

Title IX Sexual Harassment Policy and Procedures Leadership Academy of Utah.

1. Purpose

In accordance with Title IX of the Education Amendments Act of 1972, Leadership Academy of Utah (LAU) prohibits sex discrimination, including sexual harassment, against any individual participating in any LAU education program or activity. This prohibition on discrimination applies to students, employees, and applicants for employment.

Any LAU employee or student who would like to notify LAU or file a formal complaint of sexual harassment may contact LAU's Title IX coordinator.

LAU will utilize these procedures to respond to all claims of sexual harassment as defined in Section 3 of this policy. If LAU determines that the conduct does not fall within the scope of Title IX, it may still proceed to investigate or respond to that conduct or complaint under any other applicable school policy or procedure.

This policy applies to all LAU students and employees. A student is a person who has gained admission to LAU.

During the Title IX process, LAU will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures.

False Statements: LAU Board Policy *Bullying, Cyberbullying, Harassment, Hazing, Retaliation, and Abusive Conduct*, III.B.3.a. prohibits school employees and students from making a false allegation. The LAU Parent & Student Handbook section on *Bullying, Cyberbullying, Harassment, Hazing, Retaliation, and Abusive Conduct* prohibits students from knowingly making false statements or knowingly submitting false information during the investigation and grievance process.

2. Leadership Academy of Utah's Board Policy Discrimination and Sexual Harassment

It is policy of LAU not to discriminate on the basis of sex, race, national origin, creed, religion, age, marital status, sexual orientation, gender dysphoria, or disability in its educational programs, activities, or employment policies as required by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973.

The policy against non-discrimination applies in all aspects of the school's programs and activities, including but not limited to admissions and the administration of discipline. It shall be a violation of this policy for any student or employee of the school to harass a student or an

employee through conduct or communication in any form as defined by this policy or to retaliate against any individual for filing, receiving, investigating, or providing information concerning any complaint alleging violation of a federal civil rights law under this policy.

Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 is a federal law that prohibits discrimination on the basis of sex in providing educational programs and services. It is policy of the school not to discriminate against any student, employee, or applicant on the basis of sex. The school will ensure that no student will be excluded from participating in or having access to any course offerings, student athletics, or other school resources based on unlawful discrimination. LAU will take all necessary steps to ensure that each employee's work environment is free of unlawful discrimination based on sex. No employee of the school, including any person representing the school, shall intimidate, threaten, harass, coerce, discriminate against, or commit or seek reprisal against anyone who participates in any aspect of the discrimination complaint process associated with this policy.

Title IX Complaints

Any person who believes he or she has been the victim of discrimination, harassment, or sexual harassment by another student or an employee of the school, or any third person with knowledge of conduct that may constitute discrimination, harassment, or sexual harassment should immediately report the alleged acts to the Title IX coordinator.

The school is committed to investigating all complaints of discrimination or harassment under federal civil rights laws and will take action to stop any harassment or discrimination that is discovered.

3. Definitions

Sexual harassment consists of conduct on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo Sexual Harassment: A school employee explicitly or implicitly conditions the provision of an aid, benefit, or service of LAU on an individuals' participation in unwelcome sexual conduct, or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies equal access to LAU's education program or activity, or
3. Specific Offenses
 - a. Sexual Assault: Any sexual act directed against another person for the purpose of sexual gratification, without the consent of the victim, including instances when the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity. Sexual assault is any offense that meets the definition of any one of the following offenses:
 - i. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- ii. 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 his/her age or because of his/her temporary or permanent mental incapacity.
 - iii. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - iv. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent
- b. Dating Violence
 - i. Violence committed by a person:
 - 1. Who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - 2. The existence of such a relationship shall be determined by the reporting party's statement with consideration of the following factors:
 - a. Length of relationship
 - b. Type of relationship
 - c. Frequency of interaction between the persons involved in the relationship
- c. Domestic Violence
 - i. Felony or misdemeanor crimes committed by a person who:
 - 1. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of Uah, or a person similarly situated to a spouse of the victim.
 - 2. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate.
 - 3. Shares a child in common with the victim OR
 - 4. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- d. Stalking
 - i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - 1. Fear for the person's safety or the safety of others OR
 - 2. Suffer substantial emotional distress

4. Additional Definitions

Actual Knowledge: Notice of discrimination, sex-based harassment, or allegations of sex-based harassment by any LAU employee.

