Series 3000: Operations, Finance, and Property

3100 General Operations

3115F Complaint Dismissal and Appeals

A. Complaint Dismissal

The District may dismiss a Complaint if:

1. The District is unable to identify the Respondent after taking reasonable steps to do so;

2. The Respondent is not participating in the District's education program or activity and is not employed by the District;

3. The Complainant voluntarily withdraws any or all of the allegations in the Complaint and the applicable Coordinator declines to initiate a Complaint; or

4. The District determines the conduct alleged in the Complaint, even if proven, would not constitute Unlawful Discrimination.

Upon dismissal, the District will promptly notify the Complainant of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, the District will also notify the Respondent of the dismissal and the basis for the dismissal promptly following notification to the Complainant, or simultaneously if notification is in writing.

Upon dismissal, the District will take prompt and effective steps, as appropriate, through the applicable Coordinator, to ensure that Unlawful Discrimination does not continue or recur within the District's education program or activity. The District will offer Supportive Measures to the Complainant as appropriate. The District will also offer Supportive Measures to the Respondent as appropriate if the Respondent has been notified of the Complaint allegations.

B. Determination Appeal Procedures

Unless expressly stated in writing by the Decisionmaker, determinations are not subject to appeal.

Legal authority: 34 CFR 106.1, et seq.

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