Best Practices in Compliance Investigations

Trumbull County ESC

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Agenda

- What Are We Dealing With?
- Harassment: Procedures and Investigations
- Bullying: Procedures and Investigations
- Practice Scenario

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What Are We Dealing With?

Distinguishing among harassment, bullying and Title IX issues

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Harassment

NEOLA

"Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- has the effect of substantially disrupting the orderly operation of a school."

OSBA

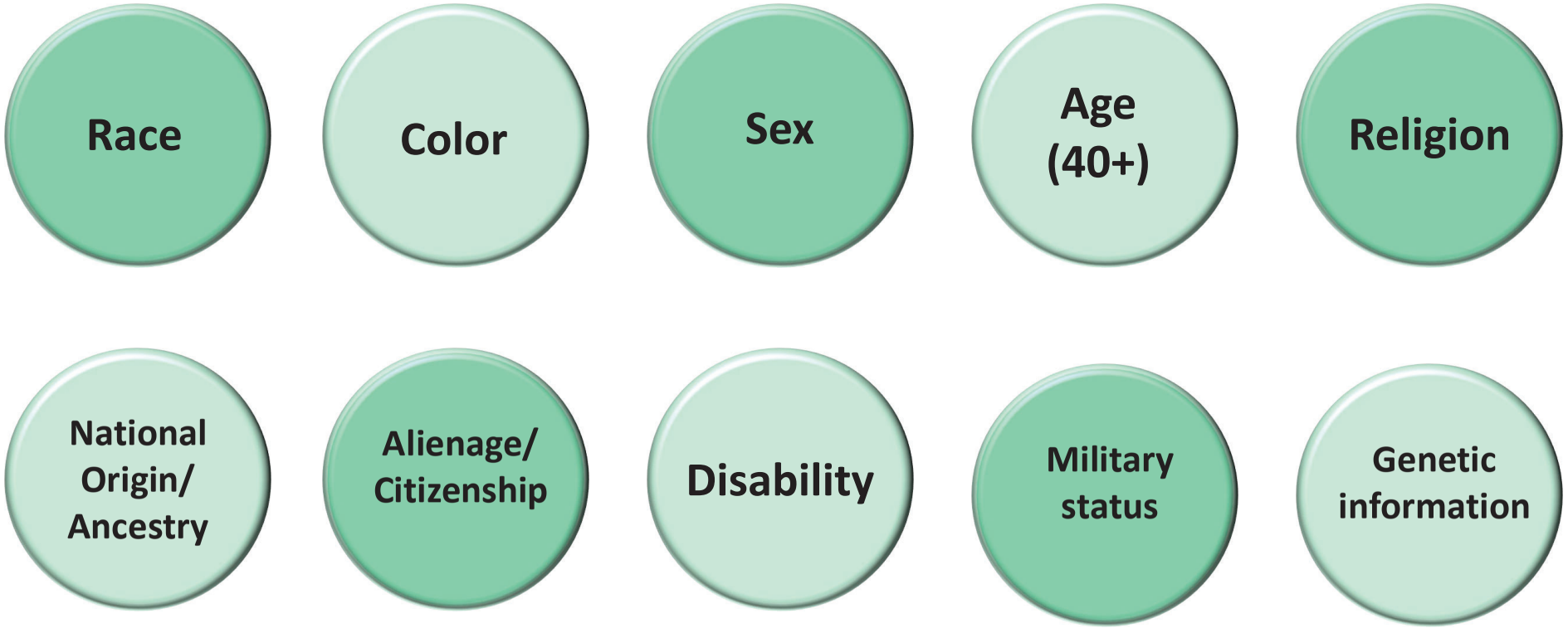
No specific definition of harassment.

- "The Board is committed to an environment in which all individuals, including students, staff, job applicants, the general public and individuals with whom it does business, are treated with dignity and respect. The Board prohibits discrimination based on race, color, national origin, ancestry, citizenship status, religion, sex, economic status, age, disability, military status or legally acquired genetic information."

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Protected Classes

Harassment must be based on a protected class:



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Bullying

NEOLA (5517.01) and OSBA (JFCF)

- Harassment, intimidation, or bullying ("bullying") means:
  - Intentional written, verbal, electronic, or physical act
  - Exhibited towards a student or group of students
  - On more than one occasion
  - Causes mental or physical harm
  - Sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for students.
- Cyberbullying
- Violence within a dating relationship.



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Title IX Sexual Harassment

Unwanted sexual conduct (sexual advances, requests for sexual favors, other verbal, physical or visual conduct) when:

- Submission to the conduct is made (or threatened to be made) a ***term or condition of employment or education***; or
- Submission to or rejection of such conduct is used (or threatened to be used) as a ***basis for academic or employment decisions***; or
- The conduct is so ***severe, pervasive and objectively offensive*** that it substantially interferes with the individual's academic or professional performance, ***effectively denying them equal access***; or
- The conduct constitutes ***sexual assault, dating violence, domestic violence or stalking***.

