

**File: AC-E-1 - Nondiscrimination/Equal Opportunity**

(Notice)

In compliance with Titles VI & VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act of 2008, including federal and state laws, The Colorado Springs School does not unlawfully discriminate against otherwise qualified students, staff members, applicants for employment, or members of the public on the basis of age, ancestry, conditions related to pregnancy or childbirth, color, creed, disability, ethnicity, gender expression, gender identity, genetic information, marital status, national origin, need for special education services, race, religion, sex, or sexual orientation. Discrimination against staff members and applicants for employment based on age, genetic information, and conditions related to pregnancy or childbirth is also prohibited in accordance with state and/or federal law.

Complaint procedures have been established for students, parents, staff members, and members of the public. The following person has been identified as the Compliance Officer and Title IX Coordinator for the Colorado Springs School:

Ms. Lea Siegel  
Director of Operations  
The Colorado Springs School  
21 Broadmoor Avenue  
Colorado Springs, CO 80906  
719-434-3544  
lsiegel@css.org

**Outside agencies**

Complaints regarding violations of Title VI (race, national origin), Title IX (sex, gender), Section 504/ADA (handicap or disability), may be filed directly with the Office for Civil Rights, U.S. Department of Education, 1244 North Speer Blvd., Suite 310, Denver, CO 80204, Telephone: 303-844-5695. Fax: 303-844-4303. TDD: 800-877-8339. Email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov).

Complaints regarding violations of Title VII (employment) and the ADEA (prohibiting age discrimination in employment) may be filed directly with the Federal Office of Equal Employment Opportunity Commission, 303 E. 17th Ave., Suite 410, Denver, CO 80202, Telephone: 800-669-4000. Fax: 303-866-1085. TTY: 800-669-6820, ASL Video Phone: 844-234-5122.

Website: <https://publicportal.eeoc.gov/portal/>, or the Colorado Civil Rights Division, 1560 Broadway, Suite 825, Denver, CO 80202, Telephone: 303-894-2997 or 800-886-7675. Fax: 303-894-7830.

Email: [DORA\\_CCRD@state.co.us](mailto:DORA_CCRD@state.co.us) (general inquiries),  
[DORA\\_CCRDintake@state.co.us](mailto:DORA_CCRDintake@state.co.us) (intake unit).

## **File: AC-R - Nondiscrimination/Equal Opportunity**

### **(Complaint and Compliance Process)**

The Colorado Springs School is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. The school shall promptly respond to concerns and complaints of unlawful discrimination and/or harassment; take action in response when unlawful discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in unlawful discrimination and/or harassment complaints as required by state and federal law. When appropriate, the complaint shall be referred to law enforcement for investigation.

The school has adopted the following procedures to promptly and fairly address concerns and complaints about unlawful discrimination and/or harassment. Complaints may be submitted orally or in writing.

### **Definitions**

"Compliance officer" means an employee designated by the Head of school to receive complaints of alleged unlawful discrimination and harassment. The compliance officer shall be identified by name/title, address, telephone number and email address. If the designated individual is not qualified or is unable to act as such, an alternate compliance officer will be appointed by the Head of school.

"Aggrieved individual" shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, an employee of the school, or member of the public who is directly affected by and/or is witness to an alleged violation of school policies prohibiting unlawful discrimination or harassment.

### **Compliance officer's duties**

The compliance officer shall be responsible for conducting an investigation and coordinating all complaint procedures and processes for any alleged violation of federal or state statute or school policy prohibiting unlawful discrimination or harassment. The compliance officer's duties shall include providing notice to students, parents/guardians of students, employees and the general public concerning the compliance process, providing training for school staff regarding the prohibition of discrimination/harassment in all school programs, activities and employment practices, disseminating information concerning the forms and procedures for the filing of complaints, ensuring the prompt investigation of all complaints, coordinating hearing procedures, and identifying and addressing any patterns or systemic problems that arise during the review of complaints. The compliance officer may delegate any or all of the foregoing responsibilities as necessary and/or appropriate under the circumstances.

