



Graduate Arkansas Title IX Procedures on Sexual Harassment

Title IX prohibits any discrimination on the basis of sex in education programs and activities that receive any federal assistance.

1. An employee (other than Title IX Coordinator or Investigator) gains knowledge of a possible Title IX violation: (Ex.)
 - a. Quid pro quo – a favor or advantage given or expected in return for something
 - b. Hostile school environment – unwelcome conduct determined by a reasonable person to be so severe, pervasive, **AND** offensive, that it effectively denies a person equal access to the school's educational program or activity.
 - c. Sexual assault, dating violence, domestic violence, or stalking
2. Employees should then notify the Title IX Coordinator (or Title IX investigator, only if Coordinator is unavailable) via [Title IX Employee Information Form](#).

NOTE: EVERY member of the Title IX team will approach their task(s) with impartiality. ANY conflict of interest, bias, or prejudgement should be reported to the Title IX Coordinator so that the team member may be recused.

3. Completion of the [Title IX report intake form](#)
 - a. ***NO DISCIPLINE IS ASSIGNED UNTIL THE COMPLETION OF THE PROCESS* HOWEVER, [EMERGENCY REMOVALS](#) FOR SAFETY MAY BE IMPLEMENTED (I.E. [DIGITAL LEARNING FROM HOME, ETC.](#))**
 - b. Review process with complainant. Explain that disciplinary action will not take place until the process is completed. (In most cases 30 days, but this can vary depending on circumstances)
4. At this step supportive measures are implemented. Supportive measures are free, individualized services designed to restore/preserve equal access to education, protect safety for the individual, or deter harassment. Filing a formal complaint is not required to receive supportive measures. In no cases are supportive measures punitive or disciplinary to others. Supportive measure include but are not limited to:
 - a. Counseling
 - b. Extension of deadlines
 - c. Modification of schedules
 - d. Escort Service
 - e. Mutual restrictions on contact
 - f. Changes in the work location
 - g. Review of district conduct expectations with students by an administrator
 - h. Increased monitoring of (location) for (time period)
 - i. Limitation of extracurricular activities
 - j. Training
 - k. Emergency removal
5. IF sexual assault is suspected, notify the Police Department.
6. IF warranted, place a call to the Child Abuse Hotline (and follow any other mandated reporter requirements).
7. At this step Title IX Coordinator (or Investigator) has complainant complete the [TITLE IX FORMAL COMPLAINT](#), if they wish to submit a formal complaint

8. If they have not made a decision about filing a formal complaint, than complainant can receive the [Response to Sexual Harassment Report/ Supportive Measures](#) letter.
9. [Dismissal](#) of complaint
 - a. The complaint *shall* be dismissed if:
 - i. Conduct alleged would not constitute sexual harassment
 - ii. Conduct did not occur in the recipient's education program or activity
 - iii. Conduct did not occur in the United States
 - b. The complaint may be dismissed if:
 - i. The complainant notifies the Title IX Coordinator in writing that they want to withdraw the complaint
 - ii. The respondent is no longer enrolled in or employed by the district
 - iii. If specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination
10. The students' advisory teacher will notify parents of both complainant and respondent (if students are under the age of 18). [NOTICE TO PARTIES FORM](#)
11. INVESTIGATOR SENDS EMAIL [NOTICE OF INVESTIGATIVE INTERVIEW](#) TO PARENTS OF RESPONDENT
12. Investigator then investigates the complaint, collecting written statements from complainant, respondent, and witnesses (all should be collected within **10 DAYS** of the start of investigation) Witnesses will complete the [WITNESS FORM](#).
 - a. Parties are treated equitably
 - b. Objective evaluation of evidence - credibility determination will not be made on the basis of status
 - c. No bias or conflict of interest
 - d. Presumption of innocence
 - e. Prompt timeframe
 - f. Standard of evidence - the preponderance of evidence (more likely than not) to have occurred
 - g. No privileged information may be used unless the party holding the privilege waives it
 - h. Investigator is not allowed to ask questions or seek evidence about prior sexual acts because they are irrelevant.
13. TITLE IX COORDINATOR COMMUNICATES [RIGHT TO REVIEW EVIDENCE](#) TO COMPLAINANT AND RESPONDENT
14. COORDINATOR REVIEWS ALL EVIDENCE COLLECTED BY INVESTIGATOR
15. We will then provide a summary of the investigation to the complainant and respondent. Try to protect minor witnesses by using initials or numbers. The claimant and/or respondent will have ten (10) days to review and respond. COORDINATOR COMPLETES [INVESTIGATION REPORT](#) TEMPLATE
16. Send all investigation documentation and responses to the Title IX Decision-Maker

