

Weird Barbie

presents

Title IX Investigator and Decision
Maker Training



Weird Barbie Cindy Bouter

Title IX Coordinator

She was pretty and perfect until
a child played too hard with her.

She resides in her "weird" dreamhouse
and is largely ignored by everyone except
when they need her advice when
something odd happens.



Introduction

Dr. Cindy Bauter
Executive Director of Student Affairs
&
Title IX Coordinator

Office ext: 50567
Cell: 940.882.5177



Why do I have to sit through this training?

(2020)

34 C.F.R. 106.8(D)(2)

In addition to the training requirements in paragraph (d)(1) of this section, all investigators, decisionmakers, and other persons who are responsible for implementing the recipient's grievance procedures or have the authority to modify or terminate supportive measures under § 106.44(g)(4) must be trained on the following topics to the extent related to their responsibilities:

- The recipient's obligations under § [106.44](#);

- The recipient's grievance procedures under § [106.45](#), and if applicable § 106.46;

- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and

- The meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under § 106.45, and if applicable § 106.46.

Links:

Federal Regulations: [34 CFR 106](#)

NISD 2023-2024

Intakes by Campus 2023-2024

The Law behind Title IX

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under “any education program or activity” receiving Federal financial assistance.

Links:

Law: [20 USCS 1681](#)

Federal Regulations: [34 CFR 106](#)

Amendments: [Federal Register Vol. 80 No. 83 April 29, 2024](#)

Board Policy: [FFH\(Local\)](#)

Our duty to...

Prevent Title IX Violations

District personnel's duty to Notify

Notices:

- β Notice of Non-Discrimination in any campus handbook
- β Posters in hallways/faculty lounge/lockers

Our duty to...

Identify Title IX Violations

“Education program or activity”

Definition per FFH(Legal):

Within the scope of the district’s education program or activity
on campus or off campus,

where the district exercises substantial control over
the location, events, or circumstances;

the respondent; and

the context in which the sexual harassment occurs
but in the United States.

Examples:

- β Activities managed or sponsored by the school, including athletics, discipline, facilities, admissions, awards, academics, extracurricular programs.
- β On school property, or during a school-sponsored event or activity
- β Games/practices, organization competition/events, school transportation, field trips, virtual learning environments

2024: off-campus if the behavior is...

- In any way subject to district’s disciplinary authority, or
- Contributes to a hostile environment *within* district’s education program

Scope of Conduct that constitutes Title IX Violation



Different Treatment

- Policy, practice, action, situation where boys are treated differently from girls, when prohibited from doing so



Disparate Impact

- A policy, practice, or action has the effect of creating different outcomes for one sex than the other.



Sexual Harassment

- Quid Pro Quo
- Hostile Environment
- Sexual Violence



Failure to Accommodate

- Pregnancy



Retaliation

- Related to a Title IX matter

Pregnancy

2020: Continue the District's practices of working with Cynthia Elliott and documenting the supportive measures through the Title IX office

2024: Obligations when a parent/legal guardian of a student, or the student, informs the personnel of the student's pregnancy—cheat sheet to you if the injunction is lifted

Sexual Harassment Definition

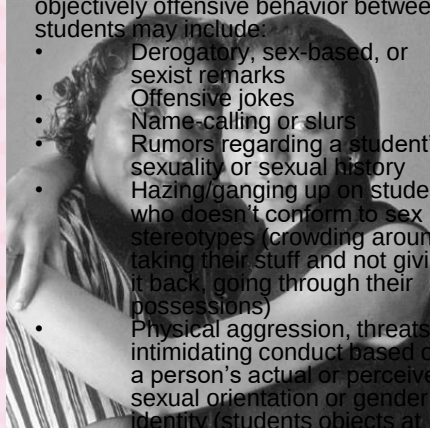
Quid Pro Quo

Giving a student privileges for sexual relationship. Maybe the student likes the attention, or maybe it is unwanted. Either way, a romantic relationship with a student is PROHIBITED. If the infraction is between student and any member of the staff, there is a formal investigation and HR will consider whether to place employee on administrative leave.

