

# Title IX Roles & Responsibilities



## Case Receipt and Case Management



**PERSONAL | PASSIONATE | PROGRESSIVE**



## Title IX of the Education Amendments Act, 1972

*"No person in the United State shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."*



# Role of Title IX Coordinator

- Receive complaints of sexual harassment/discrimination including informal and formal complaints.
  - Informal may be provided in writing (email, text, note), or verbally
  - Formal complaints are submitted on, or include all information required on our district form in writing.
- Determine if complaint meets the requirements of Title IX
  - AK (Actual Knowledge) of SH (Sexual Harassment/Discrimination) in an EP (Educational Program) in the US (United States) = IX
- Must not be the same person as the Decision Maker or Appeals Officer.



# Role of Title IX Coordinator

- Facilitate the provision of Safety/Supportive Measures for both the complainant and the responder.
- Process formal complaints and send them to the Investigator.
- Manage the case file including all forms, letters, evidence provided, and other documents.
- Ensure that the case file is maintained in secured storage in administration for a period of seven years.
- Collaborate and communicate with other essential personnel in the duties of this role.



# Procedural Guide

- In the Title IX Drive:
  - District Complaint Resolution Folder
- PDF Portfolio
- Hyperlinked Guide
- Forms and letters in folder



# COMPLAINT RECEIPT

Title IX (Equity) Coordinator



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# Title IX Complaints

- Complaints of discrimination and/or harassment based on sex should be referred:
  - Harassment – any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.
  - Discrimination – any action that denies a person of equal educational access based on sex including sexual orientation, gender identity, and gender expression, unless otherwise defined (ex: Florida High School Athletics Association governed activities).
- Formal complaints **MUST** be considered for investigation.
- Informal complaints (anonymous/non-specific) **MAY** be investigated and/or referred to an appropriate administrator for informal action.
- If the complaint is informal, the complainant should be provided the opportunity to make it a formal complaint.
- The Title IX coordinator can assist the complainant in completing the formal complaint form.







# Complaint Receipt

- Upon receipt of a formal complaint, the Equity Coordinator should ensure that the complaint meets the requirement of Title IX: AK + SH + EP + US = IX
- If the complaint meets the requirements, it should be processed and referred to the Investigator.
- If the complaint does not meet the requirements, it may be dismissed.
- If the complaint does not meet the requirements, but constitutes a violation of district policies, it may be dismissed and referred to administration for consideration of other action.



# Reluctant Complainant

- If the allegations and/or evidence is substantive, The Title IX Coordinator may initiate an investigation even if the complainant is reluctant to provide full information.
- The Reluctant Complainant letter should be sent in the event that the investigation proceeds.



# Immediate Action Requirements

- If the complaint constitutes a criminal action, the SRO/law enforcement must be notified immediately.
- If the complaint constitutes child abuse, the Department of Children and Families must be notified immediately.
- If the complaint involves an SDLC employee, professional standards must be notified immediately.
- If the complaint does not meet the requirements for Title IX, but constitutes a violation of district policies, administration must be notified immediately.



# Complaint Receipt

- If the complaint meets the requirements for Title IX, within 2 business days the complainant should be contacted and:
  - Provided information about the complaint investigation process.
  - Provided appropriate safety/supportive measures.
  - Provided consideration of the complainant's wishes in handling the complaint.
- In case of imminent threat, the incident should be referred to the school's Threat Assessment Team prior to interim removal or other actions that may be deemed punitive.
- For all decisions in this process, the Complaint Receiver may consult with administration and/or the District Equity Coordinator.



# Complaint Receipt & Safety Form

- Complete as a record of complaint receipt, review, qualification, and initial actions
- If the complaint meets the requirements for Title IX, send with a copy of the complaint to the investigator
- If dismissed, file and send the dismissal letter

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THE SCHOOL DISTRICT OF LEE COUNTY

**Title IX Complaint Receipt and Safety Action**  
TO BE COMPLETED BY THE TITLE IX COORDINATOR UPON RECEIPT OF A COMPLAINT

REPORTER  REPORTER TITLE Choose:

RESPONDER  RESPONDER TITLE Choose:

SCHOOL/WORK LOCATION

LOCATION OF REPORTED INCIDENT  INCIDENT DATE

ALLEGATION

DOES THE COMPLAINT MEET THE REQUIREMENTS FOR TITLE IX?

YES, PROCEED WITH COMPLAINT INVESTIGATION  
 NO, HOWEVER IT MAY CONSTITUTE A VIOLATION OF SDLC POLICIES/STUDENT CODE OF CONDUCT  
 NO, THE COMPLAINT IS DISMISSED

HAS THE INCIDENT BEEN REPORTED TO LAW ENFORCEMENT?  YES  NO

SAFETY MEASURES PROVIDED TO BOTH REPORTER AND RESPONDER DURING INVESTIGATION

	Reporter	Responder
No Contact Directive	<input type="checkbox"/>	<input type="checkbox"/>
Change of Schedule	<input type="checkbox"/>	<input type="checkbox"/>
Change of Transportation	<input type="checkbox"/>	<input type="checkbox"/>
Safe Place/Staff Mentor	<input type="checkbox"/>	<input type="checkbox"/>
Safety Plan in Place including Monitoring	<input type="checkbox"/>	<input type="checkbox"/>
School Counselor Referral	<input type="checkbox"/>	<input type="checkbox"/>
Social/Emotional Skill Development	<input type="checkbox"/>	<input type="checkbox"/>
Referral to Community Services	<input type="checkbox"/>	<input type="checkbox"/>

Title IX Coordinator  Date of Report   
(Equity Coordinator)

IF THREAT IS IMMINENT, REFER TO THREAT ASSESSMENT TEAM FOR CONSIDERATION OF INTERIM REMOVAL

*(Provide a copy of this form along with the signed formal complaint to the site Investigator)*



# No Contact Order

- Upon initiation of an investigation.
- Upon determination by the Threat Assessment Team that a valid threat exists.
- Upon evidence of retaliation.
- Issued by the School Principal/Director.



# Complaint Investigation Summary

- The complaint is provided to the Investigator.
- The Investigator will notify the complainant and respondent of the complaint and open an investigation.
- The investigator will interview both parties, witnesses and gather evidence.
- The Investigator will provide the file of interviews, statements, and evidence to both parties for review.
- The Investigator will complete the report and provide it along with the file to the Decision Maker for final determination.



# Complaint Investigation Summary (2)

- Both parties will be provided the opportunity to respond to the determination, and request an appeal.
- If the case is appealed, the report, file and any additional information provided will be sent to an Appeals Officer.
- The Appeals Officer will either uphold the decision or overturn based on:
  - Procedural error
  - New evidence affecting the outcome
  - Bias/conflict of interest of the personnel involved in the process





# Dismissal Letter

- Send the dismissal letter to the complainant if the complaint does not meet the requirement of Title IX
- File a copy with the complaint and receipt form.

[place on school letterhead]

Name  
Role  
Address | O: XXX.XXX.XXXX | E: [email](#)

Name  
Address

[Date]

Dear [insert name],

On [date], our office received your complaint of sexual [discrimination or harassment]. This letter serves as notice that we have evaluated the complaint and determined that it does not meet the requirements as a formal complaint under Title IX. To qualify under Title IX, your complaint must include Actual Knowledge of Sexual Harassment/Discrimination in an Educational Program in the United States. Your complaint does not include one or more of these components. Specifically, [describe the deficiency of the complaint].

Although we have determined that the complaint does not meet the requirements of Title IX, it may constitute a violation of district policies – the Code of Conduct for Students or policies addressing employee misconduct. The Principal and/or administrator will be notified of your complaint and refer it for action if deemed necessary.

You have the right to appeal this decision in writing to me within five (5) business days from the receipt of this letter.

This letter also serves as a reminder that the School District of Lee County prohibits retaliation and will respond accordingly if anyone attempts to intimidate or harm the reporter, respondent, and/or witnesses of this allegation (Code of Conduct for Students). Retaliation exists when an individual harasses, intimidates, or takes other adverse actions against a person because of that person's participation in an investigation of discrimination or sexual misconduct or their support of someone involved in an investigation of discrimination or sexual misconduct. Retaliatory actions include, but are not limited to, threats or actual violence against the person or that person's property, adverse educational or employment consequences, ridicule, intimidation, bullying, or ostracism. This includes faculty, students, family, friends, or staff member found to be engaging in retaliation, or individuals who encourage third parties to retaliate on their behalf. If you experience any retaliation, please contact my office. As well, deliberately providing false information will be subject to discipline per the Code of Conduct for Students or district policy regarding employee misconduct.

You have the right to be represented by an advisor of your choice, which may be (but is not required to be) a legal representative. The School District of Lee County is required under federal law to conduct this investigation confidentially. We ask for your discretion in what you choose to share and hope that you will respect the private and sensitive nature of these allegations. If you have any questions or concerns, please contact me at the phone number or email above - although our email is public record, student specific information is confidential and cannot be retrieved through public records requests.

Sincerely,

[Name]  
Cc: file



# Right to Appeal

- The complainant has the right to appeal the decision of dismissal.
- The appeal request must be placed in writing.
- If a request for appeal of dismissal is received, please contact the District Equity Coordinator.



# Safety/Supportive Measures

- Coordinate with appropriate school personnel to ensure Safety/Supportive Measures are provided to both the complainant and (upon notification by the investigator) the respondent:
  - Individualized services
  - Reasonably available
  - Non-punitive / non-disciplinary / not unreasonably burdensome
  - Ensure equal educational access
  - Protect safety
  - Deter sexual harassment



# Coordinator's Checklist

- Print the Word version and handwrite information as case proceeds.
- The checklist should accompany the file, but is not part of the investigation file until completed.
- Upon completion of the case, the checklist should be finalized and made part of the case file.

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## Title IX Complaint Resolution Checklist

School-based Title IX Coordinator Information	
<b>School-based Title IX Coordinator Name:</b>	<b>Incident Date:</b>
<b>School:</b>	<b>Date Notified of Incident:</b>
<b>Phone #:</b>	<b>Email:</b>
Conflict of Interest Check	
<input type="checkbox"/>	The school-based Title IX Coordinator was not the same person as the decision-maker or appeals-decision maker.
<input type="checkbox"/>	The school-based Title IX Coordinator had no conflicts of interest or bias for or against any complainant or respondent.
Response to Knowledge of Sexual Harassment	
<input type="checkbox"/>	If the alleged sexual harassment constituted a crime, the conduct was immediately reported to the School Resource Officer. <b>Date reported:</b>
<input type="checkbox"/>	If the alleged sexual harassment constituted child abuse, the conduct was immediately reported to the Florida Department of Children and Families. <b>Date reported:</b>
<input type="checkbox"/>	If the respondent was an LCSD employee, the Office of Professional Standards was immediately notified. <b>Date reported:</b>
<input type="checkbox"/>	Within five (5) business days, the Complainant was contacted to discuss the availability of supportive measures. <b>Date contacted:</b>
<input type="checkbox"/>	Within five (5) business days, the Complainant's wishes were considered with respect to supportive measures. <b>Date contacted:</b>



# Case Management & Record Keeping

- Create a case file upon receipt of a formal complaint.
- Keep all documents, forms, letters, and gathered evidence.
- Monitor procedural steps and document on the checklist.
- Consult with the district Equity Coordinators for guidance and assistance.
- Upon completion of a case, use the checklist to ensure all documentation and procedural steps have been completed.
- Place all documentation in secured storage for seven years from date of completion of the case.



# Thank you all for your time!!!

- We understand this is a lot of new information, and if you have any questions we are always here to assist.
- For Employee and Adult Student Related Claims
  - Ryan Hudak, Esq. [ryanwh@leeschools.net](mailto:ryanwh@leeschools.net)
- For PreK-12 Student Related Claims
  - Chuck Bradley [chuckeb@leeschools.net](mailto:chuckeb@leeschools.net)