

[DISTRICT LETTERHEAD]

CONFIDENTIAL

[Date]

Via U.S. mail and email to: [email address]

Name of Respondent (include name of parents/guardians if known)

Address

**Re: Notice of Title IX Complaint, Allegations of Sexual Harassment and
Grievance Process**

Dear [Name of Respondent and Parents/Guardians]:

I am the Title IX Coordinator for the Aberdeen School District #58. In that capacity, on [date] I [received OR signed] a formal complaint (the "Complaint") that includes allegations of sex discrimination under Title IX of the Education Amendments of 1972 ("Title IX") against you, the "Respondent," that were [made by OR pertain to] [name of complainant] (the "Complainant"). Pursuant to Title IX, sex discrimination may include allegations of sexual harassment or sexual violence. The purpose of this letter is to provide you with notice of the District's grievance procedures. I am sending a similar written notice to the Complainant.

In particular, the District has been notified of the following allegations, as contained in the formal complaint: [insert summary of allegations constituting sexual harassment, including identity of parties involved, if known; conduct allegedly constituting sexual harassment; date and location of the alleged incidents, if known].

Enclosed for your reference is a copy of the District's grievance procedures as set forth in Board Policy 296P1, which explains the formal grievance process [and the District's informal resolution process, if any]. Please be sure to review this document as it contains important information about your rights.

In connection with the grievance process, you may have an advisor of your choice, who may be, but is not required to be, an attorney. The advisor may inspect and review evidence, as well as accompany you during interviews that are part of the grievance process.

Please be aware that you are considered "not responsible" for violating District policy relating to Title IX sexual harassment (Board Policy 296), unless and until [a preponderance of the evidence OR clear and convincing evidence (Note: it should be the same as the standard identified in your procedure)] proves that a violation of policy has occurred. The burden is on the District to gather evidence, investigate the allegations, summarize all relevant evidence in a final investigation report, and make a final determination of responsibility. In accordance with federal regulations and District policy, a final determination of responsibility will not be made until the

conclusion of the investigatory process and after the parties have been given an opportunity to inspect, review, and respond to all directly related and/or relevant evidence obtained by the District. A final determination of responsibility is subject to appeal by either party, and you will be provided with additional written notice of your appeal rights upon the District's final determination of responsibility.

If, during the investigation of the allegations identified above, additional evidence should emerge that necessitates a modification of the allegations, this office will provide you with an updated and revised Notice of Investigation.

[*I OR name of investigator*] will be conducting the investigation of this matter. [*My OR The investigator's*] contact information is:

Address
Phone number(s)
Email

[*I wish OR The investigator wishes*] to conduct an initial interview with you on [*Date*] at [*location*]. The available interview times are [*include at least two options*]. If you cannot attend the interview at that time, please let [*me OR the investigator*] know promptly to schedule a different time. If you have any questions about the interview process, including any concerns about [*my qualifications OR the qualifications and training of the investigator*] please contact me directly at [*phone number*] or [*email*]. In addition, should you have concerns about bias or conflict of interest relating to the assigned investigator, you must raise such concerns to me prior to your scheduled interview.

In accordance with Board Policy 296P1, the District will conduct this investigation confidentially, except as may be permitted by law or regulations relating to the conduct of any investigation. *See, e.g.,* 20 U.S.C. §1232g; 34 CFR Parts 99, 106; Board Policy 296P1. To that end, you are requested to maintain confidentiality regarding your status as a party, the identity of other parties, and the identity of any witnesses, provided that you may discuss this matter with your advisor or others as necessary within the context of this investigation.

You are reminded that you are prohibited from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX, including, among other things, making a report or formal complaint of sexual harassment. You are also reminded that Board Policy 296 provides that individuals who knowingly file a false or misleading complaint alleging sexual harassment, discrimination or retaliation are subject to appropriate disciplinary action including, but not limited to, dismissal of the complaint and discipline under applicable Board policy.

In addition to District resources and supportive services that we may have already discussed, I also wanted to encourage you to avail yourself of any of the following resources to help you through this process:

[Examples include: counselor, including name, contact information, services provided; other internal or external supportive services, including names, contact information and description of services]

To ensure you are able to fully participate in the grievance process, please let *[me OR other office, e.g. business office, HR office, etc.]* know, prior to your scheduled interview, if you, your advisor, or parent/guardian need reasonable accommodations due to a qualifying disability. *[If another office: The contact person is [name], who can be reached at [phone number].*

Thank you in advance for you anticipated cooperation in this process. Should you have any questions about the process or your interview, please contact *[me OR your assigned investigator]* at *[phone number]* or *[email]*.

Sincerely,

[name]
[Title IX Coordinator]
[Contact Information]



LEGAL REFERENCE:

ADOPTED:

AMENDED:

**Language in text set forth in italics is optional.*

NOTE: All items in brackets and italics should be filled in with the appropriate information and the brackets removed. The form can be placed on district letterhead and formatting changed to accommodate placement on district or charter school letterhead.