and Respondent may be accompanied by one advisor of their choosing during all aspects of their case preparation up to and throughout the hearing proceedings. The advisor is not an advocate, but rather a source of personal and moral support to the student. An advisor may be, but is not limited to: a family member, friend, University staff or faculty member, counselor, or attorney.

- B. An advisor may not be a witness, speak, or otherwise participate on behalf of the student. All information concerning all aspects of the case will be communicated by the Title IX Coordinator, the Investigator, the Office of Student Conduct and/or the Decision Maker directly to the student. Timelines and/or deadlines for submission of materials may not be altered to accommodate an advisor's schedule.

Title IX Procedural Alterations: Advisor Participation

In cases where the Respondent has been charged with Title IX Sexual Harassment:

The parties' advisors may participate on behalf of the student only in order to conduct cross-examination during the hearing. No party may unreasonably delay the grievance process due to unavailability of an advisor. If a party does not have an advisor at the hearing to conduct cross-examination, the University will provide one. (See also: [Title IX Procedural Alterations: Hearing](#))

XII. Prohibited Testimony and Prior Sexual History

- A. Prohibited Evidence and Testimony
1. Evidence and testimony provided by any party during the student conduct process should be limited to first-hand factual or circumstantial knowledge of the matter. The Title IX Coordinator may remove and/or redact any evidence that they deem necessary to ensure a fair and equitable process, such as, but not limited to: character assessments, prejudicial testimony, irrelevant evidence, and/or duplicative information. Additionally, information from either a privately hired investigator and/or polygraph examination is not permitted.
- B. Prior Sexual History and Dress
1. Information regarding either the Complainant's or Respondent's prior sexual history with other persons may not be included in the Investigative Report and/or discussed during the Hearing, unless a party makes a specific claim about their own prior sexual history. Please see the interpretive guidance in Section VI. C. 3. for detailed guidance regarding this policy's definition of Consent as it relates to past consent to a sexual act or sexual contact.
 2. The style of dress of either the Complainant or Respondent may not be considered in reference to either party giving consent for an alleged act.

Title IX Procedural Alterations: Prohibited Testimony and Prior Sexual History

In cases where the Respondent has been charged with Title IX Sexual Harassment, the above policies regarding Prohibited Testimony, Prior Sexual History, and Dress will be replaced with the following:

- A. Prohibited Evidence and Testimony
 1. Evidence and testimony provided by any party during the student conduct process should be limited to that which is relevant to the case and the particular allegations. Evidence and testimony is considered relevant if it is pertinent to proving whether facts material to the allegations under investigation are more or less likely to be true.
 2. The Investigator and/or the Title IX Coordinator may remove and/or redact any evidence that they deem necessary to ensure a fair and equitable process, including evidence that, per the judgment of the Investigator and/or the Title IX Coordinator is not relevant.
- B. Prior Sexual History
 1. Evidence about the Complainant's sexual predisposition or prior sexual behavior is not relevant, unless (1) questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (2) the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
 2. Please see the [interpretive guidance regarding consent](#) for detailed guidance regarding this policy's definition of Consent as it relates to past consent to a sexual act or sexual contact.

XIII. Amnesty for Alcohol and Drug Use

In cases of alleged Sexual Misconduct, Code of Student Conduct charges will not be brought against a Complainant, Respondent, or a participating witness, related to their own consumption of alcohol and/or personal use of illegal or counterfeit drugs or controlled substances.

XIV. Non-Retaliation

It is illegal and contrary to University policy for any individual to engage, whether directly or indirectly, in retaliatory conduct directed against a person who files a Sexual Misconduct complaint or gives testimony during an investigation of such a complaint.

As used in the above paragraph, "retaliatory conduct" means conduct that adversely and unjustifiably affects another's terms and conditions of employment, educational experience, or quality of life, and that is motivated by an intent to cause harm because of the targeted individual's involvement in the filing or investigation of a Sexual Misconduct complaint. This includes any conduct that falls within the definition of Retaliation in the [University Policy on Sexual Misconduct](#). Any individual who believes that retaliatory actions have been taken against them for having filed a complaint or provided testimony in an investigation of Sexual Misconduct is encouraged to contact the Title IX Coordinator and/or the Office of Student Conduct immediately.

