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TITLE IX OVERVIEW

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on sex in the District’s educational programs and activities. It protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including gender-based harassment, sexual violence, and sexual harassment.

Title IX requires the District to promptly, thoroughly, and equitably investigate all complaints of sex discrimination and respond in a way that stops any discrimination found, removes any hostile environment resulting from the discrimination, and prevents its recurrence.

As discussed below, in most instances, school staff are responsible for compiling information to investigate Title IX incidents involving student conduct. This includes allegations of gender-based harassment or bullying, sexual harassment, sexual assault, unwelcome sexual misconduct, and sexting that is unwelcome or involves dissemination on social media.
Key Terms

**Actual Knowledge:** Notice to the school of an allegation of sexual harassment. A school has actual knowledge when it has notice that a person may have been victimized. Schools are put on notice when any person reports sexual harassment to a school employee or if school personnel witness sexual harassment.

**Complaint Submission Date:** The date on which a Formal Title IX Complaint was submitted to the Title IX Coordinator or the Office of Equity, Advocacy & Civil Rights.

**Formal Title IX Complaint:** A Complaint filed with the Title IX Coordinator or the Office of Equity, Advocacy & Civil Rights that triggers the Complaint procedures.

**Gender-Based Harassment:** Unwelcome conduct based on a student’s sex; harassing conduct based on a student’s failure to conform to sex stereotypes. This includes discrimination against transgender students.

**Office of Equity, Advocacy & Civil Rights:** The department within the District charged with overseeing Title IX investigations.

**Preponderance of the Evidence:** The evidence standard used to determine whether an alleged incident of sexual harassment occurred. The standard weighs the evidence to determine if an alleged incident more likely than not occurred.

**Complainant:** A student, parent/guardian, employee of the District, or third party who submits a complaint alleging sexual harassment prohibited by Title IX.

**Victim:** The person alleged to be harmed by the conduct alleged in a complaint.

**Respondent:** The person alleged to be responsible for the prohibited conduct in a complaint.

**Witness:** A student, parent/guardian, employee of the District, or third party who has direct knowledge of or information about the allegation regarding sexual harassment prohibited by Title IX.

**Consent:** Must be informed, active, voluntary, specific, and ongoing.

- **Informed:** a person must understand the who, what, when, where, and nature of the activity.
- **Active:** verbal or nonverbal actions that clearly show willingness to participate in the activity. The absence of no does not mean yes; no means no. Stop means stop.
- **Voluntary:** freely given without the use of force, coercion, manipulation, or threats.
- **Specific:** consent must be present every time, for every action. Consent to engage in one type of activity is not consented to engage in a different type of activity.
- **Ongoing:** a person can take back consent at any time. Once consent is taken back, all activity must stop.
A person cannot consent if:

- They are incapacitated from voluntary or involuntary drug or alcohol use.
- They are asleep or unconscious.
- They have a physical, developmental, or cognitive difference that prevents them from understanding what is happening.
- They are a minor who is under the age to legally consent to sexual activity under state law even if the minor welcomed the sexual activity.
- The other person is in a position of authority or trust.

**SEXUAL HARASSMENT**: A school employee conditioning an educational benefit or service on an individual’s participation in unwelcome sexual conduct; and/or sexual assault, dating violence, domestic violence, or stalking.

**HOSTILE ENVIRONMENT**: Created when unwelcomed conduct, determined by a reasonable person, is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s educational program or activity.

**SEXUAL ASSAULT**: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s uniform crime reporting program.

- **Rape**: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling**: the touching of the 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 their age or temporary or permanent mental incapacity.
- **Incest**: non-forcible sexual intercourse between two persons who are related to each other within the degrees wherein marriage is prohibited by Michigan law.
- **Statutory Rape**: non-forcible sexual intercourse with a person who is under the statutory age of consent.

**DATING VIOLENCE**: Violence committed by a person who is or has been in a social relationship or a romantic or intimate nature with the victim. For the purpose of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such.
- Dating violence does not include acts covered under the definition of domestic violence.
DOMESTIC VIOLENCE: A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim
- By a person with whom the victim shares a child in common
- By a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person’s act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

STALKING: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial distress.

For the purpose of this definition:

Course of conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person who interferes with a person’s property.

“Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

SUPPORTIVE MEASURES: Non-disciplinary, individualized services offered, as appropriate, to either or both the complainant and respondent involved in an alleged incident of sexual harassment prior to or during an investigation. Supportive measures may include counseling, extensions of time or other course-related adjustments, modifications of class schedules, mutual restriction on contact between the parties, changes in policies or procedures, and other similar accommodations. A Formal Title IX Complaint does not need to be filed for Supportive Measures to be implemented.
The Purpose of a Title IX Investigation

Sexual harassment, assault, and other forms of sex discrimination can have a negative impact on student learning. Studies have shown that up to one-third of students who experience harassment report not wanting to go to school as a result of the harassment. Feeling unsafe at school has been correlated with declining academic performance, decreased attendance, and dropping out.

Investigating all allegations and observed instances of gender-based harassment or bullying, sexual harassment, sexual assault, unwelcome sexual misconduct, and sexting is an important part of creating a safe and healthy school environment. Title IX investigations examine what happened and the effect it has on students and the learning environment. Title IX investigations also inform how the school, and the District should respond should a violation be found.

If a school determines a Title IX violation occurred, it must take reasonable, timely, age-appropriate corrective action, including steps to eliminate any hostile environment that has been created for student(s).

Title IX does not articulate what specific remedies or corrective action must occur. However, it requires that all responses be tailored to the specific circumstances. Examples of remedies include, but are not limited to, counseling for the harasser, counseling/academic support services for the victim, steps to separate the parties, school-wide programs to address harassment, implementation of a system for monitoring future incidents, and/or periodic training for students and staff.

The District’s Positive Culture Handbook articulates discipline that can occur for certain violations implicating Title IX. However, schools must take into account the specific circumstances surrounding a violation and consider the age of the students involved and the nature of the conduct when issuing discipline. Discipline should never be issued without contacting EACR to allow time for an investigation.
Title IX Complaint

Detroit Public Schools Community District is committed to supporting all victims of sexual harassment and ensuring due process for all persons accused. If you have been a victim of sexual harassment, you may file a Formal Title IX Complaint with the Title IX Coordinator or any Assistant Director in the Office of Equity, Advocacy & Civil Rights (EACR).

Complaints may be filed by staff, students, parents, or members of the community. Complaints filed by anyone other than staff should be filed in writing within 180 days of alleged sexual harassment. They may be filed in person at 3011 W. Grand Boulevard, 10th Floor; on the Equity, Advocacy & Civil Rights District Webpage by clicking Submit a Concern; or by email to dpscd.compliance@detroitk12.org. Complaints received by phone at (313) 240-4377 shall be documented by a District representative and transmitted to the Title IX Coordinator. A parent/guardian may be permitted to file a Complaint on behalf of minor students.

When staff are on notice of a potential Title IX matter, the Dean should submit a ticket to EACR via the HelpDesk. Within the HelpDesk select “I want to request a service,” then select “Climate and Culture,” “Civil Rights/Equity,” “Alleged sexual harassment or misconduct.”

Review of Reports

All reports of misconduct received by EACR will be reviewed to determine whether the District has jurisdiction to process the report and to determine whether the report falls under Title IX. EACR will support the parties whether or not the District has jurisdiction and whether or not the report falls under Title IX. If the District has jurisdiction, the complainant will receive information about the ability to file a Formal Title IX Complaint and supportive measures. If the District does not have jurisdiction, or if the complaint does not fall under Title IX, EACR will inform the complainant that an investigation will not be conducted but will continue to provide any guidance and support as necessary and appropriate. If the report involves an employee, EACR will forward it to Employee Relations for investigation.

Investigations

Once a report is accepted as an investigation, EACR will determine whether the report will be a school-based investigation or an EACR investigation. A school-based investigation will be designated for incidents that are less severe. Determinations will be made on a case-by-case basis. School-based investigations are typically led by school administrators. EACR will provide guidance and support during the school-based investigation. Upon completion of a school-based investigation, EACR will review the evidence and make a determination. An EACR investigation will be
designated for severe or complex incidents. For EACR investigations an EACR Assistant Director will be assigned to investigate the incident. The EACR Assistant Director will need access to school-based administrators, access to all parties/students involved, a private location for interviews, and all relevant evidence and documentation. All investigations, whether school based or EACR, will be prompt, adequate, reliable, and impartial.

