Perry Technical Institute's

Title IX Sexual Harassment Policy & Procedure

Pursuant to 34 CFR Part 106

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Perry Technical Institute

Title IX Non-Discrimination & Grievance Process Policy

I. Introduction and Overview of Title IX Provisions

Non-Discrimination Policy

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in any education program or activity operated by a recipient that receives federal financial assistance. As an educational institution subject to Title IX, Perry Technical Institute ("PTI")[1] has adopted this Title IX Non-Discrimination and Grievance Process Policy. As set forth in detail herein, PTI:

- Does not discriminate on the basis of sex, including in admissions and employment, and is committed to providing an educational and workplace environment that is free from sex-based discrimination, harassment, and retaliation;
- Prohibits discrimination on the basis of sex in its educational programs and activities, as required by law;
- Is committed to promoting fairness and equity in all aspects its operations; and
- Values and promotes the equal dignity of all community members and is committed to the pursuit of just resolutions with respect the rights of all parties involved.

This Non-Discrimination & Grievance Process Policy is adopted to prevent discrimination prohibited under Title IX and provide a prompt, fair, and impartial process to address complaints of alleged discrimination based on sex.

Inquiries about this policy or the application of Title IX may be referred to PTI's Title IX Coordinator, to the Assistant Secretary of the Department of Education's Office for Civil Rights, or both.

Designation of Title IX Coordinator

PTI's Title IX Coordinator oversees implementation and enforcement of this Policy, which includes primary responsibility for coordinating the school's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy. The school's Title IX Coordinator is identified below and may be contacted with any questions about this policy, to file a report or formal complaint, or to otherwise assist individuals in ensuring equal access to the school's educational programs or activities.

[1] Perry Technical Institute or PTI, may be referred to interchangeably as the "School," the "Institution," or the "Recipient" throughout this document.

Andy Frank
Title IX Coordinator
2011 W Washington Ave
Yakima, WA 98903
(509) 453-0374
Email: TitleIX@perrytech.edu
Web: https://www.perrytech.edu/students/resources/safety/titleix/

Jennifer Snellink
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2011 W Washington Ave
Yakima, WA 98903
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Email: TitleIX@perrytech.edu
Web: https://www.perrytech.edu/students/resources/safety/titleix/

To raise any concern involving bias, conflict of interest, sexual harassment, or retaliation by the Title IX Coordinator, contact PTI's President:

Jason Lamiquiz
President
2011 W. Washington Ave.
Yakima, WA 98902
(509)453-0374
Jason.lamiquiz@perrytech.edu

Office for Civil Rights Contact Information

Individuals may also contact the U.S. Department of Education's Office for Civil Rights with questions about Title IX. (*Please note that inquiries to OCR alone are not sufficient to allow appropriate responsive action by the school. To ensure your concern is appropriately addressed under this policy, please file a report with the school's Title IX Coordinator).*

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

The School's Mandatory Response Obligations

PTI's obligations under this policy are triggered when PTI has Actual Knowledge of conduct which may constitute sexual discrimination, harassment or retaliation as defined herein. Actual Knowledge by the school occurs when the Title IX Coordinator or an official of the school with authority to implement corrective measures ("OWA")[2] become aware of the occurrence of such potential conduct. Additionally, the school expects all regular employees to promptly report known or suspected violations of this policy to the Title IX Coordinator or Deputy Coordinator.

How to Make a Report or Formal Complaint of an Alleged Title IX Violation

Any person may report sex discrimination, sexual harassment, or retaliation to the Title IX Coordinator, whether or not that person is the person alleged to be the victim of such conduct. A report may be made in writing or verbally at any time, including during non-business hours. A report is differentiated from a Formal Complaint ("complaint") which is a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the school investigate the allegation(s) and implement the institution's formal Grievance Process.

A report or complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above.

II. Title IX Policy and Grievance Process: General Provisions

After Making a Report or Formal Complaint

Upon receipt of a report or complaint, the Title IX Coordinator will undertake a prompt initial assessment to determine appropriate next steps as required under this policy, to include making an initial threat assessment to ensure there is no immediate danger to complainant or the campus community, and if there is, to take appropriate action, which may include emergency removal of Respondent as described below.

The Coordinator will contact Complainant to discuss the availability of appropriate supportive measures which will be implemented with input from the Complainant irrespective of, and in addition to, any resolution process including the formal Grievance Process, and will notify complainant about the right to have an Advisor.

