

## **DISCRIMINATION/HARASSMENT/RETALIATION REPORT FORM**

***Note: For purposes of Title IX sex-based discrimination or harassment, this Report Form serves initially as an informal report, not a complaint of Sex-Based Discrimination or Harassment under Title IX.***

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from discrimination, harassment, including sex-based harassment, and retaliation. If you have experienced, or if you have knowledge of any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position:

Address:

Email:

Phone Number:

### **Retaliation Prohibited**

The district, its employees and others are prohibited from intimidating, threatening, coercing or discriminating against you for making this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

### **Confidentiality**

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with Board policy, procedures and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality, as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

**I. Information About the Person Making This Report:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Assigned School Building(s):

I am a(n):

☐ Employee      ☐ Volunteer      ☐ Visitor

☐ Other \_\_\_\_\_ (please explain relationship to the district education program or activity)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: \_\_\_\_\_

The alleged victim is:

☐ Another Employee      ☐ Student

☐ Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

**II. Information About the Person(s) You Believe is/are Responsible for the Conduct You are Reporting**

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

**The reported individual(s) is/are:**

☐ Student(s)      ☐ Employee(s)

☐ Other \_\_\_\_\_ (please explain relationship to the district)

### **III. Description of the Conduct You are Reporting**

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐ Yes      ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

Is there anything else you wish the Title IX Coordinator to know at this time?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

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Signature of Person Making the Report

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Date

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Received By

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Date

**FOR OFFICIAL USE ONLY**

*This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.*

*The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sex-based discrimination or harassment, other forms of discrimination or harassment, or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.*

*Upon receipt of the report, the Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, to discuss reasonable safety concerns and to discuss the availability of supportive measures as described in Policy 104 and the Grievance Procedures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.*

**I. Reporter Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Assigned School Building(s):

Reporter is a(n):

☐ Employee      ☐ Volunteer      ☐ Visitor

☐ Other \_\_\_\_\_ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: \_\_\_\_\_

The alleged victim is:

☐ Another Employee      ☐ Student

☐ Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

## II. Respondent Information

Please provide the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

**The reported respondent(s) is/are:**

☐ Student(s)      ☐ Employee(s)

☐ Other \_\_\_\_\_ (please explain relationship to the district)

## III. Type of Report:

☐ Title IX Sex-Based Discrimination

☐ Title IX Sex-Based Harassment

☐ Discrimination/Harassment

☐ Retaliation

☐ Other \_\_\_\_\_

**Nature of the Report (check all that apply):**

☐ Race

☐ Color

☐ Religion

☐ Sexual Orientation

☐ National Origin

☐ Marital Status

☐ Handicap/Disability

☐ Association with a person who has a protected classification

☐ Age

☐ Religious Creed

☐ Sex

☐ Pregnancy or Related Conditions

☐ Ancestry

☐ Genetic Information

## IV. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Does the complainant believe the conduct will continue? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act? If unsure, contact the Director of Special Education.

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: \_\_\_\_\_

How has the conduct affected the alleged victim's ability to fully participate in the school's programs or activities in the course of school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

Identify additional evidence that may be helpful in the course of the investigation.

## **V. Safety Concerns**

Are there reasonable safety concerns that may require Emergency Removal or Administrative Leave of a respondent? (This requires an individualized safety and risk analysis as to whether there is an imminent and serious threat to the physical health or safety of an individual.)

☐ No.

☐ Yes, please describe:

## **VI. Other Reports**

Has the conduct been reported to law enforcement or any other agency?

☐ No

☐ Yes      Date reported: \_\_\_\_\_ Agency: \_\_\_\_\_

## **VII. Identification of Policies Implicated by Reported Conduct**

Check all that apply:

☐ Policy 103. Discrimination/Harassment Affecting Students

☐ Policy 104. Discrimination/Harassment Affecting Staff

☐ Other \_\_\_\_\_

To meet the definition of Title IX sex-based discrimination or harassment, the conduct must have taken place during a district education program or activity against a person in the United States and be subject to the district's disciplinary authority. An education program and activity includes, but is not limited to, academic, extracurricular, research, occupational training and other education programs and activities of the district. The district is obligated to address a sex-based hostile environment in a district education program or activity, even when some conduct is outside the district's program or activity, or outside of the United States.