When a Formal Title IX Complaint is filed, all parties will be notified in writing within five (5) business days that a Formal Title IX Complaint has been filed. Notifications will comply with applicable federal law. All parties will have ten (10) business days from the date they are notified of the Formal Title IX Complaint to provide a statement and identify witnesses and other evidence. All parties will be adequately notified prior to any interviews.

During investigation of a Formal Title IX Complaint, once all evidence has been compiled and reviewed, an investigator will draft a preliminary investigation report and send the report with a copy of all relevant evidence to the parties for review. Parties will have ten (10) days to respond to the evidence in writing and submit any questions they wish the other party to answer. The investigator will review all responses and consider them before submitting the final investigation report to the decision-maker.

The District will work diligently to conclude all investigations within forty-five (45) school days of the Complaint submission date.

Should a Complaint be dismissed for not meeting the definition of sexual harassment, an appeal may be filed consistent with the appeal procedures outlined below.
Informal Resolution

After a Title IX Complaint is filed, parties can voluntarily choose to enter an informal resolution process. However, this process is never available for allegations involving an employee sexually harassing a student. This process is only available should both parties voluntarily agree.

Schools will provide a trained facilitator free of bias and conflict of interest to oversee the informal resolution process. The process may include mediation but does not involve a full investigation and adjudication. Any party may withdraw from the informal resolution process and resume the Complaint process at any time before an agreement has been reached.

Confidentiality

If the complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation.

If a complainant insists that their name or other identifiable information not be disclosed to the alleged perpetrator, the District should inform the complainant that its ability to respond may be limited.

The District should tell the student that District policy and Title IX prohibit retaliation, and that District officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

If the complainant continues to ask that their name or other identifiable information not be revealed, the District should evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all staff, visitors, and students. Thus, the District may weigh the request for confidentiality against several factors including:

1. The seriousness of the alleged harassment;
2. The complainant’s age;
3. Whether there have been other harassment complaints about the same individual; and
4. The alleged harasser’s rights to receive information about the allegations if the information is maintained by the school as an “education record” under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 C.F.R. Part 99.
The District should inform the complainant if it cannot ensure confidentiality. Even if the District cannot take disciplinary action against the alleged harasser because the complainant insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

Retaliation

No District employee or student shall attempt to restrain, interfere with, coerce, discriminate, or take reprisal action against the complainant(s) and/or their witnesses during or after the presentation, processing, and resolution of a complaint. Such an action would be a violation of the District’s anti-harassment policy and the employee or student would be subject to the appropriate discipline. Any person who feels they are being retaliated against, as defined above, may contact the office of Equity, Advocacy and Civil rights to make a complaint regarding the retaliatory actions.

RIGHTS DURING INVESTIGATIONS

When EACR learns about something that might be negatively impacting a student in a way that is sexual, we will do an investigation. As part of that investigation, we talk with students involved to hear their side of the story and what happened. After that, we decide if something “more likely than not” happened, and if it did, we will let your school know and they will respond. Below are your rights in that process.

Students

- You have the right to a prompt, thorough, fair, and impartial investigation.
- You have the right to be heard and to share your experience.
- You have the right to an advisor of your choice present during the process.
- You have the right to have a support person you choose in the room with you.
- You have the right to let us know if you do not feel safe.
- You have the right to receive individualized supportive services at your school.
- You have the right to meet somewhere private.
- You have the right for us to keep what you tell us private as possible.
- You have the right to not answer any questions or be part of the investigation.
- You have the right to share with us any evidence, names of witnesses, or information you know connected to the case.
- You have the right to ask for an update on your case.
- You have the right to access information gathered during the investigation and the evidence that will be used to make a determination.
- You have the right to know the outcome of the investigation.
- You have the right to ask for a review of the outcome of the investigation.
- You have the right to be free from retaliation.
Parents/Guardians

- You have the right to be present during any interview with your child.
- You have the right to share with us any evidence, names of witnesses, or information you know connected to the case.
- You have the right to ask for an update on your child’s case.
- You have the right to access information gathered during the investigation and the evidence that will be used to make a determination.
- You have the right to know the outcome of an investigation.
- You have the right to appeal the outcome of an investigation.
- You have the right to be free from retaliation.

