TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURE

NOTICE:

Incident of alleged Title IX Sexual Harassment occurs while complainant participating in educational program or activity in U.S. and is reported by anyone to any school system employee or to the **Building Title IX Coordinator** (Principal/Supervisor).

SUPPORTIVE MEASURES & INFORMAL PROCESS OFFERED

1. Complainant and Respondent are informed of and offered Supportive Measures; and 2. Complainant and Respondent are advised of Informal Process to address allegations.

A School Counselor shall serve in the role of building level Informal Resolution Facilitator (IRF) for student cases. The IRF implements Supportive Measures and oversees Informal Process (mediation).

In staff cases, a human resources generalist will serve as the IRF. Informal process is not applicable to staff on student allegations.

FORMAL COMPLAINT PROCESS INITIATED

1. Employee reports incident to **Building Title IX Coordinator** who: (a) provides Complainant form to file Formal Complaint; (b) issues Notice of Complaint to parties and to **Division Title IX Coordinator (Carol Hamlin)**; (c) assigns case to building level **Investigator(s)** (for student cases) or to **division Investigator** (for staff cases).

Investigator contact parties within **48 hours** of assignment.

INVESTIGATION CONDUCTED

- 2. Building level investigation conducted.
 - a. Division has burden of proof and duty to gather relevant evidence.
 - b. Parties may present witnesses and evidence to Investigator.
 - c. Allegations may be discussed by parties during investigation.
 - d. Parties may have representative present in meetings, interviews, etc.
 - e. Notice provided to parties of interviews, meetings, hearings, etc.
 - f. Parties may inspect and review any evidence Investigator obtains.
 - g. Each party provided evidence (electronically or hard copy) to prepare a response to evidence before report completed.

Parties have

10 calendar

days to
review and
respond to

evidence.



INVESTIGATION REPORT PREPARED

- 3. Investigator reviews parties' response to evidence.
- 4. Investigator prepares Final Draft of Investigative Report.
- 5. Final Investigative Report distributed to:
 - a. The parties electronically or hard copy to allow review and written response; and
 - **b. Decision Maker** (Assistant Principal in student cases and the Employee Relations Manager in staff cases), along with evidence in the record.

Investigative Report due within **35** school days of complaint filing.

Parties have 2 school days review and submit questions.



DETERMINATION

- 7. The **Decision Maker** allows parties to submit questions to other party or witnesses, provide answers to other party, allow additional limited follow-up.
- 8. The **Decision Maker** prepares written determination (w/in 10 school days of receiving Investigative Report).
- The Determination of the Decision Maker (Assistant Principal/Employee Relations Manager) distributed to: (a) the parties; and (b) the central office Quality Control Reviewer (QCR) (Jackie Plude), along with the entire Investigation file.

Parties have 2 school days to answer questions.

Parties have 2 school days to submit follow-up questions.

school days to answer follow-up questions.



OR

POST DECISION OUTCOMES

QCR FINDS ERRORS

Investigator error or omission: QCR remands case to Investigator for further/corrective investigative action (completed w/in 3 school days) and resubmission to Decision Maker to reconsider (completed w/in 2 school days).

Decision Maker error or omission: QCR

Decision Maker error or omission: QCR corrects error. QCR redistributes corrected Decision to parties (completed w/in 2 school days).

EITHER PARTY APPEALS AND QCR APPROVES DECISION

OR

The matter is sent to

Appeal Decision Maker
(Sophia Allmond or
Timothy Mallory) for a
review of the record. The
Appeal Decision Maker's
decision is final.

Appeal Decided

calendar days

of filing of appeal

within 15

Parties have **5** school days to file appeal

Appealing party has 2 school days to submit support for appeal. Afterward, Responding party has 2 school days to submit opposition to appeal

The matter is finalized for

implementation of corrective and/or disciplinary action, if warranted.

NO APPEAL AND QCR

APPROVES DECISION

days).

decision is fi

IMPLEMENTATION OF CORRECTIVE AND/OR DISCIPLINARY ACTION, IF WARRANTED. FILE SENT TO DIVISION TITLE IX COORDINATOR.

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