LETTER – FORWARDING OF WRITTEN DETERMINATION OF APPEAL

INSTRUCTIONS FOR **APPELLATE DECISION MAKER**: USE THIS LETTER TO FORWARD YOUR WRITTEN DETERMINATION OF APPEAL TO BOTH PARTIES, SIMULTANEOUSLY, WITH A COPY TO PARTY ADVISOR(S) (IF ANY), THE TITLE IX COORDINATOR AND THE SUPERINTENDENT OF SCHOOLS.

**Be sure to read this entire letter WHICH GOES ON FOR THREE PAGES OF OPTIONS** and make the appropriate text selections where indicated in [BRACKETS]

[INSERT HERE DATE OF LETTER OR EMAIL]

[INSERT METHOD OF DELIVERY: FIRST CLASS MAIL OR EMAIL]

RESPONDENT OR COMPLAINANT NAME (as appropriate)

MAIL ADDRESS

Email address:

RE: Forwarding of Written Determination of Appeal

Dear **[INSERT RESPONDENT OR COMPLAINANT NAME as appropriate]:**

I am writing to you in my role as Appellate Decision Maker to provide you with a copy of my Written Determination of Appeal (Enclosed).

[**INSTRUCTIONS:** **IN CASES WHERE THE DECISION REACHED IS TO REFER THE MATTER BACK TO THE APPROPRIATE STAGE OF THE TITLE IX GRIEVANCE PROCESS ANNOUNCE THE FOLLOWING:**

Having considered the full documentary record and the parties’ appeal statements I have in this case decided to refer this matter back to [**INSTRUCTIONS: ANNOUNCE WHICH STAGE IT IS REFERRED BACK TO EITHER**: “the Investigative Stage” **OR** “Initial Determination Stage”] for further consideration consistent with my Written Determination of Appeal.

This concludes my role in this matter. Thank you for your ongoing cooperation in this matter.

Sincerely,

Appellate Decision Maker

Enclosure: Written Determination of Appeal

cc: Party Advisor(s) If Any

 Title IX Coordinator

 Superintendent of Schools

**TEMPLATE OPTIONS CONTINUES ON NEXT PAGE!!!**

* **OR - IN CASES WHERE THE DECISION REACHED OVERTURNS THE INITIAL DETERMINATION OF RESPONSIBILITY, ANNOUNCE THE FOLLOWING:**

Having considered the full documentary record and the parties’ appeal statements I have in this case decided to reverse the Initial Determination of Responsibility as I have found the conclusion to be clearly erroneous. Please be further advised that pursuant to the Policy for the Prevention of Sexual Harassment as Prohibited by Title IX, my decision is considered a Title IX Sexual Harassment Final Decision, with commensurate Title IX obligations for the District as set forth in the Policy. There are no further District or Board level appeals available with respect to these findings. There may, however, be appeal rights regarding any decisions regarding discipline imposed as a result of these findings. You may therefore be contacted by the Building Administrator separately regarding any communications necessary to effectuate District duties commensurate with this Final Decision.

This concludes my role in this matter. Thank you for your ongoing cooperation in this matter.

Sincerely,

Appellate Decision Maker

Enclosure: Written Determination of Appeal

cc: Party Advisor(s) If Any

 Title IX Coordinator

 Superintendent of Schools

**TEMPLATE OPTIONS CONTINUES ON NEXT PAGE!!!**

**OR - IN CASES WHERE THE DECISION REACHED UPHOLDS THE ACTION TAKEN BELOW, EITHER A DISMISSAL OR THE INITIAL DETERMINATION OF RESPONSIBILITY, ANNOUNCE THE FOLLOWING:**

Having considered the full documentary record and the parties’ appeal statements I am upholding the [**INSTRUCTIONS CHOOSE AS APPROPRIATE EITHER:** Dismissal of the Formal Complaint of Sexual Harassment **OR** Initial Determination of Responsibility] in this case as I have found the conclusion NOT to be clearly erroneous. Please be further advised that pursuant to the Policy for the Prevention of Sexual Harassment as Prohibited by Title IX, my decision is considered a Title IX Sexual Harassment Final Decision, with commensurate Title IX obligations for the District as set forth in the Policy. There are no further District or Board level appeals available with respect to these findings. There may, however, be appeal rights regarding any decisions regarding discipline imposed as a result of these findings. You may therefore be contacted by the Building Administrator separately regarding any communications necessary to effectuate District duties commensurate with this Final Decision.

This concludes my role in this matter. Thank you for your ongoing cooperation in this matter.

Sincerely,

Appellate Decision Maker

Enclosure: Written Determination of Appeal

cc: Party Advisor(s) If Any

 Title IX Coordinator

 Superintendent of Schools