Staff

- You have the right to a prompt, thorough, fair, and impartial investigation.
- You have the right to share with us any evidence, names of witnesses, or information you know connected to the case.
- You have the right to be free from retaliation.

TITLE IX INVESTIGATION

Conducting a Title IX Investigation

A Title IX investigation requires gathering facts to determine what happened, whether the conduct violates the Code of Conduct and/or District policy prohibiting sex discrimination, and what effect any violation is having on the students and the learning environment. Getting parental and student input on the effect an incident is having on the learning environment is an important component and should not be overlooked when conducting a Title IX investigation.

Most Title IX investigations will take place at the school level. This means Deans will compile the relevant information and provide it to EACR to assist in a determination.

School staff must use the information gathered through the investigation and collaborate with EACR to determine appropriate actions to stop the harassment/misconduct, prevent its recurrence, and remove any hostile environment.
Step-By-Step Guide

**Step 1**: School is notified of potential sexual harassment or sex related behavior. [Never institute discipline or punitive measures before consulting with EACR].

**Step 2**: The Dean must immediately submit a ticket to alert EACR of the allegation. To submit a ticket, complete the following steps:

1. Go to the HUB
2. Click on HelpDesk
3. Click on “I want to request a service”
4. Click on “Climate and Culture”
5. Click on “Civil Rights/Equity”
6. Click on “Alleged Sexual Harassment or Misconduct (Title IX Notification)” Complete the ticket with as much information as possible:
   1. Who is involved,
   2. What occurred,
   3. Where the alleged incident occurred,
   4. When the alleged incident occurred,
   5. Impact to the students (whether any student has expressed feeling uncomfortable with coming to school because of the incident).

**Step 3**: EACR will contact the school via email with a determination as to whether the matter implicates Title IX and how to proceed or to gather more information to allow for such determination.

**Step 4**: **Contact parents** of students involved to inform them of the investigation and determine whether they desire any supportive measures be put in place. Complete the **supportive measures form** including the supportive measures requested by the parent, and any supportive measures implemented or proposed by school staff.

**Step 5**: Ensure students (victim, accused, and any witnesses) and staff (victim, accused, and any witnesses) complete **investigation statement forms**. If students cannot complete the form, they may dictate their responses to an administrator, or their responses may be transcribed by an administrator. Transcription must capture the student’s version of events as accurately as possible.

**Step 6**: Return completed supportive measures form and investigation statement forms to EACR within **seven (7) days** of the school learning of the incident.

**Step 7**: If the matter does not implicate Title IX - handle under the Student Positive Behavior Handbook. If the matter does implicate Title IX, EACR will review complied information and advise regarding next steps.
Contacting the Appropriate Parties

✓ Office of Equity, Advocacy & Civil Rights and the Title IX Coordinator (via HelpDesk ticket submission) [NEVER institute discipline or punitive measures before consulting with EACR].

✓ Principal and Principal Leader

✓ Parents of those involved. Depending on the circumstances, parents of the witnesses should be contacted as well. NOTE: Parents can only be provided information about their child. Disclosing any information about other children could be a violation of FERPA.

✓ DPSCD PD – in the instance of criminal sexual assault or sexting that involves dissemination of sexually explicit images.

Appropriate Documentation

It is important to document your investigation. At a minimum, the following information should be documented:

✓ Complainant Statement: the individual(s) making the allegation.

✓ Respondent Statement: the individual(s) against whom the allegation is made.

✓ Witness Statement: any individual who has direct knowledge of or information about the allegation being made.

✓ Supportive Measures: all students and their parents - including the accused, the accuser, and witnesses in some instances - should be provided information in writing regarding supportive measures. Schools should ensure that appropriate supportive measures are taken or provided. Supportive measures can include, but are not limited to, measures such as separating students, changes in class schedules, and counseling. Supportive measures are available to all parties.

Title IX requires the District to take steps to ensure equal access to its education programs and activities and protect the parties as necessary, including implementing supportive measures any time it is on notice of sexual harassment, whether or not a Formal Title IX Complaint has been filed.

The District will notify the parties, and any party’s parents/guardians if the party is a minor, in writing, that supportive measures are available anytime it is
on notice of sexual harassment. Requests for supportive measures can be made immediately and directed to the Office of Equity, Advocacy & Civil Rights or the school Principal. The District will take steps to ensure that appropriate supportive measures are taken or provided. And, where possible and supported by the available information, the District will take steps to ensure that such supportive measures minimize the burden on the complainant.