Hostile Environment

Examples of serious, pervasive, and objectively offensive behavior between students may include:

- Derogatory, sex-based, or sexist remarks
- Offensive jokes
- Name-calling or slurs
- Rumors regarding a student's sexuality or sexual history
- Hazing/ganging up on students who doesn't conform to sex stereotypes (crowding around, taking their stuff and not giving it back, going through their possessions)
- Physical aggression, threats, intimidating conduct based on a person's actual or perceived sexual orientation or gender identity (students objects at student who identifies as gay)
- Obscene phone calls, texts, emails, social media posts



Davis v Monroe County: Aurelia and Lashonda Davis (1999)

Sexual Violence

These violations will involve notification to law enforcement; they are specified in the Clergy Act, and Violence Against Women Act, and are specific criminal offenses: Sexual assault (rape, fondling, any sexual act directed against another without consent, sexual assault with an object) Domestic Violence (intimate partner, cohabiting, and then commits violence) Dating Violence (is or has been in a romantic or intimate relationship and commits violence) Stalking



Jeanne Cherry (1996) legislation Nicole Brown Simpson (1994)

Our duty to...

**Stop
Title IX
Violations**

Our duty to...

Report Title IX Violations

Mandatory Reports

- **Child abuse or neglect**
 - Board Policy FFG, Tex. Family Code 261.101
- **Suicidal ideation**
 - Board Policy FFB
- **Sexual harassment**
 - Board Policy FFH & Title IX
- **Bullying**
 - Board Policy FFI & TEC 37.0832

District personnel's duty to report

Required to Report:

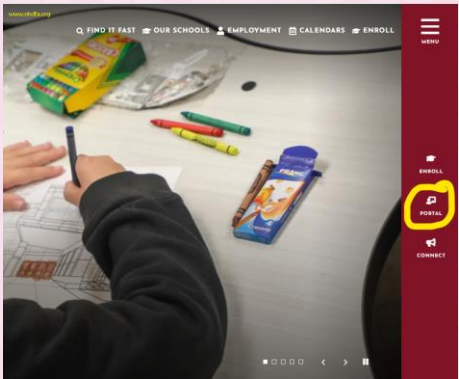
- β to the Title IX Coordinator
- β when you have information about conduct that reasonably may constitute sex discrimination

Recommended to Document:

- β Laserfiche: in your “completed” tasks
- β Other documentation confirming receipt of report

Laserfiche Report

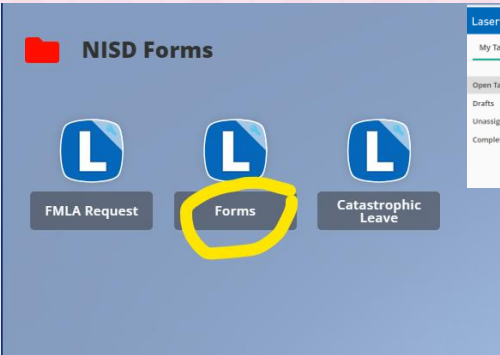
1. Portal



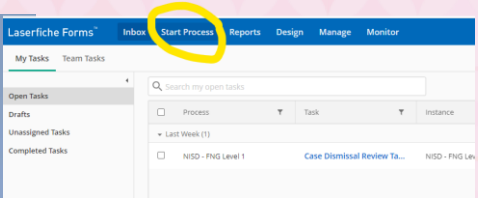
2. NISD Forms



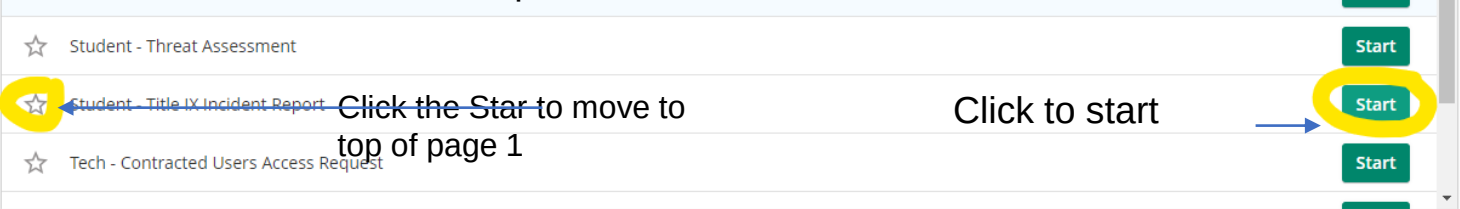
3. Forms



4. Start Process



5. Student – Title IX Incident Report



Complete every blank



Title IX Incident Report

Message Start Event

Title IX Incident Report

Prior to submitting this form, please contact Dr. Cindy Bauter, Executive Director of Student Affairs at 817-215-0567.