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Formal Complaint: A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that LAU investigate the allegation of sexual harassment.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Consent: [Utah State Law 76-5-406 \(2\) and \(3\)](#)

Retaliation: Intimidation, threats, coercion, or discrimination against any person by the school, a student, or an employee or other person authorized by the school to provide aid, benefit, or service under the school's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX Regulations.

Sexual Misconduct: Conduct of a sexual nature, including inappropriate sexual behavior or threatened behavior that poses a threat to the welfare, safety, or morals of other students or school personnel, but does not rise to the level of sex discrimination or sex-based harassment under Title IX. Sexual misconduct is prohibited and will be investigated and addressed under alternative discipline procedures.

5. Jurisdiction

LAU will address all allegations of sexual harassment where LAU exercised substantial control over both the respondent and the context in which reported sexual harassment occurs.

Allegations that originate off-campus which impact the victim's ability to effectively access and continue their educational program may be addressed under this policy at the discretion of the Title IX Coordinator. This may include allegations of sexual harassment through the internet, electronic mobile devices and/or social media. If an allegation of sexual harassment originating outside of class or a school activity is not addressed under this policy it must be reviewed by the Executive Director and addressed under another policy.

Allegations of sexual harassment that occurred outside the United States but as part of a school sponsored program or activity will not be addressed in this policy but may be addressed under a different policy.

6. Procedures

LAU has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

LAU may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.

When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

Basic Requirements of Title IX Grievance Procedures:

LAU will treat complainants and respondents equitably.

LAU requires that any Title IX coordinator, investigator, decision maker or appellate decision maker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

LAU presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

Timelines: Any reported allegations of sexual harassment will be investigated promptly, without deliberate indifference, and in accordance with the complaint procedures set forth below.

Timelines may vary depending on the complexity of the investigation and the severity and extent of the sexual harassment. LAU's process may be delayed only for good cause including the absence of a party, concurrent law enforcement activity, the need for language assistance, or accommodation of disabilities.

LAU has established the following timeframes for the major stages of the grievance procedures:

1. Evaluation of notification or complaint - two weeks (ten business days)
2. Investigation - four weeks (twenty business days)
3. Determination - three weeks (fifteen business days)
4. Appeal (if any) - two weeks (ten business days)

LAU has also established the following process that allows for the reasonable extension of time frames on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay:

1. If either party has good cause for a delay, they will immediately contact the Title IX coordinator.
2. If the Title IX team member actively involved in the current stage of the process has good cause for a delay, they will immediately contact the Title IX coordinator.

LAU will objectively evaluate all evidence that is relevant and not otherwise impermissible - including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e.,

will not be accessed or considered, except by LAU to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

1. Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
2. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless LAU obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
3. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Emergency Removal: A respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made; therefore, LAU will not impose any disciplinary actions until the conclusion of the process. However, it may be necessary to impose an emergency removal if a school administrator determines there is a safety concern.

1. A removal cannot be based solely upon an allegation.
2. School administration may remove a student respondent from LAU's education program or activity on an emergency basis, provided they:
 - a. Undertake an individualized safety and risk analysis;
 - b. Determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sex-based harassment justifies removal; and
 - c. Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal through the Executive Director.
3. The school administrator must document in writing their decision on emergency removal.
4. Human Resources may place a non-student employee respondent on administrative leave with or without a showing that the respondent poses an immediate threat to the physical health or safety of individuals during the pendency of a grievance process.
5. These provisions may not modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Title IX Coordinator - Upon receiving a report of possible sexual harassment, the Title IX Coordinator will meet with the complainant to confidentially discuss the availability of supportive measures with or without filing a formal complaint. The Title IX Coordinator will consider the complainant's wishes on supportive measures. The Title IX Coordinator will also explain to the

complainant the process for filing a formal complaint. The Title IX Coordinator will determine the obligation to proceed with a formal investigation if the complainant does not wish to file a formal complaint. If the allegations, if true, do not meet the definition of sexual harassment, the matter will be referred to the Executive Director for review under other student conduct policies.

