

AR 1211	TITLE IX Sexual Harassment Formal Complaint Process
Issue Date:	New Adm Reg
Category:	Foundations and Basic Commitments
Governance Accountability:	Board of Directors, Leadership, APs, students, Families, Volunteers
Audience:	Employees, Students, Families, Board of Directors, Volunteers

I. PURPOSE

This Administrative Regulation outlines the process to be followed when an individual files a Formal Complaint alleging a violation of Title IX Sexual Harassment. For any other type of discrimination, harassment, and bullying, refer to Policy 1210 “Prohibition Against Unlawful Discrimination, Harassment, and Bullying,” and Policy 2160 “Student, Employee, and Parent Grievance Policy.”

II. NOTICE

The Head of School is responsible for notifying Students, parents, and employees of this Regulation and for ensuring that it is posted on the School’s website and is readily accessible.

III. DEFINITIONS

All definitions in Policy 1211 “Title IX Sexual Harassment” are incorporated in this Administrative Regulation. In addition, the following definitions apply:

A. Investigator

The Investigator is the School official responsible for investigating and responding to a Formal Complaint.

B. Decision Maker

The Decision Maker is the School official responsible for making a determination regarding responsibility in response to an investigation of sexual harassment triggered by a Formal Complaint.

C. Investigative Report

The Investigative Report is a written account of the findings of the investigation

conducted in response to a Formal Complaint.

D. Remedies

Remedies are individualized measures provided to a Complainant designed to restore or preserve the Complainant's equal access to the education program and activities of the School when a Respondent is found responsible for sexual harassment.

Remedial measures available to a Complainant following a determination of responsibility include counseling, mental health services referral, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services, mutual or one-way restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring, and other measures determined by School officials to be necessary to restore or preserve the Complainant's equal access to the education program and activities, regardless of whether such measures impose a burden on the Respondent or are punitive or disciplinary in nature.

E. Disciplinary Sanctions

Disciplinary Sanctions are consequences imposed on a Respondent when the Respondent is found responsible for sexual harassment.

IV. FILING A FORMAL COMPLAINT

A Formal Complaint initiates the Complaint process

A. Individuals Who May File a Formal Complaint

1. Eligible Complainants

Eligible individuals who believe that they have been sexually harassed in violation of Title IX Sexual Harassment may initiate the Complaint process for alleged sexual harassment by filing a formal written Complaint with the Title IX Coordinator. To be eligible to file a Formal Complaint, the Complainant must be participating in or attempting to participate in the education program or activities of the School at the time of filing. For Students in grades K-12, a parent or guardian may file a Formal Complaint on behalf of the Student.

2. The Title IX Coordinator

If the Complainant does not wish to file a Formal Complaint and the matter has not been adequately resolved through the provision of supportive measures, the Title IX Coordinator may initiate the Complaint process by signing a Formal Complaint. In accordance with law, only

the Complainant and the Title IX Coordinator may initiate the Complaint process; no other individuals or School officials shall have authority to do so, except in the case of parents or guardians as provided in II.A.1. See Policy 1211 for the grounds justifying the filing of a Formal Complaint by the Title IX Coordinator.

B. Time Period for Filing a Complaint

There is no deadline for filing a Formal Complaint. A Formal Complaint should be filed as soon as possible after the conduct occurs, preferably within 30 days after the Complainant becomes aware of the alleged sexual harassment, unless the conduct forming the basis for the Complaint is ongoing. School officials will initiate the Complaint process regardless of when the Formal Complaint is submitted, but delays in reporting may significantly impair the ability of School officials to investigate and respond to the allegations.

In addition, in some circumstances it may be necessary for the Title IX Coordinator to sign a Formal Complaint to initiate the Complaint process in order to meet the School's legal obligations when the Coordinator is aware of sexual harassment or alleged sexual harassment and the Complainant has not yet filed a Formal Complaint. The Title IX Coordinator can do so at any time.