Cu

NISDTX\cynthia.bauter

Submitted by

Bauter, Cindy

Date Coordinator Contacted *



Incident Location *

Campus/Department *

Investigating Administrator *

Was law enforcement contacted? *

Explanation of the Incident *

Video Secured? *

Alleged Victim/Complainant Accommodations *

Alleged Perpetrator/Respondent Accommodations *

Alleged Victim/Complainant Student ID *

Alleged Victim/Complainant Last Name *

Alleged Victim/Complainant First Name *

Reported Alleged Perpetrator/Respondent Student ID *

Reported Alleged Perpetrator/Respondent Last Name *

Reported Alleged Perpetrator/Respondent First Name *

Witnesses *

If none, enter N/A.

Is this a pattern or isolated incident? *

Supportive measures taken for alleged victim/complainant *

Measures taken for alleged perpetrator/respondent *

Supporting Documents

Upload

Previous

Submit

Next

Our duty to...

Respond to Title IX Violations

District obligation

to responding to sex discrimination, including duties to:

- β respond promptly and effectively to knowledge of conduct that reasonably may constitute sex discrimination,
- β address sex discrimination in district's programs or activity, and
- β provide supportive measures to parties during grievance process

Your Response

Board Policy [FFH\(Legal\)](#) sets our minimal expectation:

Deliberate Indifference

A district with actual knowledge of sexual harassment in an education program or activity of the district against a person in the United States, must respond promptly in a manner that is not deliberately indifferent. A district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

1. Listen to the complainant. Do not be dismissive. Do not presume. Do not be biased.
2. Validate. Affirm the student for reporting. Get the student to a safe spot.
3. Clarify. Ask enough questions to understand if it deals with sex in any way, but not too many questions. Do NOT overinvestigate at this point.
4. Help the student. Counselor, CPS, law enforcement as required/applicable.
5. Start your documentation. Call. Laserfiche.

Campus DOs and DON'Ts



So...you've learned about potential sex discrimination, including sex-based harassment or other sex-based misconduct, at your school. What do you do next?

Contact your school's Title IX Coordinator

DOs



DO ASSESS SAFETY

- If the student is in immediate danger, or is in an immediate danger to self or others, move the student to a safe area with adequate supervision.
- Immediately contact the Title IX Coordinator.

DO MAKE NEEDED CONTACTS

Law enforcement: If the allegations include a serious crime or illicit evidence needs to be collected or preserved.

Medical Personnel: If the allegations involve an injury.

Parent(s)/guardian(s): Follow standard policy/practice for contacting the parents of the target of the alleged behavior. Share the contact information for the Title IX Coordinator.

DO COMPLETE MANDATED REPORTING

Law Enforcement or Child Protective Services (CPS)

Do immediately report any conduct that could constitute child abuse or neglect under your state law to CPS or law enforcement agency, as required by state law.

DO CONSIDER SPECIAL EDUCATION

If a party is a student with a 504 plan or an IEP, contact the relevant special education administrator to consider impacts on the student's receipt of a free, appropriate public education (FAPE).



DON'Ts

DON'T "INVESTIGATE"

- No campus employee should investigate any conduct that could be sex discrimination, sex-based harassment, or other sex-based misconduct until the Title IX Coordinator evaluates the allegations.
- Do not pull students out of class to question them or ask for witness statements.
- Do not ask for or collect evidence.

DON'T DISCIPLINE

- Do not discipline any student or employee involved in the alleged conduct.
- While you can "assess safety" and take immediate and temporary steps to take to keep your community safe, discipline is not permissible at this stage.
- Contact the Title IX Coordinator, who will evaluate potential emergency removal from school or activities.

DON'T VIOLATE CONFIDENTIALITY

- Don't tell the accused that a report has been made or the name of the target of the alleged conduct.
- The school cannot share such information until the Title IX Coordinator says Title IX is not implicated, a complaint is initiated, or the target of the behavior (and their parent/guardian) allow such disclosure.



thompsonhorton.com
titleix@tlaw.com
titleixtips.com

How Title IX Coordinator has to respond:

Per FFH(Local)

General Response

When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

And also...

Title IX Coordinator may need to

- Initiate emergency removal/administrative leave when applicable
- Initiate a complaint if one is not made and it is necessary to do so.

