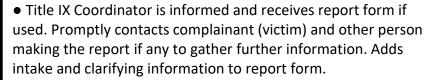
- Bullying, hazing, harassment or other discrimination affecting a student or staff member is reported by a victim, parent/guardian, witness, staff member or other person having knowledge. Staff members with knowledge of such conduct are required to promptly report it to the building principal.
- Report may be made to any employee, who must direct it promptly to the building principal. Principal promptly alerts Title IX Coordinator.
- Reports may be verbal but use of discrimination report form is encouraged.





- Unless clearly not appropriate under the circumstances, contacts parents/guardians of student complainants or respondents to involve them in further procedures.
- Explains to complainant the availability of supportive measures and ascertains what supportive measures are appropriate.
- Title IX Coordinator considers what supportive measures may be offered to the respondent.
- If either complainant or respondent are suspected to be eligible for IDEA or Section 504 services, Title IX Coordinator notifies and involves director of special education.





• Based on report, interview of complainant and other available information, Title IX Coordinator assesses whether any of the allegations, if true, would potentially meet the definition of Title IX sexual harassment and occurred within the school entity's Title IX jurisdiction (alleged conduct must have happened to a person within the United States in a program or activity of the entity).



NO – No jurisdiction or no allegations meet the Title IX sexual harassment definition. Complaint is redirected to and evaluated under non-Title IX response procedures and referred to Compliance Officer or other policy.



YES – Title IX intake procedures continue on next page.

NOTE: Disciplinary action may **not** be taken against a respondent until the conclusion of a grievance process for formal complaints.

- Title IX Coordinator conducts an individualized safety and risk analysis to determine if emergency removal of a respondent is warranted due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment.
- If alternative instructional settings are insufficient, any exclusion of a student from school on this basis must be accomplished in accordance with procedures for suspensions or expulsion in Policy 233 and if applicable Policy 113.1.
- Administrative leave for employees is implemented in accordance with law and policy 317.



NOTE: All written notices, reports and other materials provided to parties throughout the Title IX grievance process for formal complaints are also provided to a party's advisor if any, and normally, also to parents/guardians of a party who is a student.

• Title IX Coordinator explains to complainant the grievance process for formal complaints and ascertains whether complainant desires to file a formal complaint under Title IX.



YES – Complainant chooses to file a formal complaint with the Title IX Coordinator. Signs section of report form indicating that choice, and that form serves as the formal complaint. Title IX grievance process for formal complaints commences on **next page**.

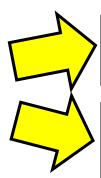


NO – complainant declines to file a formal complaint.



• Title IX Coordinator must decide whether to sign a complaint initiating investigation and grievance process for formal complaints despite complainant's preference. Title IX Coordinator assesses whether actions limited to supportive measures are a sufficient response by the school entity to the behavior alleged, or whether a Title IX grievance process for formal complaints should be initiated in order to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the Title IX grievance process for formal complaints.





NO – Title IX Coordinator concludes that supportive measures alone will be a sufficient response by the school entity. Title IX grievance procedures for formal complaints are not needed. Complaint is redirected to and evaluated under non-Title IX response procedures and referred to Compliance Officer or addressed under other Board policy.

YES - Title IX Coordinator decides that a grievance process for formal complaint is necessary to sufficiently respond to the allegations. Signs section of report form indicating that decision, and the form serves as the formal complaint.



• Complainant has filed a formal complaint **or** Title IX Coordinator has signed a formal complaint initiating the grievance process for formal complaints.

YES - All parties voluntarily agree in writing to an informal resolution process that satisfactorily resolves the complaint and implements satisfactory remedies.



Title IX grievance process for formal complaints ends.
Title IX Coordinator ensures that the school entity monitors the effectiveness of remedies.



• Title IX Coordinator issues a detailed written notice of allegations to all known parties that a formal complaint has been filed, including all information specified in attachment 3.



• Provided that respondent is **not** an **employee**, Title IX Coordinator, in consultation with the known parties, assesses whether a voluntary **informal resolution process** is achievable and can provide a sufficient response to the alleged Title IX sexual harassment. Provides parties with **written notice** including all information specified in attachment 3.



NO – Parties do not agree to an informal resolution process, or one or both parties withdraw before completion. Formal grievance process continues. (Does not preclude later agreement to informal resolution.)



ROAD MAP FOR DISCRIMINATION COMPLAINT RESPONSE PROCEDURES AND TITLE IX GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

- Assigned investigator without bias or conflicts of interest begins investigation and gathers evidence.
- Investigator provides parties equal opportunity to present witnesses and other evidence, advance written notice of interviews or other meetings, and equal opportunity to have an advisor or others present during such interviews or meetings.



- Investigator provides parties equal opportunity to inspect and review evidence obtained from all sources that is directly related to the allegations, by sending copies of such evidence to each party for review and response prior to completion of the investigative report.
- Parties are given at least 10 days to submit written responses to the evidence that are considered by the investigator before completing the investigative report.





- If at any time, it appears that the alleged conduct being investigated, if proven, would not constitute Title IX sexual harassment or that jurisdiction does not exist, investigator alerts Title IX Coordinator. If Title IX Coordinator concurs, MUST dismiss the formal complaint under Title IX.
- Title IX Coordinator MAY dismiss the complaint or specific allegations if at any time: a complainant notifies the Title IX coordinator in writing of a desire to withdraw the formal complaint or underlying allegations; if a respondent is no longer enrolled in or employed by the school entity; or if other factors prevent gathering sufficient evidence to make a determination of responsibility.
- Title IX Coordinator gives **written notice** of any dismissal to the parties simultaneously. Parties may appeal dismissal via the same process as appeal of a written determination of responsibility.
- Title IX Coordinator may redirect the allegations to non-Title IX procedures under attachment 2 or other policies as applicable and appropriate.

- If at any point the investigation expands to include additional allegations that were not included in the initial notice of allegations provided upon initiation of the grievance process for formal complaints, the investigator alerts the Title IX Coordinator.
- Title IX Coordinator provides written notice of the new allegations to the known parties.



ROAD MAP FOR DISCRIMINATION COMPLAINT RESPONSE PROCEDURES AND TITLE IX GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

- Investigator prepares a written investigative report that fairly summarizes the relevant evidence.
- Investigator submits the completed investigative report to the designated decisionmaker.
- Investigator provides copies of the report to all parties (and to a party's advisor if any) for their review and written response.



- •Designated decision-maker without bias or conflict of interest notifies parties of the deadline for submitting written responses to the investigative report and submitting written relevant questions for the decision-maker to ask any party or witnesses.
- Decision-maker provides parties with answers to the questions submitted and notifies them of the deadline for submitting limited follow-up questions.
- Decision-maker may exclude questions that are not relevant and must provide parties with an explanation of why a question was deemed not relevant.

NOTE: No person can perform more than one role as investigator, decision-maker, appeal authority or facilitator of informal resolution (if any) in the same case. Each must be free of bias or conflicts of interest. Title IX Coordinator cannot serve as decision-maker or appeal authority.



- At least ten days must elapse between providing the investigative report to the parties and the decision-maker's written determination of responsibility for the conduct alleged in the complaint.
- After considering all relevant evidence using the "preponderance of evidence" standard of proof¹, the decision-maker provides all parties simultaneously with a **written determination** regarding responsibility for the conduct alleged in the complaint.
- The written determination must:
- 1. Outline the allegations at issue and procedural steps to that point;
- 2. Provide findings of facts and conclusions regarding application of applicable polices and codes of conduct;
- 3. Set forth the result and rationale for each allegation, including determination of responsibility and disciplinary sanctions or other remedies deemed appropriate;
- 4. Explain the procedures, deadline and permitted grounds for filing an appeal with the Title IX Coordinator.
- ¹[**NOTE:** Title IX Regulations also permit use of a "clear and convincing" standard of proof, a higher standard. Before choosing this alternative, consultation with the solicitor about the legal risk is strongly recommended.]



- Neither party files a timely appeal with the Title IX Coordinator within the specified time period.
- Title IX Coordinator provides written notice that the written determination of responsibility has become final.
- Title IX Coordinator initiates implementation of any disciplinary sanctions and/or remedies, provides further supportive measures if needed, and monitors effectiveness.



• If the written determination deems suspension or expulsion from school or class to be appropriate disciplinary sanctions for a student respondent, this serves as a recommendation that the school administration initiate applicable procedures prescribed in Policy 233 and in the case of students with disabilities also in accordance with Policy 113.1. Disciplinary sanctions deemed appropriate for employee respondents will proceed in accordance with law and Policy 317/317.1.

- One or both of the parties file a timely appeal with Title IX Coordinator.
- Title IX Coordinator forwards the appeal(s) to the designated appeal authority.
- Title IX Coordinator provides written notice to the parties that appeal(s) have been filed, and of the deadline for submitting written statements in support of or in opposition to the appeal(s).
- Notice identifies the designated appeal authority and explains requirements from attachment 3 that statements in support or opposition to the appeal must include.



- Appeal authority without bias or conflict of interest decides whether the appeal establishes one or more permitted grounds for appeal that justify modifying the written determination.
- Appeal authority may accept and consider evidence submitted in support of or in opposition to an appeal in making any conclusions necessary to deciding the appeal.
- When the appeal authority determines that it is advantageous to further develop the evidentiary record relevant to a basis for appeal, and if it would not result in undue delay, the appeal authority may return the matter to the decision-maker for that limited purpose.



- Appeal authority issues a written decision granting or denying the appeal and explaining the rationale.
- Title IX Coordinator provides the written appeal decision simultaneously to each party.



- Appeal is **granted** in whole or part.
- Appeal authority's written decision sets forth the respects in which the written determination is modified as a result of the appeal.
- Title IX Coordinator initiates implementation of any remaining disciplinary sanctions or remedies set forth in the written determination as modified on appeal, as well as any further supportive measures if needed.
- Title IX Coordinator monitors effectiveness of remedies and supportive measures.



- Appeal is **denied** without modification of the written determination.
- Title IX Coordinator initiates the implementation of any disciplinary sanctions and/or remedies set forth in the written determination and any further supportive measures if needed.
- Title IX Coordinator monitors effectiveness of remedies and supportive measures.





• Title IX Coordinator ensures that the school entity keeps records of Title IX sexual harassment investigations, including any written determination regarding responsibility, any audio or audiovisual recording or transcript, records of any disciplinary sanctions imposed on the respondent, and documentation of other remedies. Records are retained for a minimum of seven years after conclusion of procedures and implementation of sanctions and/or remedies, or in the case of a complainant or respondent who is a minor, until the expiration of the longest statute of limitations for filing a civil suit applicable to any allegation.