



Gender-Based Violence, Discrimination, and Harassment Your School, Your Rights

What laws protect me from gender based violence, discrimination, and harassment?

- ⇒ Title IX is a federal law that says: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Gender-based violence and harassment are behaviors that are committed because of a person's gender or sex. They can be carried out by a boyfriend, girlfriend, other students, or adults. If someone does any of the following to you because of gender or sex, it may constitute gender-based violence, discrimination, or harassment under Title IX. Acts may include:

- ⇒ Pressures you to perform sexual acts or forces you to have sex
- ⇒ Touches you sexually against your will
- ⇒ Verbally abuses you using anti-gay or sex-based insults
- ⇒ Gender discrimination in an activity, athletics, classroom, or academic program
- ⇒ Offensive, severe, and frequent remarks about a person's sex
- ⇒ Harassment of a sexual nature that interferes with your education



Under Title IX, your school is obligated to do something about gender based harassment and violence IF:

- ⇒ The behavior is so severe (for example, a single incident of rape) or it happened so often (for example, numerous harassing insults in the classroom) that the acts would deprive a student of equal access to education, or to an educational activity like being on a team or in the band, AND
- ⇒ Your school has authority over the person or people committing the violent or harassing behavior, AND over the environment where the behavior is happening
- ⇒ Support measures can be offered whether or not a violation is found!



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How can I file a complaint or concern? Who can I speak with?

- ⇒ You can file a complaint online at <https://forms.gle/F1ZuaqcNsK57LTJm8>. You may also fill out a complaint form available in your counseling office or speak to any Administrator. In addition, you may report a concern verbally or by email to Title IX Coordinator, Kristin Moulton, at Kristin.moulton@jeffco.k12.co.us or phone by 303-982-6554.
- ⇒ Students may also contact the Department of Education Office for Civil Rights to report sexual harassment by writing a letter or filing a complaint form, available at www.ed.gov/about/offices/list/ocr/complaintro.html.

What happens after I file a complaint? What qualifies for an inquiry?

- ⇒ Complaints will be screened by the Title IX Coordinator to determine if the complaint meets mandated Title IX criteria. If the complaint does not meet Title IX criteria, the issue will be referred to student conduct code for review and discipline.
- ⇒ In order for a complaint to qualify for a Title IX inquiry the District must have **Substantial Control** over both the **Accused** and **Context** in which the alleged incident (s) occurred. The accused must be a student or staff member. The Context, or location, in which the incident (s) occurred must have occurred on campus or in the classroom, at an off campus sponsored event, or at an off campus building or field owned by the District. **In addition;**
- ⇒ The alleged harassment must be considered severe, pervasive, **AND** objectionably offensive (all three) by a reasonable person **OR** a crime (even a one time offense) as defined by the Cleary Act including: Rape, Sex Assault, Dating Violence, Domestic Violence, or Stalking
- ⇒ There are two options regarding Title IX inquiries. If a complaint qualifies as a Title IX issue, the school or district may conduct an Informal Resolution or a Formal Investigation.
- ⇒ Both parties, the Complainant and the Accused, may agree to an informal resolution. An Informal Resolution may include mediation, agreed separation, student discipline, or ongoing support measures. Informal resolutions can be individualized, but must be signed.



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The Formal Title IX Investigation procedures are outlined below. A complainant may withdraw their complaint or agree to an Informal Resolution at any time. Note: Identities of the complainant and witnesses can not be kept confidential per new OCR requirements.

- ⇒ A Formal Investigation must include the following steps and will take a minimum of 30 days to complete. Investigations may take longer due to work loads and availabilities.
1. Signed complaint received. Support measures enacted if needed.
 2. Decision on complaint jurisdiction will be made by the Title IX Coordinator.
 3. Decision between an Informal Resolution and a Formal Investigation must be made.
 4. Notice of formal investigation will be sent to both parties if informal inquiry is not agreed upon. Parties may retain Advisors which may include: Attorneys, parents, advocates, etc.
 5. Review and collection of evidence: Notice of all interviews will be sent to both parties.
 6. Both parties will be given 10 days to inspect evidence and provide written responses.
 7. Prepare Report: A draft of the investigative report will be sent to both parties for review. Both parties will have 10 days for review and have the chance to provide additional written responses.
 8. Final report: The investigative report will be sent to the Decision Maker for review.
 9. Both parties may submit written questions to the other party, through the Decision Maker, as a cross examination. Certain questions may be screened out if they concern a party's sexual history or are not considered relevant by the Decision Maker.
 10. Decision of Violation or No-Violation will be made by the Decision Maker. Notice of decision and consequences, if applicable, will be sent to both parties in writing.
 11. Appeal request may be filed by either party within 5 days of the written determination.
 12. Appeals may be filed on specific terms including; procedural irregularity, new evidence availability, or bias on the part of the investigator or Decision Maker.
 13. Appeal review and determination will be conducted by different or new personnel.