After (and ONLY after) a formal complaint is made, Title IX Coordinator:

- Notifies Respondent

Ensure Due Process

1. Emergency Removal

- District has to determine that there is an **immediate** threat to the **physical** health or safety of any student or other individual arising from the allegations of sexual harassment that justified removal. 2024: "Imminent", remove "physical"
- Threat Assessment
- **Provide Respondent with notice and an opportunity to challenge the decision immediately following removal.**

2. Preserve rights of Complainant AND Respondent

- Presume respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance process.
- Provide supportive measures
- Impose disciplinary consequences for SCoC violations, not covered under Title IX (2024: can't discipline associated incident if they arose out of singular Title IX event)

3. IEP/MDR

Hold on the Discipline...

Why?

Must preserve rights of both parties: the victim and the accused.

Regulations say when we have a formal complaint, we must wait until determination of responsibility is made until we can discipline.

I have to notify complainant to see if a formal investigation is desired/required.

What *can* you do?

Supportive with appropriate referrals to counselor, agencies, medical help.

Consult with Title IX Coordinator when making that contact with agencies (reporting process requires).

Do not start investigating...

Why not?

Because in most cases we must allow the complainant (parent) to decide whether to file a formal complaint.

Formal complaints follow certain processes.

If there is no formal complaint, we follow other processes.

What CAN you do?

Take the Complainant's statement.

Preserve video, phone evidence, etc.

Ask enough questions to know if something is sex-based, then stop.

Call parents of Complainant, Respondent. But don't overshare. FERPA!!!

until...

Once we know we aren't moving under a formal complaint.

What is a Supportive Measure?

A support that is:

- Free
- Appropriate to the situation
- Non-disciplinary
- Nonpunitive
- For complainant AND respondent
- Appropriate to a student's abilities and needs per IEP
- Reasonably available

Designed to

- Restore or preserve individual's access to education programs and activities
- Protect the safety of the parties or the educational environment
- Provide support during TIX grievance process or informal resolution process

Kept confidential—shared only with guardian and people who have a role in implementing the support

“Report” vs. “Formal Complaint”

Phone Call

Letting me know something happened, think through, document.

Report

Does not request that the district investigate

Make a determination regarding an allegation of sex discrimination

Can be made by anyone, regardless of whether that individual personally experienced the alleged conduct

Does not initiate the Title IX grievance process but may involve supportive measures

Formal Complaint

Requests that the District investigate and make a determination of responsibility.

Sex-based harassment may only be made by complainant, their guardian(s), or the TIX Coord. Formal complaint initiates Grievance process.

Other sex-based discrimination that is not harassment may be made by anyone, regardless of personal experience with alleged discriminatory conduct.

Data

Documentation & Evidence

- Mandatory reports
 - CPS confirmation number
 - Written referrals, reports (email, phone log)
- Investigations
 - Witness statements **MAYBE**
 - Emails
 - Surveillance video **(Save this promptly!)**
 - Phone records, notes
- Supportive measures offered or provided
 - Bullying, harassment, Title IX
- Special education & 504
 - Behavior notes
 - Accommodations offered or provided (seating chart, reduced assignments)
 - Responses to behavior incidents
 - Restraint forms

Our duty to...

