

Title IX Grievance Procedures

Notes before we start

- All timelines are instructional/school days
- * Asterisk denotes suggestions, not mandated
 - Example: Regulations say “prompt” response to actual knowledge of harassment. We suggest that means 2 school days.
- Suggested roles for school staff:
 - Investigator = Title IX Coordinator
 - Decisionmaker = Superintendent
 - Appeal = One school board member

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INVESTIGATOR

Title IX Coordinator

1. Lead on investigation (use building-level admin as needed)
2. Responsible for communication with parties



DECISIONMAKER

Superintendent

1. Makes ultimate decision
2. Hands out discipline if necessary



APPEAL

One school board member

1. Can fluctuate depending on availability/training
2. Doesn't taint the entire board if there is a teacher cancellation hearing or student expulsion appeal

Title IX Grievance Procedures Flowchart

Report. School has actual knowledge of alleged Title IX violation.

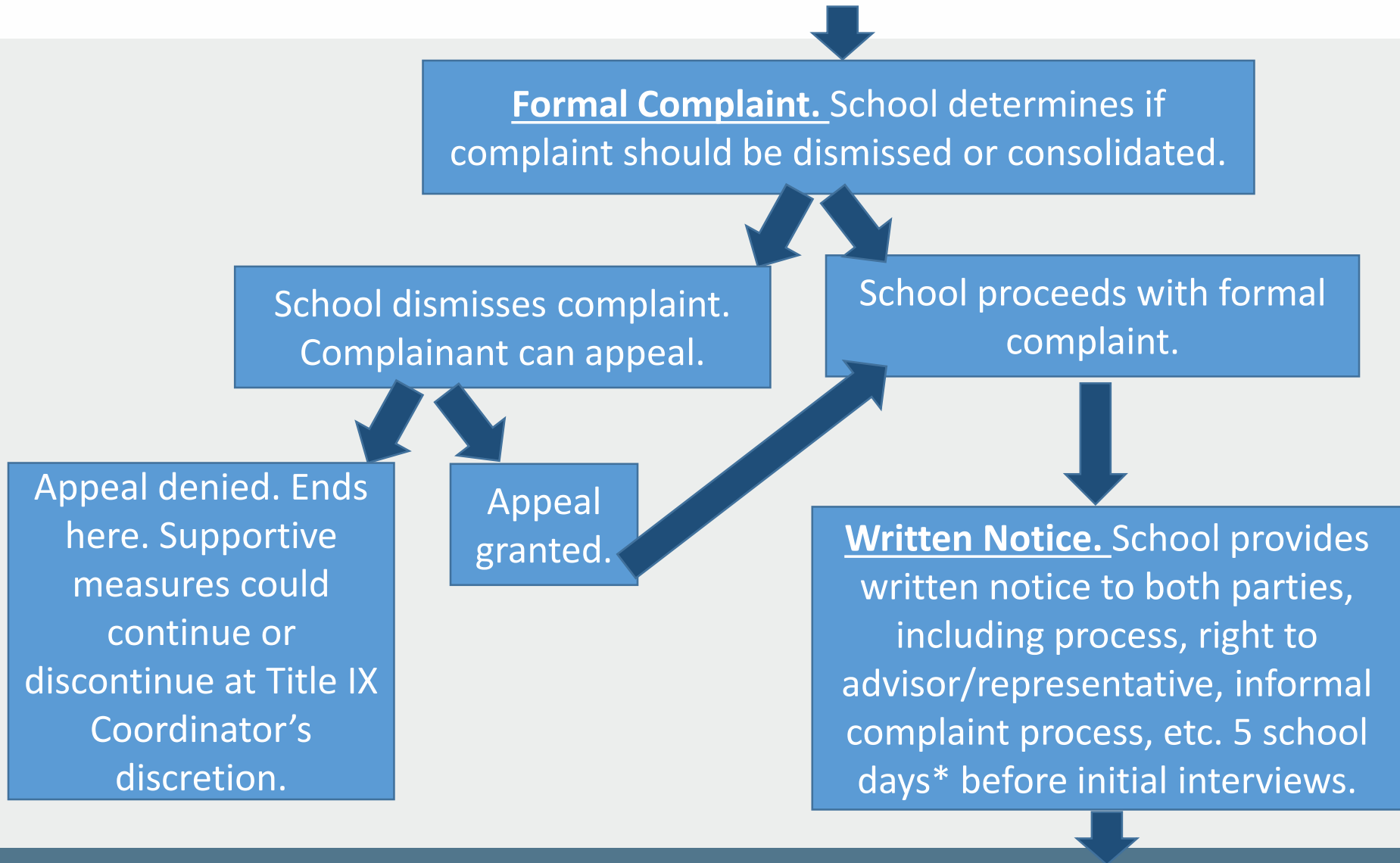
Initial Response. Title IX Coordinator contacts Complainant (alleged victim) within 2 school days* to discuss supportive measures, if Complainant wants to file formal complaint, etc. Determination if emergency removal is appropriate.

Complainant doesn't want formal complaint. Ends here unless Title IX Coordinator moves forward on own. Supportive measures could continue or discontinue at Title IX Coordinator's discretion.

Formal Complaint. Complainant files formal written complaint within 10 school days* of conversation with Title IX Coordinator. School determines if complaint should be dismissed or consolidated.

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Written Notice. School provides written notice 5 school days* before initial interviews.



Informal Resolution. Both parties agree to informal resolution (not available in all situations). No investigation.

Investigation of Allegations. School may interview/take statements from parties (may have representative present), witnesses, review educational and personnel records, legal or medical records if provided, etc. Both parties can present evidence. Will usually take 30 school days.*



Investigation of Allegations. Will usually take 30 school days.*



Review of Evidence. Both parties provided all evidence, given 10 school days to respond. Non-disclosure agreements require before evidence exchange.



Investigative Report. Investigator provides report to both parties summarizing relevant evidence.



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graph TD; A[Investigative Report] --> B["Hearing"/Exchange of Questions. Live hearing required in postsecondary. Can hold live hearing in K-12 but not recommended.]; B --> C[Instead, each party can submit to the Decisionmaker written, relevant questions to be asked of the other party or witness. Each party can submit written response to investigative report. Both submissions are due 10 school days* after receipt of the report. Decisionmaker collects answers to questions, provides opportunity for follow-up questions. Usually takes 30 school days.*];
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Investigative Report

“Hearing”/Exchange of Questions. Live hearing required in postsecondary. Can hold live hearing in K-12 but not recommended.

Instead, each party can submit to the Decisionmaker written, relevant questions to be asked of the other party or witness. Each party can submit written response to investigative report. Both submissions are due 10 school days* after receipt of the report. Decisionmaker collects answers to questions, provides opportunity for follow-up questions. Usually takes 30 school days.*

**Suggested
Roles***

*Investigator =
Title IX*

*Coordinator
(with help from building-
level admins to conduct
investigation)*

*Decisionmaker =
Superintendent*

*Appeal =
One school board
member*

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Hearing/Exchange of Questions.

Decision. Decisionmaker issues written decision, including disciplinary sanctions if applicable, within reasonable time

Appeal. Either party may appeal final determination within 10 school days of receiving it.

Appeal Granted. One school board member* considers appeal within 45 school days.* If appeal granted, Board Member directs Decisionmaker to make changes.

Appeal Denied. One school board member* considers appeal within 45 school days.* Appeal denied. Ends here.

Note: Appeal of Title IX decision may affect expulsion hearing (for students) or contract cancellation process (for teachers)