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Identify the Policy

- Review and analyze the nature of the allegations. Bullying? Harassment? Title IX?
- Harassment or Title IX: Check the relevant policy and ensure the report goes to the Compliance Officer/Coordinator
- Bullying: Policy typically refers these to the building principal, but *double check your specific policy!*



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Harassment

Procedures and Investigations



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Who is a Compliance Officer?

- If you can't figure this out, chances are members of the school community cannot figure it out either – and that is a PROBLEM!!!!
- Federal law requires public agencies to designate individuals and make available all information necessary for public to get in touch.
- Board policy requires the names, titles and contact information of Compliance Officers to be posted in certain areas (i.e., staff handbooks, on the District's website, on each school's website, etc.)
- Bottom Line – District needs to remove any barriers that would prevent a person from contacting compliance officers.
- Recommended Best Practices
  - Review Board policies, student and staff handbooks, District website to ensure that compliance officer names and contact information are accurate and accessible.
  - Male and female compliance officer?

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Day in the Life of a Compliance Officer



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Receiving Complaints

- Who may make a complaint?
  - Students, employees, visitors, Board members….simply put….ANYONE!!!
- How does a Compliance Officer receive a complaint?
  - Directly from a complainant
  - Referral from a student, employee, or building administrator
  - What about anonymous complaints?
- When must a complaint be submitted?
  - The sooner the better but…..there are no set timelines to initiate or file a complaint
- Board policy generally indicates that all members of the school community must report incidents of harassment, discrimination or retaliation to a compliance officer within two (2) days.
  - Failure to report within this timeline is not sufficient reason not to investigate.

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Receive a Complaint

If the complaint comes directly from the alleged victim, ask them to write down the details. If the complaint comes from someone else, get the information but follow up with the alleged victim.

Consider whether the Complainant needs supportive or interim measures during the period of the investigation. (For Title IX, consider also whether the Respondent does!)

Determine whether the investigation will be formal or informal.

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Interim Measures

- Upon receipt of the complaint, the compliance officer must consider whether interim measures are necessary to protect the complainant from further harassment or retaliation.
- Complainant should be consultant regarding the interim measures, but they do not need to consent to them in order to be implemented.
- Interim measures may include, but are not limited to:
  - No contact order
  - Paid administrative leave
  - Modification of work or class schedules
  - Counseling
  - Increased security or monitoring
  - School/campus escort services

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Formal v. Informal Complaint Procedures

- Anti-harassment policies have both a formal and informal complaint procedure that trigger a different process
- Upon receipt of a complaint, review formal and informal procedures thoroughly and have a good working knowledge of the steps and timelines under each process.
- When in doubt????



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Informal Complaint Procedures

- The goal of the informal complaint: facilitate quick resolution.
- Keep in mind: someone does not need to complete informal process before he/she files a formal complaint, and may terminate informal process at any time to start formal process.
- All parties must agree to participate in informal procedures.
- What is the informal procedure?
  - Advising about how to communicate concerns – individuals are encouraged to address matter with accused under CO's support and counsel.
  - Distributing applicable policies to parties involved to establish/remind about expectations.
  - Facilitating a meeting between the parties involved to work out and resolve issues informally.
- Timeline – Attempt to resolve within fifteen (15) days.

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Formal Complaint Procedure

- Informal complaint procedure is not a pre-requisite. A complainant can elect the formal complaint procedure at anytime.
- Either complainant or respondent can forego or withdraw from the informal complaint procedure at anytime and move into the formal complaint process.
- **CHECK YOUR POLICY**: Generally, all complaints involving a district employee or any other adult member of the school district community against a student must be formally investigated.



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Filing a Formal Complaint

- Individual may file a complaint either verbally or in writing.
- Compliance officer must initiate investigation within two (2) business days.
- When available, the complainant must include the following information in the complaint:
  - Identity of the individual(s) who engaged in discriminatory conduct
  - Detailed description of the facts
  - List of potential witnesses
  - Resolution sought by complainant



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Notice to the Respondent

Upon receipt of the complaint, the compliance officer must simultaneously inform the respondent that the complaint has been received.

Notice must include a statement of the nature of the allegations and a copy of the relevant policies and/or administrative guidelines.

Respondent must be informed of the opportunity to submit a written response to the complaint within five (5) business days.

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Investigative Steps

- Designate the Investigator
  - Do you have the time, resources, and support to dispatch these responsibilities?
  - Compliance officer, other district administrator, neutral third party investigator
  - Who should not conduct these investigations?
- At a minimum, the formal investigation must include each of the following:
  - Interview of the complainant
  - Interview of the accused
  - Interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations
  - Consideration of any documentation or other information presented by any knowledgeable party

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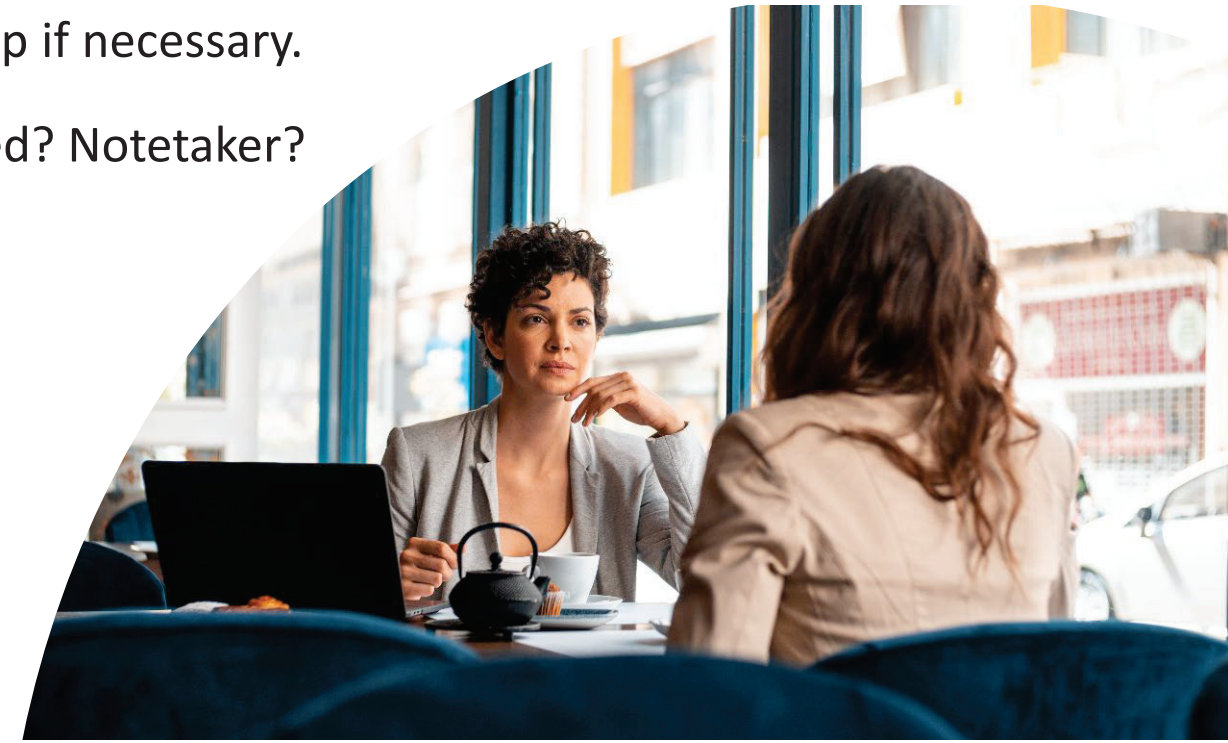
Interviewing Respondents

- Union leadership to protect the employee's right to representation.
- Adequate notice of charges.
- Stress the objectivity of the investigation and that this is the harasser's opportunity to tell his/her side of the story.
- Document (there may be critical admissions)!
- Ask if there is additional information the district should consider.
- Close the interview by providing the alleged harasser with an update on his/her status relative to the district's present expectations – home assignment, reassignment, etc.
- Provide a timeframe for the completion of the investigation.

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Interviewing Witnesses

- Develop a preliminary witness list for interviews and arrange for a logical ordering and discreet method of conducting the interviews.
- Develop a “script” listing areas of inquiry but remain flexible in case you have to go off script.
- Stress the need for both factual information and confidentiality.
- Elicit and record facts and first-hand knowledge – avoid giving significance to conclusions, innuendo or unreliable hearsay offered by witnesses.
- Make arrangements for follow-up if necessary.
- How will information be recorded? Notetaker?



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Finalizing the Investigation Report

- Investigation should be completed within fifteen (15) days when possible.
  - Need to be able to articulate reason(s) about why it took longer.
- At the conclusion of the investigation, the compliance officer is expected to prepare and deliver a written report to the superintendent that:
  - Summarizes evidence gathered
  - Cite violation(s) to Board policy, codes of conduct, work rules, etc.
  - Provides recommendations based on evidence and the definition of unlawful discrimination, harassment or retaliation
  - Disciplinary consequences/remedies

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Formal Complaint Disposition

- Absent extenuating circumstances, within ten (10)* days of receiving the investigation report, the Superintendent must issue a written decision regarding whether the complaint of harassment has been substantiated or request further investigation.
  - Note – Some policies require disposition to be sent within five (5) days. Review Board policy.
- A copy of the superintendent's decision must be delivered to both the accused and the complainant.
- If superintendent concludes that discrimination/retaliation occurred, notice must identify corrective action that will be taken to stop, remedy, and prevent recurrence.
- Corrective actions should be reasonable, timely, age-appropriate, tailored to the specific situation, and effective.