The decision-maker will allow the parties up to at least 10 days to submit relevant questions for the other party(ies) or witnesses and allow additional (limited) time for the parties to



respond to the new questions and responses before making a determination of responsibility for a Title IX violation.

17. DECISION MAKER COMPLETES [DETERMINATION OF RESPONSIBILITY FORM](#)
18. Title IX Decision-Maker meets with the Title IX Coordinator to deliver the decision. Title IX Coordinator prepares a report and provides a copy to the complainant and respondent. Copies will also be provided to the parents of students who are under the age of 18.
19. Both the complainant and the respondent have the right to appeal. Appeals must be based on:
 - a. Procedural irregularity
 - b. New evidence
 - c. Conflict of interest of Title IX Coordinator
 - d. Additional grounds offered by the school
20. If an appeal is requested, the [Decision Appeal Form](#) must be completed.
21. The [Other Party should be notified](#) of the request for an appeal.
22. The Superintendent hears the appeal.
23. The [Appeal Decision](#) must be communicated to all involved parties.
24. All records must be maintained by the Title IX Coordinator for SEVEN YEARS.

COPIES OF ALL DOCUMENTS AND RECORDS ARE SENT TO THE TITLE IX COORDINATOR FOR RECORD RETENTION.

***ALL FORMS INCLUDED ON THE FOLLOWING PAGES**



Title IX Sexual Harassment Record Keeping Cover Sheet

The Title IX Coordinator must keep all records related to a report of sexual harassment or formal complaint for a period of at least seven (7) years from the creation of the last record pertaining to the case.

- EMPLOYEE REPORTS – Keep in a file separate from the personnel file.

Date of Initial Complaint:

Date of Final Decision:

Date of Last Record Created:

Records should include:

- Employee Information Form (This form is optional, and if directly reported to Title IX Coordinator or Investigator not needed)
- Initial Intake Report
- Response to Sexual Harassment Report – Supportive Measures
- Formal Complaint, if any
- Notice to Parties
- Emergency Removal, if applicable
- Administrative Leave – Personnel, if applicable
- Informal Resolution Paperwork
- Notices to Parties of Interviews
- Evidence Submitted to Parties, including witness statements, photographs, electronic communications
- Investigative Report and Notice of Opportunity to Submit Response Sent to Parties
- Final Investigation Report
- Notice of Opportunity to Submit Questions
- Questions Submitted and Answers Determination of Responsibility
- Post-Determination of Responsibility – Documentation of Supportive and Other Measures Imposed After Determination of Responsibility
- Appeals Documentation, if any
- [Decision on Appeal](#)



Title IX Sexual Harassment Report Intake Form

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance. This form is to be completed by an individual reporting sexual harassment or an individual in the Title IX Coordinator's office when an individual reports possible sexual harassment to the Title IX Coordinator's office.

REPORTER INFORMATION: Anonymously reported _____

Reporter Name: _____

Parent ___ Student ___ District Employee ___

Other _____

Reporter Email: _____ Reporter Phone Number: _____

Reporter Address: _____

INCIDENT LOCATION INFORMATION:

School/Location: _____

TYPE OF PROHIBITED CONDUCT:

Discrimination based on: (Check all that apply)

Sexual Harassment___ Sexual Assault___ Gender-Based Harassment___ Dating Violence___

Stalking___ Cyberbullying___ Retaliation___

DATE INCIDENT OCCURRED:

Earliest: _____ Latest: _____ Continuing Action

COMPLAINANT'S INFORMATION:

IF STUDENT –

IF EMPLOYEE –

Name: _____

Name: _____

School: _____

School/Work Location: _____

DESCRIBE WHAT HAPPENED: (Please attach additional sheets if necessary)

WITNESSES: Were there any witnesses to this matter? Yes___ No___

If yes, please list those who witnessed the incident(s) or have knowledge of the incident. Please attach additional names if needed.