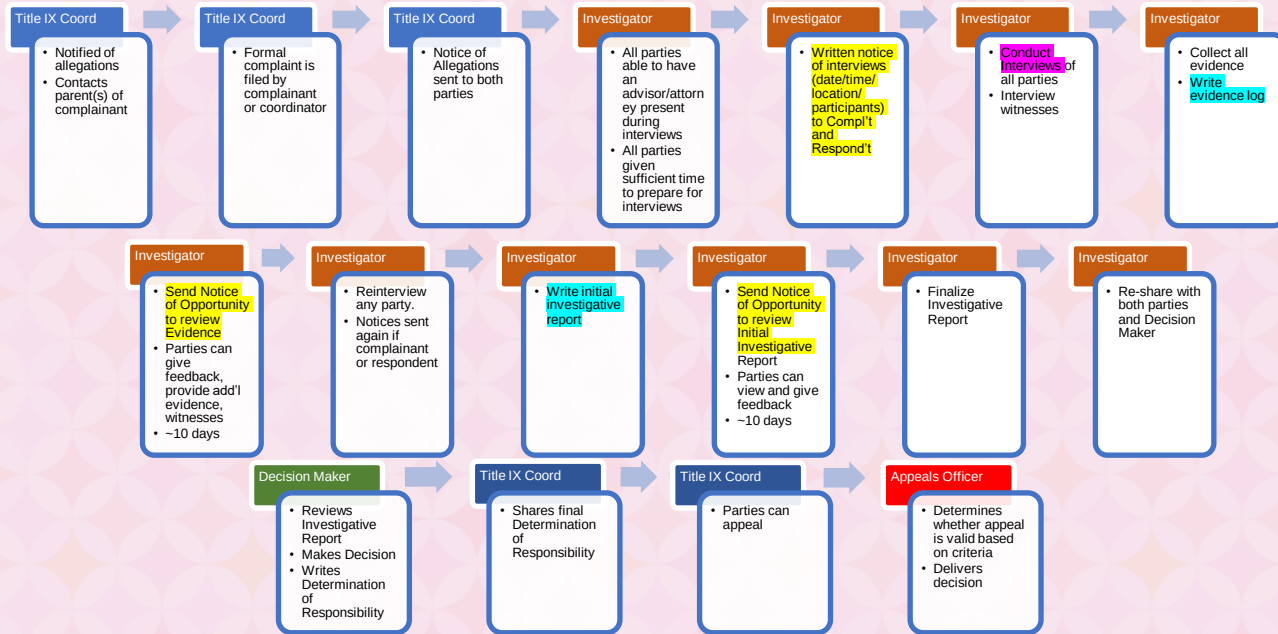
Investigate Title IX Violations

The Title IX Grievance assurances

Board Policy [FFH\(Legal\)](#) and [FFH\(Local\)](#)

1. Treat complainants and respondents equitably by providing remedies to a complainant...and by following a process that complies with the Title IX regulations before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies must be designed to restore or preserve equal access...
2. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence...
3. not have a conflict of interest or bias for or against complainants or respondents ...
4. Include a presumption that the respondent is not responsible for the alleged conduct until...
5. Include reasonably prompt time frames for conclusion of the Title IX formal complaint process...
6. Describe the range of possible disciplinary sanctions and remedies...
7. preponderance of the evidence...
8. Include the procedures and permissible bases for the complainant and respondent to appeal;
9. Describe the range of supportive measures available to complainants and respondents; and
10. Not require, allow, rely upon information protected under a legally recognized privilege, unless...

Board Policy FFH(Legal) and FFH(Local)



Investigator

Decision Maker

Appeals Officer

2020 rules: investigator and decision maker and appeals officers are separate people

2024: Single Investigator model

Relevant Evidence

Sexual predisposition or sexual history are **not** relevant unless it is offered to prove

- Someone other than the respondent committed the alleged conduct, or
- The complainant consented to the conduct and evidence concerns specific incidents of the complainant's prior sexual behavior with the respondent.

Relevant evidence makes the existence of any fact that is of consequence to the determination more probable or less probable than it would be without the evidence.

Does the evidence/fact make it more likely or less likely that the alleged sexual harassment occurred?

Relevant or Irrelevant?

Josh alleged that Sara sexually harassed him by coming into the bathroom stall that Josh occupied, and wouldn't leave when asked. Furthermore, Sara was taking photos of Josh.

Scenario	R or I?
Sara had a doctor's appointment on the day this allegedly occurred.	
This happened in the restroom connected to the cafeteria.	
They both ordered the same meal at lunch every day in the last week.	
Josh once asked for nude photos of Sara.	
Sara and Josh attend the same church.	
Sara was reported to be sexting the quarterback of the football team yesterday.	
Josh reported that Sara was his girlfriend prior to this incident, and they went to the homecoming dance together.	
Three witnesses report that Josh had his arm around Sara every day at lunch that same week.	

Permissible/Impermissible Evidence

Impermissible evidence		
Privileged Information	Protected by a privilege recognized by federal or state law (like attorney-client privilege)	Unless the party or witness (or parent if student is under 18) provides written consent to its use
Evidence provided to a confidential employee	(we have none)	
Healthcare treatment records	Made or maintained by a physician, psychologist, or other recognized professional in connection with provision of treatment	
Complainant's sexual interests or prior sexual conduct	Unless subject to exceptions→	-If used to show someone other than accused committed alleged sexual assault, or -If prior sexual conduct between complainant and accused can prove CONSENT to the harassment at issue.