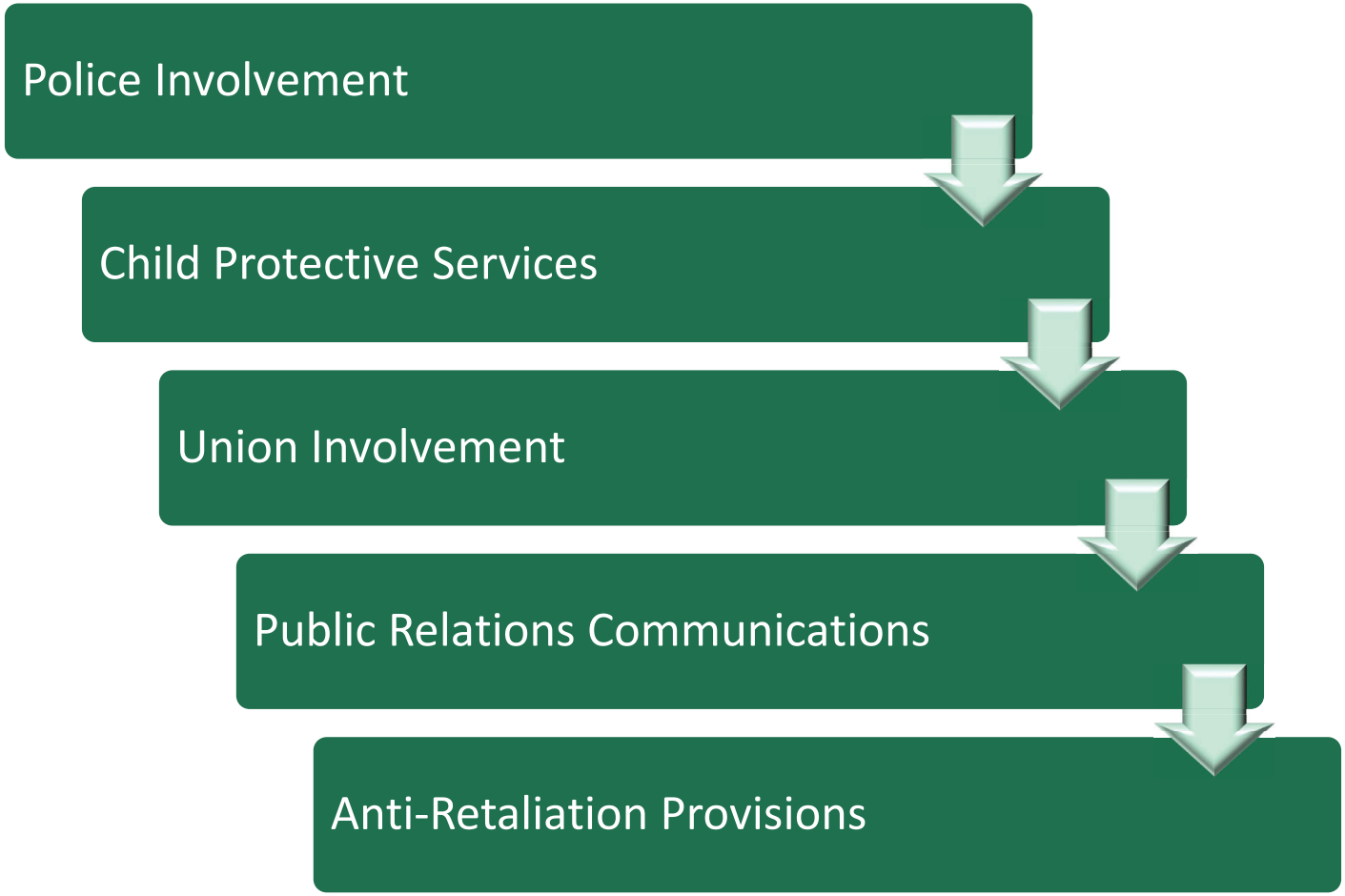
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Formal Complaint Appeal

- Policy will specify one of two options:
  - Superintendent's decision is final, or
  - Appeal through signed written statement submitted to the board within 5 business days after receipt of notice from superintendent (Check your policy: not all policies have the right to appeal the Superintendent's decision)
- If additional appeal step through the board:
  - Written notice of appeal within five (5)* business days
  - Must meet with parties within twenty (20) business days.
  - Must issue decision to each concerned party within ten (10) business days after meeting.
  - Board reserves the right to initiate separate investigation and appoint an external investigator and may resolve the complaint through separate means.

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Other Obligations During Investigation



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Practical Guidance and Best Practices

- Familiarize yourself with key anti-harassment policies and guidelines.
  - Then…FOLLOW THEM!!
- Take prompt steps to investigate and end discrimination or harassment.
- Implement interim measures as necessary.
- Take remedial and/or disciplinary action when and as appropriate.
- Document each step of the complaint process.
- Eliminate problems and implement monitoring, prevention and training.
  - Follow through on promised interventions and actions.
  - Communicate with affected parties.
  - Be alert to any retaliation if and when it occurs.