If the report has been made without filing a formal complaint, the Title IX Coordinator will review the allegations, and discuss options with the Complainant which include the option of proceeding with a formal complaint or not. If the Complainant does not want to proceed with a formal complaint, those wishes will be respected, unless circumstances present a threat of danger or

[2] The following have been identified and designated by the school as Officials with Authority to take correction action: Jason Lamiquiz, President and Nathan Hull, Vice President of Academic Affairs. Actual notice by any of these individuals will constitute actual notice upon which notice the school's mandatory response obligations will be triggered through the application of this policy.

ongoing harm to Complainant or the campus community, in which case, the Title IX Coordinator may initiate a complaint.

If the Complainant files a Formal Complaint, or one is initiated by the Title IX Coordinator, the matter will proceed as described under the Grievance Process.

After submission of a Formal Complaint and after notification of allegations to Respondent, both parties will be notified of the availability of informal resolution, as applicable. Both parties must voluntarily consent in writing to any informal resolution process and may withdraw at any time and resume the formal Grievance Process.

At all stages of the process, irrespective of any resolution or grievance process which may be implemented, responsive and reasonable supportive measures will be implemented to ensure continued access to the school's educational program or activities.

Emergency Removal of Respondent

The school reserves the right to remove a Respondent from its education program or activities on an emergency basis when the individual poses an immediate threat to the physical health or safety of any student or member of the campus community. The school will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. If an emergency removal is imposed the Respondent will be given notice of the removal and the option to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

Administrative Leave of Employee Respondent

Respondents that are employees of the school may be placed on administrative leave during the pendency of a grievance process as determined by the school and the Title IX Coordinator.

Complainant's Decision to Pursue a Formal Complaint

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state and federal law. The Complainant's wishes will be respected unless the Coordinator determines that initiating a formal complaint against Complainant's wishes is not clearly unreasonable in light of the known circumstances. If the Coordinator initiates a formal complaint against the wishes of Complainant, the Complainant may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this policy irrespective of their level of participation. Whether or not a formal complaint is filed, the school will offer supportive measures to ensure Complainant's continued access to the school's educational program and activities. If the Complainant elects not to file a Formal Complaint, they retain the right to do so later.

Dismissal of Formal Complaint

Mandatory Dismissal

The school must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1) The conduct alleged in the formal complaint does not constitute sexual harassment as defined in this Policy; and/or
2) The conduct did not occur in an educational program or activity controlled by the school(including buildings or property controlled by recognized student organizations), and/or the school does not have control of the Respondent; and/or
3) The conduct did not occur against a person in the United States; and/or
4) At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the school.

Discretionary Dismissal

The school may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
2) The Respondent is no longer enrolled in or employed by the school; or
3) Specific circumstances prevent the school from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the school will promptly send written notice of the dismissal and its rationale simultaneously to the parties. This dismissal decision is appealable by any party under the procedures for appeal below.

Dismissed complaints may include conduct which could be considered a potential violation of the school's Conduct Standards and may be addressed through other applicable, non-Title IX conduct policies and procedures accordingly.

Consolidated Complaints

If a complaint involves one or more complainant and/or respondent and allegations arising out of the same set of circumstances, the school may elect to consolidate complaints.

Time Limits on Reporting

There is no time limitation on making a report or formal complaint. However, if the Respondent is no longer subject to the school's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible. Acting on reports

or complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

Anonymous Report or Complaint

If a Complainant makes a report anonymously, it will be investigated by the school to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided. Anonymous reports typically limit the school's ability to investigate and respond, depending on what information is shared. In some situations, the Title IX Coordinator may proceed with the issuance of a Formal Complaint even when the Complainant's report has been made anonymously.

Confidentiality

Every effort is made by the school to preserve the confidentiality of reports and formal complaints to the greatest extent possible, and the school will not share details of any reports or complaints made except to the extent necessary to effectuate this policy. The release and sharing of information may be necessary to implement effective supportive measures and will be required if a formal complaint is filed. The school will not share the identity of any individual who has made a report or complaint of sexual harassment, discrimination, or retaliation, any individual who has been reported to be the perpetrator of sex discrimination, or any witness, except as necessary to effectuate this policy and as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99, or as required under applicable law.