XV. Timeframe for Resolution

- A. Georgetown University strives to resolve complaints involving allegations of Sexual Misconduct as promptly as possible after receipt of a complaint.
- B. The following table offers general guidelines as to the length of each step in the student Sexual Misconduct complaint process. Since each case has its own unique complexities, the following time frames are not rigid requirements. Depending on the circumstances of the case, these guidelines may need to be adjusted to appropriately balance promptness with the principles of thoroughness and fundamental fairness throughout the student conduct process. Due to required procedural alterations, cases in which the Respondent has been charged with Title IX Sexual Harassment may require additional time.

Initial Complaint and Response <i>(includes receipt of Statement of Complaint, initial meetings, No Contact Order, and submission of Statement of Response)</i>	10-15 business days
Investigation <i>(includes investigative process and parties' review of Investigative Report)</i>	40-60 business days
Resolution <i>(includes Hearing and parties' receipt of Written Determination)</i>	10 business days
Appeal	30 business days

XVI. Requests for Anonymity and/or Non-Pursuit of a Complaint

- A. Anyone may report an incident of sexual misconduct to a Title IX Coordinator. The University will strive to accommodate an individual's wishes to remain anonymous and/or to not pursue a formal complaint for incidents involving allegations of Sexual Misconduct.
1. When considering whether they wish to remain anonymous and/or to not pursue a formal complaint, an individual is advised that the University's ability to respond to the alleged behavior may be limited if the individual chooses not to participate in the process. Additionally, an individual is advised that the University strictly forbids retaliatory conduct against students who choose to file a complaint and/or participate in an investigation of Sexual Misconduct (see also: [Non-Retaliation](#)).
- B. If an individual reporting sexual misconduct wishes to remain anonymous and/or not pursue a formal complaint, they may notify the Title IX Coordinator. Consistent with the University's commitment to provide a reasonably safe and non-discriminatory environment for all students, the Title IX Coordinator may be unable to honor an individual's request and may pursue a case with the University serving as the Complainant. When weighing an individual's request, the Title IX Coordinator may consult with numerous campus partners

(e.g. Office of Student Conduct, Threat Assessment, Student Health Services, GUPD, and/or Office of the General Counsel) to consider a range of factors including, but not limited to:

1. circumstances that suggest that the Respondent may likely commit additional acts of Sexual Misconduct;
 2. circumstances that suggest there is an increased risk of future acts of Sexual Misconduct under similar circumstances;
 3. whether the Sexual Misconduct was perpetrated with a weapon; and
 4. whether the University possesses other means to obtain relevant evidence.
- C. In cases where the Title IX Coordinator is able to honor an individual's request and does not pursue a complaint against the Respondent, the Title IX Coordinator may still retain information regarding the incident. This information may be reintroduced into a future complaint against the Respondent.

XVII. Confidentiality

- A. Due to the sensitive nature of grievances, in order to facilitate open and honest testimony, all information presented during a student conduct proceeding is confidential and may not be disclosed to the public. Specifically, the testimony, whether written or oral, presented by the Respondent, Complainant, or witnesses during the conduct proceedings and all documents provided in preparation for or during the conduct proceeding may not be disclosed to any other party, except for one's Advisor.
- B. Notwithstanding XVI.A, above, Complainants and Respondents may seek the assistance of family members, friends, counselors, therapists, clergy, doctors, attorneys, or similar resources; the parties are not prevented from discussing the allegations or their own experience of the incident(s) that is/are the subject of the disciplinary process.
- C. The Title IX Coordinator and the Office of Student Conduct will preserve the confidentiality of information provided in connection with a complaint to the extent possible, consistent with the [Code of Student Conduct's](#) Record Retention Policy and the goals of a prompt, thorough, and equitable process. All publicly available records required to be maintained by law will omit the names and other personally identifiable information about Complainants and other alleged victims who choose not to file a formal complaint, to the extent permissible by law.