Concurrent Investigations

A Complainant, and the Complainant’s parents/guardians if the Complainant is a minor, may pursue a complaint with the District and the police simultaneously. Should this occur, the District may need to briefly suspend the fact-finding aspect of its Title IX investigation at the request of law enforcement while law enforcement is in the process of gathering evidence. The District will maintain regular contact with law enforcement to determine when it may resume its investigation. The District will promptly resume its investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process, or sooner if the District determines that the evidence gathering process will be lengthy or delayed. The District will not delay its investigation until the ultimate outcome of the criminal investigation.

Concluding an Investigation

At the conclusion of a school-based investigation, an objective decision-maker in EACR will evaluate the evidence and make a determination as to the respondent’s responsibility. The school will notify parents/guardians of the outcome and any disciplinary action.

Upon completion of a Formal Title IX investigation, an objective decision-maker will evaluate the evidence and make a determination as to the respondent’s responsibility. A determination letter will be given or mailed simultaneously to each party. The District will ensure that all determination letters comply with the Family Educational Rights and Privacy Act (FERPA) and District policies regarding student privacy.

In cases where sexual harassment is found to have occurred, the District will determine appropriate corrective actions and/or enforceable sanctions/discipline for the respondent reasonably calculated to stop the discrimination and prevent its recurrence and eliminate any hostile environment; and any remedies for the complainant designed to restore or preserve equal access to the District’s educational program or activities.
Appeal Procedures

Either party involved in this process has the right to appeal. Appeals can be made for the following reasons:

a. A procedural irregularity affected the outcome of the matter;

b. New evidence has been discovered that was not reasonably available at the time of the determination of responsibility or dismissal;

c. A conflict of interest on the part of a Title IX Coordinator, an investigator who complied evidence, or a decision-maker was discovered, and the conflict of interest affected the outcome.

Appeals must be made within ten (10) business days after receipt of a determination letter and must be made in writing and directed to the Title IX Coordinator. Appeals received after ten (10) business days will not be considered timely and will be dismissed. Should a party appeal, the District will notify both parties in writing that an appeal has been filed and will give both parties the opportunity to provide a written statement supporting or challenging the outcome.

The Title IX Coordinator will determine a neutral employee to make a decision on the appeal. Once an appeal determination is made, a written decision letter will be sent to both parties simultaneously. Appeal determinations are final.

Corrective Actions, Sanctions, and Remedies

Appropriate corrective action can include, but is not limited to, policy changes, mandatory trainings or other interventions to repair the educational environment, assistance with making a schedule change, facilitating a restorative circle between the parties, issuing new policy statements, reimbursement for professional counseling, provision of tutoring, and/or any other corrective actions the Title IX Coordinator deems appropriate to the circumstances.

As required, disciplinary or other sanctions may be taken in accordance with the Student Positive Behavior Handbook and/or other District policies and procedures. This may include suspension or expulsion.
REQUIRED FORMS
Title IX Statement Form

Ensure this form is given to all students and staff involved, including witnesses. **Do not use other statement forms.**

INVESTIGATION STATEMENT FORM

NEVER INSTITUTE DISCIPLINE OR PUNITIVE MEASURES BEFORE CONSULTING WITH EACHR
DETOUR PUBLIC SCHOOLS COMMUNITY DISTRICT
This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

**YOUR DETAILS**

COMPLETE BOTH PAGES OF THIS FORM IN ITS ENTIRETY

Please Check Box:  [ ] Complainant  [ ] Respondent  [ ] Witness  [ ] Reporter

Name: ___________________________  Student ID #: ___________________________  Student DOB: ___________________________

School: ___________________________  Grade: ___________________________

Position (Staff Members Only): ___________________________

**ANSWER EACH QUESTION**

1. What happened?

2. Who was involved in this incident?

3. What was the approximate date and time of the incident?

4. Where did the incident take place?

5. Did anyone else see it happen?

6. Did you report this to anyone? If yes, please advise who you reported this to and the date you reported it.

7. For Students: As a result of this incident, has it caused you to feel uncomfortable at school? If so, please explain.

8. Do you know anyone else who can shed light on this incident?

9. Respondent (Accused): Do you admit to what has been reported?  [ ] Yes  [ ] No

DPSCD does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, age, religion, height, weight, citizenship, marital or family status, military status, ancestry, genetic information, or any other legally protected category, in its educational programs and activities, including employment and admissions. Questions? Concerns? Contact the Civil Rights Coordinator at (313) 240-4377 or dpscd.compliance@detroitk12.org or 3011 West Grand Boulevard, 10th Floor, Detroit MI 48202.
Supportive Measures Form

Ensure this form is given to the parents of all students involved, this may include witnesses, depending on the circumstances. Please contact EACR if you are unsure whether witnesses should receive a supportive measures form.