Formal Complaint: A student (and/or parent/guardian on behalf of their minor complainant) or an employee may file formal complaint by mailing or emailing a statement in writing that includes all of the following:

1. A request for an investigation including the name, address, telephone number and signature of the complainant.
2. The date(s) on which the alleged sexual harassment took place.
3. The name(s) of alleged person(s) responsible for the alleged sexual harassment (the respondent(s)).
4. A sufficient description of the nature of the alleged sexual harassment, i.e., explain what occurred and the harm caused by the incident.
5. A statement of requested resolution/imposition of remedies (which may include supportive measures). Disciplinary action lies only within the authority and sole discretion of the school.

The Title IX Coordinator may also file/sign a formal complaint on behalf of the student or an employee. In this situation, the Title IX Coordinator and the school are not complainants or parties during a grievance process.

Notice of Allegations: Following the filing of a formal complaint, and absent a dismissal, a Title IX School Administrator will provide written notice to the known parties of the allegations potentially constituting sexual harassment as defined in this policy, with sufficient time to prepare a response before any initial interview.

The Notice of Allegations will include

1. LAU's Title IX grievance procedures and any informal resolution process;
2. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
3. Notice that retaliation is prohibited and subject to disciplinary action;
4. Notice of the prohibition of knowingly making a false statement or knowingly submitting false information during the grievance process.
5. Notice that the respondent is presumed not responsible for the alleged conduct until a determination of the responsibility has been made at the conclusion of the grievance process.
6. The parties are entitled to submit and review evidence throughout the investigative process. This includes access only to relevant and not otherwise impermissible evidence or an accurate description of this evidence.
7. The standard of evidence that will be applied is clear and convincing evidence.

8. Describe the range of possible disciplinary sanctions that may be implemented following a determination of responsibility.
9. Describe the range of supportive measures available to complainant and respondent.
10. The parties may bring an advisor (may be an attorney) to the meeting at the party's own expense. The advisor does not speak for the party or speak in any meeting.

If, in the course of an investigation, LAU decides to investigate additional allegations of sexual harassment by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, LAU will notify the parties of the additional allegations.

Dismissal of a Formal Complaint:

Mandatory Dismissal: A formal complaint must be dismissed if:

1. The alleged conduct does not meet the definition of sexual harassment as defined in this policy, or
2. The alleged conduct did not occur in LAU's educational program or activity, or
3. The alleged conduct did not occur in the United States, or
4. The complainant is not enrolled or employed or seeking to be enrolled or employed at LAU.

Discretionary Dismissal: A formal complaint or any allegations therein may be dismissed:

1. At any time during the investigation or determination of responsibility process, a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein.
2. The school may dismiss the formal complaint if the respondent is no longer enrolled or employed by LAU.
3. The school may dismiss the formal complaint if circumstances prevent LAU from gathering sufficient evidence to reach a conclusion.

A dismissal does not preclude action and sanctions under another provision of school policy.

Upon dismissal of a formal complaint, written notice of the dismissal and reasons why must be promptly sent to the complainant and respondent and their advisors, if any, with the reason(s) on which it is based. The notice will contain the procedures and permissible bases for complainant and respondent to appeal the decision.

Dismissals may be appealed only on the following bases:

1. Procedural irregularity that would change the outcome;
2. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
3. The Title IX coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, LAU will, at a minimum:

1. Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
2. Implement appeal procedures equally for the parties;
3. Ensure that the decision maker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
4. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
5. Notify the parties of the result of the appeal and the rationale for the result.

Investigation of Formal Complaint:

LAU will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on LAU - not on the parties - to conduct an investigation that gathers sufficient evidence to determine whether sexual harassment occurred.