C. Contents of the Formal Complaint

The Complaint should at least (1) contain the name and address of the Complainant and the Student's parent or guardian if the Complainant is a minor Student, (2) describe the alleged sexual harassment, (3) request an investigation of the matter, and (4) be signed by the Complainant or otherwise indicate that the Complainant is the person filing the Complaint.

D. How to File the Formal Complaint

The Complaint may be filed with the Title IX Coordinator in person, by mail, or by email. Complaint forms may be obtained from the Title IX Coordinator or on the School's website.

E. School's Response to Receipt of the Formal Complaint

1. Upon receipt of a Formal Complaint of sexual harassment, the Title IX Coordinator shall engage in an interactive process with the Complainant, consider the provision of supportive measures in light of the Complainant's wishes, provide supportive measures as appropriate, and otherwise fulfill the requirements of Section III-H of Policy 1211, unless the Title IX Coordinator has already done so in response to an initial report of the same allegation of sexual harassment.
2. School officials reserve the right to consolidate Formal Complaints against more than one Respondent, or by more than one Complainant

against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. The Title IX Coordinator shall advise the Complainant if the Formal Complaint will be consolidated with others.

3. The Formal Complaint initiates the Complaint process as described below.

V. GENERAL PRINCIPLES GOVERNING FORMAL COMPLAINT PROCESS

To ensure a complete, thorough, and fair Complaint process for Formal Complaints of sexual harassment, School officials responsible for the investigation, adjudication, or appeal of a Formal Complaint of sexual harassment shall comply with the following requirements. Failure by any School official to comply with these requirements or other standards or procedures established in this policy is cause for disciplinary action.

A. Equitable Treatment

1. Impartiality

Complainants and Respondents must be treated equitably throughout the process. Relevant evidence collected in the investigation of a Formal Complaint must be evaluated objectively. No individual designated as a Title IX Coordinator, Investigator, Decision Maker, or appeal Decision Maker will have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

2. Representation

The Complainant and Respondent shall be provided an equal opportunity to have others present during any Complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be an attorney. If a party elects to be represented by an attorney, the party should notify School officials in advance so that an attorney for the School may also be present. Any restrictions on advisor participation in any proceeding must be applied equally to both parties.

3. Supportive Measures

The Complainant and Respondent will both be provided a description of the range of supportive measures available to them.

B. Training

The Title IX Coordinator, and all persons serving as Title IX Investigators, Decision Makers, or appeal Decision Makers shall receive training on what constitutes sexual harassment, the scope of the School's education program and activities, how to conduct an investigation and Complaint process, and how to serve impartially, including by avoiding conflicts of interest, and bias. If a hearing is granted as part of the Title IX process, Decision Makers will be trained on any technology to be used at a hearing and on issues of the relevance of evidence.

Materials used to train Coordinators, Investigators, Decision Makers, and appeal Decision Makers will not rely on sex stereotypes and shall promote impartial investigations and adjudications of sexual harassment.

C. Presumption of Non-Responsibility/ Burden of Proof

At all times prior to a determination regarding responsibility by the Decision Maker, there will be a presumption that the Respondent is not responsible for the alleged conduct.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility will at all times rest on the School and not on the Complainant or Respondent.

D. Written Notice of Meetings and Proceedings

Parties whose participation is invited or expected at any hearing, investigative interview, or other meeting will be provided written notice of the event's date, time, location, participants, and purpose with sufficient time for the party to prepare to participate.

E. Confidentiality and Privacy

The School will keep confidential the identity of any individual who has made a report or Formal Complaint of sexual harassment, any Complainant, any Respondent, and any witness, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding. A violation of this provision may constitute retaliation.

All meetings, hearings, or other proceedings conducted pursuant to this policy will be private except to the extent that the parties are permitted to be accompanied by others as provided in V.A.2. above.

School officials shall not access, consider, disclose, or otherwise use a party's medical, mental health, or other records that are made or maintained by a professional or without the party's voluntary written consent.

