Title IX Grievance Procedure

The Title IX Grievance Procedure listed below is meant to provide for prompt and equitable resolution of student and employee complaints.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, 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. Such 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.

Should any School employee, or School official who has authority to institute corrective measures on behalf of the School, receive notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator.

Grievance Process for Complaints Not Alleging Sexual Harassment

Level I – Informal Procedure

Upon receiving a report of sexual discrimination that does not allege sexual harassment (as defined below), the Title IX Coordinator shall facilitate resolution through an informal procedure, if possible. This informal procedure is not required as a precursor to the filing of a complaint. The informal procedure is only available in those circumstances where the parties agree to participate in it. Individuals who believe that they have been unlawfully sexually discriminated/retaliated against may proceed immediately to the complaint procedure and individuals who seek resolution through the informal procedure may request that the informal procedure be terminated at any time to move to the complaint procedure. While there are no set time limits within which an informal procedure must be resolved, the Title IX Coordinator or his/her designee will exercise his/her authority to attempt to resolve the informal procedure within fifteen (15) business days of receiving the report.

Parties who are dissatisfied with the results of the informal procedure may proceed to file a complaint with the Title IX Coordinator.

Level II – Complaint Procedure

If a report is not resolved through the informal procedure, if one of the parties requests that the informal procedure be terminated to move to the complaint procedure, or if the individual elects to file a complaint initially, the complaint procedure shall be implemented. The School also reserves the right to investigate and resolve a complaint or report of sex discrimination/retaliation regardless of whether the individual alleging the unlawful discrimination/retaliation pursues a complaint.

The complaint should be in writing and state the date and nature of the alleged discrimination/retaliation and the relief sought. If the grievant is a student, the Title IX Coordinator shall assist in preparing the written complaint.

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Upon receipt of the written complaint of sexual discrimination that does not allege sexual harassment, the Title IX Coordinator or his/her designee shall begin an investigation. The investigation will include, but not be limited to, interviews and a consideration of documentation or other information presented by any party that is reasonably believed to be relevant to the allegations, as applicable. Although certain cases may require additional time, the Title IX Coordinator or his/her designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the written complaint. The School reserves the right to have the complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

If an individual is alleged to have engaged in discrimination/retaliation, that individual shall be presumed to not be responsible for the alleged conduct until the conclusion of the complaint procedure. That individual must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

At the conclusion of the investigation, the Title IX Coordinator or his/her designee shall issue a written decision to the parties.

Level III – Appeal

If the student believes that there still is a basis for a grievance, he or she may make a written statement of appeal to the Board. This written statement of appeal must be filed within ten (10) business days of the date of the Title IX Coordinator's decision

The Board or its designee (1-3 members of the Board) shall make a decision on the grievance appeal in a timely manner (ordinarily, within fifteen (15) business days of the appeal being received), and shall give that decision in writing to the Title IX Coordinator and the Student.

Grievance Process for Complaints of Sexual Harassment

Definitions

For purposes of this grievance process,

"*Complainant*" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"*Formal complaint*" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the School with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator.

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

"*Sexual harassment*" means conduct on the basis of sex that satisfies one or more of the following:

(1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct;

(2) 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 School's education program or activity; or

(3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"*Supportive measures*" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment. 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 locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School must 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 the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Training

Any individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. In addition, these individuals shall 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.

All Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, shall receive training on the definition of sexual harassment, the scope of the School's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The School will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, and that decision-makers receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Presumption of No Responsibility

Throughout this grievance procedure, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. In addition, the School shall 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.

The School must comply with this grievance process before the imposition of any disciplinary sanctions, or other actions that are not supportive measures, against a respondent.

The investigation of the grievance shall include an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person's status as a complainant, respondent, or witness. The standard of evidence to be used to determine responsibility will be the clear and convincing evidence standard.

Good Cause Delay

There may be a temporary delay of the grievance process or a limited extension of time-frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Level I – Response to Report

Upon receiving a report of sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, 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 formal complaint, and explain to the complainant the process for filing a formal complaint. The School will maintain as confidential any supportive measures provided before or after the filing of a formal complaint or where no formal complaint has been filed, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures.