Certain professionals have a legal and/or ethical responsibility to maintain communications made in the scope of their professional roles in strict confidence[3]. Some of these roles include licensed professional counselors/mental health providers, licensed medical and health care providers, victim advocates, ordained/licensed clergy, licensed attorneys and rape crisis or domestic violence resources. Complainants or Respondents wishing to speak to someone confidentially are encouraged to seek out such resources. Communications with such professionals are considered legally privileged and cannot be revealed without a party's express written consent.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the school's education program or activity, including measures designed to protect the safety of all parties or the school's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available upon receipt of a report

[3] In highly limited circumstances, such as when presenting an immediate threat or danger to another, or when subject to a court order, confidential communications may be revealed without the consent of a party.

or a complaint alleging possible sexual harassment. At the time that supportive measures are offered, the school will inform the Complainant, in writing, that they may file a formal complaint with the school either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The school will maintain the confidentiality of the supportive measures to the greatest extent feasible, provided that confidentiality does not impair the school's ability to provide supportive measures or otherwise fulfill its obligations under this policy. The school will implement measures in a way that does not unreasonably burden the other party.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, referral to medical or healthcare services, referral to community-based services, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

The school encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the school community that Complainants choose to report misconduct to school officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the school maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution.

Right to an Advisor

The parties have the right to select an Advisor of their choice to accompany them to any or all meetings and interviews during the resolution process. There are no limits on who can serve as an advisor; it may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. Under Title IX, cross-examination is required during the hearing and must be conducted by the parties' Advisors. If a party selects an advisor of their choice, this advisor must perform cross-examination on their behalf during the hearing, as the parties are not permitted to directly cross-examine each

other or any witnesses. If a party does not have an Advisor, or the advisor does not appear for a hearing, the school will provide one for the limited purpose of conducting cross-examination on behalf of the party.

An Advisor who is also a witness to the allegations in the complaint creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s) and may, but will not necessarily, impact the Final Determination.

The school cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the school is not obligated to provide an attorney.

Conflict-of-Interest & Bias

Title IX Personnel are trained to ensure they have no conflict of interest and are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally. To raise any concern involving bias, conflict of interest or other misconduct by any Title IX Personnel contact the school's President, Jason Lamiquiz, (509)453-0374 or Jason.lamiquiz@perrytech.edu to report your concern.

Resolution Timeline

The school will make a good faith effort to complete the resolution process fairly and promptly. The duration of a matter that proceeds through the Formal Grievance Process is determined by many factors including, but not limited to, the cooperation and availability of the parties and witnesses, potential concurrent criminal investigations, and the school closures, among others. The school will avoid all undue delays within its control and will grant reasonable extensions of time, upon written request and showing of good cause, by a party. The school will provide the parties written notice of delays and/or extensions, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

Notifications to Parties

All notifications to the parties noted herein will be made by made by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' school-issued email or otherwise approved account. Once mailed, e-mailed and/or received in-person, notice will be presumptively delivered.

Clery Act Reporting

Reports or complaints of sexual assault, domestic violence, dating violence, and/or stalking that pose a serious or continuing threat of bodily harm or danger to members of the campus community may trigger a timely warning obligation by the school under the Clery Act. If a warning is deemed

necessary, the school will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

In addition, the school is obligated to report and disclose crimes under the Clery Act, including the crimes of sexual assault, domestic violence, dating violence and stalking as defined in this policy, for statistical reporting purposes only. Reports of these crimes do not include personally identifiable information and therefore preserves the confidentiality of any involved parties.

Retaliation

The school prohibits retaliation under this policy. Retaliation may include intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure. Alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The school will take appropriate action to protect individuals who fear that they may be subjected to retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation. Relatedly, a determination of responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

III. Sexual Harassment Defined, Jurisdiction & Scope of Policy

Sexual Harassment Defined

For purposes of this policy and grievance process, Sexual Harassment has the meaning set forth below. Sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, gender and/or gender identity of those involved.

Sexual Harassment means:

Conduct on the basis of sex that satisfies one or more of the following:

1) Quid Pro Quo:
    a. an employee of the school,
    b. conditions the provision of an aid, benefit, or service of the school,
    c. on an individual's participation in unwelcome sexual conduct; and/or

2) Sexual Harassment:
    a. unwelcome conduct,
    b. determined by a reasonable person,
    c. to be so severe, and
    d. pervasive, and,

e. objectively offensive,
f. that it effectively denies a person equal access to the school's education program or activity.