F. No Disclosure of Privileged Information

No person acting on behalf of the School shall require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

G. Timeliness of Process

School officials shall make a good faith effort to conduct a fair, impartial Complaint process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the process will be concluded through the adjudication phase within 90 days after filing the Formal Complaint. The Board reserves the right to extend this time frame or any deadline contained in this policy for good cause with written notice to the parties of the delay and the reason for the delay. Good cause may include but is not limited to the absence of the parties or witnesses, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

The Title IX Coordinator or other responsible School official shall make reasonable efforts to keep the Complainant and Respondent apprised of progress being made during any period of delay.

VI. FORMAL COMPLAINT PROCESS-INVESTIGATION

A. Step 1- Notice of Allegations

1. Upon the filing of a Formal Complaint, the Title IX Coordinator shall, within five School business days, provide the known parties written notice of the allegations that includes:
 - a. Notice of the allegations of sexual harassment in sufficient detail to permit the parties to prepare a response before any initial interview, including:
 - i) the identities of the parties involved, if known;
 - ii) the conduct allegedly constituting sexual harassment; and
 - iii) the date and location of the alleged incident, if known;
 - b. A copy of this policy to give notice of the School's Complaint

process, including the investigative and adjudication procedures, and any informal resolution process available;

- c. Notice that the parties may have an advisor of their choice and that either party may inspect and review any evidence;
 - d. Notice that Students and employees are prohibited from knowingly making false statements or knowingly submitting false information during the Complaint process; and
 - e. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the Complaint process.
2. If during the investigation, the Investigator decides to investigate allegations of sexual harassment not included in the initial notice provided above, notice of the additional allegations will be provided to the parties.

B. Step 2- Review Formal Complaint

The Title IX Coordinator shall review the Formal Complaint and determine whether it should be dismissed without further investigation because the conduct alleged, even if assumed true, would not constitute sexual harassment, did not occur in the School's education program or activities, or did not occur in the United States. Such a dismissal does not preclude action under another provision of the Code of Student Conduct, Board policy, or expected standards of employee behavior. The Complaint will not be dismissed at this stage on the basis that the allegations are frivolous, without merit, or otherwise unfounded.

Upon dismissal, the Title IX Coordinator must promptly send written notice of the dismissal and reason(s) simultaneously to the parties. The parties have the right to appeal the Decision as provided below.

The Title IX Coordinator shall refer the matter that was the subject of the dismissed Complaint to Head of School for further action as warranted.

C. Step 3- Initiating the Investigation

If the Complaint may proceed, the Title IX Coordinator shall notify the appropriate Investigator, who shall investigate the Formal Complaint.

1. In order to provide a neutral and objective investigation, the Investigator shall not be a party to the Complaint under investigation. The Investigator of a Formal Complaint is ordinarily determined as described below:

- a. If the Respondent is a Student, the Investigator is a designee of Head of School.
- b. If the Respondent is an employee or applicant for employment, the Investigator is the senior human resources official or designee.
- c. If the Respondent is neither a Student nor an employee/applicant for employment, the Head of School employed shall be the Investigator.
- d. Notwithstanding the above designations, if the Respondent is the Head of School or a Board Member, the Title IX Coordinator shall immediately notify the Board chair who shall direct the Board attorney to investigate, unless the Board chair determines that outside counsel should be engaged to investigate.

However, the Title IX Coordinator, in consultation with the Head of School, may determine that conflict of interest, bias, or other individual circumstances warrant the assignment of a different Investigator.

2. The Investigator may request assistance from the Title IX Coordinator to conduct the investigation.
3. The Title IX Coordinator and the Investigator shall jointly assess the need for supportive measures for either party, including assessing the effectiveness of any supportive measures currently being provided to the Complainant, and, as necessary, will implement appropriate measures in a timely manner and monitor the effectiveness of the measures during the pendency of the investigation and prior to a final determination regarding responsibility. Supportive measures provided to the Complainant or Respondent will be maintained as confidential to the extent that maintaining such confidentiality does not impair the ability to provide the supportive measures.
4. The Investigator shall explain the process of the investigation to the Complainant and Respondent.

D. Step 4- Conducting the Investigation

The Investigator is responsible for gathering evidence sufficient to reach a determination of whether the allegations in the Formal Complaint are true and whether the facts as determined by the Investigator establish that sexual harassment as defined in this policy occurred. In so doing, the Investigator shall impartially, promptly, and thoroughly investigate the Complaint.