### **Complaint procedure**

An aggrieved individual is encouraged to promptly report the incident as provided in school policy and this regulation. All reports received by teachers, counselors, principals or other school employees shall be promptly forwarded to the compliance

officer. If the alleged harasser is the person designated as the compliance officer, an alternate compliance officer will be appointed by the Head of school to investigate the matter.

Any aggrieved individual may file with the compliance officer a complaint charging the school, another student or any school employee with unlawful discrimination or harassment. Persons who wish to file a written complaint shall be encouraged to use forms found in The Colorado Springs School Policies.

All complaints shall include a detailed description of the alleged events, the dates the alleged events occurred and names of the parties involved, including any witnesses. The complaint shall be made as soon as possible after the incident.

The compliance officer shall confer with the aggrieved individual and/or the alleged victim of the unlawful discrimination or harassment as soon as is reasonably possible, but no later than 10 school days following the school's receipt of the complaint in order to obtain a clear understanding of the basis of the complaint.

Within 10 school days following the initial meeting with the aggrieved individual and/or alleged victim, the compliance officer shall attempt to meet with the individual alleged to have engaged in the prohibited conduct and, if a minor student, his or her parents/guardians in order to obtain a response to the complaint. Such person(s) shall be informed of all allegations that, in the compliance officer's judgment, are necessary to achieve a full and accurate disclosure of material information or to otherwise resolve the complaint.

At the initial meetings, the compliance officer shall explain the avenues for informal and formal action, provide a description of the complaint process, and explain that both the victim and the individual alleged to have engaged in prohibited conduct have the right to exit the informal process and request a formal resolution of the matter at any time. The compliance officer shall also explain that whether or not the individual files a written complaint or otherwise requests action, the school is required by law to take steps to correct the unlawful discrimination or harassment and to prevent recurring unlawful discrimination, harassment or retaliation against anyone who makes a report or participates in an investigation. The compliance officer shall also explain that any request for confidentiality shall be honored so long as doing so does not preclude the school from responding effectively to prohibited conduct and preventing future prohibited conduct.

### **Informal action**

If the aggrieved individual and/or the individual alleged to have engaged in the prohibited conduct requests that the matter be resolved in an informal manner and/or the compliance officer believes that the matter is suitable to such resolution, the compliance officer may attempt to resolve the matter informally through mediation, counseling or other non-disciplinary means. If both parties feel a resolution has been achieved through the informal process, then no further compliance action must be taken. No party shall be compelled to resolve a complaint of unlawful discrimination or harassment informally and either party may request an end to an informal process at any time. Informal resolution shall not be used to process complaints against a school employee and shall not be used between students where the underlying offense involves sexual assault or other act of violence.

## **Formal action**

If informal resolution is inappropriate, unavailable or unsuccessful, the compliance officer shall promptly investigate the allegations to determine whether and/or to what extent, unlawful discrimination or harassment has occurred. The compliance officer may consider the following types of information in determining whether unlawful discrimination or harassment occurred:

1. evidence relative to whether the individual alleged to have engaged in prohibited conduct has been found to have engaged in prohibited conduct against others,
2. evidence of the aggrieved individual and/or alleged victim's reaction or change in behavior following the alleged prohibited conduct,
3. evidence about whether the alleged victim and/or aggrieved individual took action to protest the conduct,
4. evidence and witness statements or testimony presented by the parties involved,
5. other contemporaneous evidence, and/or
6. any other evidence deemed relevant by the compliance officer.
7. statements by any witness to the alleged incident,
8. evidence about the relative credibility of the parties involved.

In deciding whether conduct is a violation of law or policy, all relevant circumstances shall be considered by the compliance officer, including:

1. the degree to which the conduct affected one or more student's education or one or more employee's work environment,
2. the type, frequency and duration of the conduct,
3. the identity of and relationship between the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged victim,
4. the number of individuals alleged to have engaged in the prohibited conduct and number of victims of the prohibited conduct,
5. the age of the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged victim,
6. the size of the school, location of the incident and context in which it occurred,
7. other incidents at the school.

Within 10 days after the hearing, the compliance officer shall prepare a written decision with specific factual findings and sanctions or other remedial action, including as appropriate recommendations to the Head of school for disciplinary or other action. The compliance officer's report shall be advisory and shall not bind the school to any particular course of action or remedial measure. Within 10 school days after receiving the compliance officer's findings and recommendation, the Head of school shall determine any sanctions or other action deemed appropriate.

To the extent permitted by federal and state law, all parties, including the parents/guardians of all students involved, shall be notified in writing by the Head of school of the final outcome of the investigation and all steps taken by the school within 5 days following the final determination.

## **Hearing procedure**

For allegations under Section 504 and as otherwise required by law, the aggrieved individual may request a hearing. This hearing procedure will not address guilt or innocence or disciplinary consequences which are instead governed by the schools policies and procedures.

The school must retain a person to serve as the impartial hearing officer, who must be knowledgeable about Section 504 and/or the ADA, if applicable. The hearing must be informal and must be recorded. A student shall be entitled to be represented by his/her parent or by an attorney. An employee shall be entitled to be represented by an attorney or other representative of his/her choice. The complainant may appear at the hearing and is entitled to present testimony and other evidence. Formal rules of evidence shall not apply. A district representative is likewise entitled to present testimony and other evidence. The hearing must be closed to the public.

The hearing officer shall make a written recommendation to the Head of school based upon evidence presented at the administrative hearing. Within 10 days of receiving the hearing officer's recommendations, the Head of school or designee shall determine any action deemed appropriate.

Any party not satisfied with a decision made by the Head of school may present his/her concerns to the Board. Any action taken by the Board shall be final.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a school policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right. This process shall apply, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

### **Outside agencies**

Complaints regarding violations of Title VI, (race, national origin), Title IX (sex/ gender), Section 504/ADA (handicap or disability), may be filed directly with the Office for Civil Rights, U.S. Department of Education, 1244 North Speer Blvd., Suite 310, Denver, CO 80204. Complaints regarding violations of Title VII (employment) and the ADEA (prohibiting age discrimination in employment) may be filed directly with the Federal Office of Equal Employment Opportunity Commission, 303 E. 17th Ave., Suite 510, Denver, CO 80202, or the Colorado Civil Rights Commission, 1560 Broadway, Suite 1050, Denver, CO 80202.

Initial date: April 2024

## **File: AC-R-1 - Nondiscrimination/Equal Opportunity Procedure**

### **(Complaint and Compliance Process)**

The Colorado Springs School is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. The school shall promptly respond to concerns and complaints of unlawful discrimination and/or harassment; take action in response when unlawful discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in unlawful discrimination and/or harassment complaints as required by state and federal law. When appropriate, the complaint shall be referred to law enforcement for investigation.

The school has adopted the following procedures to promptly and fairly address concerns and complaints about unlawful discrimination and/or harassment. Complaints may be submitted verbally or in writing.

### **Definitions**

1. "Compliance officer" means a staff member designated by the Head of school to receive complaints of alleged unlawful discrimination and harassment. The compliance officer shall be identified by name/title, address, and telephone number. See exhibit AC-E-1. If the designated individual is not qualified or is unable to act as such, the superintendent shall designate another administrator to serve as compliance officer.
2. "Complainant" shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, a staff member of the school, or member of the public who is directly affected by and/or is witness to an alleged violation of school policies prohibiting unlawful discrimination or harassment.

### **Compliance officer's duties**

The compliance officer or his or her designee shall be responsible for conducting an investigation and coordinating all complaint procedures and processes for any alleged violation of federal or state statute or administrative policy prohibiting unlawful discrimination or harassment. The compliance officer's duties shall include providing notice to students, parents/guardians of students, staff members and the general public concerning the compliance process, providing training for school staff regarding the prohibition of discrimination/harassment in all school programs, activities and employment practices, disseminating information concerning the forms and procedures for the filing of complaints, ensuring the prompt investigation of all complaints, coordinating hearing procedures, and identifying and addressing any patterns or systemic problems that arise during the review of complaints. The compliance officer may delegate any or all of the foregoing responsibilities as necessary and/or appropriate under the circumstances.