3) Sexual assault, defined as:

a. Sex Offenses, Forcible:
   i) Any sexual act directed against another person,
   ii) without the consent of the Complainant,
   iii) including instances in which the Complainant is incapable of giving consent.

b. Forcible Rape:
   i) Penetration,
   ii) no matter how slight,
   iii) of the vagina or anus with any body part or object, or
   iv) oral penetration by a sex organ of another person,
   v) without the consent of the Complainant.

c. Forcible Sodomy:
   i) Oral or anal sexual intercourse with another person,
   ii) forcibly,
   iii) and/or against that person's will (non-consensually), or
   iv) not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

d. Sexual Assault with an Object:
   i) The use of an object or instrument to penetrate,
   ii) however slightly,
   iii) the genital or anal opening of the body of another person,
   iv) forcibly,
   v) and/or against that person's will (non-consensually),
   vi) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

e. Criminal Sexual Contact[4]:
   i) The intentional touching of the clothed or unclothed body parts OR
   ii) The forced touching by the victim of the actor's clothed or unclothed body parts
   iii) For the purpose of sexual degradation, sexual gratification, or sexual humiliation
   iv) Without consent of the victim

[4] Previously referred to as "Fondling" under the FBI's Uniform Crime Reporting system.

v) Including instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication

f. Sex Offenses, Non-forcible:
   i) Incest:
      1) Non-forcible sexual intercourse,
      2) between persons who are related to each other,
      3) within the degrees wherein marriage is prohibited by Washington state law.

   ii) Statutory Rape:
      1) Non-forcible sexual intercourse,
      2) with a person who is under the statutory age of consent of as defined under Washington state law.

4) Dating Violence, defined as:
   a. violence,
   b. on the basis of sex,
   c. committed by a person,
   d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
      i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
      ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
      iii. Dating violence does not include acts covered under the definition of domestic violence.

5) Domestic Violence, defined as:
   a. violence,
   b. on the basis of sex,
   c. committed by a current or former spouse or intimate partner of the Complainant,
   d. by a person with whom the Complainant shares a child in common, or
   e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
   f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Washington state or
   g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Washington state.

*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:
    a. engaging in a course of conduct,
    b. on the basis of sex,
    c. directed at a specific person, that
        i. would cause a reasonable person to fear for the person's safety, or
        ii. the safety of others; or
        iii. Suffer substantial emotional distress.

    For the purposes of this definition—

    (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

    (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

    (iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Force, Coercion, Consent, and Incapacitation

As used in the offenses above, the following definitions and meanings apply:

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent.

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent: Consent is knowing permission to engage in sexual activity that is voluntarily given through clear verbal communication or by unambiguous behavior.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent is revocable, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not solely sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the school to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Incapacitation: A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or drugs. A Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent due to incapacitation.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction) and is determined through consideration of all relevant indicators of an individual's state. Incapacitation is not synonymous with intoxication, impairment and/or being drunk. This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard which assumes that a reasonable person is both sober and exercising sound judgment.

Jurisdiction of the School

If the Respondent is unknown or is not a member of the school community, the school lacks the ability or the jurisdiction, respectively, to implement the Grievance Process. Any vendor serving the school through third-party contracts are subject to the policies and procedures of their employers, or if applicable, to these policies and procedures to which their employer has agreed to be bound.

Even when the school lacks the ability, or jurisdiction, to address allegations of sexual harassment, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator. When criminal conduct is alleged, the school will assist Complainant in contacting local or campus law enforcement to file a police report if requested. In addition, the school may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from school property and/or events.

Scope of the School's Educational Program and Activities

For purposes of this policy, the school's educational program or activities includes locations, events, or circumstances, within the U.S., where the school exercises substantial control over both the Respondent and the context in which the alleged sexual harassment or discrimination occurs and also includes any building owned or controlled by the school or by a student organization that is officially recognized by the school. It also includes online, and cyber manifestations of conduct prohibited by this policy, when those behaviors occur in or have an effect on the school's education program and activities or use the school networks, technology, or equipment.

IV. Formal Grievance Process

If a Formal Complaint is filed, the matter will proceed through the Grievance Process as outlined below and will include an objective investigation, live hearing with opportunity for cross-examination and the right to appeal. This process will treat complainants and respondents equitably. Any provisions, rule or practice adopted by the school as part of the grievance process, other than those required under Title IX and its implementing regulations will apply equally to both parties. The process will include an objective evaluation of all relevant evidence (inculpatory and exculpatory), will be conducted by trained Title IX Personnel, free from any known conflict of interest or bias, and presumes Respondent's non-responsibility until and unless demonstrated otherwise by the evidence and after a Final Determination has been rendered. Disciplinary sanctions or punitive measures will not be imposed against a respondent unless and until there has been a finding of responsibility after application of the process. If at any stage of the investigation it is determined that conditions exist warranting dismissal, the complaint will be dismissed. Complainant will continue to be entitled to appropriate supportive measures in such cases.