Level II – Formal Complaint

Upon receipt of a formal complaint (or later as additional allegations become known), the School will provide the following written notice to the parties who are known:

(A) Notice of the School's grievance process that complies with this section, including any informal resolution process.

(B) Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not

required to be, an attorney, and may inspect and review evidence. The written notice must also inform the parties of any provision in the School's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School decides to investigate allegations about the complainant or respondent that are not included in the foregoing notice provided, the School must provide notice of the additional allegations to the parties whose identities are known.

The School may consolidate formal complaints as to allegations of sexual harassment 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 of sexual harassment arise out of the same facts or circumstances.

Investigation:

The Title IX Coordinator or his/her designated investigator will investigate the allegations in a formal complaint. When investigating a formal complaint and throughout the grievance process, the Title IX Coordinator or his/her designated investigator must:

(A) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the School and not on the parties provided that the School cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent to do so for a grievance process (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the School must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

(B) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

(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 any grievance proceeding, 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 grievance proceeding; however, the School may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

(E) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

(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 formal complaint, including the evidence upon which the School does not intend to rely in reaching a

determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

(G) Create an investigative report within thirty (30) business days of receipt of a formal complaint that fairly summarizes relevant evidence and, at least ten (10) business days prior to a time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Question and Answer Period

After the School has sent the investigative report to the parties, the Title IX Coordinator or his/her designated investigator shall submit the investigative report to the [_____ INSERT DECISION-MAKER 1 (CANNOT BE TITLE IX COORDINATOR OR INVESTIGATOR)] as decision-maker to reach a determination regarding responsibility. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator(s).

Before reaching a determination regarding responsibility, the [_____ INSERT DECISION-MAKER 1] must afford each party five (5) business days to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. However, 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. The [_____ INSERT DECISION-MAKER 1] must explain to the party proposing the questions any decision to exclude a question as not relevant.

Dismissal

The School must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the School's education program or activity, or did not occur against a person in the United States, then the School must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. However, such a dismissal does not preclude action under another provision of the School's code of conduct.

The School may also dismiss the formal complaint or any allegations therein, if at any time during the investigation: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the School; or specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the School will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

Determination Regarding Responsibility

The [_____ INSERT DECISION-MAKER 1] as decision-maker must issue a written determination regarding responsibility within twenty-five (25) business days of receiving the investigative report.

The written determination must include:

(A) Identification of the allegations potentially constituting sexual harassment;

(B) A description of the 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, and methods used to gather other evidence;

(C) Findings of fact supporting the determination;

(D) Conclusions regarding the application of the School's code of conduct to the facts;

(E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the complainant; and

(F) The School's procedures and permissible bases for the complainant and respondent to appeal.

The School must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the School 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.

If a determination of responsibility for sexual harassment has been made against a respondent, the School will provide remedies to a complainant. The Title IX Coordinator is responsible for effective implementation of any remedies. Possible remedies to the complainant that the School may implement 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 locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures or individualized services offered as may be appropriate and reasonably available, without fee or charge to the complainant, that are designed to restore or preserve equal access to the School's education program or activity, to protect the safety of the complainant or the School's educational environment, or to deter sexual harassment.

Possible disciplinary sanctions the School may implement following any determination of responsibility by the respondent may include: suspension, expulsion, reprimand, documenting the occurrence in the personnel file, referral to counseling, withholding of a promotion, demotion, reassignment, temporary suspension without pay, termination of employment, or any other disciplinary measures outlined in the School's code of conduct or Staff Handbook.

Level III – Appeal to [_____ INSERT DECISION-MAKER 2 (CANNOT BE SAME PERSON AS DECISION-MAKER 1, CANNOT BE TITLE IX COORDINATOR OR INVESTIGATOR)]

Either the complainant or respondent, or their parent or guardian, may appeal from a determination regarding responsibility or from a dismissal of a formal complaint, or any allegations therein. Any such appeal shall be received by the Title IX Coordinator in writing within ten (10) business days of the determination.

The appeal may be on one or more of the following bases:

(A) Procedural irregularity that affected the outcome of the matter;

(B) 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

(C) The Title IX Coordinator, investigator(s), or decision-maker(s) 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.

