

**TITLE IX FORMS  
EXPLANATION AND USE**

- A. Formal Complaint Form** - document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.
- A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint and must be submitted to the Title IX Coordinator in person, by mail, or by email.
- B. Formal Title IX Coordinator Complaint Form** - document signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.
- C. Letter to Complainant** - notice provided to inform Complainant that the District has received their report of alleged sexual harassment and would like to inform you of the availability of "supportive measures."
- D. Notice of Formal Complaint** - notice provided to inform parties that a formal complaint alleging sexual harassment under Title IX has been filed with the District and they are a party to the formal complaint. Provide School District Sexual Harassment Policy with this notice.
- E. Paid administrative Leave Letter** – this is done when there is a need for protection of witnesses or for the protection of information.
- F. Investigative Interview Notice** – formal notice of investigative interview provided to each party.
- G. Tennesse Warnings and Garrity Warning** – warning used when an individual is asked to supply private or confidential data concerning the individual shall be informed of: (a) the purpose and intended use of the requested data within the collecting government entity; (b) whether the individual may refuse or is legally required to supply the requested data; (c) any known consequence arising from supplying or refusing to supply private or confidential data; and (d) the identity of other persons or entities authorized by state or federal law to receive the data.
- G-1 Notice to Complainant** – given to the person who is alleged to be the victim of conduct.
- G-2 Notice to Employee Witness** – given to an employee who was listed as a party to the formal complaint.

- G-3 Notice of Rights Respondent** – given to the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- G-4 Notice to Student/Parents** – given to any student participant in an investigation.
- G-5 Garrity Warning** – given to the employee who participates in a personnel investigation under the threat of discipline or discharge, any information offered cannot be used against the employee in any subsequent criminal proceedings.
- H. Notice of Determination** – when the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint.
- I. Notice of Dismissal of Formal Complaint** - written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
  - I-1 Notice of Mandatory Dismissal** – this notice is given when the complaint is dismissed for the following reasons: (1) the conduct alleged in the formal complaint, even if proven, would not constitute sexual harassment as defined under the federal law; (2) the conduct did not occur within the education program or activity of the District; (3) the conduct did not occur against a person in the United States.
  - I-2 Notice of Discretionary Dismissal** - this notice is given when the complaint is dismissed for the following reasons: (1) the complainant has notified the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint; (2) the respondent is no longer enrolled (or employed) at the District; (3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint.



5. I understand that my advisor and I will have the opportunity to review and respond to the investigation report in writing, and that our response will be reviewed by a neutral decision-maker prior to any decision being made.
6. I understand that my Complaint must be dismissed if:
  - a. The conduct alleged above, even if proven, does not meet the definition of sexual harassment in Policy \_\_\_\_\_; or
  - b. The conduct alleged above did not occur in the [District's] education program or activity; or
  - c. The conduct alleged above occurred while I was not in the United States of America.
7. I understand that my Complaint may be dismissed if:
  - a. I notify the Title IX Coordinator, in writing, that I would like to withdraw the Complaint.
  - b. The person named above is no longer enrolled in or employed by the [District]; or
  - c. Specific circumstances prevent the [District] from gathering evidence sufficient to reach a determination as to the Complaint.

This complaint is filed based on my honest belief that [NAME(S)] has sexually harassed me or another person or group. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

Having reviewed and fully understanding the foregoing, I am hereby asking [DISTRICT] to investigate the allegations of sexual harassment documented above in my formal complaint.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name



[Letterhead]

[Date]

[Name]

[Address]

[Address]

RE: Report of Sexual Harassment

Dear [insert name]:

This notice is being sent to inform you that the District has received your report of alleged sexual harassment and would like to inform you of the availability of "supportive measures."

Supportive measures are non-disciplinary, non-punitive individualized services offered as reasonably available, without fee or charge. These measures are designed to restore or preserve equal access to the District's education program or activity, without unreasonably burdening the other party; protect the safety of all parties and the District's educational environment; and deter sexual harassment.

Examples of possible supportive measures include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.

Please know that certain supportive measures will be made available to you, upon your request, whether or not you file a formal harassment complaint. The supportive measures will be kept confidential to the extent possible. If you would like to discuss the availability and implementation of supportive measures please contact me at [insert contact info here].