1) Name: _____ School/Work Location: _____

Phone Number: _____ Email: _____

2) Name: _____ School/Work Location: _____

Phone Number: _____ Email: _____

**Did the reporter discuss the incident with any witnesses previously identified: Yes___
No___**

If yes, please identify with whom the reporter discussed the incident: (Please use additional sheets if needed.)

1) Name: _____ Date: _____

Method of Communication: _____

2) Name: _____ Date: _____

Method of Communication: _____



Please identify any administrators, district employees, or law enforcement agency to whom a report has been made: (Please use additional sheets if needed.)

1) Reported to: _____ Date: _____

Describe how concerns were reported: _____

Results: _____

2) Reported to: _____ Date: _____

Describe how concerns were reported: _____

Results: _____

3) Reported to: _____ Date: _____

Describe how concerns were reported: _____

Results: _____

REPORT TAKEN BY:

Name: _____ Date: _____

Title IX Coordinator



Title IX Sexual Harassment Formal Complaint Form

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance.

When the form has been completed and signed by a Complainant or the Title IX Coordinator, the alleged sexual harassment will be investigated by the Investigator. A copy of this completed form, as well as information about the District's Title IX grievance process, will be provided to the Complainant and Respondent.

- **Complainant:** An individual who is alleged to be the victim of sexual harassment.
- **Respondent:** An individual who is alleged to be the perpetrator of sexual harassment.
- **Formal Complaint:** A document filed by a Complainant (or parent/guardian) or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the Title IX team investigate the allegation.

The purpose of the grievance process is to restore or preserve equal access to the district's education programs or activities.

COMPLAINANT PERSONAL INFORMATION:

Name: _____ Email: _____

Home Address: _____

(Street / Rural Route)

(City)

(State)

(Zip Code)

Phone Number (cell): _____ Phone Number (work): _____

School/Work Location: _____

Employee Job Title (if complainant is an employee): _____

TYPE OF COMPLAINT:

Sexual Harassment based on: (Check all that apply)

Sexual Harassment____ Sexual Assault____ Gender-Based Harassment____ Dating Violence____

Stalking____ Cyberbullying____ Retaliation____ Other: _____



DATE INCIDENT OCCURRED:

Earliest: _____ Latest: _____
Continuing Action

RESPONDENT INFORMATION: Please provide the name and contact information, if known, of the individual(s) alleged to have engaged in Title IX sexual harassment: (Please attach additional sheets if necessary.)

1) Name: _____ School/Work Location: _____

Phone Number: _____ Email: _____

2) Name: _____ School/Work Location: _____

Phone Number: _____ Email: _____

NATURE OF COMPLAINT: Please specifically describe your complaint against the person(s) named in the previous section, including how the person(s) sexually harassed you, assaulted you, or retaliated against you, or committed the prohibited conduct you identified above.

- Please describe the behavior, comments, or incidents that occurred
- Identify: Who, What, When, and Where

(Please attach additional sheets if necessary)



WITNESSES: Were there any witnesses to this matter? (Please check one.) ___ Yes ___ No

If yes, please list those who witnessed the incident(s) or have knowledge of the incident. Please attach additional names if needed.

1) Name: _____ School/Work Location: _____

Phone Number: _____ Email: _____

Did you discuss the incident with this witness? (Please check one.) ___ Yes ___ No

2) Name: _____ School/Work Location: _____

Phone Number: _____ Email: _____

Did you discuss the incident with this witness? (Please check one.) ___ Yes ___ No

Please identify any administrators, district employees, or law enforcement agencies to whom you have reported your concerns: *(Please use additional sheets if needed.)*

1) Reported to: _____ Date: _____

Describe how concerns were reported: _____

Results: _____

2) Reported to: _____ Date: _____

Describe how concerns were reported: _____

Results: _____

I certify the information contained in this formal complaint is true and correct.

