TITLE IX STEP-BY-STEP FLOWCHART

Actual Knowledge: LEA employee becomes aware of conduct that could possibly be considered sexual harassment, through direct report or observation.

Employee reports to immediate supervisor

Supervisor reports to building principal

Building principal reports to Title IX Coordinator (TIXC)

TIXC determines if Title IX applies

1. Does the conduct, if true, meet the definition of Sexual Harassment?

2. Do we have jurisdiction?

OR

Formal Complaint (FC): Student or employee files a FC (w/ TIXC or principal, who forwards to TIXC)

TIXC determines if dismissal is mandatory *

*NOTE: If Respondent is not enrolled or employed by the District, OR if specific circumstances prevent the District from gathering the evidence sufficient to reach a determination, a TIXC MAY also dismiss.

If no to either 1 or 2

Determine if the conduct violates another policy and pursue that way, and if FC has been filed, send Notice of Dismissal.

If yes to both

TIXC meets with Complainant and explains process; encourages Formal Complaint (FC). TIXC determines whether to file FC if Complainant refuses.

After FC is filed, TIXC sends Notice of Allegations and information about the Informal Resolution Process (IRP). Investigator is assigned.

*NOTE: If law enforcement is involved, the investigation process may be delayed.

TIXC determines whether Emergency Removal is warranted and/or whether to place employee Respondent on administrative leave

If no IRP, investigator interviews Complainant, following Notice of Interview and asks for any documents or witnesses. Investigator takes detailed notes of interview.

Investigator interviews Respondent, following Notice of Interview, and requests any documents or witnesses. Investigator takes detailed notes of interview.

The Investigator conducts follow-up interviews, interviews witnesses, and collects any available evidence not submitted by parties. (e.g., security cameras, police reports)

Investigator compiles evidence and sends to both parties for review. Allows 10 days for response.

Investigator considers responses by both parties, but need not adopt the responses. Investigator prepares Final Investigator Report, to be submitted to both parties and Decision-Maker Team.

Decision-Maker Team (DMT) or TIXC notifies parties that they have 10 days to submit cross-examination questions to the DMT. The DMT will determine which questions are relevant and allow opportunity to respond.

DMT reviews responses and writes Final Written Determination with Appeal Rights

Appeal

IRP: IRP Facilitator meets with parties and parties sign IRP Agreement