

## Appendix A: Definitions

1. **Advisor:** a person chosen by a party to accompany the party to meetings, interviews, related to the resolution process and to advise the party on that process.
2. **Complainant:** Individual who is alleged to be the victim of conduct that could constitute sexual harassment.
3. **Consent:** Consent is an affirmative, conscious, and freely-made decision given by words or clearly demonstrated actions to engage in sexual activity. Consent must be present for each individual sexual act irrespective of a current or previous sexual relationship between the parties. Consent can be withdrawn at any time.  
A person can be incapable of giving consent due to age, mental incapacity, mental disorder, mental defect, disability, impairment due to drugs or alcohol, coercion/threats, or any condition that permanently or temporarily renders them incapable of appraising the nature of their conduct and/or physically expressing their unwillingness to act.
4. **Educational Program or Activity:** locations, events, or circumstances where the district exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.
5. **Formal Complaint:** A document or electronic submission requesting the Title IX Office investigate a complaint regarding sexual harassment. The document or electronic submission must be signed by either the complainant or Title IX Coordinator.
6. **Formal Grievance Process:** the method of formal resolution designated by the district to address conduct that falls within the policies of the district, and which complies with the requirements of the Title IX regulations (34 CFR §106.45).
7. **Notice:** an employee, student, parent/guardian, or third-party informs the Title IX Coordinator of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
8. **Preponderance of the Evidence:** There is a preponderance of the evidence if something is more likely true than not true. Fifty-one percent probability is enough; no more is required for a finding that something is more likely true than not true.
9. **Rape Shield Law:** The Rape Shield law is designed to protect the complainants of sexual assault. With very limited exceptions, they prevent respondents from introducing evidence of victims' sexual behavior, history, or reputation.
10. **Respondent:** Individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
11. **Timely:** In computing any period of time prescribed or allowed by this process, it shall be calendar days counted and the last day is included unless it is a Saturday, Sunday or day in which the District Administrative Center is closed, in which case the time shall run at the close of the next business day.

12. **Title IX Coordinator:** Oversees the District's Title IX program and compliance, serves as the point person for reports, implements and creates appropriate policies.
13. **Title IX Investigator:** Conducts reliable, prompt, fair and impartial investigations.
14. **Title IX Decision Maker:** Determines whether District policy has been violated based upon the applicable standard of evidence and determines appropriate sanctions/discipline.
15. **Title IX Appellate Body:** The District's Assistant Superintendents serve as the appellate body for appeals of Title IX findings.