

1. The District must recognize a presumption of non-responsibility on the part of the respondent as to the allegations of sexual harassment until a determination of responsibility is made at the conclusion of the grievance process set forth in the AAC-BR2 regulation, a copy of which is attached;
2. The complainant and the respondent each have the right to the assistance of an adult advisor of their choice, including an attorney, throughout the grievance process;
3. The complainant, respondent, and their advisor are prohibited from knowingly making a materially false statement or providing materially false information in connection with the allegations of sexual harassment set forth in the formal complaint. Any party who violates this prohibition will be subject to discipline in accordance with the District's Code of Conduct policies;
4. The District may offer the parties an informal resolution procedure to resolve the allegations set forth in the formal complaint. This procedure may only be used when a formal complaint is filed containing allegations of sexual harassment, when the Title IX Coordinator deems it appropriate under the circumstances, and the complainant and respondent voluntarily consent to participate in writing. This procedure may not be used when the complainant is a student and the respondent is a District employee. Participation in the informal resolution procedure may not be a condition of enrollment or employment, or enjoyment of any other right. Both the complainant and the respondent have the right to terminate or withdraw from the informal resolution procedure and resume the formal resolution procedure at any time prior to agreeing to a resolution;
5. The District is required to conduct a fair and impartial investigation of the allegations of sexual harassment set forth in any formal complaint;
6. The parties have the right to advance written notice of the date, time, location, participants, and purpose of all investigative interviews;
7. The parties have the right to review all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. The parties also have the right to submit a written response to the evidence prior to the conclusion of the investigation;
8. Prior to a determination of responsibility, the parties have a right to submit written, relevant questions that a party wants asked of any party or witness, be provided the answers, and have opportunity for additional, limited follow-up questions. Additional information regarding limitations on questions and relevancy determinations is contained within the AAC-BR2 regulation, a copy of which is attached;
9. The District will apply the preponderance of the evidence standard for use in all formal complaints of sexual harassment, including formal complaints against students and formal complaints against employees. Additional information regarding this standard is contained within the AAC-BR2 regulation, a copy of which is attached;

- 10. The complainant or the respondent may appeal the determination of responsibility, including any disciplinary sanction instituted as a result of the determination of responsibility. The complainant and the respondent may also appeal any dismissal, whether discretionary or mandatory, of a formal complaint or allegation contained in a formal complaint. The bases of appeal and the appeal procedure are described in detail in the AAC-BR2 regulation, a copy of which is attached; and
- 11. The parties shall not discuss or disseminate the allegations set forth in the formal complaint, or information gathered in the course of an investigation, in a manner that constitutes retaliation or unlawful tortious conduct.

In the event allegations in the formal complaint change or additional potential violations are discovered, the Title IX Coordinator will promptly provide written notice of the changes or additional potential violations to the complainant and the respondent.

Title IX Coordinator

Date

By my signature below, I acknowledge that I have received this written notice.

Signature

Date

End of Jamestown Public School District Exhibit AAC-E5... Reviewed 8-17-2020