SUPPORTIVE MEASURES FORM

NEVER INSTITUTE DISCIPLINE OR PUNITIVE MEASURES BEFORE CONSULTING WITH EACR

DETROIT PUBLIC SCHOOLS COMMUNITY DISTRICT

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

COMPLETE THE SUPPORTIVE MEASURES FORM FOR EACH STUDENT INVOLVED

SUPPORTIVE MEASURES

Detroit Public Schools is committed to supporting and protecting all students involved in incidents of sexual harassment to ensure they are able to access our educational programs and activities. Pursuant to Title IX of the Education Amendments of 1972, 20 U.S.C. § 1081 et seq., Detroit Public Schools Community District MUST provide supportive measures as appropriate to all parties when an accusation of sexual harassment has been made. Supportive measures must be implemented regardless of whether or not a formal Title IX Complaint has been filed.

Supportive Measures can include but are not limited to, counseling extensions of deadlines or other course-related adjustments, modifications of class schedules, mutual restrictions on contact between the parties, and other similar measures. Should you or your child like to request Supportive Measures, please fill out the form below and submit it to your School principal or the Title IX Coordinator. The District will ensure that appropriate Supportive Measures are taken or provided. However, a request does not necessarily guarantee approval.

Supportive Measures Requested:

<table>
<thead>
<tr>
<th>Reason for Request:</th>
<th>Approval:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(to be filled out by District Administrator)</td>
</tr>
</tbody>
</table>

1. 
2. 
3. 
4. 
5. 

Please document in a separate sheet if more supportive measures are requested.

Provided Parent / Guardian with the opportunity to provide supportive measures:

| YES | NO |

Date supportive measures form was provided to parent/guardian:

Parent / Guardian Declined Supportive Measures:

| YES | NO |

Student Name (Please Print):

Parent / Guardian Party Signature:

Date

DPSCD does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, age, religion, height, weight, citizenship, marital or family status, military status, ancestry, genetic information, or any other legally protected category, in its educational programs and activities, including employment and admissions. Questions? Concerns? Contact the Civil Rights Coordinator at (313) 240-4377 or dpscd.compliance@detroitk12.org or 3011 West Grand Boulevard, 10th Floor, Detroit MI 48202.
RESOURCES

Counseling Resources

**Development Centers**
http://www.develctrs.org/about-us/locations/
(313) 531-2500

**Detroit Wayne Mental Health Authority**
http://www.dwmha.com/
(800) 241-4949

**The Children’s Center**
https://www.thechildrenscenter.com/
(313) 831-5535

**Advocates for Youth**
https://advocatesforyouth.org/

**Tolerance.org**
https://www.tolerance.org/magazine/resources-for-addressing-sexual-assault-and-harassment-in-class

Informational Resources

**Office of Equity, Advocacy & Civil Rights** (EACR) works to increase understanding and application of civil rights laws and equitable practices to elevate all voices as we build a stronger DPSCD. Diversity is an asset that makes us stronger, so we advocate for the needs of others to ensure that all members of our community have access to the tools and resources they need to be successful.
TITLE IX COORDINATOR

The Title IX Coordinator is responsible for coordinating the District’s response to all Complaints of sex discrimination, including sexual harassment. This includes ensuring the prompt, thorough, and equitable investigation and resolution of a Complaint. The Title IX Coordinator is also responsible for identifying and addressing any patterns or systemic problems of sex discrimination and assisting the District in creating a climate that is welcoming to all individuals regardless of sex.

