



September 12, 2019

VIA U.S. MAIL

Re: Notice of Investigation Closure

Dear [REDACTED]:

I am writing to notify you of the outcome of your complaint regarding Keith Aytech, pursuant to the San José Evergreen Community College District ("District") Administrative Procedure 3435. As you know, although you filed an informal complaint, the District retained an independent investigator, due to the seriousness of the allegations. That outside investigator was Alezah Trigueros of the Law Offices of Amy Oppenheimer.

Investigation Summary

You alleged that Keith Aytech, President of Evergreen Valley College, threatened to physically harm you after you confronted him about your suspicion that [REDACTED]. The District retained Ms. Trigueros to conduct an independent, fact-finding investigation into your complaint. Ms. Trigueros interviewed you and Mr. Aytech, reviewed relevant documents, and prepared a report of factual findings. The District provided you with status updates to keep you apprised of the developing investigation, as well as interim measures to protect you while the investigation was pending.

Based on the preponderance of the evidence, the District has determined that Keith Aytech engaged in a sexual relationship with you while he was Interim President and President of Evergreen College. The facts also support that a dispute arose between you and Mr. Aytech regarding [REDACTED] and that you accompanied Mr. Aytech to [REDACTED]. However, the evidence does not support that Mr. Aytech physically threatened you.

Both you and Mr. Aytech acknowledged that you engaged in a consensual sexual relationship from 2014 to the spring of 2019. When you first reported alleged inappropriate conduct by Mr. Aytech toward you, you asserted that he threatened to kill you when you confronted him [REDACTED]. However, during the investigation, you expressly denied that Mr. Aytech made such a threat, or that he threatened you with physical harm. Accordingly, the preponderance of the evidence supports that while Mr. Aytech engaged in the sexual relationship with you, he did not physically threaten you.

District Response

The District has determined that the facts uncovered by the investigation require that it take preventive measures so that you can work at Evergreen Valley College without Mr. Aytech being in your work environment or in a position of power over you. Accordingly, the District has taken steps such that Mr. Aytech will not be returning to Evergreen Valley College. Further details regarding the District's steps involve

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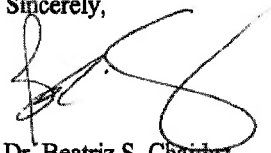
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private personnel matters. Additionally, as you know, Mr. Aytch has been directed not to have any contact with you, and that directive remains in effect. Finally, the District continues to offer you resources through the Employee Assistance Program.

If you have further questions, please let me know. As you are aware, you have an independent right to file a complaint with the California Department of Fair Employment and Housing or the U.S. Equal Employment Opportunity Commission. If you have any questions, please contact me at (408) 223-6704 or beatriz.chaidez@sjeccd.edu.

Sincerely,



Dr. Beatriz S. Chardez
Associate Vice Chancellor of Human Resources
San José-Evergreen Community College District

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