1. The Investigator shall interview all individuals who may have relevant information, including: (1) the Complainant; (2) the Respondent; (3) individuals identified as witnesses by the Complainant or Respondent; and (4) any other individuals who are thought possibly to have relevant information. Prior written notice shall be provided to a party whose participation is invited or expected for any investigative interview or meeting in accordance with subsection V. D. above. The Investigator shall provide the Complainant and Respondent an equal opportunity to present fact and expert witnesses and other evidence tending to prove or disprove the allegations.
2. The Investigator shall ensure that the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School and not on the Complainant or Respondent.
3. The Investigator shall not restrict the ability of either party to gather and present relevant evidence or to discuss the allegations under investigation.
4. The Formal Complaint and the investigation will be kept confidential to the extent possible. Information may be shared only with individuals who need the information in order to investigate and address the Complaint appropriately and those with a legal right to access the information. Any requests by the Complainant or Respondent for further confidentiality will be evaluated within the context of the legal responsibilities of the School.

The Investigator may, with approval of the Title IX Coordinator, dismiss the Formal Complaint or any allegations therein at any time during the investigation or decision making process if: (1) the Complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed by the School; or (3) specific circumstances prevent School officials from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein. Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. The parties have the right to appeal the Decision as provided in Section VIII.

The Investigator may consider the matter that was the subject of the dismissed Complaint for action in accordance with Board policy for violation of other expected standards of Student or employee behavior, and refer the matter to the Head of School.

E. Step 5- Investigative Report and Opportunity to Review Evidence

1. The Investigator shall prepare an investigative report that fairly summarizes

the relevant evidence.

2. Before completing the final report, the Investigator shall send to each party and the party's advisor, if any, in hard copy or electronically, all the evidence collected which is directly related to the allegations raised in the Formal Complaint. The parties shall have 10 days to submit a written response for the Investigator's consideration before the Investigator finalizes the investigative report.
3. Following the parties' opportunity to respond to the written evidence, the Investigator shall finalize the written investigative report, including a recommendation on the question of responsibility and any recommended discipline sanction.
4. The Investigator shall provide a copy of the report to each party and the party's advisor, if any, for their review and written response. The Investigator shall also notify the parties of the opportunity to submit written questions to the other party and witnesses as provided in Section VII below. The parties shall have 10 days to provide a written response to the investigative report, along with the party's initial set of written questions.
5. The Investigator shall provide to the Decision Maker a copy of the investigative report, the relevant evidence, and the parties' written responses to the report and initial sets of written questions.

The Investigator shall also provide a description of the procedural steps taken, starting with the receipt of the Formal Complaint and continuing through the preparation of the investigative report, and including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.

VII. FORMAL COMPLAINT PROCESS- ADJUDICATION

The Head of School or designee shall serve as the Decision Maker.

A. Step 1- Exchange of Questions and Answers

1. The Decision Maker shall provide both parties the opportunity to exchange the written questions developed in response to the investigation report, and, once answers are provided, sufficient time to submit follow-up questions if desired.
2. The Decision Maker may exclude any questions that are not relevant and must explain such decision to the parties.
3. Generally, questions and evidence regarding sexual predisposition or prior

sexual behavior are not relevant and will be excluded. Exceptions include:

- a. Evidence tending to prove that someone other than Respondent was the perpetrator;
- b. Evidence of specific incidents of behavior between Complainant and Respondent which tends to show consent; provided, however, consent is not a defense in any case where the Complainant is a Student.

B. Step 2- Decision on Responsibility

1. Following the exchange of questions and answers, and based upon an objective evaluation of all relevant evidence, the Decision Maker will decide whether, based upon a preponderance of the evidence, the Respondent is responsible for the sexual harassment as alleged.
2. The Decision Maker will also determine what, if any, disciplinary sanction will be imposed. Likewise, the Decision Maker will determine what, if any, remedies will be provided to the Complainant.

