



# Does it meet Title IX (Protected Classes) Criteria? *Harassment Checklist for Employees*

**\*\*Please note, this IS NOT for Sexual Harassment determination\*\***

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on the sex of students or employees in educational institutions that receive federal financial assistance. The McAllen Independent School District prohibits discrimination, including harassment, against any student/employee on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District Policy and is prohibited. Please utilize this checklist to determine if the elements of harassment are present under Title IX (34 CFR 106), and if so, please complete the Title IX Referral Form.

	Yes	No	
1. Is/was the Complainant (victim) an employee of McAllen ISD?	<input type="checkbox"/>	<input type="checkbox"/>	
2. Did the alleged incident occur on school district property to include; a bus, district vehicle, or during a school related activity?	<input type="checkbox"/>	<input type="checkbox"/>	
3. Is/was the Respondent (alleged perpetrator) an employee or student with McAllen ISD?	<input type="checkbox"/>	<input type="checkbox"/>	
			<div>*If any answer is <b>NO</b>, it does not meet the criteria of harassment under 34 CFR 106 and DIA LEGAL/LOCAL Policy</div>
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Was the alleged conduct based on race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law? If yes, which form of conduct was it: _____	<input type="checkbox"/>	<input type="checkbox"/>	
			<div>*If the answer is <b>NO</b>, it does not meet the criteria of harassment under 34 CFR 106 and DIA LEGAL/LOCAL Policy</div>
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Was the alleged conduct so severe, persistent, or pervasive that it:	<input type="checkbox"/>	<input type="checkbox"/>	
1. Has the purpose or effect of unreasonably interfering with the employee's work performance;	<input type="checkbox"/>	<input type="checkbox"/>	
2. Creates an intimidating, threatening, hostile, or offensive work environment; or	<input type="checkbox"/>	<input type="checkbox"/>	
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.	<input type="checkbox"/>	<input type="checkbox"/>	<div>*If the answer is <b>NO</b>, it does not meet the criteria of harassment under 34 CFR 106 and DIA LEGAL/LOCAL Policy</div>
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Did the alleged conduct involve?	<input type="checkbox"/>	<input type="checkbox"/>	
- Physical Contact?	<input type="checkbox"/>	<input type="checkbox"/>	
- Verbal Expression?	<input type="checkbox"/>	<input type="checkbox"/>	
- Non-verbal?	<input type="checkbox"/>	<input type="checkbox"/>	<div>*If the answer is <b>NO</b>, it does not meet the criteria of harassment under 34 CFR 106 and DIA LEGAL/LOCAL Policy</div>
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Does the complainant wish to file a formal complaint?	<input type="checkbox"/>	<input type="checkbox"/>	
			<div>If the alleged complainant does not wish to file a formal complaint, then no Title IX Referral Form will be completed; however, the behavior may meet a violation of the Employee Standards of Conduct or Student Code of Conduct and the behavior/misconduct will be addressed accordingly.</div>
<div>Proceed with Title IX Referral Form</div>			