Benjamin Jackson, Assistant Superintendent - Human Resources
Title IX Coordinator | ADA Coordinator | Section 504 Coordinator
Address: 3011 W. Grand Blvd, Floor 10, Detroit, MI 48202
dpscd.compliance@detroitk12.org https://detroitk12.org/compliance (313) 240-4377
APPENDIX A: Frequently Asked Questions

**Submitting a Ticket**

1.1. I am school staff; how do I submit a Title IX ticket?

   Contact your Dean to submit a ticket for all Title IX matters. To submit a ticket internally, complete the following steps:
   
   - Go to the HUB
   - Click on HelpDesk
   - Click on I want to request a service
   - Click on Climate and Culture
   - Click on Civil Rights/Equity
   - Click on Alleged Sexual Harassment or Misconduct (Title IX Notification)

1.2. I am a parent, student, or community member; how do I submit a Title IX complaint?

   Submit a ticket via the District’s website, by completing the following steps:
   
   - Go to [https://www.detroitk12.org/compliance](https://www.detroitk12.org/compliance)
   - Click on Submit a Concern
   - Answer the questions to completion

1.3. Can I discipline students while the investigation is pending?

   No. A school may never institute discipline or punitive measures before consulting with EACR.
Investigation

1. How do I collect statements?

Collect statements using EACR’s Title IX Statement Form. Once you submit a Title IX ticket via the HUB, you will receive an email from the HelpDesk with the required forms and information. Please use the forms provided in that email as forms are subject to change to better inform Title IX investigations and fact-finding. The most up-to-date forms will always be provided via the HelpDesk email.

2. Who do I collect statements from?

Statements must be collected from the accused student (Respondent), the victim, the Complainant (if different from the victim), and any witnesses to the incident, including students and staff.

3. The student is unable to write their own statement, how do we collect the student’s statement?

If a student is unable to write their own statement, a trusted adult may act as a scribe for the student. If a student has a scribe, the scribe should read the questions word-for-word to the student and write the student’s answers word-for-word. This ensures that the student can answer the questions in their own words with no additional information.

4. The student has not been at school to provide a statement, what do we do?

If you can contact the family, the statement can be taken as described in question three, above. If you are unable to contact the family, inform EACR and an investigator will attempt to contact the family to gather additional information.

5. I could not get in contact with the parent/guardian regarding supportive measures, what do I do?

The school must put appropriate supportive measures in place regardless of whether a parent/guardian requests supportive measures.

6. Can I speak to the parent over the phone regarding supportive measures?

Yes, so long as the parent/guardian is provided all of the information on the supportive measures form, the information can be obtained over the phone. The school staff member who speaks to the parent/guardian should indicate that the information was obtained over the phone and document the date.
7. The parent declined any supportive measures for the child, what do I do?

The school must put appropriate supportive measures in place regardless of whether a parent/guardian requests supportive measures.

8. Do we have to implement all the requested supportive measures at the school?

Supportive measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party. Parents/guardians wishes should be considered when implementing supportive measures, but if requested supportive measures are not feasible, or would impact another student’s access to the educational environment, they may not be appropriate, and therefore may not be implemented.

9. Will students be interviewed as part of this process?

Yes, in order to ensure that investigations are conducted thoroughly and equitably, any students with information about the matter will, at the very least, complete the statement form. Additional interviews may be conducted as deemed necessary during the investigation.

10. What does an interview look like?

For any student interview, a school administrator or Dean must be present. There should be at least two (2) adults present for any student interview. The student should be informed that the interview is confidential. The interview may take place in person or via Microsoft Teams. A parent/guardian may be present for an interview if the student and/or parent/guardian requests.

11. Does an administrator have to be present during an interview?

An administrator or Dean must be present during the interview. Two (2) adults should be present during any interview with a student.

12. Can a parent/guardian be present during an interview?

Yes, if a parent/guardian or a student request that a parent/guardian be present for the interview, it is permitted. If the parent/guardian’s presence impedes the interview, the investigator may request that the parent/guardian step out for a portion of the interview to ensure that a student is truthful and forthcoming with information.
Outcome

1. What if a Complainant or Respondent disagrees with the outcome of an investigation?

   Appeals may be filed from a determination regarding responsibility for conduct or from the dismissal of a Formal Title IX Complaint or the dismissal of any allegations contained within a Formal Title IX Complaint. Appeals may be made on the following grounds:

   A. A procedural irregularity impacted the outcome.

   B. New evidence that was not reasonably available at the time of the determination is available and could impact the outcome of the matter.

   C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent.