

Title IX Roles & Responsibilities



Appellate Decision Makers



PERSONAL | **PASSIONATE** | **PROGRESSIVE**





Title IX Roles and Responsibilities

- Title IX Coordinators for District → Director of Positive Prevention and Coordinator of Civil Rights and Equity.
- Title IX School Level Coordinators → Varies Based on School.
- Investigators → Assistant Principals.
- Decision Makers → Principals.
- Appellate Decision Makers → Office of Legal Counsel.





Appeals

- The Appellate Decision Maker is the person(s) who reviews the file when an appeal is submitted.
- The Appellate Decision Maker cannot be the same person as the investigator, school-based Title IX Coordinator, or Decision Maker who reached the initial determination of responsibility or dismissal.
- The Appellate Decision Maker must not have any conflict of interest or bias for or against any complainant or any respondent.





Appeals

- Each party has the opportunity to appeal from both:
 - A Dismissal of a complaint and,
 - A Decisions Makers written determination.
- A request for an appeal must be made within a timely manner.
 - This request needs to be received within 5 business days of the decision.





Appeals

- Appeals may take place for the following reasons:
 - Procedural issues affected the outcome;
 - New evidence that was not reasonably available at the time the written determination or dismissal was made becomes available that could affect the outcome; or
 - There was a conflict of interest or bias by the school-based Title IX Coordinator, investigator, or decision-maker, against any complainant or respondent that affected the outcome.





Written Decision

- The Appellate Decision Maker shall review the investigatory file along with the parties written appeal and/or agreement of the Decision Makers outcome.
- The complete file shall be submitted to the Office of Legal Counsel by the Decision Maker (School Principal).
- Once the file is reviewed, the Appellate Decision Maker shall either grant or deny the appeal and issue a written decision describing the rationale for the result.





Issuing the Determination

- The Appellate Decision Maker Shall then submit their decision to the school site and then the school site shall submit the Appellate Decision to both parties simultaneously and their advisors.





If the Appeal is Granted

- In the event the appeal is granted, and there have been measures taken by the Decision Maker at the worksite, these measures may be reversed base upon the Appellate Decision Makers recommendation.





Appellate Form

- Located in the Title IX Equity Drive
- Complete and send with the file back to the School Decision Maker (Principal)

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THE SCHOOL DISTRICT OF LEE COUNTY
Title IX Appeal of Determination and Final Action
TO BE COMPLETED BY THE APPEAL OFFICER IN DISTRICT LEGAL SERVICES

I, _____ have completed a review of the attached complaint, complaint receipt, investigation, and determination/final action.

Based on my review on _____ :

I UPHOLD THE DECISION AND FINAL ACTION

I REPEAL THE DECISION AND FINAL ACTION DUE TO:

- Procedural Irregularity
- Newly Discovered Evidence that May Affect the Final Decision
- Conflict of Interest and/or Bias of the Personnel Involved in this Complaint Investigation & Resolution

EVIDENCE FOR REPEAL:

Appeal Officer (Signature) Date

Appeal Officer Title

Attach to Case Documentation and Return to the School Decision Maker





Thank You!

- Please review the [full overview](#) (including all roles and responsibilities) of the Title IX complaint/resolution process.
- Contact:
 - Ryan Hudak, Esq., Coordinator of Civil Rights and Equity (337-8134)
 - Chuck Bradley, Director of Positive Prevention (939-6858)