### **Complaint procedure**

A complainant is encouraged to promptly report the incident as provided in administrative policy and this regulation. All reports received by teachers,

counselors, principals or other school staff members shall be promptly forwarded to the compliance officer. If the compliance officer is the individual alleged to have engaged in the prohibited conduct, the complaint shall be forwarded to the Head of school or designee.

Any complainant may file with the compliance officer a complaint charging the school, another student or any school staff member with unlawful discrimination or harassment. Complaints may be made orally or in writing. Persons who wish to file a written complaint shall be encouraged to use the form in AC-E-2.

All complaints shall include a detailed description of the alleged events, the dates the alleged events occurred, and names of the parties involved, including any witnesses. The complaint shall be made as soon as possible after the incident.

The compliance officer or designee shall confer with the alleged target of the unlawful discrimination or harassment as soon as is reasonably possible, but no later than 5 working days following the school's receipt of the complaint in order to obtain a clear understanding of the basis of the complaint. The compliance officer will designate an administrator to conduct the investigation and will inform the complainant who the designated investigator is.

Within 5 working days following the initial meeting involving the compliance officer and the complainant, the investigator shall attempt to meet with the complainant and with the individual alleged to have engaged in the prohibited conduct and, if a student, his or her parents/guardians in order to obtain a response to the complaint. Such person(s) shall be informed of all allegations that are necessary to achieve a full and accurate disclosure of material information or to otherwise resolve the complaint.

At the initial meeting, the compliance officer or designee shall explain the avenues for informal and formal action, provide a description of the complaint process, and explain that both the target and the individual alleged to have engaged in prohibited conduct have the right to exit the informal process and request a formal resolution of the matter at any time. The compliance officer shall also explain that whether or not the individual files a written complaint or otherwise requests action, the school is required by law to take steps to correct the unlawful discrimination or harassment and to prevent recurring unlawful discrimination, harassment or retaliation against anyone who makes a report or participates in an investigation. The compliance officer shall also explain that any request for confidentiality shall be honored so long as doing so does not preclude the school from responding effectively to prohibited conduct and preventing future prohibited conduct.

### **Informal action**

If the complainant and/or the individual alleged to have engaged in the prohibited conduct requests that the matter be resolved in an informal manner and/or the compliance officer believes that the matter is suitable to such resolution, the compliance officer or designee may attempt to resolve the matter informally through mediation, counseling or other non-disciplinary means. If both parties feel a resolution has been achieved through the informal process, then no further compliance action must be taken. No party shall be compelled to resolve a complaint of unlawful discrimination or harassment informally and either party may request an

end to an informal process at any time. Informal resolution shall not be used to process complaints against a school staff member and may not be used between students where the underlying offense involves sexual assault or other acts of violence.

### **Formal action**

If informal resolution is inappropriate, unavailable, or unsuccessful, the compliance officer shall assign an administrator to promptly investigate the allegations to determine whether and/or to what extent, unlawful discrimination or harassment has occurred. The investigator may consider the following types of information in determining whether unlawful discrimination or harassment occurred:

- a) statements by any witness to the alleged incident;
- b) evidence about the relative credibility of the parties involved;
- c) evidence relative to whether the individual alleged to have engaged in prohibited conduct has been found to have engaged in prohibited conduct against others;
- d) evidence of the complainant and/or alleged target's reaction or change in behavior following the alleged prohibited conduct;
- e) evidence about whether the alleged target and/or complainant took action to protest the conduct;
- f) evidence and witness statements or testimony presented by the parties involved;
- g) other contemporaneous evidence; and/or,
- h) any other evidence deemed relevant by the investigator.

