



PO Box 15644, San Antonio, TX 78212
Phone: (210) 227-0295 Fax: (210) 227-7879
www.triumphpublicschools.org

SECTION 203: PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION UNDER TITLE IX

Revised Date: Amended September 19, 2020

Equal Employment Opportunity

Triumph Public High Schools (“Triumph” or the “School”) is an equal opportunity employer and does not discriminate against any employee or applicant for employment because of race, color, religion, gender, sex, national origin, age, disability, military status, genetic information, or any other basis prohibited by law as required by Title VI and Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Title I and Title V of the Americans with Disabilities Act of 1990, as amended (“ADA”); the Age Discrimination in Employment Act of 1967, as amended (“ADEA”); Section 504 of the Rehabilitation Act of 1973, as amended; the Genetic Information Nondiscrimination Act of 2008 (“GINA”); and any other legally-protected classification or status protected by federal, state, or local law. Additionally, Triumph Public High Schools does not discriminate against an employee or applicant who acts to oppose such discrimination or participates in the investigation of a complaint related to an alleged discriminatory employment practice. Employment decisions will be made on the basis of each individual’s job qualifications, experience, and abilities and in accordance with applicable state and federal law.

Employees can raise concerns and make reports without fear of reprisal. Employees with questions or concerns relating to equal employment opportunity, including discrimination and disability accommodations, are encouraged to bring these issues to the attention of a Triumph Public High Schools administrator, or one of the compliance coordinators designated below.

As required by Title IX, Triumph Public High Schools does not (and is required not to) discriminate on the basis of sex in its educational programs or activities. This non-discrimination requirement applies to admission to and employment with Triumph Public High Schools. Inquiries into issues related to Title IX may be referred to Triumph Public High Schools’ Title IX Coordinator (identified below), to the Assistant Secretary for Civil Rights of the Department of Education, or both.

Triumph Public High Schools has designated the following person as the Title IX Coordinator, who is responsible for receiving and overseeing investigations of alleged discrimination on the basis of sex, including sexual harassment: Daniel Hall, Director of Human Resources & Risk Management, Address: 1218 S. Presa, San Antonio, TX 78210, Phone: (210) 227-0295.

Triumph Public High Schools has designated the following person as the ADA / Section 504 Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis of disability: Dr. Norma J. Hernandez, Special Programs Coordinator, Address: 1218 S. Presa, San Antonio, TX 78210, Telephone: (210) 227-0295



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Triumph Public High Schools has designated the following person as the Title VII/ADEA Coordinator, who is responsible for receiving and investigating complaints of alleged discrimination or harassment on the basis race, color, religion, gender, sex, national origin, or age: Daniel Hall, Director of Human Resources & Risk Management, Address: 1218 S. Presa, San Antonio, TX 78210, Telephone: (210) 227-0295

All other complaints regarding equal employment opportunity may be directed to: Daniel Hall, Director of Human Resources & Risk Management, Address: 1218 S. Presa, San Antonio, TX 78210, Telephone (210) 227-0295

Prohibition of Discrimination, Harassment, and Retaliation

Triumph Public High Schools prohibits discrimination, including harassment, of a co-worker based upon race, color, national origin, religion, sex or gender, disability, veteran status, age, genetic information, or any other basis prohibited by law. While acting in the course of their employment, employees shall not engage in prohibited discrimination or harassment of other persons including Board members, vendors, contractors, volunteers, or parents. Discrimination or harassment become unlawful where:

1. Enduring the offensive conduct becomes a condition of continued employment; or
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of prohibited discrimination or harassment. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Prohibited and offensive conduct can include, but is not limited to, offensive jokes, slurs, epithets, or name-calling; physical assaults or threats; intimidation; ridicule or mockery; insults or put-downs; offensive objects or pictures; and/or interference with work performance. Harassment can occur in a variety of circumstances, including but not limited to the following:

1. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the school, a co-worker, or a non-employee.
2. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
3. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

1. Retaliation

Triumph Public High Schools strictly prohibits retaliation against a student, parent, or an employee who in good faith reports or complains about discrimination, harassment, or other prohibited conduct, or who serves as a witness or otherwise participates in an investigation. Employees who take part in any retaliatory action will be subject to discipline, up to and including termination. Retaliation may include, but is not limited to: demotion, denial of promotion, poor performance



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appraisals, transfer, and assignment of demeaning tasks or taking any kind of adverse actions against a person who complains about discrimination or harassment.

