



**TITLE IX SEXUAL HARASSMENT-
NOTICE OF APPEAL PROCESS**

Notice Regarding the Right to Appeal:

The parties to a formal complaint have the right to appeal the determination of responsibility, or the District's dismissal of a complaint or any allegations therein. There are three possible grounds for appeal:

1. A procedural irregularity that affected the outcome;
2. New evidence that was not reasonably available at the time of the determination and could affect the outcome;
3. Conflict of interest on the part of a Title IX coordinator, investigator, or decision maker that affected the outcome.

An appealing party can raise any and all of the three possible grounds of appeal. Other grounds for appeal will not be considered.

Procedural Timeline:

A written appeal must be filed in writing with the Office of the Superintendent through the Title IX Coordinator within **ten (10) days** of the issuance of the Determination of Responsibility. Once a written intent to appeal is filed with the Title IX Coordinator:

1. A "Notice of Appeal of Determination of Responsibility" will be provided to the appealing party within **five (5) days** of submission of the written request to appeal. The appealing party will have **five (5) business days** to complete and submit the "Notice of Appeal of Determination of Responsibility" form, identifying the reason(s) for the appeal as indicated above.
2. If an appeal fails on its face to raise any of the possible grounds for appeal it will be administratively dismissed within **five (5) business days** of appellant's submission.
3. If the appealing party has raised at least one possible ground for appeal, both parties will receive a "Notice of Basis of Appeal" within **five (5) business days** of appellant's submission. The "Notice of Basis of Appeal" will list the specific grounds of appeal that will be considered in the appeal process based on an administrative determination as to each possible ground for appeal that has been timely raised.
4. Each party has **twenty (20) days** to submit a brief addressing each ground for appeal listed in the "Notice of Basis of Appeal".
5. Each party has **five (5) business days** to reply to the other party's brief.
6. The Superintendent (or designee) will provide a decision within **thirty (30) days** of the last timely submission of a brief or reply.

Final Determination on Appeal:

The Superintendent's (designee's) decision will be final based on review of a complete appeal packet submitted by the Title IX Coordinator. Both parties will receive notification of the Superintendent's (designee's) decision.

Title IX Coordinator, SCCPSS

Date