The school requires impartiality in the process by ensuring there are no actual or apparent conflicts of interest or disqualifying biases of any Title IX Personnel. The parties may, at any time during the resolution process, raise a concern regarding bias, conflict of interest, or any irregularity which may taint the impartiality of the process. Such concerns should be reported in writing to the Title IX Coordinator, or President, who will evaluate the concern and take appropriate corrective action to ensure integrity of the process.

Notice of Allegations

The Title IX Coordinator will provide written notice of the allegations to the respondent and complainant upon receipt of a Formal Complaint. The notice will be provided prior to any initial meeting or interview with the respondent and their Advisor, if applicable, allowing sufficient advanced notice to prepare.

The notice will include:

- A meaningful summary of all allegations,
- The identity of the parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies alleged to have been violated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that Respondent is presumed not responsible for the reported misconduct unless and until a Final Determination has been rendered at the conclusion of the process,
- Notice that the parties will be given an opportunity to inspect and review all directly related and relevant evidence obtained during the investigation,
- The school's policy on retaliation,
- Information about the privacy of the process,
- The right to have an advisor of their choice, who may be, but is not required to be, an attorney,
- A statement informing the parties that the school's policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Investigation

A trained investigator will be assigned to investigate allegations contained in a Formal Complaint and will do so objectively. The burden to collect all evidence related to the allegations, including both inculpatory and exculpatory, rests on the school, and not on the parties. Investigators must be free from bias and conflicts of interest. Depending on the complexity of the case, more than one Investigator may be assigned.

Investigation Timeline

The school will conduct the investigation in a reasonably prompt manner and will communicate

regularly with the parties to update them on the progress and timing of the investigation. The school may undertake a reasonable delay in its investigation under appropriate circumstances. Such circumstances include, but are not limited to, a concurrent law enforcement investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions. The school will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates as warranted. The school will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the school will implement supportive measures as deemed appropriate.

Concurrent Law Enforcement Investigation or Criminal Proceedings

The school's grievance process is an administrative procedure required under Title IX to address sexual discrimination, and therefore is separate and independent of any law enforcement investigation or criminal proceedings. While a law enforcement investigation may necessitate a temporary delay in the school's grievance process, it does not replace it, as the school is legally obligated to address and remedy potential sexual harassment in its educational programs and activities as set forth in this policy.

Steps in the Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence. The school, not the parties, bears the burden of gathering evidence and burden of proof. Parties have equal opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties

- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose

- Interview all available, relevant witnesses and conduct follow-up interviews as necessary

- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions

- Complete the investigation promptly and without unreasonable deviation from the intended timeline

- Provide regular status updates to the parties throughout the investigation

- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding

- Draft an investigation report which fairly summarizes all relevant evidence and describes the procedural steps taken during the investigation

- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) an electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the school does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence

- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses

- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period

- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through electronic transmission or hard copy at least ten (10) business days prior to a hearing

False Allegations and Evidence

Making deliberately false and/or malicious accusations in bad faith, knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation are policy violations subject to discipline.

Role and Participation of Witnesses in the Investigation

Witnesses who are employees of the school are expected to cooperate with and participate in the school's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

Interviews may occur in-person or remotely. Skype, Zoom, FaceTime, WebEx, or similar

technologies may be used. The school will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

Evidentiary Considerations in the Investigation

The investigation includes collection of all evidence directly related to the allegations, which is not otherwise privileged. Only evidence which is also deemed relevant is summarized in the investigative report which is considered by the Decision-Maker(s), in rendering a determination of responsibility. All parties are provided the opportunity to review all non-privileged evidence gathered during the investigation which is directly related to the allegations in the complaint, whether or not it is also included in the investigative report. All parties are also provided with a copy of the investigative report summarizing relevant evidence only.

Relevant evidence does not include evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such evidence is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Privileged evidence is likewise excluded from both the investigation, investigative report and hearing unless a party expressly waives this privilege in writing and consents to the release of this information during the grievance process.

