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NEW TITLE	<ul style="list-style-type: none"> • MUST HAVE "TITLE IX COORDINATOR" IN JOB DESCRIPTION AS PART OF TITLE • NOTED ON WEB PAGE AND OTHER MATERIAL
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EXACTLY WHAT DO I HAVE TO COORDINATE?

- INTERNALLY:
 - PROCESS OF REPORTING ACTUAL KNOWLEDGE
 - DISCIPLINE VS. TITLE IX

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PROCESS OF REPORTING

- WHAT SHOULD BE REPORTED?
- HOW QUICKLY?
- TO WHOM?



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DISCIPLINE OR TITLE IX

- CONTACT ASSISTANT PRINCIPAL IMMEDIATELY
 - SLOW THEM DOWN
- CAN WE RESOLVE EVERYTHING VIA DISCIPLINE?

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RESPONDING AFTER ACTUAL KNOWLEDGE

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REGARDLESS, DISTRICT MUST RESPOND:

- 1) PROMPTLY
- 2) OFFER SUPPORTIVE MEASURES TO COMPLAINANT AND RESPONDENT

IN ADDITION, TITLE IX COORDINATOR MUST CONTACT COMPLAINANT TO:

- DISCUSS SUPPORTIVE MEASURES
 - WISHES
 - WITH OR WITHOUT FORMAL COMPLAINT
 - EXPLAIN PROCESS OF FILING FORMAL COMPLAINT

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WHAT ARE SUPPORTIVE MEASURES?

- NON-DISCIPLINARY, NON-PUNITIVE INDIVIDUAL SERVICES DESIGNED TO RESTORE OR PRESERVE EQUAL ACCESS TO EDUCATIONAL PROGRAM OR ACTIVITY WITHOUT UNREASONABLY BURDENING THE OTHER PARTY
 - WITHOUT FEE OR CHARGE
- I.E. COUNSELING, DEADLINE EXTENSIONS, MODIFICATION OF CLASS/WORK SCHEDULES, RESTRICTING CONTACT BETWEEN PARTIES, REVISED SEATING OR ASSIGNMENTS, INCREASED MONITORING, EMERGENCY REMOVALS

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FOCUS ON THE PROCESS

- 1) TREAT BOTH COMPLAINANT AND RESPONDENT EQUAL
- 2) EVALUATE ALL RELEVANT EVIDENCE OBJECTIVELY
- 3) TITLE IX COORDINATOR, INVESTIGATOR, AND DECISION-MAKER ARE TO BE FREE FROM CONFLICT OF INTEREST AND TRAINED TO BE IMPARTIAL
- 4) PRESUME INNOCENCE OF RESPONDENT
- 5) PROMPT TIME FRAMES FOR PROCESS
- 6) RANGE OF REMEDIES AND SANCTIONS WHICH MAY BE IMPOSED
- 7) STANDARD OF PROOF—PREPONDERANCE OF EVIDENCE
- 8) APPEAL PROCEDURES
- 9) PRIVILEGED (WITH WAIVER)

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FORMAL COMPLAINT

- UPON RECEIPT, RECIPIENT MUST PROVIDE WRITTEN NOTICE TO THE KNOWN PARTIES THAT INCLUDES:
 - 1) NOTICE OF GRIEVANCE PROCESS AND INFORMAL RESOLUTION
 - 2) NOTICE OF ALLEGATIONS IN SUFFICIENT DETAIL AND TIME TO ALLOW PREPARATION OF RESPONSE PRIOR TO INITIAL INTERVIEW
 - 3) IDENTITIES OF KNOWN PARTIES, ALLEGED CONDUCT, DATE AND LOCATION OF CONDUCT, IF KNOWN
 - 4) STATEMENT THAT RESPONDENT IS NOT RESPONSIBLE FOR ALLEGED CONDUCT; DETERMINATION MADE AT CONCLUSION OF PROCESS
 - 5) NOTICE THAT PARTIES MAY INSPECT AND REVIEW EVIDENCE
 - 6) NOTICE OF ANY PROVISION IN STUDENT CODE OF CONDUCT REGARDING MAKING FALSE STATEMENT

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INTERACTION WITH INVESTIGATOR

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INVESTIGATION

- DECISION-MAKER MUST BE SOMEONE OTHER THAN TITLE IX COORDINATOR OR INVESTIGATOR
- BURDEN OF GATHERING EVIDENCE AND DETERMINATION OF RESPONSIBILITY IS ON RECIPIENT
- CERTAIN EVIDENCE IS PROTECTED UNLESS WAIVER SIGNED
- GIVE ALL PARTIES SAME OPPORTUNITY TO PRESENT WITNESSES AND EVIDENCE
- CAN'T RESTRICT PARTIES' OBLIGATION TO DISCUSS ALLEGATIONS OR GATHER AND PRESENT RELEVANT EVIDENCE
- PROVIDE PARTIES WITH WRITTEN NOTICE OF DAY, TIME, LOCATION, PARTICIPANTS AND PURPOSE OF EACH INVESTIGATION INTERVIEW WITH SUFFICIENT TIME FOR PARTY TO PREPARE
- PROVIDE COMPLAINANT AND RESPONDENT WITH AT LEAST 10 DAYS TO REVIEW EVIDENCE PRIOR TO INVESTIGATIVE WRITTEN REPORT, AND OPPORTUNITY TO RESPOND



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FINAL DECISION MAKER

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DETERMINATION OF RESPONSIBILITY

- DECISION MAKER CAN'T BE TITLE IX COORDINATOR OR INVESTIGATOR
- MUST ISSUE WRITTEN DETERMINATION THAT INCLUDES:
 - ALLEGATIONS
 - DESCRIPTION OF PROCEDURAL STEPS TAKEN, MAKING NOTIFICATION TO AND INTERVIEW OF PARTIES AND WITNESSES
 - FINDING OF FACTS
 - APPLICATION OF CODE OF CONDUCT
 - STATEMENT OF AND RATIONALE FOR RESULT AS TO EACH ALLEGATION
 - MUST INCLUDE
 - DETERMINATION OF RESPONSIBILITY
 - DISCIPLINE SANCTIONS, WHETHER REMEDIES TO RESTORE/PRESERVE, EQUAL ACCESS TO EDUCATIONAL PROGRAM/ACTIVITY WILL BE PROVIDED BY RECIPIENT TO COMPLAINANT

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