C. Step 3- Written Decision

The Decision Maker shall issue a written decision simultaneously to both parties that includes:

1. Description of the facts potentially constituting sexual harassment under Board policy;
2. 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 other evidence, and hearings held;
3. Findings of fact supporting the Decision;
4. Conclusions regarding the application of Board policy and/or the Code of Student Conduct or expected standards of employee behavior to the facts, including whether the Respondent engaged in prohibited sexual harassment or other proscribed conduct;
5. Statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent (which may be a recommendation to the Board for discipline that is beyond the authority of the Decision Maker), and whether remedies designed to restore or preserve equal access to the School's education program and activities will be provided to the Complainant;

6. The procedures and permissible bases for the Complainant and Respondent to appeal; and
7. Any other notices that are required to accompany the Decision under state law.

VIII. FORMAL COMPLAINT PROCESS-APPEAL

The parties shall have the right to appeal to the Board of Education the Decision regarding responsibility, the outcome of any disciplinary proceeding, and any dismissal of a Formal Complaint or any allegations therein. If a party appeals both the determination regarding responsibility and the outcome of a disciplinary proceeding, both matters will be heard by the Board at the same time. If both parties appeal, the appeals will be heard at the same time.

A. Timeline and Grounds for Appeal

Either party may request in writing an appeal of the Decision. The request must be submitted to the Head of School within 3 business days of receipt of the Decision. If a longer period is allowed under State law, both parties are eligible to use the longer period. Grounds for appeal are limited to the following:

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;
3. The Title IX Coordinator, Investigator, or Decision Maker had a conflict of interest or bias that affected the outcome of the matter;
4. The disciplinary sanction is inappropriate or unreasonable; or
5. Any other basis provided by law or Board policy governing appeals to the Board.

B. Notice

The Head of School will notify the other party when an appeal is filed and will provide that party a copy of the appeal.

C. Appeal Procedure

1. The Board will hear the appeal. Unless otherwise required by law, the Board may designate a panel of two or more Board Members to hear the appeal

and render a Decision on behalf of the Board.

2. The parties will be informed in advance of the procedures that the Board, or panel, will follow. Procedures will be implemented equally.
3. If the appeal includes an appeal by a Student of disciplinary sanctions, Policy 1130 "Student Code of Conduct Policy" will apply and govern the proceedings.
4. Unless other procedures apply giving the parties greater latitude, at a minimum each party will be allowed to submit a written statement challenging the Final Decision of the Decision Maker. The Parties will be notified in advance of the deadline for submission of such statements.
5. The Board, or panel, will review the record and the written statements, and, if applicable, any other evidence submitted, and decide if any further evidence is needed prior to reaching a Decision.

D. Decision on Appeal

1. After considering the record and written statements of the parties, the Board will determine whether the grounds for the appeal have been substantiated.
2. If substantiated, the Board will determine the appropriate response, which may include a remand for a new investigation, a new Decision, or both, or such other action as the Board determines is needed to correct the error in the original proceedings.
3. The Board will provide a written Decision describing the results of the appeal and rationale for the result within thirty days after receiving the appeal unless the Decision is delayed for good cause. The written Decision will be provided simultaneously to both parties.
4. The Decision on appeal is final upon issuance, unless the matter is remanded, in which case the matter only becomes final once the new process is concluded either by a new appeal or the failure to pursue an appeal.
5. The Head of School will provide a copy of the Decision to the Title IX Coordinator and discuss any further matters necessary to comply with Title IX requirements.

IX. DISCIPLINARY CONSEQUENCES, REMEDIES, AND OTHER RESPONSES

A. For Students

1. Disciplinary consequences for substantiated sexual harassment will be assigned in accordance with the Code of Student Conduct. Based on the nature and severity of the offense and the circumstances surrounding the incident, the Student will be subject to appropriate consequences and remedial actions ranging from positive behavioral interventions up to, and including, expulsion. In addition, the conduct also may be reported to law enforcement, as appropriate.
2. A Student recommended for a long-term suspension or expulsion will have all applicable rights accorded by Board policy and State law. A Student with disabilities will be afforded all rights consistent with State and federal law.
3. False or malicious statements made in the course of any proceedings with this Regulation may result in disciplinary action.
4. Nothing in this policy will preclude the School from taking disciplinary action against a Student when the evidence does not establish sexual harassment as defined in this policy but the conduct violates other Board policy and/or the Code of Student Conduct.

