# DISCRIMINATION AND HARASSMENT BASED ON SEX PROHIBITED
# RESPONDING TO COMPLAINTS OF SEX DISCRIMINATION

The district will respond to reports of sex discrimination promptly and efficiently. All district employees are required to immediately notify the Title IX Coordinator when they have information about conduct that may reasonably constitute sex discrimination. Failure to timely notify the Title IX Coordinator may result in disciplinary action up to and including termination of employment.

The Title IX Coordinator will:

- Treat the complainant and respondent equitably.
- Offer supportive measures for the Complainant as appropriate, and if grievance procedures have been started, offer supportive measures to the Respondent as appropriate.
- Notify the complainant of the grievance process and informal resolution process if appropriate and request by all parties.
- Determine whether to start a complaint of sex discrimination in the absence of a complaint, and in the absence or termination of an informal resolution process.
- Take appropriate and necessary steps to ensure sex discrimination does not continue to occur within the district.

**Meeting with the Complainant**

Upon receipt of any report of sexual harassment occurring in the District's educational program or activity, the Title IX Coordinator or designee will schedule a meeting with the Complainant in order to provide the Complainant a general understanding of this policy and related processes. At the initial intake meeting with the Complainant, the Title IX Coordinator or designee will seek to determine how the Complainant wishes to proceed. The Complainant may opt for: (1) informal resolution; (2) formal resolution; or (3) not proceeding. Supportive measures may still be offered whether or not the Complainant chooses any of these options.

**Supportive Measures**

Supportive measures may vary based on the specific facts of each situation and what the district can reasonably offer. The purpose of supportive measures is to allow equitable access to the education program and activities for the parties involved in a complaint. Supportive measures will not be used as a punishment for any party. They may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, campus escort services, increased monitoring of certain areas of campus, restrictions on contact applied to one or more individuals, leave of absence, changes in class/work/extracurricular activity, and training and education programs related to sexbased harassment. The District will review supportive measures and determine whether to modify or terminate these measures at the conclusion of any grievance or informal resolution process.

**Informal Resolution**

The District may offer to the complainant and respondent the option to engage in an informal resolution process to resolve complaints of sex discrimination unless the complaint is of sex-based harassment by an employee to a student, or if the informal resolution process would conflict with applicable laws. The informal resolution process can occur at any time prior to a determination of whether sex discrimination occurred. The parties to a complaint must voluntarily consent to the informal resolution. Before the parties may consent to this process, the Title IX Coordinator will provide notice to the parties that explains:

- The allegations;
- The requirements of the informal resolution process;
- That, before agreeing to a resolution, either party may withdraw their consent to the informal process and start or resume a grievance process;
- That the parties' agreement to a resolution through the informal process would be a final resolution that would stop any grievance process for those allegations;

- Possible terms that could be included in an informal resolution agreement;
- That resolution is binding only on the parties; and
- What information the District will retain and whether/how that information may be disclosed.

If informal resolution is pursued, the Title IX Coordinator will provide the parties with written notice of the allegations and provide adequate time for the Title IX Coordinator to consult with all parties to gather relevant permissible evidence, discuss supportive measures for each party, if appropriate, and discuss an acceptable resolution to the allegations. Once an agreement is reached, the Title IX Coordinator will commit the terms to writing and each party will sign their commitment to the agreement.

**Emergency Removal and Administrative Leave**

In rare circumstances, the District may remove a student respondent from the education program or activity after the district performs an individualized safety and risk analysis and decides an imminent and serious threat to the health or safety of the complainant or others justifies removal. The District will provide the respondent with notice and the opportunity to challenge the decision immediately after the removal.

Likewise, the District may determine to place employee respondents on administrative leave during the pendency of the grievance process.

**Legal References:** 34 C.F.R. § 106*et seq.*

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