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What are My Rights during an Investigation?

- ⇒ You have the right to an Advisor and have them present with you during questioning. Advisors for both parties can be: Attorneys, Parents, Advocates, or any person of choosing.
- ⇒ You may request Support Measures during the course of the investigation. Support measures must not be punitive. Measures that may be requested by either party include: safety escorts, class re-assignment, locker re-assignment, counseling, mediation, assigned entrances and exits, assigned parking spots, assigned lunch tables, staff check-ins, no-contact orders, modified hallway passing periods, ect.
- ⇒ Every complainant and accused have the right to be notified, in writing, of the outcome of the complaint and their right to appeal the outcome. Even though privacy laws limit disclosure of certain information in disciplinary proceedings, schools must disclose to the complainant information about any sanctions imposed on the accused when the sanction directly relates to the complainant.
- ⇒ You may withdraw your school based Title IX complaint at any time. However, if a crime is alleged, it still must be reported to police. All Jeffco Employees are mandated reporters.
- ⇒ Accused students and staff have the right to know who is filing a complaint against them and the names of all identified witnesses. Both parties will have access to all evidence.

What are some free services and other sources of information available to me?

Websites and Additional Sources:

<https://www.knowyourix.org/>

<https://www2.ed.gov/>

<https://www.coloradocrimevictims.org/>

<https://go.boarddocs.com/co/jeffco/Board.nsf/Public>

<https://www.rainn.org/>





Title IX Complaint Form



When this form has been completed and signed by you, and then signed by the Title IX Coordinator, your complaint has been properly received and noted by Jeffco Public Schools. Please consider filing out this form online for faster response. You can find the link at: <https://www.jeffcopublicschools.org/titleix>

Directions: Please fill out the form, sign affirming your statement, and submit to the Title IX Coordinator; Kristin.moulton@jeffco.k12.co.us; or mail to or drop off at: 1829 Denver West Dr. Golden CO. Legal Office.

Circle One: I am filing this complaint as a: Student, Staff Member, Parent, or Anonymous Person

School Name: _____

Name of Person Filing Complaint (First and Last Name): _____

Complainant Contact Info: Phone: _____ Email: _____

Mailing Address: _____

Name of Student/Staff Experiencing Alleged Harassment _____

Student or Staff Number: _____ Grade or Staff Position _____

Accused First and Last Name. (Name of person or persons you believe committed the offense against you and how you have contact with them, e.g. fellow student, supervisor, co-worker, staff member, etc.) _____

Grade/Staff Position of Accused: _____ Date of Alleged Incident: _____

Circle all that apply: Type of Title IX Offense: Dating Violence, Gender Discrimination, Gender Inequality, Rape, Sexual Assault, Sexual Harassment, Sexual Misconduct, Repeated Sexual Comments, Quid pro Quo:
Describe if other: _____

Have you brought this matter to the attention of any other staff at your school, police, or social services? If so, please list the name (s) and phone numbers of all persons with whom you have discussed this matter.

Are there witnesses to the incident? Please list the name and phone number of any witness:

Witness #1: _____ Relationship: _____ Phone: _____

Witness #2: _____ Relationship: _____ Phone: _____

Witness #3: _____ Relationship: _____ Phone: _____



Title IX Complaint Form



Please explain your Title IX complaint. Describe: What happened? Who was involved? When did it happen or how often? Where did it occur? Were there witnesses? Is there evidence? Attach any evidence you may have. Consider: texts, notes, Instagram, Snapchat, Facebook, photos, or police reports. Use additional sheets if needed. Sign each additional sheet affirming your statement. Lying or giving false information, either verbally or in writing, to a school or district employee is a violation of school policy. Policy: JKDA/JKEA. Link:

<https://go.boarddocs.com/co/jeffco/Board.nsf/Public#>_____

I affirm the following is true: Signature _____ Date: _____

Title IX Coordinator or Deputy _____ Date Received: _____