

Formal Complaint of Sexual Harassment Under Title IX

Complainant :

This form will be completed by the Title IX Coordinator.

Based on the report and intake consultations the Title IX Coordinator determined that the alleged conduct, if proven, is conduct based on sex or gender that occurred within the scope of the district's education programs or activities that meets one or more of the following criteria.

Check all that apply:

___ An employee of the district conditioned the provision of an aid, benefit, or service of the district on your participation in unwelcome sexual conduct.

___ Unwelcome conduct based on sex or of a sexual nature occurred that a reasonable person would consider to be so severe, pervasive, and objectively offensive that it effectively denied you equal access to the district's program or activity.

___ "Sexual assault" occurred. For the purposes of this complaint form, sexual assault must include one or more of the following. Please indicate which one applies:

Rape: The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault With An Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Fondling: The touching of private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her permanent or temporary mental incapacity.

Incest: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Missouri law or

Statutory Rape: Nonforcible sexual intercourse with a person who is under the statutory age of consent pursuant to Missouri law.

_____ “Dating Violence” occurred. For the purposes of this complaint form, this term is defined as:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

_____ “Domestic Violence” occurred. For the purposes of this complaint form, this term is defined as:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

_____ “Stalking” occurred. For the purposes of this complaint form, this term is defined as 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.

Allegations of Sexual Harassment Under Title IX:

If the following space is not sufficient, please attach additional pages.

Conduct description:

Date(s) and time(s) on which the conduct occurred

Locations(s) where the conduct took place

Names of those who may have witnessed the conduct and their contact information

List any relevant evidence such as audio and visual media, physical objects, social media posts, texts, screen captures and emails.

Provide any other information that would be helpful for the investigator.

Information Regarding Respondent(s): the foregoing allegation pertains to conduct by the following person(s), referred to as the "Respondent(s)":

Safety

Is there an immediate threat to the physical health or safety of Complainant or any other person? If so, please explain. Note: The district is prohibited from removing the Respondent from the district's program or activity until the district makes an individualized risk analysis as to any safety concern.

Remedy

If the district determines that Sexual Harassment Under Title IX occurred, it is responsible to providing a remedy that restores or preserves your access to the district's educational program and activities.

Supportive Measures

Please note that the district is prohibited from taking disciplinary actions against any person for Sexual Harassment Under Title IX until after this formal process is concluded, but the district is allowed to provide both you and the Respondent supportive measure during the process. Supportive measures include, but are not limited to counseling, extension of deadlines, course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of areas on campus. The Title IX Coordinator will discuss with you the supportive measures that are available.

Informal Resolution

After this Formal Complaint is filed and any time before a decision is made as to whether Sexual Harassment under Title IX occurred, you can request to use an informal resolution of this Formal Complaint, such as mediation. This will only occur if both parties agree in writing to use the process. At any time prior to a resolution, either party may withdraw from the process.

Questions about Your Sexual Orientation or Behavior

Under federal law, questions about your sexual orientation or prior sexual behavior are not relevant and should not be asked unless such information is offered to prove that someone other than Respondent committed the conduct you allege or if the information is offered to prove that the behavior was consensual.

Respondent's Rights

Once you file this complaint, the Respondent(s) will be notified that you have made the complaint and will be given the opportunity to respond. Any evidence provided to the district or collected by the district supporting or disputing these allegations will be made available to both parties. Both parties will have the opportunity to submit questions to the other party or any witness and the answers will be provided. This means you may be required to answer questions submitted by the Respondent(s) and the answers will be provided to the Respondent(s). If the Respondent(s) is found to have committed Sexual Harassment under Title IX, the Respondent will have the opportunity to appeal the decision. Under federal law, the district is not able to discipline the Respondent until after this process is completed, which may take several months depending on the allegation. If you have any questions regarding the process for investigating and resolving this Formal Complaint, please contact the Title IX Coordinator or see Policy ACA.

Request to Withdraw Complaint

Once you file this Formal Complaint you can notify the Title IX Coordinator in writing that you would like to withdraw the complaint at any time prior to a resolution. However, the Title IX Coordinator may decline to dismiss the complaint if there is reason to believe that Sexual Harassment under Title IX or other misconduct occurred.

Retaliation Prohibited

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

Confidentiality

The district is required by federal law to notify the Respondent(s) that you have filed this Formal Complaint and is required to provide the Respondent(s) and the Respondent(s) advisors any evidence it collects regarding these allegations. ***Please note that the district cannot legally prohibit the Respondent(s) from discussing the allegations of the investigation with any other person.*** The district will not disclose this Formal Complaint or evidence that supports or opposes the complaint unless it is required by law to do so or it is considered necessary to complete the investigation of this Formal Complaint.

Acknowledgement by the Complainant

I have read this Formal Complaint form thoroughly and make or adopt these allegations in good faith. I understand that I may contact the Title IX Coordinator if I have any questions regarding this Formal Complaint or the Formal Complaint resolution process . I understand that by filing this Formal Complaint I will begin a process under district policy AC? where my claims will be investigated, and a determination will be made as to whether Sexual Harassment Under Title IX occurred. Accordingly, by my signature below I hereby file this Formal Complaint.

Signed: _____

Complainant: [print name] _____

Circle capacity in which Formal Complaint is signed: self, parent/guardian, or District

Received and Deemed Filed by the District:

_____, Title IX Coordinator

Date: _____