LAU will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

Before any interview or other meeting in which a party's participation is invited or expected, the Title IX Investigator must provide clear written notice to allow sufficient time (generally 2 - 3 days from the date of this notice) to prepare to participate. The notice must include:

1. The date, time, and location of the meeting.
2. The purpose of the investigative interview.
3. Participants expected at the meeting.
4. Notice that the parties may bring an advisor (may be an attorney) to the meeting at the party's own expense. The advisor does not speak for the party or speak in any meeting.
5. Notice that the parties may bring any documents, evidence, or other information that they would like LAU's Title IX Investigator to consider.
6. Information regarding the process.
7. Notice to all students involved in the investigation that retaliation is prohibited and subject to disciplinary action.

LAU will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

LAU will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

1. LAU will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence.
2. LAU will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
3. LAU will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance

procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Notice of Evidence/Investigative Summary: Prior to completing the Final Investigative Report, the Investigator(s) will simultaneously send to each party and the party's advisor, if any, an electronic format or a hard copy summary of the evidence. Both parties shall have an equal opportunity to inspect and review any relevant evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including inculpatory or exculpatory evidence whether obtained from a party or other source, so each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

1. Both parties have 10 calendar days to submit a written response to the summary. Investigator(s) will consider the responses but need not adopt them.

Final Investigative Report: After the 10 day period for response, the Investigator will draft a Final Investigative Report and provide it to the complainant, respondent, decision maker, and coordinator. The report must contain:

1. A description of the complaint.
2. A description of the interim supportive measures including steps taken to date toward an equitable solution.
3. A detailed description of the investigation (names and dates of individuals interviewed), and summary of the evidence considered.
4. The Final Investigative Report will draw no conclusions as to violation of policy.

During the course of the investigation the Investigator may dismiss a formal complaint or an allegation(s) in the formal complaint for the reasons outlined in this policy.

Decision maker - Questioning the Parties and Witnesses:

The Question and Answer period enables the decision maker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

After receiving the Final Investigative Report from the Investigator and before reaching a determination regarding responsibility, the decision maker(s) will notify both parties to submit in writing to the decision maker relevant questions that a party wants asked of any party or witness. The decision maker will provide each party with the answer(s).

Additional limited questions may be allowed at the sole discretion of the decision maker(s).

Should the decision maker(s) determine that a question is not relevant and will not be used, they must explain the decision to the requesting party.

The period to submit written questions and receive answers will be no more than ten calendar days.

Relevant: Related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged sex discrimination occurred.

Decision maker - Determination Whether Sex Discrimination Occurred:

The decision maker and coordinator will follow the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and

The decision maker and coordinator will not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

After considering the Investigative Report and evaluating any additional relevant and not otherwise impermissible evidence gained through the question/answer period, the decision maker will:

1. Use the clear and convincing] standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decision maker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision maker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decision maker will not determine that sex discrimination occurred. Careful judgment of credibility must be considered based upon factors such as plausibility and consistency.
2. Notify the parties, their advisors (if any), and the Title IX coordinator in writing of:
 - a. The determination whether sexual harassment occurred under Title IX including the rationale for such determination.
 - b. If a determination that sexual harassment occurred, any disciplinary actions that will be imposed on the respondent consistent with LAU Policy or for employees consistent with LAU Policy and the Employee Handbook.
 - c. Remedies (if any) designed to restore or preserve equal access for the complainant to LAU's educational program or activity.
 - d. Procedures and permissible bases for the complainant and respondent to appeal.
 - e. Notice that retaliation is prohibited and subject to disciplinary action.
3. If there is a determination that sex discrimination occurred, the Title IX coordinator will, as appropriate:
 - a. Coordinate the provision and implementation of remedies to a complainant and other people LAU identifies as having had equal access to LAU's education program or activity limited or denied by sex discrimination;
 - b. Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - c. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within LAU's education program or activity.

Appeal of Determinations, if offered:

LAU offers the following process for appeals from a determination whether sex discrimination occurred. This appeal process will be, at a minimum, the same as LAU offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.

