DALLAS ISD'S TITLE IX GRIEVANCE PROCESS

All District employees who suspect or know that a student has experienced sexual harassment to report this information to their supervisor and the Title IX Coordinator. As campus principals, you will often be the supervisor receiving reports of known or suspected sexual harassment. Although all campus personnel have an obligations to report sexual harassment to the Title IX Coordinator, you must follow up with the Title IX Coordinator to ensure that any report you receive or learn about has been provided to her. Additionally, you must submit any report you receive to the District’s Hotline.

KEY TERMS

Complainant: The alleged victim of the conduct that could constitute sexual harassment.

Respondent: The individual reported to be the perpetrator of the conduct that could constitute sexual harassment. (Under the Title IX regulations, there is a presumption that the Respondent is not responsible.)

Formal Complaint: The written and signed document containing the allegations of sexual harassment, signed by the person harassed, a parent/legal guardian, or the Title IX Coordinator. Dallas ISD’s written document is a “Title IX Discrimination Complaint Form” which can be located at https://www.dallasisd.org/Page/70821.

Title IX Grievance Process: Dallas ISD’s process required by the new Title IX regulations to address Formal Complaints of sexual harassment, which includes a Title IX Investigation, a Determination of Responsibility, and right for the Complainant and Respondent to appeal.

Determination of Responsibility: The written decision prepared by the Title IX Decisionmaker based on the report from the Title IX Investigation that determines whether the Respondent is responsible or not responsible for the allegations of sexual harassment in the Formal Complaint.

THE TITLE IX TEAM

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<tr>
<th>Title IX Coordinator</th>
<th>Title IX Investigator</th>
<th>Informal Resolution Facilitator</th>
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<tr>
<td>Carma Hoskins</td>
<td>PSO Investigator</td>
<td>Uchena Spencer</td>
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<td>Title IX Decisionmaker</td>
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<td>Title IX Appeal Officer</td>
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<td>Feeder Pattern Executive Director</td>
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<td>Robert Abel, John Vega</td>
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A STEP-BY-STEP GUIDE

All reports of sexual harassment must be made to the Title IX Coordinator. The Title IX Coordinator must respond to a report of sexual harassment by reaching out to the Complainant to offer supportive measures and advise of the right to file a Formal Complaint. If the Complainant files a Formal Complaint, this triggers the Title IX Grievance Process. If the Complainant does not file a Formal Complaint, the Title IX Grievance Process does not occur.

A Formal Complaint of sexual harassment has been submitted. What happens next?
Step 1  The Title IX Coordinator provides written notification to the Respondent of the allegations of sexual harassment in the Formal Complaint.

Step 2  The Title IX Coordinator offers the Respondent, if a student, supportive measures.

Step 3  The Title IX Coordinator works with the campus and evaluates whether potential emergency removal of the Respondent student or administrative leave for a Respondent employee is appropriate.

Step 4  The Title IX Coordinator evaluates whether the District is required or allowed to dismiss the Formal Complaint under the Title IX regulations.

A Formal Complaint will be dismissed if the allegations if proven would not constitute sexual harassment, if the alleged misconduct did not occur in Dallas ISD’s education programs or activities, or if the misconduct occurred outside the United States. A Formal Complaint may also be dismissed on other grounds.

If the Title IX Coordinator dismisses the Formal Complaint, the dismissal decision may be appealed by either the Complainant or Respondent. In this case, the Title IX Grievance Process skips to Step 14.

If a Title IX Formal Complaint is dismissed, the District may still need to address the alleged misconduct under the Student Code of Conduct or other Board policy.

Step 5  The Title IX Coordinator sends the Formal Complaint to PSO for investigation.

Step 6  The Investigator gathers evidence, conducts interviews of the Complainant and Respondent, and conducts interviews of other witnesses.

Step 7  The Investigator provides all evidence directly related to the allegations in the Formal Complaint to the parties for review.

Step 8  The Complainant and Respondent have 10 days to review and provide a written response to the Investigator regarding the evidence.

Step 9  The Investigator reviews any written responses to the evidence and prepares the Title IX Investigation Report.

The Title IX Investigator does not reach any conclusions regarding the allegations of sexual harassment or the Respondent's responsibility. The Title IX Investigator does not make any recommendations regarding the outcome, or determine any disciplinary action or corrective measures that should be taken.

Step 10 Dallas ISD provides the Complainant and Respondent the written Title IX Investigation Report and the parties have 10 days to submit a written response.

Step 11 The Decisionmaker is provided the Title IX Investigation Report, the evidence, and any written responses submitted by the Complainant and Respondent.
Step 12  The Decisionmaker oversees a written question and answer process where the Complainant and Respondent have the opportunity to submit written questions to each other and any witness, and written follow-up questions after receiving the answers to the initial questions.

Step 13  The Decisionmaker issues the written Determination of Responsibility, which includes a Determination of whether the Respondent is responsible or not responsible for the allegations of sexual harassment and recommends any disciplinary action or corrective measures necessary.

Step 14  Either the Complainant or Respondent may file an appeal by submitting a written appeal form to the Title IX Coordinator. If no appeal is filed, the Title IX Grievance Process concludes and skips to Step 17. If an appeal is filed, the Title IX Grievance Process moves forward.

Step 15  Both parties are allowed to submit written statements in the appeal, either supporting or challenging the decision.

Step 16  The Appeal Officer considers the appeal and the written statements and issues a written decision granting or denying the appeal.

Step 17  The Title IX Coordinator works with the campus to implement any disciplinary action or corrective measures recommended in the Determination of Responsibility, if the decision is not overturned on appeal.