Date: _____

Signature of Complainant

Relationship to Complainant: ___ Self ___ Parent/Guardian

Title IX Coordinator

Name: _____ Date: _____



****This letter may be sent to adult students or parents of minor students after initial verbal contact by school officials about a report of alleged sexual harassment involving their child when no Formal Complaint is filed.***

[Date]

Via email: _____

Original via First Class Mail

Name

Address

Re: Title IX Complaint – Response to Sexual Harassment Report

Supportive Measures

Dear _____:

This letter is to confirm receipt of a report of alleged sexual harassment involving your child. At this time, **a Formal Complaint has not been filed**. You may contact my office immediately if you have decided to file a Formal Complaint. If you change your mind, please contact my office immediately.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge to students, when a report of alleged sexual harassment is made. The purpose of supportive measures is to ***restore or preserve equal access to the district's educational programs*** and in according with school board policy that prohibits discrimination on the basis of sex, including sexual harassment and other prohibited conduct, against students in all of its educational programs.

Supportive Measures: ***(Select only those that apply and provide details such as date, time, and location. You may attach additional sheets as necessary. Delete the options below that will not be implemented.)***

- Counseling of students regarding appropriate behavior expectations
- Review of district and code of conduct expectations with students by administrator
- Change of class schedule/lunch schedule/locker location
- Campus/class escort
- Increased school monitoring of [location] for [time period e.g., next 9 weeks]
- School counseling
- Stay away agreement/No contact directives
- Limitation on extracurricular activities
- Training
- Other:

The District's goal is for you and your child to feel safe and comfortable on campus. If you have questions about the District's Title IX grievance process or supportive measures, please contact the Title IX Coordinator's Office at (501) 500-9274 or Brittany.Honeycutt@graduatearkansas.org

Sincerely,

Brittany Honeycutt

Title IX Coordinator



TITLE IX SEXUAL HARASSMENT EMERGENCY REMOVAL FORM

1. Name of Respondent: _____ ☐ Student ☐ Employee

2. Campus: _____

3. School employees involved in making Emergency Removal Determination:

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

Name: _____ Title: _____

4. If a student respondent, does the student receive special education or Section 504 support?

☐ No

☐ Yes If yes, first follow applicable 504/IDEA procedural safeguards for removal.

5. If a student respondent, has the student respondent already been removed for behaviors other than Title IX discrimination?

☐ No

☐ Yes If yes, what was the basis for the removal?

☐ bullying ☐ cyber bullying ☐ use of profanity ☐ assault ☐ hazing

☐ lewd or vulgar language on campus or school-related activity

☐ violation of technology acceptable use policy ☐ other: _____

6. Removal Determination:

☐ No – Respondent does not pose an immediate threat to anyone's physical health or safety arising from the allegation of a Title IX violation.

☐ Yes – Respondent poses an immediate threat to the physical health or safety of the self or others arising from the allegation of a Title IX violation.

7. Basis for Removal:

8. Length of Removal: ____ during grievance process ____ Other: _____

A copy of the removal determination must be sent to: (1) the team members involved in making the determination; and (2) the Respondent (parent if the Respondent is a minor) with an opportunity to challenge emergency removal.



Title IX Sexual Harassment Formal Complaint Dismissal Form

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance.

A Formal Complaint of sexual harassment **must** be dismissed if the alleged conduct, even if proved, would not constitute Title IX sexual harassment, did not occur in a school district program or activity, or did not occur in the United States.

A Formal Complaint **may** be dismissed if a Complainant notifies the Title IX Coordinator that he/she would like to withdraw the complaint or any of the allegations therein, the Respondent is no longer enrolled in or employed by the district, or specific circumstances prevent the district from gathering evidence sufficient to reach a determination.

1. Name of Complainant: _____

2. Name of Respondent: _____

3. Dismissal Basis: (Check all that apply)

☐ Conduct described does not meet the definition of Title IX sexual harassment.

☐ Alleged conduct did not occur in the U.S.