If evidence is impermissible, it can't be used *even if* it helps decide whether the discrimination occurred.

Permissible/Impermissible Evidence

Credibility determinations must *not* be based on a person's status as a complainant, respondent, or witness.

Inculpatory and exculpatory evidence (evidence that proves guilt or innocence, that supports Complainant's testimony or Respondent's testimony) is the responsibility of the investigator to collect.

Trauma can have a neurological effect, particularly on memory. Trauma can impact either party. There is a difference between being trauma-informed and trauma-lenient. Do not use the apparent existence of trauma as evidence of alleged conduct.

Consent (handout)

Consent is not defined by federal regulation.

The definition is up to the district, should be defined in policy.

Burden of proving consent (or lack) is up to district.

Definition can take into account age and developmental level so long as it's consistent with applicable disability laws.

They said/They said

The fact that there are no witnesses to the alleged harassment does not mean it is automatically a “50/50”.

A thorough investigation and a complete summary of all relevant evidence can help the decisionmaker assess credibility and reach a reliable determination. The investigator needs to prepare the groundwork for this decision.

Serving Impartially: Conflict of Interest

Conflict of Interest: Based on family or financial relationships. One person's best interest is not in the best interest of another person or organization to which the individual owes loyalty.



Conflict of Interest

['kən-flikt əv 'in-t(ə-)rəst]

A situation in which a person or individual becomes unreliable because of a conflict between personal (self-serving) interests and professional duties or responsibilities.

Investopedia

Conflict of Interest

A conflict of interest is when someone appears to have two different interests. It can also happen when an individual has two or more roles that are incompatible.

Personal Interest



Professional



Serving Impartially: Bias

WHAT IS



Navigate the terminology and the workplace and in the

Each of us has our own **bias**, or inclination, which influences our judgement and prevents us from being objective (Business Dictionary).

Our biases can be *conscious*, meaning when they occur, or *unconscious*, meaning outside of our own awareness.

COGNITIVE BIASES



CONFIRMATION
BIAS



LOSS
AVERSION



GAMBLER'S
FALLACY



AVAILABILITY
CASCADE



FRAMING
EFFECT



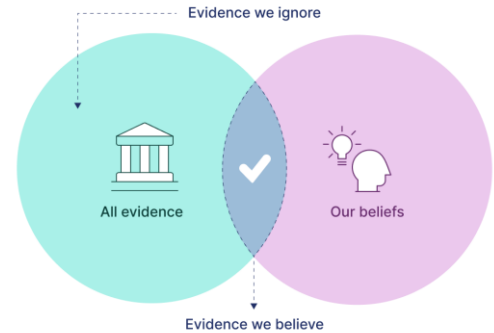
BANDWAGON
EFFECT



DUNNING-KRUGER
EFFECT

Confirmation bias

The tendency to seek out and prefer information that supports our preexisting beliefs



Serving Impartially: Prejudgment

what's the
opposite of
prejudgment?



impartiality, fairness,
good will, tolerance, love,
justice, reality, ignorance,
truth, certainty



Serving Impartially

DO	DO NOT
Follow the process to the “T”	Believe one party over another simply based on status as a C or R
Conduct full and fair investigations and objectively consider the facts and the evidence	Assume or infer the existence of facts or the outcome
Objectively consider all relevant evidence—inculpatory and exculpatory—that is not impermissible	Speculate or connect the dots without evidence based on any preconceived notions
Maintain the presumption that the respondent is not responsible throughout the grievance process	Rely on personal experience or beliefs instead of evidence
Disclose any conflicts of interest and evaluate recusal	Violate confidentiality
Recognize bias and leave any preconceived notions at the door	Shy away from recusal if there are reasons you cannot serve impartially in a particular case.
Anyone can be a C or R	

Standard of Evidence



**PROOF BEYOND A
REASONABLE DOUBT**



**CLEAR AND
CONVINCING EVIDENCE**



**PREPONDERANCE OF
THE EVIDENCE**

Standard of Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.
-Board Policy FFH(Local)

Required Recordkeeping

-Board Policy FFH(Legal)

-34 CFR 106.45(b)(10)

Recordkeeping

A district must maintain for a period of **seven years** records of:

1. Each sexual harassment **investigation** including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. **All materials used to train** Title IX Coordinators, **investigators, decision-makers**, and any person who facilitates an informal resolution process. A district must make these training materials publicly available on its website or if the district does not maintain a website the district must make these materials available upon request for inspection by members of the public.