Sincerely,

---

Name

Title IX Coordinator

[Name of School District]

**C**

[Letterhead]

[Date]

[Name]

[Address]

[Address]

RE: Notice of a Formal Complaint of Sexual Harassment  
[provide to both parties separately]

Dear [insert name]:

This notice is being provided to inform you that a formal complaint alleging sexual harassment under Title IX has been filed with the District. You are a party to the formal complaint. A complete and thorough investigation into the complaint shall be conducted by members of the Title IX Team.

Enclosed please find a copy of the District's sexual harassment policy which includes the District's Title IX grievance process for the formal complaint. The following allegations of potential sexual harassment included in the formal complaint will be investigated: [describe allegations and sufficient details of incident including date and location, if known].

Please take notice that the respondent to the formal complaint is presumed not responsible for the alleged conduct. A responsibility determination will be made at the conclusion of the grievance process.

The grievance process will be conducted in a manner that is thorough, reliable, and impartial, and may include interviews of the parties involved, including witnesses, and the gathering of other relevant information and documentation. The parties may request to inspect and review the evidence that is directly related to the allegations raised in the formal complaint.

The parties may have an advisor of their choice present with them at the grievance proceeding. An advisor of choice may be, but is not required to be, an attorney. Please take note that pursuant to policy [insert here] the District prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Sincerely,

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Name

Title IX Coordinator

[Name of School District]

Enclosure: Sexual Harassment Policy

**D**

[Letterhead]

[Date]

[Name]  
[Address]  
[Address]

You are hereby advised that you are placed on paid administrative leave, effective immediately, until further notice. The reason for this action is due to pending allegations of workplace misconduct.

In the meantime, you must:

1. Refrain from entering any and all [District] facilities and properties, except with prior arrangement and express approval from me. All keys in your possession relating to [District] facilities and properties are to be turned in to me immediately.
2. Refrain from retaliation or engage in reprisal against the complainant or witnesses in any way.
3. Refrain from any offensive behavior against other employees or engage in any misconduct.
4. Comply with all workplace rules and standards of conduct.

If you have any questions, please let me know. I can be reached at \_\_\_\_\_.

\_\_\_\_\_  
Name and Title  
[Name of School District]



**INDEPENDENT SCHOOL DISTRICT NO. \_\_\_\_  
INVESTIGATIVE INTERVIEW NOTICE**

A formal sexual harassment Complaint has been filed and you have been [listed/identified] as [a witness to the Complaint/the subject of the Complaint]. I have made arrangements for your interview with investigator, [INVESTIGATOR NAME], on [DAY], [DATE], 2020 at [TIME] a./p.m. You have the right to bring a representative/advisor with you during the interview if you wish. You and your representative/advisor will have the opportunity to ask questions and provide any information and/or evidence relevant to the Complaint.

Participants in this investigative process include: [LIST THE NAMES OF RESPONDENT AND WITNESSES] and their respective representative/advisor. These participations will also have the opportunity to ask questions and provide any information and/or evidence relevant to the Complaint. The Title IX Investigator designated will be [INVESTIGATOR NAME AND CONTACT INFORMATION].

The purpose of this interview is to gather necessary information and facts to investigate a formal complaint of sexual harassment pursuant to the District's Sexual Harassment Policy No. \_\_. If you have questions, you may reach out directly to me directly at [PHONE] or [EMAIL].

**Please confirm that you received this notice.**

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[NAME], Title IX Coordinator

NOTICE TO COMPLAINANT

Name of Employee: \_\_\_\_\_

1. My name is \_\_\_\_\_. On behalf of the [Name of School] School District, I will be gathering further information from you regarding the Title IX Complaint of Sexual Harassment that you have brought forward.
2. The School District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA's regulations, and State law under Minn. Stat. § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).
3. You are participating in this interview voluntarily, but if you fail or refuse to provide information in response to any questions from me, this may result in the School District being unable to adequately review and address the concerns involved in this matter.
4. The information collected today may be used by the School District in administrative proceedings such as grievance procedures, termination proceedings, or other disciplinary proceedings. The information may also be used in civil litigation.
5. You are entitled to have a union or other representative, or advisor present during this interview.

By signing below, you acknowledge that you have been given an opportunity to read this notice prior to being interviewed.

