



Title IX Formal Complaint Form

PURPOSE: The purpose of the Title IX formal complaint process is to inform the District of allegations of sexual harassment, sexual violence and sex discrimination in violation of Title IX of the Education Amendments of 1972 ("Title IX") so that the District may take appropriate action.

INSTRUCTIONS: Individuals alleging Title IX sexual harassment and requesting a review are required to complete this form and submit it to the Title IX Coordinator as soon as possible after the occurrence of the alleged harassment.

1. **Name of Complainant:** _____

Home Address City/State/Zip Home Phone

School: _____ Grade: _____

2. **Name of Respondent:** _____

3. **Nature of Complaint:** Please describe the action(s) you believe may be sexual harassment, including complaints of sexual violence, in violation of Title IX and identify with reasonable particularity any person(s) you believe may be responsible. Please attach additional sheets, if necessary:

See additional page(s) (*attached to this Complaint Form*)

4. **When did the actions described above occur?** _____

5. **Are there any witnesses to this matter? Yes No**



If yes, please identify the witness(es):

6. Did you discuss this matter with any of the witnesses identified in Item 5?

Yes No

If yes, please identify:

Person to whom you have spoken: _____

Date: _____ Method of communication: _____

7. Have you spoken to any administrator(s) or other District staff member(s) about this matter?

If yes, please identify:

Person to whom you have spoken: _____

Date: _____ Method of communication: _____



8. Please describe below or attach any sources of information that you feel are relevant to your complaint:

I certify that the foregoing information is true and correct.

Print Name _____

Signature _____

Date _____



Notice of Formal Title IX Complaint

Re: Notice of Formal Title IX Complaint Dear _____,

Please be aware that a formal complaint of sexual harassment in violation of Title IX of the Education Amendments of 1972 (“Title IX”) has been filed against [Respondent] (“Respondent”). The purpose of this correspondence is to provide all parties with notice of the allegations and to provide certain other information as required by law and to advise you that you may prepare a response to this complaint before any initial review with the investigator.

The allegations are as follows.... *[This must include sufficient detail to permit respondent to prepare a response. Specifically, include names of the parties, the conduct alleged to be sexual harassment, and the date and location of the conduct].*

These allegations will be the subject of an investigation, which will be conducted in accordance with District Board Policy and applicable law. If the parties agree, this complaint may be resolved through the informal resolution process without the need for an investigation. At the conclusion of the investigation, all parties will have the right to appeal any decisions made as a result of the complaint process.

This correspondence is not a conclusion regarding the veracity of the above allegations. The Respondent (against whom the allegations are brought) is presumed not responsible for the conduct until the formal complaint process is completed. A determination regarding responsibility, **based on a preponderance of the evidence**, will be made at the conclusion of the formal complaint process. All determination related to responsibility for the alleged conduct will be made using a preponderance of the evidence standard.

All parties are entitled to submit evidence and inspect and review the evidence presented in this matter. You are entitled to an advisor of your choice who may be present at any investigation interviews and may also inspect and review evidence presented. This person may be, but is not required to be, an attorney. Each party will have an opportunity to ask written questions of the other party before a determination is made.

Please be aware that Board Policy and the *[District Student Code of Conduct/Student Handbook/Employee Handbook]* expressly prohibit intentionally making a false claim of a Title IX violation and prohibit retaliation against any person who files a complaint or participates in the Title IX complaint process. A copy of the relevant provisions thereof is attached to this letter.

Thank you for your time and attention to this matter. Please feel free to reach out to me if you have any questions or concerns.



Response Checklist for Title XI

Compliant: _____

Respondent: _____

Investigator: _____

Campus: _____

District Policies Implicated:	
-------------------------------	--

Date/Response/ Information	Action
	Date Report/Complaint of allegations received
	Name/Title of person who received Report/Complaint.
	Date Report/Complaint received by Title IX coordinator.
	Does conduct, if proven, constitute sexual harassment? (see Policy DIA, FB, FFH)
Date/ Response/ Information	Action
	Does conduct, if proven, constitute bullying? (see Policy FFI) If so, contact the appropriate administrator.