In deciding whether conduct is a violation of law or policy, all relevant circumstances shall be considered by the investigator, including:

- a) the degree to which the conduct affected one or more student's education or one or more staff member's work environment;
- b) the type, frequency, and duration of the conduct;
- c) the identity of and relationship between the individual alleged to have engaged in the prohibited conduct and/or the alleged target;
- d) the number of individuals alleged to have engaged in the prohibited conduct and number of targets of the prohibited conduct;
- e) the ages of the individual alleged to have engaged in the prohibited conduct and the complainant and/or alleged target;
- f) the size of the school, location of the incident, and context in which it occurred; and/or
- g) other incidents at the school.

The investigator shall prepare a written report containing findings and recommendations, as appropriate, and submit the report to the complainant within

ten working days following the compliance officer's receipt of the complaint or ten working days following the termination of the informal resolution process.

The investigator's report must be advisory and must not bind the Head of school or the school to any particular course of action or remedial measure. Within 10 working days after receiving the investigator's findings and recommendations, the Head of school or designee must determine any sanctions or other actions deemed appropriate, include appropriate recommendations to the committee for disciplinary or other action.

To the extent permitted by federal and state law, all parties, including the parents/guardians of all students involved, must be notified in writing of the final outcome of the investigation and all steps taken by the school within 60 calendar days following the Head of school and/or committees determination.

### **Hearing procedure**

For allegations under Section 504 and as otherwise required by law, the complainant may request a hearing. This hearing procedure will not address guilt or innocence or disciplinary consequences, which are instead governed by administrative policies and procedures.

The school must retain a person to serve as the impartial hearing officer, who must be knowledgeable about Section 504 and/or the ADA, if applicable. The hearing must be informal and must be recorded. Formal rules of evidence do not apply. A student is entitled to be represented by their parent/legal guardian or by an attorney. A staff member is entitled to be represented by an attorney or other representative of their choice. The complainant may appear at the hearing and is entitled to present testimony and other evidence. A school representative is likewise entitled to present testimony and other evidence. The hearing must be closed to the public.

Within five working days after the hearing, the hearing officer must issue a written decision based upon evidence presented at the administrative hearing, including any remedial or corrective action deemed appropriate. Remedial actions include measures designed to stop the unlawful discrimination or harassment, correct its negative impact on the affected individual, ensure that the conduct does not recur, and restore lost educational opportunities.

After the hearing officer has issued the decision, the recording of the hearing, all physical and documentary evidence, and all other items comprising the record of the hearing must be returned to the school.

Either party may seek review of the hearing officer's decision in a court of competent jurisdiction, in accordance with applicable law and applicable timelines for requesting such review.

Nothing contained herein may be interpreted to confer upon any person the right to a hearing independent of an administrative policy, administrative procedure, statute, rule, regulation, or agreement expressly conferring such right. This process applies, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation, or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement will govern.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of an administrative policy, administrative procedure, statute, rule, regulation, or agreement expressly conferring such right. This process shall apply, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation, or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

### **Outside agencies**

In addition to, or as an alternative to, filing a complaint pursuant to this regulation, a person may file a discrimination complaint with the U.S. Department of Education, Office for Civil Rights (OCR); the Federal Office of Equal Employment Opportunity Commission (EEOC); or the Colorado Civil Rights Division (CCRD). The addresses of these agencies are listed below.

Complaints regarding violations of Title VI, (race, national origin), Title IX (sex/gender), Section 504/ADA (handicap or disability), may be filed directly with the Office for Civil Rights, U.S. Department of Education, 1244 North Speer Blvd., Suite 310, Denver, CO 80204-3582, Telephone: 303-844-5695. Fax: 303-844-4303. TDD: 800-877-8339. Email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov).

Complaints regarding violations of Title VII (employment) and the ADEA (prohibiting age discrimination in employment) may be filed directly with the Federal Office of Equal Employment Opportunity Commission, 303 E. 17th Ave., Suite 410, Denver, CO 80203, Telephone: 800-669-4000. Fax: 303-866-1085. TTY: 800-669-6820. ASL Video Phone: 844-234-5122. Website: <https://publicportal.eeoc.gov/portal/>, or the Colorado Civil Rights Division, 1560 Broadway, Suite 825, Denver, CO 80202, Telephone: 303-894-2997 or 800-886-7675. Fax: 303-894-7830.