An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a Triumph Public High Schools investigation regarding harassment or discrimination is subject to appropriate discipline, up to and including termination.

2. Reporting Procedures

An employee who believes that he or she has experienced prohibited discrimination or harassment, retaliation, or believes that another employee has experienced such prohibited conduct, should follow the "Employee Complaints and Grievances Regarding Harassment and Discrimination" section of the Employee Handbook. The process for making formal complaints regarding sexual harassment is discussed in the "Sexual Harassment Prohibited" section of the Employee Handbook.

Reports of prohibited discrimination or harassment shall be made as soon as possible after the alleged act or knowledge of the alleged act. Failure to promptly report may impair Triumph Public High Schools' ability to investigate and address the prohibited conduct.

Any supervisor who receives a report of prohibited discrimination or harassment shall immediately notify the appropriate Compliance Coordinator listed above, and take any other steps required by Triumph Public High Schools policy.

2. Sexual Harassment Prohibited

Triumph Public High Schools prohibits discrimination on the basis of sex, including sexual harassment, by an employee, volunteer, or student.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning the provision of aid, benefit, or service of Triumph Public High Schools on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Triumph Public High Schools's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f), and the Violence Against Women Act, 34 U.S.C. § 12291(a)).

Examples of sexual harassment may include, but are not limited to, touching private body parts or coercing physical contact that is sexual in nature; sexual advances; jokes or conversations of a sexual nature; sexually-motivated physical, verbal, or nonverbal conduct; or other sexually motivated conduct, communications, or contact.



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Romantic or inappropriate social relationships between students and school employees are prohibited. Any sexual relationship between a student and a school employee is always prohibited, even if consensual.

1. General Definitions

A “complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

A “respondent” means an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

A “formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that Triumph Public High Schools investigate the allegation of sexual harassment.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered appropriate and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to Triumph Public High Schools’ educational program or activity without unreasonably burdening either party, including measures designed to protect the safety of all parties or Triumph Public High Schools’ educational environment, or deter sexual harassment. Examples of supportive measures include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of class schedules, mutual restrictions on contact between the parties, and other similar measures.

2. Reporting Sexual Harassment

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator in the Employee Handbook, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

Triumph Public High Schools’ response to a report of sexual harassment must treat complainants and respondents equitably by offering supportive measures and by following a grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

After a report of sexual harassment has been made, the Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

3. ***Notice of Allegations***

Upon receipt of a formal complaint, Triumph Public High Schools must provide the following written notice to the parties who are known:

- Notice of Triumph Public High Schools' grievance process, including any informal resolution process.
- Notice of the allegations of sexual harassment, including, to the extent known, the identity of the parties, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made known at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- Notice that the parties may inspect and review evidence related to the complaint.
- Notice that Triumph Public High Schools prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during an investigation, Triumph Public High Schools decides to investigate allegations about the complaint or respondent that are not included in the initial notice of the complaint, Triumph Public High Schools must provide notice of the additional allegations to the parties whose identities are known.

4. ***Grievance Process***

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of Triumph Public High Schools.

The following guidelines apply when Triumph Public High Schools receives a formal complaint of sexual harassment. This process is designed to incorporate due process, principles, treat all parties fairly, and to assist Triumph Public High Schools reach reliable responsibility determinations.

- Triumph Public High Schools will require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- Any individual designated by Triumph Public High Schools as a Title IX Coordinator, investigator, decision-maker, or to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or responsible. Triumph Public High Schools will ensure that Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution process receive appropriate training related to the requirements of Title IX and Triumph Public High Schools' sexual harassment policy.
- Triumph Public High Schools recognizes a presumption that the respondent is not

responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.