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2026 NEOLA Updates

In 2026, NEOLA published updates to its anti-discrimination and anti-harassment policies. **If your district implemented these policies this year (1422, 3122, 4122 – Nondiscrimination, Equal Employment Opportunity, and Anti-Harassment), your harassment procedures may look different from what we've discussed, and more like Title IX.**

- Incorporates a definition of "bullying" that now applies to staff (essentially restates harassment definition, ***not*** the student bullying definition)
- Key procedural differences from earlier policy versions:
  - CO must determine whether to dismiss or investigate within 10 days of receiving complaint (for the same reasons as CO can dismiss Title IX complaint)
  - Requires notice of rights and allegations to all parties upon receipt of the complaint
  - More prescriptive appeal procedure (including option to appeal dismissal of the complaint)

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Harassment – Example 1

A 6th grade male student (the "Student") has been diagnosed with a speech disability that causes the Student to have a speech impediment and stutter.

One weekend, a group of the Student's classmates create a group on Snapchat and proceed to send videos impersonating and mocking the Student's speech. The messages are being sent on the classmates' personal wireless devices.

After feeling uncomfortable with the messages being sent in the group, one of the Student's classmates records some of the messages and sends them to the Student. Subsequently, the Student reports the messages to District administration.



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Harassment – Example 2

A Teacher generally reports that she has been subjected to a hostile work environment by an Assistant Principal.

The Teacher alleges that the Assistant Principal has a practice of sending “aggressive emails” and acting as a “bully” towards her.

The Teacher further alleges that the Assistant Principal placed the Teacher on an improvement plan because the Teacher previously reported an incident in which one of the Teacher’s colleagues, who happened to be a personal friend of the Assistant Principal, engaged in employee misconduct.

While speaking with the Teacher, she acknowledged that she is openly gay at work, and that Assistant Principal is aware of this. Despite this, the Teacher also acknowledged that she had no reason to believe that the Assistant Principal’s conduct towards her was because of her sexuality.

Harassment – Example 3

A Security Officer alleged that an Assistant Principal directed profanity towards her and spoke to her in an inappropriate, disrespectful, and/or unprofessional manner on two occasions.

Specifically, after the Security Officer failed to search a student for potential contraband in their backpack, the Principal stated, “What the f*** there’s f****** drugs in this bookbag. Why didn’t you f****** search her?”

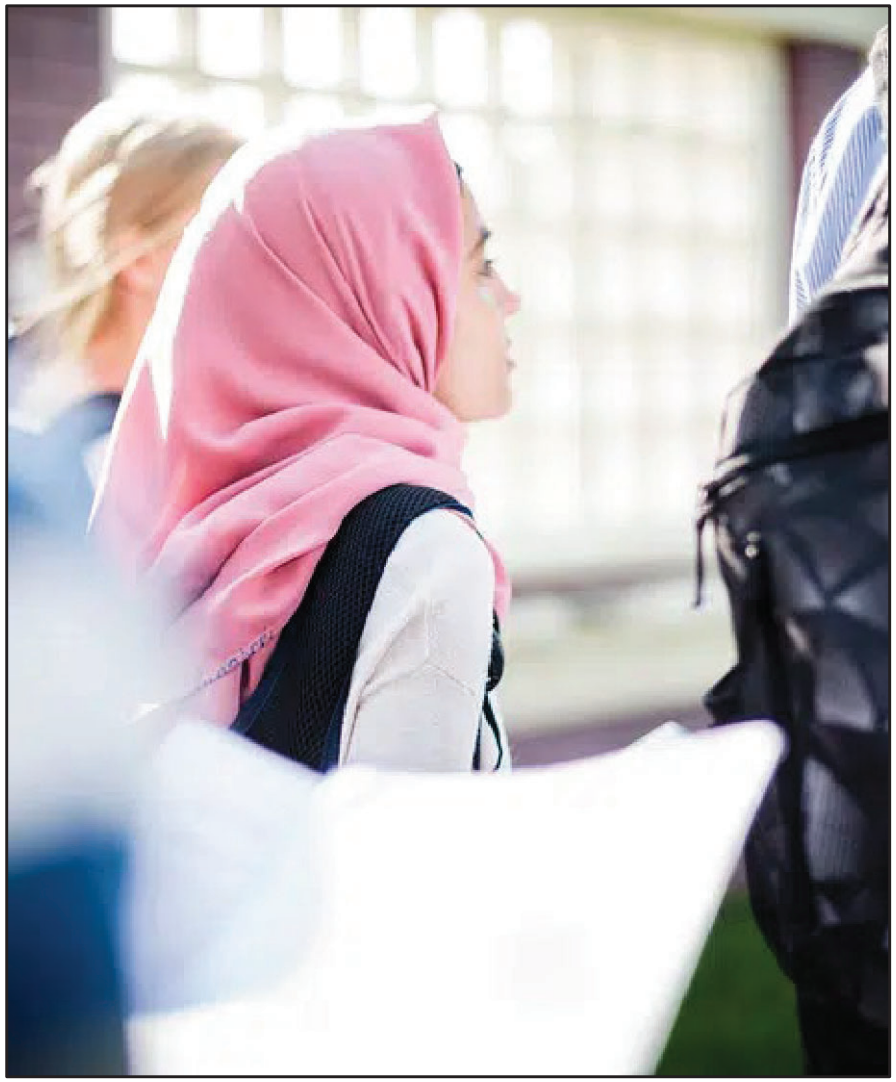
Later that week, the Security Officer attempted to show the Assistant Principal something on the Infinite Campus Dashboard. The Assistant Principal responded by stating, “I could give two s**** what it says on your Infinite Campus.”

