The following procedures are intended to serve as the “grievance process” required by Title IX regulations (34 C.F.R. § 106.45) for responding to formal complaints of sexual harassment, as defined by Title IX. These procedures are designed for use in the context of allegations of sexual harassment against a student or employee and should be reviewed in combination with FFH(LEGAL) and (LOCAL) and DIA(LEGAL) and (LOCAL) as applicable.

Please see the student handbook for further information and resources on child sexual abuse, including awareness, prevention, and appropriate action. For procedures regarding allegations of bullying, see FFI. Note that FFH should be used in conjunction with FFI for certain alleged conduct.

All terms in this regulation have the meaning as defined in FFH(LEGAL) at Response to Sexual Harassment. In addition:

“Coordinator” means the Title IX Coordinator.

“Complainant” means the alleged victim of conduct that could constitute sexual harassment and may include a parent acting for a student. Where the Title IX Coordinator signs a formal complaint, the Coordinator is not a complainant.

“Days” means District business days unless otherwise noted by the District.

“District” or “the district” refers to any employee or person designated to fulfill obligations under law or board policies.

“Education program or activity” means locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the alleged sexual harassment occurs.

“Party” or “parties” refers to the complainant and respondent. Where the Title IX Coordinator signs a formal complaint, the Coordinator is not a party.

“Parent” means a person defined by 34 C.F.R. § 99.3 who may act on behalf of a student unless prohibited by law or court order, including signing a formal complaint, agreeing to supportive measures, or responding to allegations in a complaint [see FL(LEGAL)].

“Preponderance of Evidence” is a standard of evidence meaning that a proposition is more likely than not to be true.

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available, designed to protect the safety of all parties or the District's educational environment or to deter sexual harassment. The District is not required to offer or provide supportive measures to unidentified parties.

Examples of supportive measures may include but limited to: ɔ̄ ḥ ʎ

District shall provide notice of removal to the respondent. (See EXHIBIT I) The removal may continue for the duration of an ongoing threat. [See FFB]

Removal under this provision must comply with all due process requirements under law and policy, including the Individuals with Dis-

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- Notification that each party may choose an advisor of choice who may be, but is not required to be, an attorney;
- The right of each party to inspect and review evidence under section 34 C.F.R. § 106.45(b)(5)(vi);
- The standard of evidence that will be used [see FFH(LOCAL)];
- Notification about the District's Title IX formal complaint process, including procedures for informal resolution and appealing the final determination; and
- Any provision of a District code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the formal complaint process.

The Title IX Coordinator may attach a copy of Policy FFH to the Notice of Allegations.

Upon dismissal of a formal complaint or an allegation therein, the Coordinator will promptly

In accordance with law and local policy, the complainant may appeal the written dismissal of a formal complaint or any allegations therein on the following bases:

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If the request for an appeal is not dismissed, the Coordinator will designate an appellate decision-maker to proceed. The appellate decision-maker may not be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator who investigated the complaint at issue, or the Title IX Coordinator.

The Title IX Coordinator