Investigative Report

Upon conclusion of the investigation, the investigator will create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a hearing, will send the report to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

The Hearing

Upon conclusion of the investigation and distribution of the investigative report to the parties, the matter will proceed to the hearing stage of the grievance process. The hearing will be offered live, in real-time and will include cross-examination. A Decision-maker(s) will be appointed to preside over the hearing, evaluate the evidence and make a determination as to each allegation in the complaint. The decision-maker will be trained, independent and neutral, and will not have had any previous involvement with the investigation. Investigators, Title IX Coordinator (or designee) or Advisors are prohibited from serving as Decision-makers.

The school reserves the right to adopt any hearing protocols, which will be applied and be made

available equally to both parties, to ensure the efficiency, order and decorum of the hearing process. Any such protocols will be provided in writing to the parties, witnesses and participating individuals at least ten (10) days prior to the scheduled hearing date.

The school may designate an administrative facilitator of the hearing, which may include the Title IX Coordinator, as long as they do not have a conflict of interest.

The school may conduct the hearing virtually at their discretion or upon request of a party. Request for remote participation by any party or witness should directed to the Title IX Coordinator made at least seven (7) business days prior to the hearing.

The decision-maker may question the parties and any witness prior to cross-examination by the parties' advisors.

Only relevant questions, testimony and evidence may be proffered at the hearing, and the decision-maker will make determinations as to relevancy of every question posed by an advisor during cross-examination before it is answered.

Privileged evidence or testimony, likewise, may not be proffered during the hearing, without a party's waiver and written consent allowing its consideration at the hearing.

Parties may not conduct cross-examination. Advisors only will conduct cross-exam on a party's behalf. Only relevant questions will be allowed.

Parties, advisors, witnesses, and all participating individuals are expected to behave respectfully during the hearing. Harassing, intimidating or disruptive behavior will not be tolerated, and the school reserves the right to exclude anyone from participation in the process that fails to comport themselves accordingly.

An audio or audiovisual recording, or transcript will be made of the hearing, and will be made available to the parties for inspection and review. No other recording of the hearing will be allowed.

Evidentiary Considerations in the Hearing

Only Relevant Evidence Allowed
Any evidence that the Decision-makerdetermines is relevant may be considered. Only evidence, which is directly related to the allegations, not subject to an enforceable legal privilege and not otherwise excludable as described here is considered relevant.

The hearing does not consider the following which are deemed not relevant: 1) incidents not directly related to the possible violation, unless they evidence a pattern; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, 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.

Privileged Evidence Must be Excluded
Evidence subject to any recognized legal privilege will not be allowed in the hearing without the prior written waiver of the privilege and consent for its consideration during the grievance process.

When a Party/Witness Refuses to Submit to Cross-Examination
If a party or witness does not attend the hearing or declines to participate in cross-examination, the Decision-maker may still consider any prior statements made by that individual in reaching a determination regarding responsibility. However, the weight and credibility of such statements will be evaluated in the context of all available evidence, including whether the opposing party had an opportunity to challenge the accuracy or context of the statement through other means. The Decision-maker(s) may not draw an adverse inference solely based on a party's or witness's absence or refusal to answer questions.

Final Determination as to Responsibility and Standard of Proof

Upon completion of the hearing, the decision-maker will deliberate privately and will render a finding as to each allegation in the complaint by applying the preponderance of the evidence standard; whether it is more likely than not that the Respondent violated the Policy as alleged. The decision will be provided simultaneously to the parties through the issuance of a written determination letter, delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official school records, or emailed to the parties' school-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The determination letter will include:
Identification of the allegations potentially constituting sexual harassment as defined under the policy;

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 methods used to gather evidence, and hearing held;

Findings of fact supporting the determination;

Conclusions regarding application of the school's code of conduct to the facts;

A statement, and rationale for, the results as to each allegation, including a determination regarding responsibility, and disciplinary sanctions the school imposes on the respondent, and whether remedies designed to restore or preserve equal access to the schools' education program or activity will be provided by the school to the complainant; and

The school's permissible bases for the complainant and respondent to appeal.

The determination regarding responsibility becomes final after expiration or exhaustion of any appeal rights.

Sanctions, Disciplinary Action & Remedies

The school may consider a number of factors when determining a sanction and/or remedy and will focus primarily on actions aimed at ending, and preventing the recurrence of, discrimination, harassment, and/or retaliation and the need to remedy the effects its effects on the Complainant and campus community. Sanctions will be imposed upon either expiration of the appeal window, or after final determination on any appeal filed.