The Security Officer alleged that the Assistant Principal was subjecting her to harassment based on sex because she had never observed the Assistant Principal communicate with male colleagues in the same manner.

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Harassment – Example 4



A 3rd grade female student (the “Student”) notices one of her female classmates (the “Classmate”) wearing a hijab, not eating or drinking while at lunch during Ramadan, and occasionally praying during school.

After observing these things, the Student asks the Classmate questions like, “Why do you wear those clothes?” “Why aren’t you eating lunch?” Why are you praying at school?”

During the course of the year, the Student continues to ask the Classmates additional questions relating to her religions and cultural practices. Given the duration and frequency of the questions, the Classmate reports that the Student is making fun of or harassing Classmate.

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Harassment – Example 5

A 10th grade male student generally alleges that his teammates on the wrestling team are subjecting him to bullying and/or harassment based on his ethnicity and/or religion.

Specifically, the Student alleged that some of his teammates have been repeatedly making “9/11 jokes,” calling the Student a “terrorist,” telling the Student to “go back to his country,” and making other racial derogatory slurs during wrestling events or practices.

Since the comments, the Student has subsequently left the wrestling team and has experienced a decrease in his attendance rate at school.



Bullying

Procedures and Investigations

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Bullying and Aggressive Behavior

- Harassment, intimidation, or bullying ("bullying") means:

  "Intentional written, verbal, electronic, or physical act that is exhibited towards a student or group of students on more than one occasion, causes mental or physical harm and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for students."

- Cyberbullying

- Violence within a dating relationship

- Aggressive Behavior is defined as:

  "Inappropriate conduct that is **repeated enough**, or **serious enough**, to **negatively impact** a student's **educational**, **physical** or **emotional well-being**."

- What is the difference between aggressive behavior and bullying?

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Scope of Bullying Policy

- Prohibits harassment, intimidation or bullying toward a student by other students, staff or third parties.
- Policy applies to all activities in the District, including activities on school property, on a school bus, or at school-sponsored events or activities.
- Policy does not apply to acts of harassment based on a protected class (i.e., race, sex, etc.)
    - If allegations of bullying implicate protected characteristic, refer to the compliance officer for review under applicable anti-harassment or anti-discrimination policies.

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Reporting Bullying

- Any student or student's parent/guardian who believes they have been subjected to bullying or aggressive behavior should report their concerns to a teacher, building principal, or Superintendent.
- If the concern is reported to and/or witnessed by a staff member, they must notify the appropriate administrator.
- Employees must be able to:
  - 1) Identify conduct which rises to the level of harassment, intimidation and bullying.
  - 2) Report such conduct to appropriate administrator.

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Intervention Strategies

- The District shall implement intervention strategies upon receipt of a report of bullying to protect a victim or other person from new or additional harassment, intimidation or bullying.
- Administered on a case-by-case basis
- Examples of intervention strategies may include:
  - Supervise and discipline offending students fairly and consistently
  - Provide adult supervision during recess, lunch time, bathroom breaks, and during transition times
  - Maintain contact with parents of all involved parties
  - Provide counseling for the victim if needed
  - Inform school personnel of the incident and instruct them to monitor the parties for indications of harassing, intimidating, and bullying behavior
  - Check-in with the victim to ensure there have been no other incidents of harassment, intimidation, bullying or retaliation from other parties.

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Informal and Anonymous Complaints

- Informal Complaints
  - Students or their parents may make informal complaints of harassment, intimidation or bullying.
  - Staff member receiving such concerns shall promptly document the complaint in writing.
  - Employee shall then forward the complaint to the building principal for review, investigation and appropriate action.
- Anonymous Complaints
  - Individuals may submit anonymous complaints.
  - Must be consistent with perpetrator's due process rights.

Investigation Procedure

- Reduce the complaint to writing.
- Complaint shall reasonably include each of the following:
  - Specific nature of the offense
  - Person(s) involved
  - Number of times and places of the alleged conduct
  - Target of the suspected conduct
  - Names of any potential witnesses
- Sign or affirm contents of the complaint
- Refer to the building principal for investigation.

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Investigation Procedure

- Notify parents of the students involved of the nature of the complaint.
- Schedule meetings/interviews with the parties and witnesses.
- Afford parties an opportunity to submit evidence and a list of witnesses.