The Title IX Coordinator shall give the written appeal to a [_____ INSERT DECISION-MAKER 2 (CANNOT BE SAME PERSON AS DECISION-MAKER 1, CANNOT BE TITLE IX COORDINATOR OR INVESTIGATOR)] for decision. The decision-maker on appeal cannot be the same person(s) as the initial decision-make, the Title IX Coordinator, or the investigator(s).

Within three (3) business days of receipt, the Title IX Coordinator shall also provide notice to the other party in writing that the appeal was filed. Each party shall then be provided five (5) business days to submit a written statement in support of, or challenging, the outcome.

Within ten (10) business days after the time to submit a written statement has passed, the [_____ INSERT DECISION-MAKER 2] shall issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

For all appeals, the School must ensure that the decision-maker(s) for the appeal: (i) not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent; (ii) receive training on the definition of sexual harassment, the scope of the School's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (iii) receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant; and (iv) receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Office for Civil Rights

If the student (or their parent or guardian) or employee is not satisfied with the grievance process determination, he or she may appeal it to the Office for Civil Rights. However, use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

A student (or their parent or guardian) or employee who believes there is a basis for a grievance related to Title IX may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114-2611. Any such written complaint must be filed within one hundred eighty (180) days from the date of the alleged

discrimination, or, if this grievance procedure is utilized, within sixty (60) days after the last act of the grievance process.

Informal Resolution Process

The School may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

Similarly, the School may not require the parties to participate in an informal resolution process, and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the School may facilitate an informal resolution process that does not involve a full investigation and adjudication, provided that the School:

(A) Provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint 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 grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

(B) Obtains the parties' voluntary, written consent to the informal resolution process; and

(C) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Any such informal resolution process should not exceed ten (10) business days.

Emergency Removal

Nothing in this grievance procedure precludes the School from removing a respondent from the School's education program or activity on an emergency basis, provided that the School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. However, this provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Administrative Leave

Nothing in this grievance procedure precludes the School from placing a non-student employee respondent on administrative leave during the pendency of a grievance process. However, this provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

Recordkeeping

The School must maintain for a period of seven years records of:

(A) Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education program or activity;

(B) Any appeal and the result therefrom;

(C) Any informal resolution and the result therefrom; and

(D) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The School must make these training materials publicly available on its website, or if the School does not maintain a website the School must make these materials available upon request for inspection by the public.

For each response to a report or formal complaint of sexual harassment in an education program or activity, the School must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If the School does not provide a complainant alleging sexual harassment with supportive measures, then the School must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

Retaliation Prohibited

Neither the School, nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding in this grievance procedure. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure, constitutes retaliation.

The School must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination complaints not alleging sexual harassment. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation under this grievance procedure. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of this grievance procedure does not constitute prohibited retaliation under

this grievance procedure, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

See 34 CFR part 106; see also Policy 221, Policy 222, and Appendices 221.1-A through 221.1-J.

Title IX Coordinator

The School intends to comply with Title IX of the Education Amendments Act of 1972, which states, in part: "No persons in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving financial assistance...."

As such, the School does not discriminate on the basis of sex in its education program or activities, and is required by Title IX and its regulations not to discriminate in such a manner. This requirement not to discriminate in the education program or activity extends to admission and employment.

The following person shall be the Compliance Officer/Title IX Coordinator and is responsible for investigating any complaint alleging noncompliance with Title IX.

Ashley Green
4900 W 15th Ave
Gary, IN 46406
219-944-7400
76.agreen@nhaschools.com

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, 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. Such 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.

Inquiries about the application of Title IX and its regulations to the School may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department, or both.

A specific procedure for grievances related to Title IX issues is set forth as the "Title IX Grievance Procedure." *34 CFR 106*

The language above will be posted on the School's website within two clicks of the home page; in other School-related documents made available to students, parents, staff, and applicants (e.g., student newspapers, parent newsletters, student handbooks, employee handbooks, application forms, recruiting materials, etc.).

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Appendix Title IX -A

Form for Formal Complaint of Sexual Harassment

Please note that the School's harassment policies prohibit knowingly making false statements or knowingly submitting false information.