- Triumph Public High Schools shall attempt to complete an investigation of reported sexual harassment within 60 calendar days of receiving a complaint. However, the investigation process may be delayed or extended for a limited time for good cause with written notice to the complainant and the respondent of the delay or extension. Good cause may include considerations such as absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- Students found to have engaged in sexual harassment are subject to disciplinary action as outlined in the School's Student Code of Conduct. Employees found to have engaged in sexual harassment are subject to disciplinary action as outlined in the Employee Handbook.
- Triumph Public High Schools shall employ the preponderance of evidence standard to determine responsibility when reviewing formal complaints.
- Triumph Public High Schools may not require, allow, rely upon, or otherwise use questions of evidence that constitute, or seek disclosure, of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

5. ***Consolidating Formal Complaints***

Triumph Public High Schools may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

6. ***Dismissal of Formal Complaints***

Triumph Public High Schools must investigate the allegations in a formal complaint.

Triumph Public High Schools must dismiss a formal complaint if the conduct alleged in the formal complaint:

- Would not constitute sexual harassment, even if proved;
- Did not occur in Triumph Public High Schools' education program or activity; or
- Did not occur against a person in the United States.

Triumph Public High Schools may dismiss a formal complaint or any allegations therein if, at any time during the investigation:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by Triumph Public High Schools; or
- Specific circumstances prevent Triumph Public High Schools from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.



Upon a dismissal, Triumph Public High Schools must promptly send simultaneous written notice to the parties of the dismissal and the reason(s) for the dismissal. Dismissal of a formal complaint does not preclude Triumph Public High Schools from taking appropriate action under the Student Code of Conduct, the Employee Handbook, and/or any other school policy that may apply to the alleged conduct.

7. *Investigating Formal Complaints*

The following guidelines apply during the investigation of a formal complaint and throughout the grievance process.

- Triumph Public High Schools will ensure the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on Triumph Public High Schools and not on the parties.
- Triumph Public High Schools cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Triumph Public High Schools receives that party's voluntary, written consent to do so.
- Triumph Public High Schools will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- Triumph Public High Schools will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- Triumph Public High Schools will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisory of their choice, and not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. Triumph Public High Schools may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- Triumph Public High Schools will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- Triumph Public High Schools will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completing an investigative report, Triumph Public High Schools must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the investigator will consider prior to completing the

investigative report.

- Triumph Public High Schools must create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for review and written response.
- After sending the investigative report to the parties and before reaching a determination of responsibility, the decision-maker(s) must afford each party the opportunity to submit written relevant questions that a party wants asked of any witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

8. *Determination Regarding Responsibility*

The decision-maker(s) making a determination regarding responsibility cannot be the same person(s) as the Title IX Coordinator or the investigator(s). The decision-maker(s) must review the investigation report and make a written determination, based on the preponderance of evidence standard, regarding responsibility. The written determination must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, or methods used to gather other evidence;
- Findings of fact supporting the determination;
- Conclusions regarding application of Triumph Public High Schools' Code of Conduct, Employee Handbook, or other non-discrimination policies to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to Triumph Public High Schools' education program or activities will be provided to the complainant; and
- Triumph Public High Schools' procedures and permissible bases for the complainant and respondent to appeal.

Triumph Public High Schools must provide the written determination to the parties simultaneously. The determination becomes final either on the date Triumph Public High Schools provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

9. ***Appeals***

Triumph Public High Schools will offer both parties an appeal from a determination regarding responsibility, and from Triumph Public High Schools' dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

As to appeals, Triumph Public High Schools will ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, or the investigator(s), or the Title IX Coordinator. Triumph Public High Schools will provide both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome.

The decision-maker(s) for the appeal will issue a written decision, based on the preponderance of evidence standard, describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

A party who is dissatisfied with the appeal decision may file an appeal to the Board of Directors through the process outlined in Triumph Public High Schools' grievance procedures.

10. ***Emergency Removals***

Triumph Public High Schools is able to remove a respondent from Triumph Public High Schools' education program on an emergency basis, provided that Triumph Public High Schools undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Triumph Public High Schools' ability to do so may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504, or the Americans with Disabilities Act.

11. ***Informal Resolution***

At any time prior to reaching a determination regarding responsibility, Triumph Public High Schools may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. However, Triumph Public High Schools may not require as a condition of enrollment or continuing enrollment, or employment or continued employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints. Additionally, Triumph Public High Schools may not require the parties to participate in an informal process and may not offer an informal resolution process unless a formal complaint is filed.