Dated: \_\_\_\_\_

\_\_\_\_\_  
[Employee Name]

NOTICE TO EMPLOYEE WITNESS

Name of Employee: \_\_\_\_\_

1. My name is \_\_\_\_\_. On behalf of the [Name of School] School District, I will be gathering further information from you regarding the Title IX Complaint of Sexual Harassment that has been brought forward. You have been identified as a witness in this matter.
2. The School District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA's regulations, and State law under Minn. Stat. § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).
3. You are participating in this interview voluntarily, but if you fail or refuse to provide information in response to any questions from me, this may result in the School District being unable to adequately review and address the concerns involved in this matter.
4. The information collected today may be used by the School District in administrative proceedings such as grievance procedures, termination proceedings, or other disciplinary proceedings. The information may also be used in civil litigation.
5. You are entitled to have a union or other representative, or advisor present during this interview.

By signing below, you acknowledge that you have been given an opportunity to read this notice prior to being interviewed.

Dated: \_\_\_\_\_

\_\_\_\_\_  
[Employee Name]

NOTICE OF RIGHTS  
RESPONDENT

Name of Employee: \_\_\_\_\_

1. My name is \_\_\_\_\_. On behalf of the [Name of School] School District, I will be gathering further information from you regarding the Title IX Complaint of Sexual Harassment that you have brought forward against you.
2. The School District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA's regulations, and State law under Minn. Stat. § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).
3. You are participating in this interview voluntarily, but if you fail or refuse to provide information in response to any questions from me, this may result in the School District being unable to adequately review and address the concerns involved in this matter.
4. The information collected today may be used by the School District in administrative proceedings such as grievance procedures, termination proceedings, or other disciplinary proceedings. The information may also be used in civil litigation.
5. You are entitled to have a union or other representative, or advisor present during this interview.
6. You are directed not to retaliate against anyone for participating in the investigation.

By signing below, you acknowledge that you have been given an opportunity to read this notice prior to being interviewed.

Date: \_\_\_\_\_

\_\_\_\_\_  
[Employee Name]

NOTICE TO STUDENT/PARENTS

Name of Student/Parents: \_\_\_\_\_

1. My name is \_\_\_\_\_. On behalf of the [Name of School] School District, I will be gathering further information from you regarding the Title IX Complaint of Sexual Harassment.
2. The School District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA's regulations, and State law under Minn. Stat. § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).
3. The information collected may be used by the School District in administrative proceedings such as grievance procedures, termination proceedings, suspensions, or other disciplinary proceedings. The information may also be used in civil litigation.
4. You are not legally required to provide any private or confidential information regarding yourself during this interview.
5. The information which you provide during this interview may be released to the School Board, School Administration, agents of the School District, the Minnesota Department of Education, the Minnesota Attorney General, the Minnesota Department of Human Rights, law enforcement officials, and other individuals directly or indirectly involved in the matter(s) discussed, including the complainant(s), other witnesses, any employee alleged to have engaged in misconduct and the representatives of such individuals.

By signing below, you acknowledge that you have been given an opportunity to read this Notice prior to being interviewed. A copy will be provided to you upon request.

Dated: \_\_\_\_\_

\_\_\_\_\_  
[Student Name]

\_\_\_\_\_  
Parent Signature

**NOTICE OF RIGHTS PURSUANT TO  
GARRITY V. NEW JERSEY, 385 U.S. 493 (1967)**

Understand that as part of an investigation, at this time, [Name of School] School District is requiring you to provide the School District with information by way of a statement. Failure to obey this requirement by refusing to respond or by providing a false or intentionally incomplete statement or report will result in your immediate suspension and other appropriate disciplinary action which could include your dismissal from employment with the School District. If you do answer, any information that you provide to the School District at this time cannot be used in any ongoing or subsequent criminal proceeding involving yourself. By answering questions relating to the performance of your official duties you do not waive any rights you may have in any criminal investigation or proceeding, including the right to remain silent and the right of assistance of counsel. Nevertheless, these statements may be used against you in relation to subsequent departmental charges.

I have read the foregoing and understand its contents.