Email: [DORA\\_CCRD@state.co.us](mailto:DORA_CCRD@state.co.us) (general inquiries),  
[DORA\\_CCRDintake@state.co.us](mailto:DORA_CCRDintake@state.co.us) (intake unit).

Adopted: April 2024

## **File: AC-R-2 - Sexual Harassment Investigation Procedures**

(Title IX)

The Colorado Springs School is committed to maintaining a learning environment that is free from sex-based discrimination, including sexual harassment. It is a violation of policy for any staff member to harass students or for students to harass other students through conduct or communications of a sexual nature, or to retaliate against anyone that reports sex-based discrimination or harassment or participates in a harassment investigation.

### **Definitions**

For purposes of this procedure, these terms have the following meanings:

- "Complainant" means an individual who is alleged to be the target of conduct that could constitute sex-based discrimination or sexual harassment.
- "Decision Maker" means an individual(s) who assesses the relevant evidence, including party and witness credibility, to decide if the school has met the burden of proof showing the respondent to be responsible for the alleged sex-based discrimination or sexual harassment. The decision maker may not be the Title IX Coordinator or the investigator. The school's decision maker is the Head of school.
- "Education Program or Activity" means locations, events, or circumstances over which the school exercises substantial control over both the complainant and respondent and the context in which the sex-based discrimination or sexual harassment occurs.
- "Investigator" means an individual trained to objectively evaluate the credibility of parties and witnesses, synthesize all available evidence - including both inculpatory and exculpatory evidence - and take into account the unique and complex circumstances of each situation. The investigator may be the Title IX Coordinator, but cannot be the decision maker.
- "Respondent" means an individual who has been reported to be the alleged perpetrator of conduct that could constitute sex-based discrimination or sexual harassment.
- "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:
  - o A school staff member conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
  - o Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
  - o Sexual assault, dating violence, domestic violence, or stalking.

- "Supportive Measures" mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed.
- "Title IX Coordinator" means the staff member designated by a recipient to coordinate its efforts to comply with Title IX responsibilities. The school's Title IX Coordinator is Ms. Lea Siegel, Director of Operations, 21 Broadmoor Avenue, Colorado Springs, Colorado 80906; Ph. (719) 434-3544; Email: lsiegel@css.org

### **Filing a complaint**

A complainant, or a parent or guardian with the legal right to act on the complainant's behalf, may file a complaint. Complaints must be filed in writing and signed by the complainant. Written and signed complaints must be filed with the Title IX Coordinator. If a written complaint is given to a school staff member, the school staff member will promptly forward the complaint to the Title IX Coordinator. An alternate will be designated in the event it is claimed that the Title IX Coordinator or Head of school is the one who committed the alleged discrimination or some other conflict of interest exists. The complainant will receive assistance when requested in filing a complaint.

Retaliation against the complainant, respondent, or any person who filed a complaint or participated in an investigation, is prohibited. Individuals found to have engaged in retaliatory behavior will be subject to disciplinary measures.

### **Investigation**

Once a complaint is received, the Title IX Coordinator or investigator ("investigator") will first determine if the alleged conduct occurred in the school's education program or activity. If the alleged conduct is not part of the education program or activity, the complaint must be dismissed under these procedures. A dismissal does not prohibit the complainant from pursuing other remedies under state or federal law or local Board or administrative policy, nor does it prohibit the school from addressing the allegations in any manner the school deems appropriate.

Following this determination, the investigator will begin the investigation in a reasonably prompt manner and adhere to the following:

- The investigator must apply the "presumption of innocence" standard during the course of the investigation.
- The investigator must adhere to all timeframes. If a timeframe cannot be met, the investigator will notify the complainant, respondent, and decision maker.
- The investigator will protect the complainant from inappropriate questions and evidence about the complainant's prior sexual history.
- The investigator must provide written notice of the allegations to the parties involved.
- The investigation may also include, but is not limited to, the following: