



**Title IX Determination of Responsibility – Sexual Harassment Decision**

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on the sex of students in educational institutions that receive federal financial assistance. This decision must be issued simultaneously to the Complainant and Respondent.

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**CASE INFORMATION (Please Print):**

Case Number: \_\_\_\_\_

Complainant: \_\_\_\_\_

Campus: \_\_\_\_\_

Respondent: \_\_\_\_\_

Campus: \_\_\_\_\_

**Type of Complaint:**

Discrimination based on: (Check all that apply)

- Sexual Harassment    Sexual Assault    Gender Based Harassment    Dating Violence    Stalking    Retaliation    Cyber Bullying    Other

**Nature of Allegations:**

- A school employee conditioning an educational benefit or service upon a student's participation in sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education programs or activities
- 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))

**Specific Allegations**

Identify the allegations potentially constituting sexual harassment: \_\_\_\_\_

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**Procedural Steps**

Describe the procedural steps taken from the receipt of the Formal Complaint to date:

- *A report of alleged sexual harassment was received by the campus/Title IX Coordinator's office on [date]*



- *The alleged victim was contacted by the Title IX Coordinator's office and provided with information about the grievance process and supportive measures*
- *A Formal Complaint was filed on [date]*
- *The Title IX Coordinator provided the Complainant and Respondent with written notice of their rights in the grievance process and information about the availability of supportive measures.*
- *Campus administration and the Title IX Coordinator made a determination regarding Emergency Removal of the Respondent. [or] The Title IX Coordinator and Human Resources made a determination regarding Administrative Leave for the Respondent.*
- *The Title IX Coordinator appointed the undersigned to investigate the Formal Complaint. Investigator.*
- *The Investigator reviewed the Formal Complaint and relevant district policy and student code of conduct provisions beginning [date].*
- *The Investigator sent written notice of interviews and right to an advisor on [date].*
- *The Investigator interviewed the Complainant on [date].*
- *The Investigator interviewed witnesses provided by Complainant on [dates].*
- *The Investigator interviewed the Respondent on [date].*
- *The Investigator interviewed witnesses provided by the Respondent on [dates].*
- *The Investigator [add other steps taken during investigation—review of physical evidence, location].*
- *The parties were given the opportunity to submit evidence, which was reviewed by the Investigator.*
- *The Investigator completed secondary interviews with Complainants, witnesses, additional witnesses, or Respondent.*
- *The parties were given the opportunity to inspect and review evidence and submit a written response.*
- *The draft investigation report written was sent to all parties with an opportunity to respond within 10 calendar days.*
- *The parties did/did not submit written responses that were considered by the Investigator.*

## **Findings of Facts**

- I. Factual information about the parties*
- II. The allegations in the Formal Complaint*
- III. Timeline/dates*
- IV. Relevant sections of board policy and the student of code of conduct*
- V. Whether a CPS report was necessary*
- VI. Whether there is a related criminal/juvenile investigation*
- VII. Evidence from witnesses*
- VIII. Physical or other evidence*
- IX. Consideration of written responses to draft investigative report.*



## **Conclusion regarding the Code of Conduct and Rationale**

Based on a preponderance of the evidence *[or beyond a reasonable doubt, depending on the burden of proof selected by the district in its regulations]*, it is determined that:

- I. Allegation 1 [Fully listed]
  - a. The Respondent has been determined to have/have not engaged in sexual harassment or other prohibited conduct under the district's FFH policy and/or student code of conduct....
  - b. The reasoning for the finding. . .
- II. Allegation 2 [Fully listed]
  - a. The Respondent has been determined to have/have not engaged in sexual harassment or other prohibited conduct under the district's FFH policy and/or student code of conduct....
  - b. The reasoning for the finding. . .
- III. Allegation 3 [Fully listed]
  - a. The Respondent has been determined to have/have not engaged in sexual harassment or other prohibited conduct under the district's FFH policy and/or student code of conduct....
  - b. The reasoning for the finding. . .

## **Remedies Provided**

### **Disciplinary Sanctions**

The following disciplinary sanctions are to be imposed upon the Respondent:

- Sanction 1
- Sanction 2
- Etc.

**Supportive Measures to Complaint: *(Select only those that apply and provide details. Delete the options below that will not be implemented.)***

- Counseling of students regarding appropriate behavior expectations
- Review of district and code of conduct expectations with students by administrator
- Change of class schedule/lunch schedule/locker location
- Campus/class escort



- Increased school monitoring of [location] for [time period e.g., next 9 weeks]
- School counseling
- Stay away agreement/No contact directives
- Limitation on extracurricular activities
- Training
- Other: \_\_\_\_\_

**Supportive Measures to Respondent: (Select only those that apply and provide details. Delete the options below that will not be implemented.)**

- Counseling of students regarding appropriate behavior expectations
- Review of district and code of conduct expectations with students by administrator
- Change of class schedule/lunch schedule/locker location
- Campus/class escort
- Increased school monitoring of [location] for [time period e.g., next 9 weeks]
- School counseling
- Stay away agreement/No contact directives
- Limitation on extracurricular activities
- Training
- Other: \_\_\_\_\_

The remedies and measures listed above are designed to restore or preserve equal access to the district's educational programs.

**Appeal**

Either party may appeal this determination of responsibility on a form provided by the District **within 10 calendar days** of issuance of this decision. The only allowable bases for appeal are:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the decision that could affect the outcome; and
3. The Title IX Coordinator, Investigator(s), or Decision Maker has a conflict of interest or bias for or against Complainants or Respondents.

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Name

Title IX Decision Maker

Date

cc: Title IX Coordinator