B. For Employees

1. Substantiated sexual harassment by employees is subject to discipline up to and including dismissal. In addition, the conduct may also be reported to law enforcement, as appropriate.
2. An employee recommended for suspension, demotion, or dismissal shall have all applicable rights accorded by Board policy and State law.
3. Nothing in this policy will preclude the School from taking disciplinary action against an employee when the evidence does not establish sexual harassment as defined in this policy, but the conduct violates other Board policy or expected standards of employee behavior.

C. Consequences for Other Perpetrators

Volunteers and visitors who are found to have engaged in sexual harassment will be directed to leave School property and/or be reported to law enforcement, as appropriate. A third party under the supervision and control of the School will be subject to termination of contracts/agreements, restricted from access to School property, and/or subject to other consequences, as appropriate. Nothing in this policy will be construed to confer on any third party a right to due process or other proceedings to which Student and employee Respondents are entitled under this policy unless such right exists under law.

D. Remedies

At the conclusion of the grievance process, the Head of School or other Decision Maker shall confer with the Title IX Coordinator to determine the remedies to be provided to the Complainant when the Respondent is found responsible for sexual harassment. The Title IX Coordinator shall consult with the Complainant in determining appropriate remedies, and shall be responsible for the implementation of those remedies.

E. Consideration of Need for More Extensive Response

If the Head of School determines that a School-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances, the Head of School shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

X. INFORMAL RESOLUTION

- A.** The Title IX Coordinator, or other School official in consultation with the Title IX Coordinator, may offer the parties an informal process to resolve a Formal Complaint at any time prior to reaching a final determination regarding responsibility.
- B.** Informal resolution is only available after a Formal Complaint has been filed.
- C.** Informal resolution is not available to resolve allegations that a Student has been sexually harassed by an employee.
- D.** The School shall not condition enrollment or employment or other rights on an agreement to waive an individual's right to a Formal Complaint process.
- E.** Before utilizing an informal resolution process, School officials must obtain voluntary, informed, written consent of the parties. Parties should be made fully aware of the allegations, the informal resolution process, and any consequences that may result from engagement in the informal process.
- F.** Any agreement reached by the parties through informal resolution may include measures that are designed to restore or preserve the parties' equal access to the education program and activities, including measures that may be punitive or disciplinary in nature.
- G.** Any informal process should be completed within a reasonable period of time, not to exceed 60 days from filing the Complaint unless special circumstances necessitate more time.
- H.** At any time prior to a resolution, any party has the right to withdraw from the informal process and resume the Formal Complaint Process.

XI. RETALIATION PROHIBITED

Any act of retaliation or discrimination against any person for the purpose of interfering with any right or privilege secured by Title IX or because the person has made a report or filed a Formal Complaint or testified, assisted, or participated or refused to participate in any investigation, proceeding, or hearing involving sexual harassment is prohibited. Any person who is found to have engaged in retaliation will be subject to discipline, up to and including dismissal.

Complaints alleging retaliation are to be treated as claims of sex discrimination and may be filed in accordance with policy 1211 "Title IX Sexual Harassment" and this Administrative Regulation.

XII. RECORDS

The Head of School shall maintain for a period of seven years records of the following:

- A.** Each sexual harassment investigation including:
 - 1. any determination regarding responsibility;
 - 2. any audio or audiovisual recording or transcript from any live hearing;
 - 3. any disciplinary sanctions imposed on the Respondent; and
 - 4. any remedies provided to the Complainant designed to restore or preserve equal access to the School's education program and activities;
- B.** Any appeal and the result therefrom;
- C.** Any informal resolution and the result therefrom; and
- D.** In conjunction with the Title IX Coordinator, all materials used to train Title IX Coordinators, Investigators, Decision Makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the School's website.