\_\_\_\_\_  
[Employee Name]

**INDEPENDENT SCHOOL DISTRICT NO. \_\_\_\_\_**  
**NOTICE OF DETERMINATION**

[Provide to both parties simultaneously]

**I. IDENTIFICATION OF ALLEGATIONS**

The investigation into allegations of sexual harassment against [Name]. A formal Complaint was received on [DATE] by Title IX Coordinator, [NAME] or [Title IX Coordinator filed a Complaint if they were notified or became aware of a Complaint]. In summary, allegations of sexual harassment....[Identify all allegations listed in the Formal Complaint and the Initial Notice of Complaint and how they specifically relate to the definition of the District's sexual harassment policy. Be sure include any additional allegations discovered during the investigation.]

**II. INVESTIGATION**

Notice of investigative interviews was provided on [DATE].  
Investigative interviews were conducted on [DAY, DATE, 2020] in the [PLACE] in [CITY], Minnesota. The interviews were as follows: [LIST THE NAMES OF THOSE INTERVIEWED].

**III. DOCUMENTS REVIEWED**

List any and all documents reviewed. [Include any documents provided by either party or any witnesses.]

**IV. FINDINGS OF FACT**

[List facts that support each finding. Include any written answers, responses, and/or questions from either party submitted after their review of the investigative report and evidence.]

**V. CONCLUSIONS TO ALLEGATIONS**

[State the result to each allegation listed in Section I above. State if the allegation was substantiated or not. Provide an explanation as to why the allegation was substantiated or not.]

[Title IX Policy lists potential remedies for a Complainant and disciplinary sanctions that the School District might impose upon a Respondent. Include those remedies and or disciplinary sanctions here.]

[Decision-maker will recommend appropriate remedies including disciplinary sanctions or consequences if it is determined that a student-respondent is responsible for violating policy. Include those recommendations here.]

**VI. APPEAL**

[The school must, again, provide an equal opportunity to submit information as part of an appeal consideration. The parties must be given an opportunity to submit written documentation in support of the outcome or challenging the outcome.]

The right to Appeal this determination must be submitted to [NAME OF APPEAL DECISION MAKER] in writing by [DATE], subject to the Appeal provisions of the District's Title IX Policy on the following bases:

- Procedural irregularities;
- New evidence was not reasonably available at the time the determination was made; or
- The Coordinator, Investigator, or Decision Maker was biased or had a conflict of interest.

Appeals made on any other bases will be dismissed. If the Appeal is not submitted in writing, in a timely matter, the Appeal will be deemed waived.

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Date

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[NAME], Title IX Decision-Maker



[Letterhead]

[Date]

[Name]

[Address]

[Address]

RE: Notice of Mandatory Dismissal of Formal Complaint of Sexual Harassment

Dear [insert name]:

The District has completed its review of allegations in a formal complaint of sexual harassment. The formal complaint of harassment must be dismissed pursuant to Title IX because **choose applicable reason(s)**:

*(1) the conduct alleged in the formal complaint, even if proven, would not constitute sexual harassment as defined under the federal law; (2) the conduct did not occur within the education program or activity of the District; (3) the conduct did not occur against a person in the United States.*

*[Explain reasons for dismissal here]*

This dismissal is **mandatory** under Title IX because of the reason outlined above. Therefore, this written notice of dismissal is being delivered to all relevant parties. Dismissal for purposes of Title IX does not preclude the District from taking further action related to the alleged conduct if doing so is determined to be appropriate under any of the District's policies or rules.

This dismissal decision may be appealed to the extent provided in the District's Title IX grievance process for formal complaints.

Sincerely,

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Name  
Title IX Coordinator  
[District Name]

[Letterhead]

[Date]

[Name]

[Address]

[Address]

RE: Notice of Dismissal of Formal Complaint of Sexual Harassment

Dear [insert name]:

The District has completed its review of allegations in a formal complaint of sexual harassment. The formal complaint of harassment must be dismissed pursuant to Title IX because **choose applicable reason(s)**:

*(1) the complainant has notified the Title IX coordinator in writing that the complainant would like to withdraw the formal complaint; (2) the respondent is no longer enrolled (or employed) at the District; (3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint.*

[Explain reasons for dismissal here]

This notice of dismissal is being delivered to all relevant parties. Dismissal for purposes of Title IX does not preclude the District from taking further action related to the alleged conduct if doing so is determined to be appropriate under any of the District's policies or rules.

This dismissal decision may be appealed to the extent provided in the District's Title IX grievance process for formal complaints.

Sincerely,

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Name  
Title IX Coordinator  
[District Name]