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Investigation Procedure

- Prepare written report of the investigation
- Report shall include:
  - Findings of fact
  - A determination of whether acts of harassment, intimidation or bullying occurred
  - If acts of harassment, intimidation or bullying occurred, a recommendation for intervention and/or disciplinary action
- Prepare written notification of findings to students and their parent(s)/guardian(s).

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Appeal Procedure

- If the complainant is not satisfied with the determination, they may submit a written appeal to the Superintendent or their designee.
- Appeal must be filed within ten (10) workdays of receipt of the determination.
- Superintendent and/or designee will arrange meetings with the complainant and other affected parties to review and discuss the appeal as deemed necessary.
- Superintendent and/or designee shall provide written decision to the appeal within ten (10) workdays of the date of the appeal.

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Retaliation and False Reports

- Retaliation: Prohibits retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation of harassment, intimidation or bullying.
- False Reports: Prohibits persons from making false reports of harassment, intimidation or bullying.

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Reporting Requirements

- Written Summary of Incidents
  - Semi-annually, the Superintendent shall provide a written summary of all reported incidents to the Board President.
  - Summary shall be posted on the District's website.
- Reporting of Child Abuse or Neglect
  - Allegations of suspected child abuse or neglect must still be reported to appropriate law enforcement and/or child protective services.



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Reporting Requirements

Notice of the anti-bullying policy and consequences for violations of the policy must be:

- Annually circulated and discussed with students.
- Posted in conspicuous locations in all school buildings.
- Incorporated into student handbooks.
- Annually sent to each student's parent or guardian.
- The statement may be sent with regular student report cards or may be delivered electronically.

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Education and Training

- Superintendent or designee shall provide appropriate training to all members of the school community relating to the implementation of the anti-bullying policy.
- Annually, the District shall provide all students with age and content appropriate instruction regarding the anti-bullying policy.
  - Training must include a written or verbal discussion of the consequences for violating the policy.
- Students in Grades 7-12, must receive age-appropriate instruction in dating violence prevention.

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Bullying – Example 1

At recess, Student 1 sees a group of her classmates playing on the swings. As Student 1 is approaching the swings, the group of students, not seeing Student 1, runs off to another area of the playground. Student 1 becomes upset and reports that the group of students is intentionally avoiding and excluding her.



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Bullying – Example 2

Student 1 breaks up with his girlfriend, Student 2. Subsequently, Student 2 starts dating Student 3. Student 1 sees Student 3 walking down the hallway and pushes Student 3 into a row of lockers.



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Bullying – Example 3

Student 1 and Student 2 are on the basketball team together. After each practice, the students engage in one-on-one competitions with each other. Sometimes these competitions culminate in the students talking trash or roughhousing with one another.

One day after practice, Student 1 took things a little further than usual. After their one-on-one competition, Student 1 punched Student 2 on the arm, and made an insensitive comment about Student 2's sister. Student 2 had no bruising, soreness, or broken bones after being hit by Student 1.

After practice, Student 2 tells his parents about the incident with Student 1. After hearing what happened, Student 2's parents report the incident to the Principal. While speaking with Student 2, he admits that he and Student 1 are friends, engage in this kind of back-and-forth behavior with each other from time to time, and that Student 2 was not upset by the incident.

Bullying – Example 4

During lunch on Tuesday, Student 1 sends a SnapChat message to Student 2 calling Student 2 “stupid and ugly” and saying that Student 2 should “just disappear.”

On Wednesday, Student 1 places Student 2 in a group chat with Students 3 and 4. In the group chat, Student 1 proceeds to make fun of the outfit that Student 2 wore to school.

Then, on Friday, Student 1 sends a message to Student 5 saying that Student 2 is the “dumbest kid in school.” Student 5 takes a screenshot of the message and sends it to Student 2.

After receiving the screenshot from Student 5, Student 2 becomes anxious about attending school and stops participating in class discussions. Student 2 changes her seat in the cafeteria and her routes to and from class in an effort to avoid Student 1.

Bullying – Example 5

Student 1 is a 10th grade student and plays on the high school varsity football team. During the first several weeks of preseason practice, Student 1 struggles with certain blocking assignments and missed a few tackles during team drills. The Coach expresses his frustration with Student 1 and begins singling Student 1 out in front of his teammates.

During one practice in particular, Student 1 missed a blocking assignment. Coach blew his whistle and told the entire team to stop practice. In front of the team, Coach approaches Student 1 until he is inches from his facemask, grabs Student 1 by the shoulder pads, and says, “Are you serious? I have explained this to you five times. How many more times do I have to show you before you can get it right?” Over the next several practices, Student 1 continues to miss blocking assignments. Each time, Coach yells at Student 1 while using vulgar language and requires Student 1 to run wind sprints on the sideline.

After several weeks, Student 1 begins to feel anxious before practice and has difficulty sleeping before games. Student 1 tells his parents that Coach has made him afraid to make a mistake and he is considering quitting the football team.