Sanctions or actions may include, but are not limited to, those listed below. These may be applied individually or in combination and the school may assign sanctions not listed, as deemed appropriate.

Applicable Student Sanctions may include but are not limited to the following:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any school policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling:* A mandate to meet with and engage in either school-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation:* A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the school.
- *Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend school-sponsored events.
- *Withholding Diploma*: The school may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- *Other Actions:* In addition to or in place of the above sanctions/responsive actions, PTI may assign any other responsive actions as deemed appropriate.

Applicable Employee Sanctions may include but are not limited to the following:

- *Verbal or Written Warning*
- *Corrective Action Plan/Management Process*
- *Enhanced Supervision, Observation, or Review*

- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Reassignment*
- *Assignment to New Supervisor*
- *Restriction of Stipends and/or Professional Development Resources*
- *Suspension/Administrative Leave with Pay*
- *Suspension/Administrative Leave without Pay*
- *Termination*
- *Other Actions*: In addition to or in place of the above sanctions/responsive actions, PTI may assign any other responsive actions as deemed appropriate.

Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions imposed, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Education to the individual and/or the community
- Alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Training or awareness campaigns
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Adjustments to academic deadlines, course schedules, etc.
- Modified campus security measures

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

The school will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the school's ability to provide these services.

Failure to Comply with Disciplinary Sanctions or other Remedies

Respondents are expected to comply with any disciplinary sanction or remedy as set forth in the Final Determination or in response to a final outcome. Failure to abide by the sanction(s)/action(s) whether by refusal, neglect, or any other reason, may result in additional disciplinary action, including suspension or expulsion.

Appeals

Any party may file an Appeal on the following grounds. Appeals must be submitted in writing to the Title IX Coordinator within seven (7) days of the delivery of the Notice of Outcome. After expiration of the appeal window, the determination will be considered final, and any applicable sanctions will be imposed.

Grounds for Appeal

Appeals may be made on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
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; and
3. 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 specific Complainant or Respondent that affected the outcome of the matter.

Any sanctions imposed as a result of the Final Determination are stayed during the appeal process.

Title IX personnel with prior involvement in the matter will not be permitted to serve as a decision-maker in the appeal. Appeals will not include a hearing. A decision on the merits will be based on information provided in the appeal document. If an appeal is based on the availability of new evidence, this evidence must be described with specificity and must be available for review within a reasonably prompt timeframe for consideration.

The appeal outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, and the rationale supporting the findings. Appeal decisions will be made within 14 business days, barring exigent circumstances, including the review of new evidence not immediately available for submission with the appeal request. Decisions on appeal will be made by applying the preponderance of evidence standard.

Notification of the appeal outcome will be made in writing and will be delivered simultaneously to the parties by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' school-issued email or otherwise approved account. Once mailed, e-mailed and/or received in-person, notice will be presumptively delivered. Decisions on appeal are considered final.

Record Retention

The school will maintain the following records related to the implementation of this policy for seven years:

1. Reports or Formal Complaints alleging sexual discrimination, including harassment.
2. Records of any dismissal of a Formal Complaint.
3. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
4. Any disciplinary sanctions imposed on the Respondent;
5. Any remedies implemented by the school designed to restore or preserve equal access to the school's education program or activity;
6. Any appeal and the result therefrom;
7. Any Informal Resolution and the result therefrom;
8. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. The school will make these training materials publicly available on the school's website. (Note: If the school does not maintain a website, the school must make these materials available upon request for inspection by members of the public.); and
9. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
    a. The basis for all conclusions that the response was not deliberately indifferent;
    b. Any measures designed to restore or preserve equal access to the school's education program or activity; and
    c. If no supportive measures were provided, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Revision of this Policy

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated subject to any relevant change in law or institutional policy, and on a recurring periodic basis, by the Title IX Coordinator. The school reserves the right to make changes to this document as necessary, which become effective when published.

This policy will not restrict any rights guaranteed against government action by the U.S. Constitution and should be interpreted accordingly and should also be construed to comply with the most recent government regulations or applicable judicial decisions.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This Policy and procedures are effective September 22, 2026.

V. Appendix A: Definitions

Actual Notice. Notice of sexual harassment or allegations of sexual harassment to the school's Title IX Coordinator or any official of the school who has the authority to institute corrective measures on behalf of the school. The school receives notice when an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge.

Advisor. A person chosen by a party to accompany the party to meetings, interviews or hearings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing. If a party does not have an advisor, the school will appoint one for the sole purpose of conducting cross-examination at the hearing.