	Does conduct, if proven, constitute disability discrimination? (see Policy DAA, FB, FFH) If so, contact the ADA/Section 504 coordinator immediately.
	Does the conduct, if proven, constitute other discrimination? (see Policy FB, FFH, DAA) If so, contact the appropriate administrator
	Does conduct, if proven, lead to a reasonable belief that a child has been or may be abused or neglected? If so, contact law enforcement and/or CPS within 48 hours of forming that belief.
	Date of communication with Complainant to discuss supportive measures and advise about formal complaint procedure.
	Date and description of supportive measures for Complainant (if any).
	Date of communication with Respondent to discuss supportive measures.
	Date formal complaint filed.
	Date notice of formal complaint provided to all parties.
	Date of review of formal complaint allegations (consider reasons for dismissal).
	Date investigation initiated.
	Interview with and statement from Complainant.
	Interview(s) with and statement(s) from Complainant's witnesses.
	Interview with and statement from Respondent.
	Interview(s) with and statement(s) from Respondent's witnesses.
	Date preliminary investigation report and evidence provided to both parties.
	Date response to preliminary investigation report is due.
	Date response to preliminary investigation report received from Complainant, if any.
	Date response to preliminary investigation report received from Respondent, if any.
	Date final investigation report provided to both parties (must be same time) and Title IX coordinator.
	Date submission of questions from either party is due.



	Date questions received from Complainant, if any.
	Date questions received from Respondent, if any.
	Date responses to questions are due, if applicable.
	Date written determination by decision-maker provided to both parties and Title IX coordinator.
	Deadline for appeal of determination by decision-maker.
	Date disciplinary or corrective action taken.



5. Notifications and Communications Provided: (*Notice of Complaint, etc.*)

6. Supportive Measures: (*Description and Date offered*)

7. Emergency Removal/Administrative Leave: (*to be used only if there is an identifiable immediate threat to physical safety*)

8. Prohibited Conduct Alleged:

The following prohibited conduct was alleged (*see description on next page*): Quid pro quo
Hostile environment

Sexual assault, dating violence, domestic violence, or stalking

Harassment as defined in FFH(LOCAL)

See policy FFH(LOCAL) for additional information regarding sexual harassment and the conduct of this investigation.

NOTE: *The presumption is that the Respondent (the person accused of misconduct) is not responsible for the alleged misconduct.*



Quid Pro Quo Harassment is harassment that involves an employee of the recipient conditioning the provision of an aid, benefit or service of the recipient on an individual's participation in unwelcome sexual conduct.

Hostile environment Harassment is harassment that involves 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 recipient's education program or activity.

Sexual Assault (as defined in 20 U.S.C. 1092(f)(6)(A)(v)) is an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation

Dating violence (as defined in 34 U.S.C. 12291(a)(10) means violence committed by a person: (A)who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B)where the existence of such a relationship shall be determined based on a consideration of the following factors: (i)The length of the relationship, (ii)The type of relationship, or (iii)The frequency of interaction between the persons involved in the relationship.

Domestic violence (as defined in 34 U.S.C. 12291(a)(8) includes felony or misdemeanor crimes of violence 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 grant monies, 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.

Stalking (as defined in 34 U.S.C. 12291(a)(30): means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A)fear for his or her safety or the safety of others; or (B)suffer substantial emotional distress.

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's **race, color, religion, gender, national origin, disability, or any other basis prohibited by law** that is so severe, persistent, or pervasive that the conduct:

- (1) Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
- (2) Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; **or**
- (3) Otherwise adversely affects the student's educational opportunities.



9. Interviews:

Name	Title	Notes

10. Other Investigation Resources: (*documents reviewed, video reviewed, etc.*)

11. Investigation Timeline: (*document all actions taken in investigation, include start date and date completed*)



14. Conclusion/Determination:

After completing a thorough and thoughtful investigation, and after considering the application of the allegations to applicable definitions, policy(ies) and Student Code of Conduct provisions, it is my determination that the following:

Sexual harassment by (*select appropriate method*):

Occurred:

- Quid pro quo Hostile environment
- Sexual assault, dating violence, domestic violence, or stalking
- Harassment as defined in FFH(LOCAL)

Did Not Occur:

- Quid pro quo Hostile environment
- Sexual assault, dating violence, domestic violence, or stalking
- Harassment as defined in FFH(LOCAL)

Additional Comments (*if any*):



Policy on Non-Discrimination Based On Sex

Purpose

Infinity Generation Preparatory Schools is an educational entity that believes in ensuring a safe, nurturing, healthy and non-discriminatory learning and teaching environment for all members of the school community. The Board also believes in ensuring the opportunity for all members of the school community to reach their full potential through access and participation in all District educational activities and programs.

Statement on Non-Discrimination

Infinity Generation Preparatory School does not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, disability, ethnicity, national origin or age in its education programs and activities. The protection against discrimination extends to employment.