Practice Scenario

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Issue Spotting

Scenario	Harassment?	Bullying?
Arab-American student reports his soccer coach compared the student's skin color to his dirty soccer uniform as a joke in front of peers.	X	
Student reports his peers targeted him and threw balls at him during PE class three weeks in a row. The PE class was in its dodgeball unit.	Neither	
Employee alleges supervisor asked whether he could still do his job and whether he needed assistance. The Employee says he heard the supervisor tell others the Employee is "getting up there."	X	
Student alleges band teachers allow other students to run the section and determine who gets to play. Student alleges the band teachers removed the Student from the field just before the first performance without warning and without explanation, just to embarrass her.		X
Teacher reports that her Colleague smelled her multiple times and commented on her perfume during a staff holiday party at a restaurant. The assistant superintendent organized and advertised the party, but the District did not spend any money on the party.	X*	

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Dos and Don'ts

What should Compliance Officers and Investigators be doing?

Action	Yes/No?
Compliance Officer meets with the Complainant to discuss the Complaint and the applicable Board policy.	
Compliance Officer receives a race-based harassment complaint but waits 5 days to send initial notices because they think the Complainant will change their mind about moving forward.	
Compliance Officer overhears the football coaching staff talking in the faculty lounge about the members of the offense "picking on" members of defense. The coaches are strategizing about how to improve team relationships. The CO does not ask them about the situation.	
Investigator interviews the Complainant, who mentions the names of three students they believe witnessed a bullying incident. The Investigator pulls each of those students individually from class for an interview.	
Investigator promises all parties that the investigatory process will be entirely confidential.	
Principal receives report that a student gave the Nazi salute to a Jewish classmate. Principal issues 3-day OSS to the saluting student and offers supportive measures to the Jewish classmate.	

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Working through a Problem

Caroline and Ricky are in 8th grade. Ricky and his friend Winston are hanging out at Ricky's house one Saturday and Winston takes a video of Ricky saying, "I want to f---- you, Caroline," then dropping his pants. Winston sends the video of Ricky to Caroline and separately texts Walter, Wendell and Wesley, a few of Winston and Ricky's friends, to tell them about the video. Caroline is at a sleepover at her friend Wendy's house when she gets the video, and she shows it to Wendy.

At school on Monday, the boys are sitting together at lunch and discussing the video. Walter goes up to Caroline's table and asks, "So, how big was it?" Caroline blushes and Walter returns to his table laughing. Later, in the hallway, Wendell and Wesley ask Caroline and Wendy again about what Ricky looked like in the video.

On the way home from school Monday, Caroline shows the video to her friend Willow. At school on Tuesday, Wendy and Willow start calling Ricky a "pervert." Someone writes "Tiny" on Ricky's locker with Sharpie.

Issue Spotting

Title IX

Ricky and Winston's message:

- Was unwelcome conduct, based on sex
- Might be severe/pervasive
- Might be impacting Caroline's access to programing

BUT . . .

- Did not happen within the school's Title IX jurisdiction.

Harassment

- Boys' comments to Caroline:
  - Insulting/dehumanizing comments
  - Maybe based on sex
  - Maybe interfering with Caroline's access and/or disrupting operations
- Girls' comments to Ricky:
  - Insulting/dehumanizing comments
  - Maybe based on sex
  - Maybe interfering with access and/or disrupting operations
- Locker tag: Same analysis

Bullying

- Comments to Caroline and Ricky are:
  - Intentional verbal acts;
  - Directed to the same students on more than one occasion;
  - Causing mental harm
  - Maybe severe/pervasive enough to create an abusive educational environment
- Locker tag: Same analysis

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Next Steps

- Title IX:
  - Explain (if parents ask) why Title IX doesn't apply
  - Offer supportive measures to . . . Caroline? Ricky? Wendy? Willow?
- Harassment:
  - Provide complaint forms to Caroline and Ricky
  - Notify respondents if any complaints are filed
  - Appoint an investigator
- Bullying
  - Explain process to parents
  - Refer to building principal (or other person designated by policy) for investigation

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Building an Interview

What are the most important questions we need answered?

Complainants	Respondents/Witnesses

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Additional Information from Interviews

- Ricky claimed Winston took the video surreptitiously and sent it to Caroline without Ricky's consent.
- Caroline admitted to showing the video to Wendy and Willow and making a joke to them about Ricky's size.
- Caroline and Wendy each report that Walter asked them twice about Ricky's size, Wendall and Wesley each asked them once, and Winston asked how they liked the video while winking at them and making sexual movements with his hips.
- Walter, Wendall and Wesley admitted to asking Caroline and Wendy about the video. They said they asked the girls because it was funny to watch them blush.
- Winston denied talking to Caroline and Wendy about the video.
- Wendy and Willow admitted telling at least 3 students that Ricky was "tiny" and that he was a "pervert." They could not remember who they told. They said they made the comments because they were mad at Ricky for sending Caroline the video.

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Decision Time!

- Is there anything to be done under Title IX?
- Was Caroline harassed?
  Was Ricky harassed?
- Was Caroline bullied?
  Was Ricky bullied?



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Questions



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