☐ Alleged conduct did not occur in district program or activity

☐ Dismissal requested by Complainant

☐ Respondent no longer **enrolled in/employed by** the school district

☐ Circumstances prevent the district from gathering evidence sufficient to reach a determination.

4. Reasoning for the Dismissal Basis:

Signed: _____ Date: _____

Printed Name: _____, Title IX Coordinator

(Send a copy of this dismissal form to all parties and place a copy in the complaint file.)



NOTICE TO PARTIES

Rev. 10.21.2021

Copy the language below onto District Letterhead.

****This notice must be sent separately and simultaneously to the Complainant and Respondent and before investigation of the Formal Complaint begins, including before student interviews occur.***

[Date]

[Name of Party]

[Party's Address]

Re: Notice to Parties of Formal Complaint of Title IX Sexual Harassment

Dear [Mr. / Mrs. / Ms. _____]:

This letter is to notify you of the filing of a Formal Complaint of sexual harassment involving [name of accused and name of student]. The details of the allegations are included on the enclosed Formal Complaint form. Sexual harassment is prohibited by and defined in Graduate Arkansas Title IX Policies and Procedures. The grievance process for handling this complaint can be found on the Graduate Arkansas website. The policies and procedures are enclosed for your reference.

During the grievance process, the filer of the complaint is called the Complainant, and the accused is called the Respondent.

The first step in the grievance process is an investigation. I have appointed the following person to serve as investigator, and she will be in contact with you:

Name: Jessica Chaney Title: Title IX Investigator

Please be aware that, by law, the Respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility is made only at the conclusion of the grievance process by a decision-maker other than the investigator. I have appointed the following person as the decision-maker in this complaint:

Name: _____ Title: Decision-Maker

You are allowed an advisor to assist you in this process. This may be any adult whom you wish to help you through the process or represent your student. This person may be an attorney but does not have to be. If you would prefer, you may proceed without an advisor. You are also entitled to inspect and review all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that you can meaningfully respond to the evidence prior to conclusion of the investigation.



The District's Title IX sexual harassment grievance process includes an opportunity to voluntarily participate in an informal resolution process at any time prior to a determination regarding responsibility.

If you have any questions regarding this information, please let me know. Thank you for your cooperation during this grievance process to ensure that our students experience an education environment that is free from discrimination on the basis of sex.

Sincerely,

Brittany Honeycutt

Title IX Coordinator

Enclosures: Formal Complaint Form

[list the policies enclosed]



DATE

NAME

ADDRESS

ADDRESS

By regular mail and email to: [INSERT EMAIL HERE]

Re: Notice of Title IX Investigative Interview

Dear SALUTATION:

As you are aware, the District has received a Formal Complaint alleging a Title IX sexual harassment involving your student. I plan to interview your student at the time and place provided below:

Date:

Time:

Location:

Participants:

You and/or an advisor for the student may accompany the student to the interview to observe the process. However, the student will be expected to respond to questions directly, as developmentally appropriate. While an advisor may attend the meeting, he/she may not question the student, others, or the investigator.

If any person attending the interview has a need for disability accommodation, please let me know before the date of the interview.

You have the right to submit evidence for consideration. You may submit evidence to me via email, flash-drive, or hard-copy. For all evidence you submit, please retain the original and provide only a copy. Include your student's name and the date on all information submitted. Please keep in mind that before the issuance of my investigative report, both the Complainant and the Respondent will have the opportunity to review all related evidence and an opportunity to submit a written response.

If you have any questions regarding the interview, please contact me at (501)500-or EMAIL.

Sincerely,

Jessica Chaney

Title IX Investigator

cc: Title IX Coordinator



Title IX Sexual Harassment Witness Form

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance. Students, employees, volunteers, and others may possess information relevant to making a determination of responsibility of a Formal Complaint of sexual harassment. However, no individual can be forced to participate in a Title IX sexual harassment investigation, nor may the district retaliate against any individual for participating in or refusing to participate in a Title IX sexual harassment investigation.

A witness may complete this form. If it is not developmentally appropriate for a student to complete this form, the investigator may interview the student and complete the form based on the student's responses.