Bias. Any preconceived belief about a party or witness to an allegation of sex discrimination which interferes with the objectivity of any Title IX personnel in fulfilling their responsibilities under this policy and Title IX.

Complainant. An individual who is alleged to be the victim of conduct that could constitute harassment, discrimination or retaliation under Title IX.

Confidential Resource. A person or entity identified by the school, with a professional obligation to protect and hold confidential any information shared from a complainant, respondent or witness.

Consolidated Complaint. A formal complaint with more than one Complainant or Respondent arising when multiple parties submit formal complaints arising out of the same facts and circumstances and as deemed appropriate for consolidation by the Title IX Coordinator.

Day. A day means a business day, or days in which the school is open for normal operations as published by the school, and excludes weekends, official holidays or other the school closures, planned or unplanned.

Deputy Title IX Coordinator. Any employee delegated with responsibility for compliance with Title IX and this policy by the Title IX Coordinator, and acting within the scope of authority of a Title IX Coordinator.

Education Program or Activity. Locations, events, or circumstances where the school exercises substantial control over both the Respondent and the context in which the alleged sexual harassment or discrimination occurs and also includes any building owned or controlled by the school or by a student organization that is officially recognized by the school.

Final Determination*:* A decision rendered and provided in writing to the parties of a Formal Complaint after application of the school's Grievance Process concluding whether or not Respondent is responsible for conduct alleged within a Formal Complaint in violation of The school' policy prohibiting discrimination and harassment on the basis of sex under Title IX. A

written Final Determination contains all information articulated in Title IX regulations and is provided simultaneously to both parties of a Title IX Grievance Process, including an Appeal.

***Finding**:* A conclusion within the Final Determination as evaluated under the Burden of Proof that a specific allegation within a Formal Complaint did or did not occur.

Formal Complaint. A document filed and signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that the school investigate the allegation(s).

Formal Grievance Process. The method of formal resolution designated by the school to address conduct that falls within the scope of this policy, and which complies with the requirements of 34 CFR Part 106.45.

Decision-maker(s). A trained individual with responsibility for making a Final Determination as set forth in the school' Formal Grievance Process. A Decision-maker must maintain neutrality and cannot perform the function of either the Title IX Coordinator or Investigator.

Informal Resolution Process. An alternative resolution process which may be available to the parties to seek Resolution of a Formal Complaint in lieu of the Formal Grievance Process. Informal resolution is facilitated by appropriately trained individuals, is made available at the discretion of the school and as deemed appropriate by the Title IX Coordinator, and offered only if informed, voluntary and written consent is made by all parties to a complaint. Any party may opt-out of the informal process at any time, and the matter will proceed through the Formal Grievance Process. Examples of informal resolution include, but are not limited to, mediation and restorative justice.

Investigator. A trained individual responsible for fulfilling the school's burden of gathering and evaluating all evidence related to allegations within a Formal Complaint as required under the school' Grievance Process.

Mandated Reporter. An employee of the school who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.

Official with Authority. An employee of the school explicitly vested with the responsibility to implement corrective measures for Title IX harassment, discrimination, and/or retaliation on behalf of the school.

Parties. The Complainant(s) and Respondent(s), collectively.

Presumption of Non-Responsibility. Upon Actual Notice of an allegation of Sexual Harassment , there will be no prejudgment of the facts assuming or concluding that Respondent's conduct violated the school's policy until a Final Determination has been rendered after an objective and impartial application of the school's Formal Grievance Process.

Remedies. Post-Finding actions directed to the Complainant and/or the community implemented to address safety, prevent the recurrence of harassment, and ensure continued access to the school' educational program.

Respondent. An individual who has been reported to be the perpetrator of conduct that could constitute harassment, discrimination or retaliation under Title IX.

Resolution. A determination reached as a result of the Formal Grievance Process, including any Appeal or the decision rendered or agreement resulting from an Informal Resolution.

Sanction. A disciplinary consequence imposed by the school on a Respondent who is found to have violated this policy.

Sexual Harassment. Behavior or conduct as defined under Title IX and its implementing regulations at 34 CFR 106, and as more fully articulate in Section XXX of this policy.

Title IX Coordinator. The school's employee responsible for ensuring compliance with Title IX.

Title IX Personnel. Those individuals collectively tasked with implementation of the Title IX Policy and Grievance Process including specifically, the Title IX Coordinator (including any designees as applicable), any Investigator or any Decision-maker.