

THE PATH OF A REPORT OF HARASSMENT OR DISCRIMINATORY CONDUCT

Upon receiving a report of harassment or discriminatory conduct, the school entity will:

1. **OFFER AND PROVIDE SUPPORTIVE MEASURES** and assistance in identifying or obtaining school-based and community resources.
2. **PROVIDE INFORMATION** to the complainant and their guardian/parent about preserving evidence (i.e. emails, text messages, etc.), obtaining medical treatment, if applicable, and contacting police.
 - A. School entity, after reviewing the content of the reported conduct, will contact and make a report to Pennsylvania Child Abuse hotline, aka *Childline*, and local law enforcement.
3. **EVALUATE SAFETY** of the known individuals and the school community.
4. **ASCERTAIN** Complainant's preferences
 - A. Complainant may request anonymity and that no action be taken by the school or the Complainant's guardian or parents may request no action be taken by the school.

The school entity will seek to honor this request if it is possible to do so while also protecting the health and safety of known individuals **and** the school community.

The school will also explain how, if the request can be honored, the school may be limited in what they are able to do in terms of responding to and addressing the alleged prohibited conduct.

5. **EXPLAIN** the Title IX formal complaint and grievance process.
 - A. Formal resolution is initiated when the complainant, their guardian or the school files a formal complaint that would prompt an investigation, outcome determination by a decision-maker and sanction, if appropriate.
 - B. Informal resolution is initiated when the complainant, their guardian or the school files a formal complaint and the school provides the parties with the option for the matter to be resolved through an informal resolution process led by a trained, unbiased informal resolution facilitator. Both parties must agree in writing to participate in the informal resolution process. (Option is NOT available for Employee to Student)
 - C. A notice will be issued after a formal complaint is filed. Parties will be notified of the allegation(s), the school entity's policies and estimated timelines for completion of grievance process. The parties will be informed of any changes or

good faith extensions in the timeline for completion based on how the investigation is progressing.

D. Advise the Complainant in writing, if the reported conduct does not meet the definition of Title IX sexual harassment, that formal complaint is dismissed, the basis, the right to appeal (if a discretionary, non-mandatory, dismissal) and that the behavior can and will be reviewed by the district under one (or more) of the District's other policies that are in place to protect the school community from bullying, harassment, hazing, threats of harm or actual harm and retaliation.

6. **DEVELOP** a safety plan and impose any interim safety measures that are needed to ensure the safety of known individuals as well as the school community.
7. **PROVIDE** complainant with copy of all school district policies that may apply based on the reported prohibited discriminatory or harassing behavior.

Next, the school entity will conduct a safety and threat assessment to:

1. **DETERMINE SCHOOL DISTRICT ACTIONS**

If Complainant requested:

- Formal Complaint: Document receipt of the formal complaint, determine if informal resolution process will be offered as an option, and initiate appropriate resolution process.
- Anonymity/No Action: balance request with health and safety risk factors to determine whether request can be honored.

2. **EVALUATE REPORTING DUTIES**

Based on content of the report, state law requires reporting to:

- a) Childline (1-800-932-0313)
- b) Local Law Enforcement
- c) If an employee is accused, comply with [Educator Misconduct Mandatory Reporting Requirement](#) - Pennsylvania Department of Education, Office of Chief Counsel, 333 Market Street, 9th Floor, Harrisburg, PA 17126-0333.
- d) If an employee is accused, review HR policies for steps that need to be taken, in addition to the assessment under Title IX policy and procedures, to address a report of prohibited conduct by an employee to a student or another employee.

3. **WELLNESS CHECK-IN**

- a) Will follow up with student and parent/guardian with regular checks on the complainant's well being. Wellness checks will be discussed with complainant and parent/guardian to determine the most constructive, least intrusive and healthiest way to continue providing support without creating or increasing anxiety.

FORMAL RESOLUTION PROCESS

At the beginning of the resolution process:

1. **WRITTEN NOTICE** will be provided by the Title IX Coordinator to the Complainant and the Respondent.
2. **TRAINED INVESTIGATOR(S)** will conduct a prompt, thorough, fair and impartial investigation. Both parties will have an equal opportunity to be heard, to submit evidence, to identify witnesses, and to submit questions they believe should be directed by the investigator to each other or to any witness.
3. **ADVISOR OF COMPLAINANT'S CHOICE** may accompany, support, and advise each party throughout the investigation and resolution process.
4. **CONFIDENTIALITY** will be explained and maintained to the extent possible by the school entity and in compliance with state and federal laws that ensure educational privacy (i.e. FERPA). Only those individuals who need to know will be contacted and given appropriate and limited information that is necessary to conduct a fair, thorough and impartial grievance process.
5. **RETALIATION** is prohibited and all participants will be reminded that retaliation will not be tolerated and is a separate violation of the school district's policies.

At the conclusion of an investigation:

Investigator will prepare a **Draft Investigation Report** summarizing the information gathered for review and response by each party to determine if additional investigation or information needs to be gathered and included in the report.

Investigator will prepare a **Final Investigation Report** that will be provided to parties and the decision-maker. The parties will be given an opportunity by the decision-maker to present questions and provide answers to those relevant questions before the decision-maker reviews all evidence, deliberates and provides an outcome determination.

- A. Finding of Responsibility or Non-Responsibility on any or all of the allegations:
Complainant and Respondent may appeal the outcome determination of the decision-maker.
 1. The basis for appeal will be explained and the date and time to notify the school entity about their filing of an appeal will be provided in writing to the parties.
- B. If no appeal is filed, then the matter is concluded and sanction, if applicable, is imposed.

- C. If an appeal is filed, then an appeal decision-maker reviews all of the information gathered and the statements, if any, provided by the parties as to the basis for the appeal, and renders a decision.
1. The appeal decision-maker will determine if they agree with the outcome determination or if they disagree, their basis and what is their determination or recommendation to remedy the error.

Typically, the period from commencement of an investigation through resolution (finding and sanction, if any) will not exceed 30 school days. This time frame may be extended for good cause.