Incident Reporter: _____

Date: _____

Names of the parties involved in the incident, if known: _____

Date and location of the alleged incident, if known: _____

Additional witnesses of incident, if known: _____

_____

Description of conduct constituting sexual harassment: _____

_____

_____

_____

_____

_____

_____

_____

I am requesting that the School investigate the foregoing allegation of sexual harassment.

Signature of Reporting Person: _____

Date: _____

**Formal Complaints of sexual harassment should be submitted to the Title IX Coordinator.*

Signature of Title IX Coordinator: _____

Appendix Title IX -B

Notice to Respondent of Formal Complaint of Sexual Harassment

[DATE]

Dear _____[Respondent],

Please be aware that a Formal Complaint has been filed requesting that the School investigate an allegation of sexual harassment. In this Formal Complaint, you have been reported to be the perpetrator of conduct that could constitute sexual harassment. Attached please find the School's Title IX Grievance Procedure, and below (or attached) please find the allegations of sexual harassment.

The School will now begin an investigation pursuant to the Grievance Procedure. You are presumed not responsible for the alleged conduct, and a determination regarding responsibility will be made at the conclusion of the grievance process. Should you wish to do so, please provide a written response to the below allegations. Your written response should be provided to me at _____[email address] within five (5) business days of receipt of this letter.

At any point prior to reaching a determination regarding responsibility, I may inquire as to whether you would be interested in voluntarily consenting to participation in an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. You will not be required to participate in such an informal resolution process, and may choose to proceed with the grievance process. If all parties agree to participate in the informal resolution process, the investigation will be put on hold, and I will meet with each party in an attempt to resolve this matter. If all parties agree to a resolution through the informal resolution process, the grievance process will end, and all parties will be precluded from resuming a formal complaint arising from the same allegations. However, at any time prior to agreeing to a resolution, any party will have the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

Throughout this grievance process, you may have an advisor of your choice, who may be, but is not required to be, an attorney, and may inspect and review evidence and accompany you to any related grievance meeting or proceeding. Please note that the School's harassment policies prohibit knowingly making false statements or knowingly submitting false information.

Allegations:

Names of the parties involved in the incident, if known:_____

Date and location of the alleged incident, if known: _____

Description of conduct constituting sexual harassment: _____

_____

Sincerely,
[Title IX Coordinator]
Encl. (Grievance Procedure)

Appendix Title IX -C

Notice to Complainant of Formal Complaint of Sexual Harassment

[DATE]

Dear _____[Complainant],

Please be aware that your Formal Complaint requesting that the School investigate an allegation of sexual harassment has been filed. Attached please find the School's Title IX Grievance Procedure, and below (or attached) please find the allegations of sexual harassment.

The School will now begin an investigation pursuant to the Grievance Procedure. Please note that per our procedure, the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for the alleged conduct, and a determination regarding responsibility will be made at the conclusion of the grievance process.

Should you wish to do so, please provide a written response to the below allegations. Your written response should be provided to me at _____[email address] within five (5) business days of receipt of this letter.

At any point prior to reaching a determination regarding responsibility, I may inquire as to whether you would be interested in voluntarily consenting to participation in an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. You will not be required to participate in such an informal resolution process, and may choose to proceed with the grievance process. If all parties agree to participate in the informal resolution process, the investigation will be put on hold, and I will meet with each party in an attempt to resolve this matter. If all parties agree to a resolution through the informal resolution process, the grievance process will end, and all parties will be precluded from resuming a formal complaint arising from the same allegations. However, at any time prior to agreeing to a resolution, any party will have the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

Throughout this grievance process, you may have an advisor of your choice, who may be, but is not required to be, an attorney, and may inspect and review evidence and accompany you to any related grievance meeting or proceeding. Please note that the School's harassment policies prohibit knowingly making false statements or knowingly submitting false information.

Names of the parties involved in the incident, if known:_____

Date and location of the alleged incident, if known: _____

Description of conduct constituting sexual harassment: _____

_____

Sincerely,
[Title IX Coordinator]
Encl. (Grievance Procedure)

Appendix Title IX -D

Notice Regarding Informal Resolution Process

[DATE]

Dear [Complainant's name/Respondent's name SEND SEPARATELY],

As stated in my [DATE] letter to you, attached hereto, a Formal Complaint has been filed requesting that the School investigate an allegation of sexual harassment. Please see the attached letter for the allegations.

