

## **Title IX Written Determination**

This report summarizes the decision-maker's determination regarding the below-referenced formal complaint of sexual harassment. This determination was reached based upon the preponderance of the evidence.

**Date grievance procedures initiated:** [Insert the date of the initiation of the investigation.]

**Date written determination issued:** [Insert the date of the issuance of this determination]

### **Allegations Investigated**

[Describe in detail the allegations that served as a basis for opening the investigation. Conclude with a determination that these allegations, if true, would constitute sexual harassment as defined by federal law and board policy.]

### **Procedural History**

[You must include here a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence. Include the dates, times, and locations, as appropriate, in describing procedural steps.]

### **Findings of Fact**

Based upon the evidence described above, the decision-maker makes the following findings based upon a preponderance of the evidence.

### **Credibility Determinations.**

[For each individual identified as providing an interview, statement or report, the decision-maker should assess whether the individual was credible and whether the information they provided was reliable. In doing so, specifically describe the factual basis for reaching these conclusions. However, remember that credibility determinations cannot be based upon a parties' status as a complainant or respondent. Additionally, for all other evidence, assess its credibility and reliability based upon a specific discussion of its nature and source.]

## **Factual Conclusions.**

[This section should carefully, and in detail, describe the factual conclusions of the decision-maker based upon the evidence. Wherever possible, describe the evidence, circumstances, or facts underlying the factual conclusion. This section should also discuss any evidence considered that is contrary to the decision-maker's conclusions, and provide an explanation for why that evidence was not found to be dispositive.]

In writing this section, the decision-maker should first lay out a narrative of how he/she believes the incident(s) unfolded. The decision-maker should then provide a conclusion as to whether the respondent subjected the complainant to sexual harassment as defined by federal law and board policy. In doing so, specifically provide why the conduct at issue meets the definition of sexual harassment.]

## **Summary of Findings by Allegation**

[In this section, you should summarize your findings by summarize the conclusion for each allegation, including a clear determination of responsibility, and provide a summary of the rationale for that conclusion.]

## **Application of Code of Conduct**

[In this section, you must determine whether the district's code of conduct applies to the facts you found and described above.]

## **Responsive Actions**

### **Disciplinary Sanctions**

[This section must provide a statement of, and rationale for, any disciplinary sanctions the district intends to impose upon the respondent.]

### **Remedies**

[Describe here whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant.]

## **Right to Appeal**

Each party has the opportunity to appeal the above determinations regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the following grounds:

- Procedural irregularity that affected the outcome of the matter;

- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of this matter; or
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of this written determination of responsibility. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under board policy, 34 C.F.R. part, 106, and Title IX.

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Decision-maker

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Date