

After receiving an oral report or written complaint, or the School otherwise learns of an alleged potential violation of Title IX, the Title IX coordinator will request clarification and/or conduct an initial inquiry, to determine whether the oral report or written complaint alleges a potential violation of Title IX. In the event the oral report or written complaint or other information the School otherwise learns of is against the Head of School, the Board Chair or his/her designee may request the clarification and/or conduct an initial inquiry. To request clarification and/or conduct an initial inquiry, the Head of School, Board Chair, or their respective designees may meet with the individual(s) who made the oral report or written complaint and/or that was reportedly subjected to conduct that violates Title IX.

### Investigation Procedure

If an oral report or written complaint alleges a potential violation of Title IX, or the School otherwise learns of an alleged potential violation of Title IX, The Title IX Coordinator will initiate an investigation.

Should the person alleged to have violated Title IX (respondent) be a school employee, the Head of School, other appropriate administrator, or Board Chair, may take interim action as appropriate, such as placing the Respondent on paid administrative leave or temporarily transferring the Respondent.

If the individual who made the oral report or written complaint and/or that was reportedly subjected to conduct that violates Title IX is a school employee, they should not have their duties changed unless that individual voluntarily consents to the temporary change.

The investigation will be conducted in a fair, timely, and thorough manner. The Title IX coordinator will document and track the investigation for reasonable progress and timely closures. The investigation will normally include interviews with the individual(s) who made the oral report or written complaint and/or that was reportedly subjected to conduct that violates Title IX, the Respondent, and other persons believed to have relevant knowledge concerning the allegations. Witnesses will be advised that retaliation against those who report alleged harassment, discrimination, or retaliation, or who participate in the investigation is prohibited. The Respondent will be notified that a complaint has been made alleging that he or she has violated Title IX. Whenever possible, the investigation will commence with an interview of the complaining party. Before the investigation is concluded, the Respondent will be informed of the allegations made against him or her, and be provided with an opportunity to respond to the allegations. Once the information gathering process is completed, the investigator will provide an investigative report containing the investigator's findings of fact which will be reasonable conclusions based on the evidence collected. The investigator will make findings based on a "preponderance of the evidence" standard. The report will be shared with the Head of School and other school representatives who have a need to know the outcome of the investigation.

### Remedial and Disciplinary Action

Once the investigation is complete, SJES will determine if the conduct violates Title IX and if so, the appropriate corrective action. Any employee or student determined to have violated Title IX will be subject to disciplinary action, up to and including termination or expulsion. Disciplinary action may also be taken against any a supervisor, director or other management employee who condones or ignores potential violations of Title IX, or who otherwise fails to take appropriate action to enforce it. Because an individual with whom the School has business, contractual, or professional relationship, such as parents, legal guardians, interns, volunteers, independent contractors, or vendors are not employees of SJES, the School may not be able to take corrective action in the same way or to the same extent that it can with respect to SJES employees or students. However, SJES will make appropriate efforts to take corrective action for violations of Title IX, or if appropriate, to cause others to take corrective action.

Please be advised that an employee who engages in unlawful harassment is personally liable for the

harassment, regardless of whether they knew or should have known of the conduct and/or failed to take appropriate corrective action. SJES does not consider conduct in violation of Title IX to be within the course and scope of employment or the direct consequence of the discharge of one's duties at SJES. Accordingly, to the extent permitted by law, SJES reserves the right to refuse to provide a defense or pay legal fees and costs or to pay damages assessed against any employee based on conduct in violation of Title IX.

#### Closure

The investigation will be closed in a timely manner. At the conclusion of the investigation, the Head of School or his or her designee, will notify the individual that was reportedly subjected to conduct that violates Title IX in general terms of the outcome of the investigation.

#### Confidentiality

SJSE cannot keep oral reports or written complaints made under Title IX completely confidential due to the need to investigate potential violations of Title IX and take effective remedial action, or to comply with other legal requirements. SJES will, however, keep oral reports or written complaints made under Title IX, confidential to the extent possible. SJES will not disclose a completed investigation report except as it deems necessary to support a disciplinary action, report internally on an as needed basis, take remedial action, defend the School in administrative or legal proceedings, or to comply with the law or a court order.