Witness's Name: _____

School/ Work Location: _____

If employee, Job Title: _____

Please describe what you witnessed, where, and when. If you did not witness the incident, describe what you were told and when. (Identify: Who, What, When, and Where)

Please attach additional sheets, if necessary.



Does any record (physical or electronic) of this incident exist in your possession?

___ No

___ Yes If yes, please describe the record and its location:

Have you spoken to anyone else about what you witnessed?

___ No

___ Yes If yes, please provide their name and phone number:

Name: _____ Phone Number: _____

Name: _____ Phone Number: _____

Witness signature:

I certify that the information provided above is true and correct.

Signed: _____ Date: _____

BY (if witness is a minor):

Relationship: _____

Printed Name



[Date]

[Adult Student Complainant/Parent/Guardian]

[Address]

Re: Title IX Complaint – Opportunity to Review Evidence

Dear Mr./Ms.

You have the right to review any evidence obtained as part of the investigation of a Title IX sexual harassment allegation involving your student. I have enclosed the evidence obtained for your review.

The evidence shall not be copied or downloaded in order to protect the confidentiality of information in education records for any student involved.

You may submit a written response within 10 days of reviewing the evidence. I will consider your written response before I draft the investigative report.

Sincerely,

Jessica Chaney

Title IX Investigator

cc: Title IX Coordinator



TITLE IX FINAL INVESTIGATION REPORT TEMPLATE

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance. The Complainant and Respondent may submit relevant questions that they would like asked of a party or witness to the Decision Maker.

Questions regarding a Complainant's sexual predisposition or prior sexual behavior are not allowed, unless the responses are needed to prove that someone other than the Respondent committed the alleged conduct or to prove consent.

FINAL INVESTIGATION REPORT

A Formal Complaint was filed on [date] by [Name of Complainant or Title IX Coordinator]. This report contains a summary of the relevant evidence gathered through the District's investigation of the Formal Complaint, as part of the District's Title IX grievance process.

This investigation was conducted by Jessica Chaney from [date] to [date]. The parties have been given the opportunity to inspect, review and provide a written response to the evidence gathered in this investigation that was related to the allegation.

Allegations

The allegations potentially constituting Title IX sexual harassment are as follows:

[identify the allegations]

Procedural Steps

The procedural steps taken from the receipt of the Formal Complaint to date are as follows:

- A report of alleged sexual harassment was received by the campus/Title IX Coordinator's office on [date]
- The alleged victim was contacted by the Title IX Coordinator's office and provided with information about the grievance process and supportive measures
- A Formal Complaint was filed on [date]
- The Title IX Coordinator provided the Complainant and Respondent with written notice of their rights in the grievance process and information about the availability of supportive measures.
- The following supportive measures were implemented: [list]



- Campus administration and the Title IX Coordinator made a determination regarding Emergency Removal of the Respondent. [or] The Title IX Coordinator and Human Resources made a determination regarding Administrative Leave for the Respondent.
- The Title IX Coordinator sent notices of the Formal Complaint to all parties on [date].
- The Title IX Coordinator appointed the undersigned to investigate the Formal Complaint Investigator.
- The Investigator reviewed the Formal Complaint and relevant district policy and student code of conduct provisions beginning [date].
- The Investigator sent a written notice of interviews and right to an advisor on [date].
- The Investigator interviewed the Complainant on [date].
- The Investigator interviewed witnesses provided by Complainant on [dates].
- The Investigator interviewed the Respondent on [date].
- The Investigator interviewed witnesses provided by the Respondent on [dates].
- The Investigator [add other steps taken during investigation, review of physical evidence, location, etc.].
- The parties were given the opportunity to submit evidence, which was reviewed by the Investigator.
- The Investigator completed secondary interviews with Complainants, witnesses, additional witnesses, or Respondent.
- The parties were given the opportunity to inspect and review evidence and submit a written response.
- The draft investigation report was sent to all parties with an opportunity to respond within 10 calendar days.
- The parties did/did not submit written responses that were considered by the Investigator.