For each response required under Title IX Coordinator Response, above, a district must create, and maintain for a period of seven years, records of any actions, including any **supportive measures**, taken in response to a report or formal complaint of sexual harassment. In each instance, the district must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity.

If a district does not provide a complainant with supportive measures, then the district must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

Confidentiality

Protect privacy of parties and witnesses. Do not violate FERPA. Don't share name of complainant nor that they have made a report with the parents of the accused.

If the complainant doesn't feel like they'll be protected, they may not report.

If this goes through a formal complaint process, that information will be shared ultimately. When a formal complaint is made, I make sure the complainant knows what will be disclosed.

Follow your tip sheet!

Rights during an investigation

We must ensure that parties retain the ability to obtain and present evidence, speak with witnesses, consult with family members and confidential resources (counselors) or advisors.

Ensure due process.

Provide equal opportunity for parties to present relevant fact witnesses and other inculpatory and exculpatory evidence.

Do:

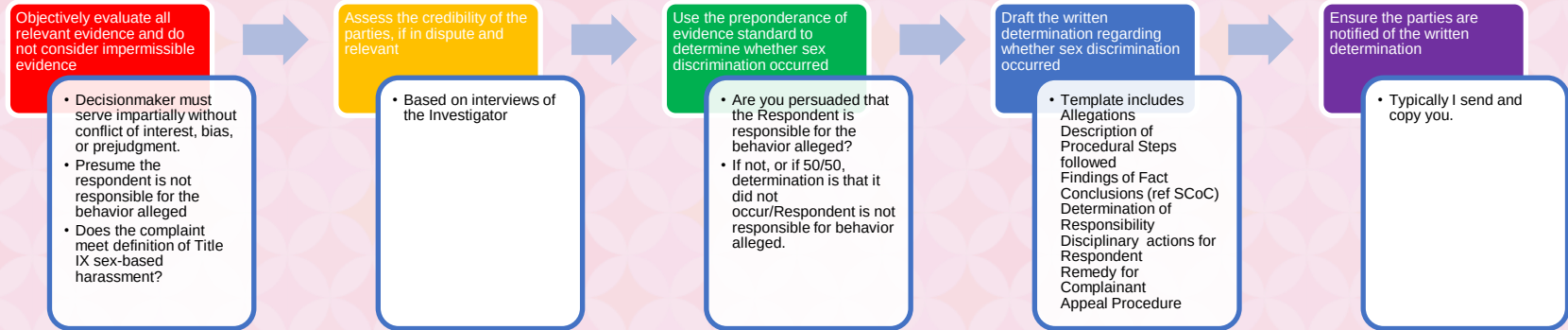
- ✓ Remain impartial.
- ✓ Treat all parties equitably.
- ✓ Provide equal opportunity to the parties to present evidence and witnesses.
- ✓ Objectively evaluate all evidence for relevance.
- ✓ Know the elements and definitions of the type of alleged sex-based discrimination and identify the key factual issues.
- ✓ Conduct a complete and thorough investigation, identify and address any gaps.
- ✓ Ensure your description of the relevant and permissible evidence is thorough and accurate.

Don't:

- ✗ Conduct surprise interviews
- ✗ Discriminate or rely on stereotypes or preconceived notions.
- ✗ Restrict the parties' ability to discuss allegations or gather evidence.
- ✗ Delay or extend the decision timeline absent good cause.
- ✗ Shy away from asking tough questions.
- ✗ Be accusatory or argumentative
- ✗ Seek or use impermissible evidence unless there is a waiver or applicable exception.
- ✗ Violate parties' confidentiality.

Investigator DOs and DON'Ts

Decisionmaker's Work



Determination

Decisionmaker evaluates relevant, permissible evidence for its persuasiveness.

If not persuaded by the evidence that sex discrimination occurred, the decisionmaker must not determine that sex discrimination occurred.

I will help you with the Notice of Determination template and review through my office.