Either party may appeal in writing the dismissal of a formal complaint or the determination regarding responsibility within five calendar days after receipt of a notice of dismissal or the determination regarding responsibility, to the Title IX coordinator, who will forward the appeal to LAU's appeal decision maker.

Appeals may be heard on the following basis only:

1. Procedural irregularity that affected the outcome.
2. 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.
3. The Title IX coordinator, investigator, or decision maker had a conflict of interest or bias for or against the complainant or respondent that affected the outcome of the matter.

Appeals based on rationale not outlined above will be denied.

The appellate decision maker will:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.
2. Give both parties a reasonably equal opportunity to submit a written statement in support of, or challenging, the outcome, to be submitted within five calendar days.
3. The appellate decision maker will review the complaint, findings, and render a decision in writing which will be provided simultaneously to both parties and the party's advisor, if any. The final written decision of the appellate decision maker will describe the result of the appeal and the rationale for the result.
4. The written decision on the appeal may take one of three positions:
 - a. Affirm the decision maker's decision.
 - b. Repeal the decision maker's decision.
 - c. Remand the decision maker's decision, which goes back to the decision maker.

The final written decision of the appeal decision maker will serve as the final administrative action in the matter.

Informal Resolution, if offered:

In lieu of resolving a complaint through LAU's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. LAU does not offer informal resolution to resolve a formal complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

The option of participating in an Informal Resolution Process may be requested and facilitated any time after the complaint has been filed and prior to the determination.

Upon receipt of the notice of allegations, the parties may voluntarily agree in writing, to participate in an informal resolution that does not involve a full investigation and grievance process and the Title IX Coordinator determines that the particular Title IX complaint is appropriate for such a process.

If parties request the Informal Resolution Process, both parties must be provided written notice that includes the following information:

1. The allegations
2. The requirements of the process, including what information and documents will be shared with the other party
3. The circumstances which resumes the Formal Complaint process at any time
4. The right to withdraw from the Informal Resolution Process and resume the investigative process at any time prior to agreeing to a resolution
5. Notice that parties are precluded from resuming a formal complaint arising from the same allegations once an informal resolution is agreed to, and
6. Consequences that might result from participating in the Informal Resolution Process Including records that will be maintained by LAU or that could be shared.

If the Informal Resolution Process fails, the Formal Complaint will resume.

Informal Resolution is not an option when the allegations are of an employee sexually harassing a student.

The Informal Resolution Process may not be required as a condition of enrollment or employment.

Supportive Measures:

Individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

1. Restore or preserve that party's access to the school's education program or activity, including measures that are designed to protect the safety of the parties or the school's educational environment; or
2. Provide support during the school's grievance procedures or during an informal resolution process.

Supportive measures are available before and after the filing of a formal complaint or when no formal complaint has been filed.

LAU will offer and coordinate supportive measures as appropriate for the complainant

and/or respondent to restore or preserve that person's access to LAU education program or activity or provide support during LAU Title IX grievance procedures or during the informal resolution process.

For complaints of sex-based harassment, these supportive measures may include counseling, clinical assessment, community resource facilities, extensions of deadlines or other course-related adjustments, one-on-one mentoring, increased security and monitoring of certain areas of class or activities, modifications of work or class schedules, altering work assignments for employees, school safety plan, mutual restrictions of contact between the parties, changes in work locations, leaves of absence for employees, and other similar measures.

Disciplinary Sanctions and Remedies:

Following a determination that sexual harassment occurred under Title IX, LAU may impose disciplinary sanctions on a respondent, which may include school suspension (both short-term and long-term), re-directed schedule, exclusion, losing the privilege of participating in extracurricular activities, employee probation or termination, and other similar measures.

LAU may also provide remedies, as appropriate, to a complainant following a determination of responsibility. The range of possible remedies may include counseling, extension of deadlines, modifications of work or class schedule, altering work arrangements for employees, school safety plan, mutual restrictions on contact between the parties, changes in work location, leave of absence, increased security and monitoring of certain areas of the school, and other similar measures.