

The Title IX Coordinator has discretion to sign a formal complaint that initiates the grievance process where necessary to avoid deliberate indifference to sexual harassment even without a formal complaint from the complainant. Supportive measures will be offered to a complainant,

Supportive measures may include, but are not limited to:

- Counseling
- Course adjustments
- Modification of work
- Modification of class schedules
- Escorts
- Increased monitoring

No disciplinary action or other punitive measure for sexual harassment shall be taken against a respondent without first following the grievance procedures set out herein and a determination of responsibility has been made.

If the respondent has engaged in conduct other than sexual harassment in violation of a code of conduct or similar restriction, the respondent may be disciplined for such action(s) notwithstanding an ongoing investigation.

The following Grievance Procedures responsive to formal complaints:

- a) Notice
 - Both parties will receive the notices.
- b) Investigation
 - Each party shall have the opportunity to select an advisor of the parties “choice. “The advisor may accompany the parties during any grievance proceeding at which the party’s attendance is requested. **Parents for each student will be contacted and informed.**
 - The school shall send written notice to both the complainant and respondent of any investigative interviews, or other meetings providing sufficient time for the party to prepare to participate. The complainant and respondent and their advisors, if applicable, shall be provided evidence directly related to the allegations (electronic or hard copy) with at least **ten (10) days to inspect, review and respond in writing to the evidence.**
 - Supportive measures shall be offered to the complainant or respondent pending a final resolution after consultation with them.
- c) Investigative Report
 - The investigator shall create an investigative report that fairly summarizes relevant evidence. The investigator shall provide the District’s Decision-Maker the investigative report along with the evidence considered. The parties will be provided with a copy of the final investigative report shared with the Decision-Maker.
- d) Decision-Maker (may not be the same person as Title IX Coordinator or the Investigator)

The School will appoint a Decision-Maker(s), who shall be a District employee or third-party contractor and who shall be someone other than the Title IX Coordinator or investigator(s).

The parties may submit a written response to the Decision-Maker within ten (10) days of receiving the investigative report from the investigator. The Decision-Maker may extend this deadline for good cause.

Before reaching a determination regarding responsibility, the Decision-Maker must afford each party the opportunity to submit written, relevant questions that a parent wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The Decision-Maker will determine if the questions submitted are relevant to the case and will then forward the relevant questions to the respective parties or witness for a response. The Decision-Maker will explain to the party proposing the questions any decision to exclude a question as not relevant. The Decision-Maker will provide the parties with the answers to their questions and allow for limited follow-up questions by the parties.

The Decision-Maker must review all of the evidence; apply the preponderance of the evidence standard; and issue a written determination. The written determination must include:

- a) an identification of the allegations potentially constituting sexual harassment;
- b) a description of procedural steps taken from the receipt of the formal 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) findings of fact supporting the determination;
- d) conclusions as to whether the conduct alleged occurred and whether the conduct violated the District's code of conduct
- e) the rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
- f) the District's procedures and permissible bases for the complainant and respondent to appeal.
- g) the Decision-Maker's written determination shall not be issued sooner than ten days from receipt of the investigative report, allowing minimally ten days for an opportunity for the parties to submit written responses and exchange questions and responses and for consideration of these by the Decision-Maker.