Summary of Relevant Evidence

- I. Information about the parties**
- II. The allegations in the Formal Complaint**
- III. Timeline/dates of allegations and procedural steps**
- IV. Relevant sections of board policy and the student of code of conduct**
- V. Whether a Child Abuse Hotline report was necessary**
- VI. Whether there is a related criminal/juvenile investigation**
- VII. Evidence from interviews**
- VIII. Physical or other evidence**
- IX. Consideration of written responses to draft investigative report (relevant evidence only)**

This is the final investigative report in this matter. The decision-maker will allow the parties at least 10 days to submit relevant questions for the other party(ies) or witnesses and allow additional limited time for the parties to respond to the new questions and responses before making a determination of responsibility for a Title IX violation.

Signed: _____ Date: _____

Title IX Investigator

Printed Name: Brittany Honeycutt



Title IX Sexual Harassment Determination of Responsibility Template

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance. This decision must be issued simultaneously to the Complainant and Respondent.

DETERMINATION OF RESPONSIBILITY

COMPLAINANT PERSONAL INFORMATION:

Complainant: _____ School/Work Location: _____

Respondent: _____ School/Work Location: _____

TYPE OF COMPLAINT AND NATURE OF ALLEGATIONS:

Complaint is based on discrimination due to: (Check all that apply)

- | | | |
|--|--|-----------------------------------|
| <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Gender-Based Harassment | |
| <input type="checkbox"/> Sexual Assault | <input type="checkbox"/> Dating or Domestic Violence | <input type="checkbox"/> Stalking |
| <input type="checkbox"/> Cyberbullying | <input type="checkbox"/> Retaliation | |

☐ Other unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education programs or activities

SPECIFIC ALLEGATIONS:

[fully type out the specific allegations]

PROCEDURAL STEPS TAKEN:

- A report of alleged Title IX sexual harassment was received by the campus/Title IX Coordinator's office on [date]
- The alleged victim was contacted by the Title IX Coordinator's office and provided with information about the grievance process and offered supportive measures
- A Formal Complaint was filed on [date]
- The Title IX Coordinator sent notices of the Formal Complaint to all parties on [date] and provided the Complainant and Respondent with written notice of their rights in the grievance process.
- [list]
- Campus administration and the Title IX Coordinator made a determination regarding Emergency Removal of the Respondent. [or] The Title IX Coordinator and Human Resources made a determination regarding Administrative Leave for the Respondent.
- The Title IX Coordinator appointed the undersigned to investigate the Formal Complaint Investigator.
- The Investigator reviewed the Formal Complaint and relevant district policy and student code of conduct provisions beginning [date].
- The Investigator sent written notice of interviews and right to an advisor on [date].
- The Investigator interviewed the Complainant on [date].
- The Investigator interviewed witnesses provided by Complainant on [dates].
- The Investigator interviewed the Respondent on [date].
- The Investigator interviewed witnesses provided by the Respondent on [dates].
- The Investigator [add other steps taken during investigation, review of physical evidence, location, etc.].
- The parties were given the opportunity to submit evidence, which was reviewed by the Investigator.
- The Investigator completed secondary interviews with Complainants, witnesses, additional witnesses, or Respondent.
- The parties were given the opportunity to inspect and review all related evidence and were allowed 10 days to submit a written response.
- "The investigator considered the written responses received by the parties as listed below. <line break> Complainant - [date received/did not submit] <line break> Respondent - [date received/did not submit]"

FINDING OF FACTS:

I. Factual information about the parties

II. The allegations in the Formal Complaint

III. Timeline/dates

IV. Relevant sections of board policy and the student of code of conduct

V. Whether a Child Abuse Hotline report was necessary

VI. Whether there is a related criminal/juvenile investigation

VII. Evidence from interviews

VIII. Physical or other evidence

IX. Consideration of written responses to draft investigative report.

CONCLUSION REGARDING THE CODE OF CONDUCT AND RATIONALE:

Based on a preponderance of the evidence, it is determined that:

Allegation 1. [Fully listed]

a. The Respondent has been determined to have/have not been responsible for the alleged Title IX sexual harassment. The conduct is prohibited in [redacted] of the district's policy and/or student code of conduct....

b. The reasoning for the finding...

