



## TITLE IX Grievance Procedures

### Grievance Review and Resolution Process

1. At the time the formal complaint is filed, the grievant shall be given a copy of these grievance procedures. It is the responsibility of the Title IX Coordinator or designee to explain these procedures and answer any questions presented by the grievant.

If the grievant is a minor student, the Title IX Coordinator should consider whether a child abuse report should be completed and reported to law enforcement and/or Child Protective Services.

2. Investigation Process – Upon receipt of a formal complaint, the Title IX Coordinator or designee shall begin the investigation process.
  - a. Notice of Allegations – ICS will provide all parties with a notice of the allegations made and all details known at the time.
  - b. Presumption of Innocence – the notice will indicate that no responsibility for the actions is presumed and that a determination regarding responsibility will be made only at the conclusion of the entire review process.
  - c. Cooperation with Investigation – the notice will explain that knowingly making false statements or knowingly submitting false information during the investigation process is a violation of the ICS Title IX policy, and anyone who interferes in the investigation process in this manner is subject to discipline, up to and including termination of employment or expulsion from enrollment.
3. No one may serve as both investigator and decision maker during an investigation process. If the Title IX Coordinator is the assigned decision maker, an investigator will be assigned. All investigators and decision makers will be trained by the Title IX Coordinator. Training resources used for these purposes are posted on the [ICS website](#).
4. The Title IX Coordinator or designee shall meet with all individuals believed to have relevant information, including the grievant and the individual(s) against whom the formal complaint was lodged, and any witnesses to the conduct. The investigation shall be carried on discreetly, maintaining confidentiality as is reasonably possible while conducting an effective investigation.
5. Investigation Timeline – The timeline for investigations will be managed by the investigator(s) and will be impacted by the number of parties and witnesses in each individual case. It is the goal of



ICS to complete the investigation in a timely, fair and through fashion. Parties to an investigation can expect progress reports from the investigators and are encouraged to participate fully with the investigation to ensure timely completion.

6. Sanctions and Remedies - If after an investigation, the evidence shows clearly and convincingly that there is reasonable cause to believe that sex discrimination or sexual harassment has occurred, the school shall take appropriate corrective action to ensure the conduct ceases and will not recur.

Remedies will be designed to restore access to our school's educational and other programs.

Sanctions can include, but are not limited to, actions that are disciplinary or punitive to the respondent such as: suspension, expulsion (with or without a right to request permission to re-enroll), corrective discipline, and termination of employment. The Title IX Coordinator or designee may also provide and/or arrange for confidential counseling or training where appropriate.

7. Informal Resolution - The Title IX Coordinator or designee shall consider an informal resolution between the parties, if such a resolution is requested by either party prior to the determination of responsibility. ICS will not offer the option of an informal resolution in instances that involve allegations that a teacher or staff member has sexually harassed a student.
8. Retaliation against an individual for filing a complaint or cooperating in an investigation is strictly prohibited, and ICS will take actions necessary to prevent such retaliation.
9. Appeals – All parties are entitled to an appeal from a determination regarding responsibility and sanctions on the following bases:
  - a. Procedural irregularity that affected the outcome of the matter;
  - b. New evidence that was not reasonably available at the time the determination was made that could affect the outcome of the matter;
  - c. The Title IX Coordinator or investigator has a conflict of interest or bias for or against grievant or respondent that affected the outcome of the matter; or
  - d. The severity/leniency of the sanctions.

Grievants or respondents wishing to appeal an outcome have five (5) business days from the day they receive the determination to appeal to the ICS Board of Governors. Once an appeal has been filed, the non-appealing party will be notified in writing. Both parties will be given a reasonable, equal opportunity to submit a written statement supporting or challenging the outcome. After considering the record from the initial investigation and any written statements, the Chair of the Board of Governors will advise both parties in writing of the final decision. The final decision is not subject to further review.



10. ICS is required to maintain the following records for a period of seven (7) years:

- a. Each sexual harassment investigation including any determination regarding responsibility and any recordings or transcripts, any disciplinary sanctions imposed on the respondent, and any remedies provided to the grievant to restore or preserve equal access to ICS's education programs or activities.
- b. Any appeal and the result of the appeal;
- c. Documentation regarding records of any actions taken, documentation as to why they were or were not taken, and the basis for conclusions that ICS's response was not deliberately indifferent; and
- d. All materials used to train the Title IX Coordinator, investigators, decision makers and any person who facilitates an informal resolution process.

These records are required to be kept by law and ICS cannot, and will not, purge such records earlier than the mandated time period.

#### **Definitions Applicable to this Procedure**

1. **Grievant:** and individual who is alleged to be the victim of conduct that could constitute sexual harassment and/or conduct under the ICS Title IX Policy.
2. **Formal Complaint:** A document filed by a complainant, or signed by the Title IX Coordinator, alleging sexual harassment and/or conduct against a respondent and requesting that ICS investigate the allegation of sexual harassment and/or conduct.
3. **Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment and/or conduct under the ICS Title IX Policy.

#### **How to File a Formal Complaint**

##### **Title IX Coordinator**

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