XVIII. Written Statement Guidelines

All written materials (e.g. Statements of Complaint, Statements of Response, Impact Statements, Statements of Appeal) submitted to the Title IX Coordinator, Investigator and/or Office of Student Conduct should be typed with an easily legible font on standard-sized paper (8.5" x 11") with 1" margins on all sides. Calibri or Times New Roman in a 12-point font size is recommended. Written

materials must be in the individual's own words and should not be authored by advisors, including attorneys.

XIX. Hearing Recordings

- A. Hearings will be recorded by the Hearing Coordinator. No other recording of the Hearing is permitted. The recording may be used in deliberations by the Decision Maker and/or by the Appeals Committee.
- B. No other unauthorized recording or use of any technology during student conduct meetings and/or interviews is permitted by the Complainant, Respondent, witnesses, and/or advisors.
- C. If a Complainant and/or Respondent decides to appeal a Hearing decision and wishes to access the Hearing recording, a request for access to the recording must be submitted within two (2) calendar days from the date of the Decision Maker's Letter of Explanation.
 1. The Appellant's Statement of Appeal must be submitted within seven (7) calendar days from the date in which the Appellant received access to the Hearing recording.
 2. If copies of the recording are made available to the Appellant, it is the responsibility of the Appellant to cover any costs and/or supply materials needed to copy the recording. Copying or attempting to copy the recording without the permission of the Title IX Coordinator or the Office of Student Conduct is prohibited. The recording and all copies of the recording must be returned upon the deadline to submit the Appeal.
 3. If a digital file of the recording is made available to the Appellant, the Appellant will lose access to the recording upon the deadline to submit the Appeal. Copying or attempting to copy a digital copy of the recording without the permission of the Title IX Coordinator or Office of Student Conduct is strictly prohibited.

XX. Procedural Alterations

The Title IX Coordinator is committed to providing a prompt, thorough, and equitable investigation and resolution of complaints involving allegations of Sexual Misconduct. As such, the Title IX Coordinator may make reasonable alterations to any of these procedures in the spirit of providing a prompt, thorough, and equitable process for all parties involved in the student conduct process.

Live hearings may be conducted with all parties physically present in the same geographic location or, at the discretion of the Title IX Coordinator, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

XXI. Accommodation Statement

Georgetown University is committed to ensuring an inclusive and equitable environment for individuals with disabilities. If you have a medical condition or disability and believe you may require a reasonable accommodation in order to participate in any part of the student conduct process, please notify the Title IX Coordinator and submit your written request to the [Director of the Academic Resource Center](#) as early as possible to ensure the University has sufficient time to review and process the accommodation request. If you are requesting an accommodation for a hearing, please submit your request at least two weeks in advance of the hearing date. Your request will be reviewed in accordance with the University's disability accommodations procedures, and the Sexual Misconduct policies and procedures.

XXII. Training

Training on the University's Sexual Misconduct Policy, preventing Sexual Misconduct, and promoting a respectful community will be provided to Employees and Students. All Employees are responsible for completing training identified as mandatory. Investigations involving alleged violations of this policy shall be conducted by officials who receive training on issues related to sexual harassment, sexual assault, dating violence, domestic violence, and stalking as well as on how to conduct a grievance process that protects the safety of all parties involved and promotes accountability.

XXIII. Contact Information

A. Title IX Coordinator

Samantha Berner, Title IX Coordinator and Director of Title IX Compliance

Office of Institutional Diversity, Equity, and Affirmative Action

Location: M-36 Darnall Hall

37th and O Streets, NW

Washington, D.C. 20057

Phone: (202) 687-4798

Email: titleixidea@georgetown.edu

To contact your campus Deputy Title IX Coordinator, please visit

<https://titleix.georgetown.edu/title-ix-contacts/>.

B. Director for Student Conduct

Kernysa L. Rowe, PhD, Director, Office of Student Conduct

Division of Student Affairs

Location: 530 Leavey Center

Phone: (202) 687-5599

Email: klr57@georgetown.edu

XXIV. Confidential Support Resources

A. Sexual Assault Response and Prevention Services/ Health Education Services (HES)

Location: 1437 Poulton Hall, Suite 101

Phone: (202) 687-0323

Email: sarp@georgetown.edu

B. Counseling and Psychiatric Services (CAPS)

Location: Main Campus: Ground Floor, East side of Darnall Hall

Phone: (202) 687-6985

For more resources and updated contact information related to Sexual Misconduct and Title IX at Georgetown University, please visit: <http://sexualassault.georgetown.edu>.

D. Appendix A: Hearing Agenda (Non-Title IX Cases)

The following agenda is offered as a general guideline to facilitate a better understanding of the structure of a Hearing. However, the Title IX Coordinator and/or Hearing Coordinator may make reasonable alterations to this agenda to ensure a prompt, thorough, and equitable Hearing for all parties. All participants may request breaks as needed throughout the hearing.

1. Introduction
2. Opening Statements
 - a. Opening Statement by Complainant (10 minutes)
 - b. Opening Statement by Respondent (10 minutes)
3. Interviews
 - a. Decision Maker questions the Complainant
 - b. Decision Maker questions the Respondent
4. Additional Interviews by Decision Maker (if necessary)
5. Hearing Break (15 minutes)
 - a. The Complainant and Respondent are provided 15 minutes to prepare questions regarding any of the preceding interviews conducted by the Decision Maker. The written questions are collected by the Hearing Coordinator and submitted to the Decision Maker for their consideration.
 - b. After deliberating and reviewing the proposed questions, the Decision Maker may request to interview the Complainant, Respondent, and/or any other parties again. At its discretion, the Decision Maker may formulate additional questions independently and/or based on the questions submitted by the Complainant and Respondent.
6. Follow-Up Interviews
 - a. Decision Maker questions the Complainant
 - b. Decision Maker questions the Respondent
 - c. Decision Maker questions any other parties
7. Closing Statements
 - a. Closing Statement by Complainant (10 minutes)
 - b. Closing Statement by Respondent (10 minutes)

E. Appendix B: Hearing Agenda (Title IX Cases)

The following agenda is offered as a general guideline to facilitate a better understanding of the structure of a Hearing. However, the Title IX Coordinator and/or Hearing Coordinator may make reasonable alterations to this agenda to ensure a prompt, thorough, and equitable Hearing for all parties. All participants may request breaks as needed throughout the hearing.

1. Introduction
2. Opening Statements
 - a. Opening Statement by Complainant (10 minutes)
 - b. Opening Statement by Respondent (10 minutes)
3. Interviews of Parties
 - a. Decision Maker questions the Complainant
 - b. Respondent's Advisor may ask questions of Complainant (time may be limited consistent with hearing rules of decorum)
 - c. Decision Maker questions the Respondent
 - d. Complainant's Advisor may ask questions of Respondent (time may be limited consistent with hearing rules of decorum)
4. Interviews of Witnesses
 - a. For each witness (if necessary):
 - i. Decision Maker may ask questions of Witness
 - ii. Complainant's Advisor may ask questions of Witness (time may be limited consistent with hearing rules of decorum)
 - iii. Respondent's Advisor may ask questions of Witness (time may be limited consistent with hearing rules of decorum)
5. Hearing Break (15 minutes)
 - a. The Complainant and Respondent are provided 15 minutes to prepare questions regarding any of the preceding interviews. The written questions are collected by the Hearing Coordinator and submitted to the Decision Maker for their consideration.
 - b. After deliberating and reviewing the proposed questions, the Decision Maker may request to interview the Complainant, Respondent, and/or any other parties again. At its discretion, the Decision Maker may formulate additional questions independently and/or based on the questions submitted by the Complainant and Respondent.

6. Follow-Up Interviews by Decision Maker
 - a. Decision Maker questions the Complainant
 - b. Decision Maker questions the Respondent
 - c. Decision Maker questions any other parties (if necessary)
7. Closing Statements
 - a. Closing Statement by Complainant (10 minutes)
 - b. Closing Statement by Respondent (10 minutes)