Allegation 2. [Fully listed]

a. The Respondent has been determined to have/have not been responsible for the alleged Title IX sexual harassment. The conduct is prohibited in [redacted] of the district's policy and/or student code of conduct ...

b. The reasoning for the finding...

Allegation 3. [Fully listed]

a. The Respondent has been determined to have/have not been responsible for the alleged Title IX sexual harassment. The conduct is prohibited in [redacted] of the district's policy and/or student code of conduct

b. The reasoning for the finding...

ACTIONS TO BE TAKEN

Disciplinary Sanctions

The following disciplinary sanctions are to be imposed upon the Respondent:

- Sanction 1
- Sanction 2
- Etc.

Remedies will/will not be provided to Complainant:



The remedies and measures listed above are designed to **restore or preserve equal access to the district's educational programs.**

APPEAL:

Either party may appeal this determination of responsibility on a form provided by the District within 10 calendar days of issuance of this decision. The only allowable bases for appeal are:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the decision that could affect the outcome; and
3. The Title IX Coordinator, Investigator, or Decision-Maker has a conflict of interest or bias for or against for or against complainants or respondents in general or for or against the specific complainant and respondent that affected the outcome of the matter.

Signed: _____ Date: _____

Title IX Decision-Maker

Printed Name: _____

cc: Title IX Coordinator



Title IX Sexual Harassment Decision Appeal Form

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on sex in educational institutions that receive federal financial assistance. Either party may appeal the determination of responsibility under the district's Title IX grievance process by filing an appeal within 10 calendar days of the date of the decision on this form. The other party will be provided a copy of this appeal within 5 calendar days of its receipt.

Printed Name of Person Requesting Appeal: _____

Appeal requested on behalf of: (Check one) ☐ Complainant ☐ Respondent

Date of Title IX Decision: _____

BASIS FOR APPEAL: (Check one)

☐ Procedural irregularity that affected the outcome of the matter

☐ New evidence that was not reasonably available at the time of the decision that could affect the outcome

☐ The Title IX Coordinator, Investigator(s), or Decision-Maker has a conflict of interest or bias for or against complainants or respondents in general or for or against the specific complainant and respondent that affected the outcome of the matter.

Please describe the information supporting the basis for your appeal:

Signed: _____ Date: _____

Submit this request for appeal within **10 calendar days** of the date of the final decision, to:

Name: Brittany Honeycutt, Title IX Coordinator
Graduate Arkansas Charter High
6724 Interstate 30
Little Rock, AR 72209
Brittany.Honeycutt@graduatearkansas.org



***This notice must be sent to a party when the other party has filed an appeal of the determination of responsibility.**

[Date]

[Complainant/Parent/Guardian or Respondent/Parent/Guardian]

[Address]

Re: Notice of Appeal of Determination of Responsibility

The **Complainant/Respondent** in the above referenced matter filed an appeal of the Decision-Maker's determination of responsibility. A copy of the appeal request is enclosed. You may, but are not required to, submit a written statement in support of or challenging the appeal. If you would like to submit a response, please do so no later than **[date]**. Please send the written statement via mail or email to the Title IX Coordinator who will provide the statement to the Superintendent, Ms. Hatley, who will issue a final decision.

Sincerely,

Brittany Honeycutt, Title IX Coordinator



Title IX Sexual Harassment Discrimination Appeal Decision

Title IX of the education Amendments of 1972 (20 U.S.C. § 1681) is an all-encompassing federal law that prohibits discrimination based on the gender of students and employees of educational institutions which receive federal financial assistance.

Complainant: _____

Respondent: _____

Appeal requested on behalf of: (Check one) ____ Complainant ____ Respondent

Date of Title IX Decision: _____

BASIS FOR APPEAL: (Check one)

____ Procedural Error ____ New Information ____ Conflict of interest

After carefully considering the appeal and the submissions of all parties:

____ there is **no change** in the decision made by the District.

____ the decision of the District **is changed** as follows:

Rationale:

Signed: _____ Date: _____

Name of decision-maker on appeal: _____

Title: _____

Copy to: Complainant, Respondent, Title IX Coordinator