Do:

- ✓ Approach the process with the presumption that the Respondent is not responsible for the behavior alleged.
- ✓ Exercise independent judgment and objectively evaluate all relevant and not otherwise impermissible evidence.
- ✓ Determine if credibility is in dispute and relevant to evaluating one or more allegations of sex discrimination.
- ✓ Follow your grievance procedure to question parties and/or witnesses whose credibility is relevant and disputed.
- ✓ Make credibility determinations and evaluate the weight of the evidence using the preponderance of the evidence standard.
- ✓ Make a clear determination regarding whether the respondent violated the school's policies.

Don't:

- ✗ Prejudge the facts or rush to judgment.
- ✗ Consider impermissible evidence unless a waiver or exception applies.
- ✗ Rely on stereotypes or preconceived notions when making credibility determinations or weighing the evidence.
- ✗ Delay or extend the decision timeline absent good cause.
- ✗ Neglect to provide the rationale for the determination.
- ✗ Issue sanctions or remedies.

Decisionmaker

Dos and Don'ts

Our duty to...

Remediate Title IX Violations

Remedies

Remedies must be individualized to restore a complainant's equal access to the education program or activity. They are for the Complainant.

Remedies are measures provided appropriately to a complainant or any other person identified as having had their equal access to their education programs or activities limited or denied by sex discrimination.

Remedies are provided to restore or preserve that person's access to the recipient's education program or activity after a recipient determines that sex discrimination occurred.

Examples:

- Campus escort to complainant
- Allow Complainant to park in staff parking
- Changing class schedules to ensure separation from Respondent
- Providing academic resources, modifications, support
- Extending stay-away directives
- Coordinate with counseling
- Provide training or educational programs to individuals, groups, school community, or personnel.

Sanctions

Sanctions are for the Respondent who is found to be responsible for the behavior alleged.

Disciplinary

- Suspension
- Expulsion
- Probation
- Loss of privileges

Rehabilitative

- Counseling
- Training
- Community service

If sanctions are to be issued, I have a notice to Complainant of sanctions. I can help you with this.

Appeal Officer's Work

Was there bias?

Is there new information we couldn't have reasonably had during process that changes set of facts?

Was there a procedural irregularity that changes the decision/outcome?

Documentation of conversation about expectations

Form is hyperlinked→

Bullying and/or Harassment Acknowledgement

In accordance with Board Policies FFH and FFI, the District prohibits and does not tolerate harassment of any type. This includes bullying; harassment based on a person's race, color, religion, gender, national origin, disability, or any other basis prohibited by law; sexual harassment; and/or dating violence.

Based on an incident that occurred at school or at a school-related activity, a conference was conducted in regard to the following topic(s):

☐ **Bullying**

Bullying is defined as an action in which one person uses power in a willful manner with the aim of hurting another individual repeatedly. This may involve repeated exposure over time to negative actions or an imbalance of power so that he child victimized has trouble defending himself/herself. The aggression can be verbal, written, physical, psychological, or characterized by unequal levels of affect, i.e. child bullying feels justified in his or her actions. Bullying is also defined as an action that has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property, or that is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student. Examples of bullying may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, and ostracism.

☐ **Harassment**

Harassment of a student is defined as physical, verbal, or nonverbal conducted based on the student's race, color, religion, gender, national origin, disability, or any other basis prohibited by law. Examples of harassment include, but are not limited to, repeated, unwelcome, and offensive slurs, jokes, or other oral, written, graphic, or physical conduct; threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.

☐ **Sexual Harassment**

Sexual harassment is defined as offensive and unwelcome conduct of a sexual nature directed toward a student or other person or other offensive and unwelcome conduct aimed at another solely because of this or her gender. This includes unwelcome advances; request for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct. Examples of sexual harassment of a student may include, but are not limited to, sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, communications or contact.

☐ **Dating Violence**

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Examples of dating violence against a student may include, but are not limited to, physical or sexual assaults, name-calling, put-downs, threats to hurt the student or the student's family members or members of the student's household, destroying property belonging to the student, threats to commit suicide or homicide if the student ends the relationship, attempts to isolate the student from friends and family, stalking, or encouraging others to engage in these behaviors.

My signature below is to acknowledge that a conference was held with me in regard to the topic(s) indicated above and that I understand that this(these) behavior(s) is(are) not tolerated. I understand that students are expected to treat other students and District employees with courtesy and respect; and that students are expected to avoid any behaviors known

Our obligations under Title IX

Obligation to stop discrimination

Obligation to remedy effects of discrimination

Obligation to prevent future/additional

Training

Programs

Signage