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Prior to facilitating an informal resolution process, Triumph Public High Schools must:

- Provide to the parties a written notice disclosing the allegations and the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations. The notice must also inform that, at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, as well as of any consequence resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- Obtain the parties' voluntary, written consent to the informal resolution process.

Triumph Public High Schools may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

12. *Retaliation Prohibited*

Neither Triumph Public High Schools nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this policy.

Examples of retaliation may include, but are not limited to, intimidation, threats, coercion, or discrimination.

Complaints alleging retaliation may be filed according to the grievance procedure described above.

13. *Confidentiality*

Triumph Public High Schools must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA or as required by law, or for purposes related to the conduct of any investigation, hearing, or judicial proceeding arising under the Title IX regulations.

14. *Non-Sexual Harassment Sex Discrimination*

The formal complaint investigation and resolution process outlined above applies only to formal complaints alleging sexual harassment as defined by Title IX, but not to complaints alleging sex discrimination that do not constitute sexual harassment. Complaints of non-sexual harassment sex discrimination may be filed with the Title IX Coordinator and will be handled under the process



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described in the "Employee Complaints and Grievances Regarding Harassment and Discrimination" portion of the Employee Handbook.

Employee Complaints and Grievances Regarding Harassment and Discrimination

****NOTE**** Triumph Public High Schools' process for making formal complaints regarding sexual harassment is discussed in the "Sexual Harassment Prohibited" portion of the Employee Handbook.

Triumph Public High Schools takes allegations of harassment and discrimination very seriously and intends to investigate all official complaints. Triumph Public High Schools will take appropriate actions for all substantiated allegations. Employees who believe they are being harassed or discriminated against are requested to take the following actions:

- In the event you feel you are a victim of harassment, you should contact your immediate supervisor and/or the designated Compliance Coordinator immediately. In the event your immediate supervisor is the alleged harasser, you should contact the next level of management immediately. Complaints against the designated compliance coordinator may be submitted to the Superintendent.
- Any employees who are uncomfortable with face-to-face interaction may write down their complaints in a memo, and submit the memo to their immediate supervisor and/or the designated Compliance Coordinator.
- Any Triumph Public High Schools employee who receives a report of suspected harassment or discrimination is expected to immediately contact the designated Compliance Coordinator.
- Complaints will be handled in a timely manner.

Reports of prohibited discrimination or harassment shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the school's ability to investigate and address the alleged prohibited conduct.

Any supervisor who receives a report of discrimination or harassment shall immediately notify the appropriate Compliance Coordinator, and take any other steps required by Triumph Public High Schools.

After receiving a report, the Compliance Coordinator shall determine whether the allegations, if proven, would constitute prohibited discrimination or harassment. If so, Triumph Public High Schools shall immediately authorize or undertake an investigation. If appropriate, Triumph Public High Schools shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The school's investigation may be conducted by the Compliance Coordinator or designee, or by a third party designated by Triumph Public High Schools, such as an attorney. When appropriate, the Principal or supervisor shall be involved in or informed of the investigation.



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The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

After completing an investigation, the investigator shall prepare a written report summarizing the outcome of the investigation.

If the results of an investigation indicate that prohibited conduct occurred, Triumph Public High Schools shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct and to end any harassment and to deter future harassment. Triumph Public High Schools may also take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

To the greatest extent possible, Triumph Public High Schools shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. The purpose of this provision is to maintain impartiality and confidentiality to the extent possible. Both the reporting individual, victim and the accused have equal privacy rights under the law, and Triumph Public High Schools must respond accordingly. However, limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

An employee who is dissatisfied with the outcome of the investigation may appeal through the School's general employee grievance process, beginning at the level of Superintendent review.

Triumph Public High Schools prohibits retaliation against an employee who, in good faith, makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation. Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.

In addition to using the school's complaint process, an employee may file a formal complaint with the Equal Employment Opportunity Commission ("EEOC") or Texas Workforce Commission ("TWC"). Additional information may be found by visiting <http://www.eeoc.gov/employees/charge.cfm>.