Definitions

For the purposes of this policy, the terms below have the following definitions:

Complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Decision-Maker is the person or panel of people assigned by the Title IX Coordinator to conduct a fair and impartial review of all the facts and evidence in making a determination on the responsibility or non-responsibility of a respondent on a complaint of sexual harassment or in reviewing an outcome on appeal. A decision maker or decision making panel must be unbiased and trained on the policies and procedures under Title IX that are applicable to serving as an adjudicator.

Delays or Extensions: The overall time frame to conclude a grievance process must be “reasonably prompt”. A school can have good cause for any short-term delays or extensions, with written notice to the parties and an explanation for the delay or extension. Any delay or extension must be temporary or limited. Examples of good cause delays may include considerations such as concurrent law enforcement activity, the need for language assistance or accommodation of disabilities.

Formal complaint is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be



participating in or attempting to participate (i.e. seeking admission or acceptance) in the education program or activity of the school district. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed in this policy.

Informal resolution is an option to resolve a formal complaint in a mediation or restorative justice manner. An informal resolution can only be offered as an option to the parties if a formal complaint is filed. Once a formal complaint is received, at any time prior to reaching a determination regarding responsibility the school may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The Complainant and Respondent must each agree in writing that they want to participate in an informal resolution process. The District will provide to the parties a written notice disclosing: the allegations, the requirements of the informal resolution and that any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process. The informal resolution process is not available and cannot be offered to resolve any reported incident of an employee sexually harassing a student.

Informal Resolution Facilitator is the person assigned by the Title IX Coordinator to manage the Informal Resolution process. The Informal Resolution Facilitator must be fair, impartial and trained in Title IX policy and procedures, specifically those dealing with mediation and restorative justice best practices.

Investigator is the person(s) assigned by the Title IX Coordinator to conduct a prompt fair and impartial investigation into the formal complaint. The Investigator must be unbiased and trained in Title IX policy and procedures.

Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

1. *Quid Pro Quo* – An employee of the school conditioning the provision of an aid, benefit, or service of the school on an individual’s participation in unwelcome sexual conduct;
2. 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 school’s education program or activity; or
3. *Sexual Assault* is defined as –an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.



4. *Dating violence* is 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 shall be determined based on a consideration of the following factors:
 1. The length of the relationship,
 2. The type of relationship, and
 3. The frequency of interaction between the persons involved in the relationship.
5. *Domestic violence* includes felony or misdemeanor crimes of violence 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 grant monies, 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.
6. *Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Standard of Proof are preponderance of the evidence, which is defined as “more likely than not”

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant regardless of whether a formal complaint has been filed or to the respondent after the filing of a formal complaint. Such measures are designed to restore or preserve equal access to the school's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the school's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work or class schedules, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the school, and other similar measures. School must keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the school to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Emergency removal. Schools may remove a respondent from the school's education program or activity on an emergency basis, provided that the school undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights



under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Administrative leave. A school can place a non-student employee respondent on administrative leave during the pendency of a grievance process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

Authority

Title IX states “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving Federal Financial Assistance.”

In accordance with Title IX, the Board prohibits sexual harassment and discrimination on the basis of sex. Violations of this policy may result in disciplinary action in accordance with the Code of Student Conduct, Board policy, and applicable federal, state, and local law and regulations.

Title IX Coordinator

Title IX Coordinator is responsible for ensuring the prompt, equitable and supportive response to all reports received under this policy. Specifically, the Title IX Coordinator responsibility includes, but is not limited to:

1. Monitoring the school district’s compliance with Title IX, which includes explaining and providing supportive measures (to one or both parties);
2. Providing ongoing education and training on Title IX;
3. Overseeing, managing and directing the response to a reported complaint and, if applicable, investigation into any complaint that is covered under Title IX; and
4. Taking appropriate action to eliminate the harassing behavior, prevent its recurrence, and remedy its effect.

Any questions regarding Title IX or the application of this policy can be directed to the Title IX Coordinator. The following person has been designated as the District’s Title IX Coordinator:

Tamaiko O. Mays
Title IX Coordinator
405-601-3055
T.MaysOKYLP@gmail.com



Reporting

Any report of sex-based discrimination or harassment will be taken seriously, addressed promptly and with sensitivity.

A student may report an incident of sexual discrimination or harassment verbally or in writing to any District employee. All reports shall be directed immediately to the Title IX Coordinator. All non-students can report any incident of sex-based harassment to the Title IX Coordinator. Reports can be made at any time by phone, email, or by completing and submitting this form:

Additionally, if the person who received a complaint of sexual harassment is a mandated reporter and has reasonable cause to suspect that a student is the victim of child abuse, the incident should immediately be reported to the appropriate agency as directed by state law. This mandated reporting obligation is in addition to a report being made to the Title IX Coordinator.