TITLE IX Reporting Procedures – for Harassment, Discrimination, Sexual Assault, Dating/Domestic Violence, Stalking, Bullying or Cyberbullying

Harassment, Bullying, Discrimination, Sexual Assault, Dating/Domestic Violence, Stalking Complaints from anyone, about anyone – Student / Faculty / Staff regarding misconduct based on SDBOR Policies 1:17, SDBOR Policy 1:17.1, SDBOR Policy 1:19, or any other relevant policy

Complaint, Complainant or Third-party reporter is referred to Title IX (TIX) Coordinator, Maria Harder. (Based on SDBOR Policy 1:18 – Human Rights Complaints Procedures.)

Title IX Coordinator convenes BAT-T9 (Behavioral Assessment Team – Title IX) Team
- Determine relevance to Title IX, Refer for TIX Investigation
- Determine if timely warning and/or involvement of police is needed
  - Discuss people involved; determine if Student Affairs, HR, or investigator combination should follow up
  - Discuss potential interim measures, determine communicate plan. ***Any situation may warrant immediate action for interim measures at any point in this process.

- TIX Coordinator will assign investigators
- Create case file, gather information and any current documentation
- Enter into Case Management System (CMS)
- TIX Coordinator convenes with assigned investigator(s)
- Review process, identify parties involved, ensure all known facts are transferred to begin investigation
- Establish timeline requirements, policy and procedures, reminder about confidentiality, duty to cooperate and retaliation concerns
- Send letters - Notification of Investigation

- Assigned Investigator(s) will begin to meet with parties involved
- Inform parties of rights/procedures, begin investigation interviews
- Discuss retaliation, relevant policies and rights with each party
- Perform entire investigation, verify information with various parties and potential witnesses
- Draft investigation summary

- Investigator and TIX Coordinator meet to review summary
- Determine if there is a preponderance of evidence
- Finalize investigation report
- Send letters - Notification of Outcome
- Meet with involved parties; inform of rights and process

Preponderance of evidence-
- Use SDBOR Policy 1:18 and potential disciplinary procedures consecutively to ensure all parties involved are afforded their rights.
  Faculty – COHE procedures and SDBOR Policy 4.7
  Non-Faculty Exempt (NFE) – SDBOR Policy 4.8
  Civil Service Associates (CSA) – SDBOR Policy 4.9
  Student Code of Conduct – SDBOR Policy 3.4
- Enter outcome and next steps into Case Management System

No preponderance of evidence-
- Enter Information into Case Management System
- Done

No investigation
- Inform complainant of no investigation
- Refer to other relevant area
- Determine follow up conversations with people involved