Did the incident occur during a during a school program or activity involving a person in the United States?

☐ Yes

☐ No



To meet the definition of Title IX sex-based discrimination or harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

- ☐ Discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation or gender identity.
- ☐ A district employee or other person authorized to provide a district aid, benefit or service explicitly or impliedly conditions the provision of the aid, benefit or service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo harassment.
- ☐ *Hostile environment harassment* - unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a district education program or activity. Determination of whether a hostile environment has been created is a fact-specific inquiry that includes consideration of factors, including but not limited to:
- The degree to which the conduct affected the complainant's ability to access the district's education program or activity;
  - The type, frequency and duration of the conduct;
  - The complainant's and respondent's ages, roles in the district education program or activity, previous interactions and other relevant factors;
  - The location and context in which the conduct occurred; and
  - Other sex-based harassment in the district's education program or activity.
- ☐ Sexual assault, dating violence, domestic violence or stalking.

**Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the

victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Sexual assault** means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

**Stalking** means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

### **VIII. Recommended Course of Action**

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

- ☐ No further action at this time. Reason:
- ☐ Policy 104 Discrimination/Harassment Affecting Staff: Discrimination Complaint Procedures
- ☐ Policy 104. Discrimination/Harassment Affecting Staff: Grievance Procedures
- ☐ Other \_\_\_\_\_

### **IX. Title IX Information to Complainant**

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures and reasonable safety concerns?

Upon designating a course of action under Title IX sex-based discrimination or harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a complaint and provide information about the Grievance Procedures and informal resolution process, if applicable.

2. Inform the complainant of the continued availability of supportive measures with or without the filing of a complaint.
3. Determine what supportive measures may be offered to the respondent.
4. Determine whether the complainant wishes this report to be treated as a complaint.

#### **X. Title IX Coordinator Signature**

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

#### **XI. District-Initiated Title IX Complaint**

If the complainant does not wish this report to be treated as a complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether initiation of the Grievance Procedures is necessary to investigate and address the situation adequately.

This assessment shall be fact specific, including at a minimum, the following factors:

1. The complainant's request not to proceed with initiation of a complaint pursuant to Title IX.
2. The complainant's reasonable safety concerns regarding the initiation of a complaint pursuant to Title IX.
3. The risk that additional acts of sex-based discrimination or harassment would occur if a complaint is not initiated.
4. The severity of the allegation, including whether the sex-based discrimination or harassment, if established, would require the removal of the respondent from campus or imposition of another disciplinary sanction to end the discrimination or harassment and prevent its recurrence.
5. The age and relationship of the parties, including whether the respondent is a district supervisor.

6. The scope of the allegation, including information suggesting a pattern, ongoing sex-based discrimination or harassment or sex-based discrimination or harassment alleged to have impacted multiple individuals.
7. The availability of evidence to assist a decision-maker in determining whether sex-based discrimination or harassment occurred.
8. Whether the district could end the alleged sex-based discrimination or harassment and prevent its recurrence without initiating the Grievance Procedures.

The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

If after assessment of the factors above and any other relevant factors, the Title IX Coordinator determines that the alleged conduct presents an imminent and serious threat to the health or safety of the complainant or other person, or that the alleged conduct prevents the district from ensuring equal access on the basis of sex to the district's education programs or activities, the Title IX Coordinator will notify the complainant of the decision prior to filing the complaint and the Title IX Coordinator will take measures to appropriately address reasonable concerns about the complainant's safety or the safety of others, including the provision of supportive measures.

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As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the initiation of the Grievance Procedures for the following reasons:

Therefore, I am signing this form for the purpose of serving as the complaint initiating the Grievance Procedures:

Title IX Coordinator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_