At this time, I believe that it would be beneficial to engage in an informal resolution process that does not involve a full investigation and adjudication. You are not required to participate in such an informal resolution process, and may choose to proceed with the grievance process.

If all parties agree to participate in the informal resolution process, the investigation will be put on hold, and I will meet with each party in an attempt to resolve this matter.

If all parties agree to a resolution through the informal resolution process, the grievance process will end, and all parties will be precluded from resuming a formal complaint arising from the same allegations. However, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

Please be aware that any records from prior to, or during, the informal resolution process, will be maintained and could be shared as may be permitted by the FERPA statute, 20 U.S.C. 1232g, FERPA regulations, or Ohio law.

If you would like to voluntarily consent to participation in an informal resolution process, please sign below and return this form to me within five (5) business days.

Sincerely,

[Title IX Coordinator]

_____

I have read and understand the foregoing Notice Regarding Informal Resolution Process, and voluntarily consent to participation in an informal resolution process.

Name: _____

Signature: _____

Date: _____

Appendix Title IX-E

Notice of Evidence

[DATE]

Dear [Complainant's name/Respondent's name SEND SEPARATELY],

Attached please find the evidence obtained as part of my investigation that is directly related to the allegations raised in the formal complaint of sexual harassment in this matter. Please review and submit any written response to me at [email address] within ten (10) business days of receipt of this letter.

Sincerely,

[Title IX Coordinator]

Encl.

Appendix Title IX-F

Notice of Investigative Report Regarding Formal Complaint of Sexual Harassment

[DATE]

Dear [Complainant's name/Respondent's name SEND SEPARATELY],

Attached please find my investigative report. Please review and submit any written response to INSERT DECISION-MAKER 1 (CANNOT BE TITLE IX COORDINATOR OR INVESTIGATOR)] at [email address] within ten (10) business days of receipt of this letter.

Sincerely,

[Title IX Coordinator]

Encl.

Appendix Title IX -G

Question and Answer Request

[DATE]

Dear [Complainant's name/Respondent's name SEND SEPARATELY],

I am in receipt of the Investigative Report dated [DATE] related to the allegation of sexual harassment. Before I make a determination regarding responsibility, please submit, in writing to [email address], any, relevant questions that you would like asked of any party or witness within five (5) business days of receipt of this letter. If your questions are allowed, you will be provided with any answers, and permitted limited follow-up.

Sincerely,

[Decision-Maker 1]

Appendix Title IX-H

Notice of Determination of Responsibility

[DATE]

Dear [Complainant's name/Respondent's name SEND SEPARATELY],

Attached please find my Determination of Responsibility regarding allegations potentially constituting sexual harassment.

If you would like to appeal this determination of responsibility or any allegations therein, please submit a written statement of appeal to the Title IX Coordinator at [email address] within ten (10) business days of receipt of this letter.

Any such appeal may be on one or more of the following bases:

(A) Procedural irregularity that affected the outcome of the matter;

(B) New evidence that was not reasonably available at the time this determination regarding responsibility was made, that could affect the outcome of the matter; and

(C) The Title IX Coordinator, investigator(s), or decision-maker(s) 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.

The determination regarding responsibility becomes final either on the date that the School 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.

Sincerely,

[Decision-Maker 1]

Encl.

Appendix Title IX -I

Notice of Appeal

[DATE]

Dear [Complainant's name/Respondent's name SEND SEPARATELY],

Please be aware that an appeal has been filed regarding the Determination of Responsibly issued on [DATE]. Pursuant to the School's grievance procedure, you may submit a written statement in support of, or challenging the outcome, within five (5) business days. Please submit any such written statement to [email address].

Sincerely,

[Decision-Maker 2]

Appendix Title IX -J

Notice of Appeal Decision

[DATE]

Dear [Complainant's name/Respondent's name SEND SEPARATELY],

Attached please find my written decision describing the result of the appeal and the rationale for the result.

Sincerely,

[Decision-Maker 2]

Encl.