**Report, Investigation, and Outcome TEMPLATE GRADES 4-12**

**Include copies AR & BP 5145.7, AR 5145.71, AR & BP 1312.3 with the letter. Delete and/or change text in red, delete these instructions, and copy to school letterhead.**

Parent/Guardian Name

Address

San Diego, CA 92000

Date

**Subject: Sexual Harassment Notification, Investigation and Outcome**

Student: Student’s First and Last names (INDIVIDUAL LETTER FOR EACH ACCUSER AND ACCUSED)

Dear parent/guardian name:

On date, the school received a report of sexual harassment.Whoever notified the school (You notified, or staff informed us, or a student reported) that on date and brief description of what was REPORTED. WHOEVER called you on DATE to inform you of the allegation and pending investigation.

The District took the following steps to ensure no further potential sexual harassment or recurrence could take place during the investigation:

List supportive measures you are taking DURING the investigation.

* We separated the students in the classroom.
* Name was held out of class to separate him/her from the complaining party.
* Name was held out of class and did his/her work in the office during the investigation.
* We confidentially notified supervision staff of the incident so they may monitor the students during recess, lunch, and lunch recess.
* The school issued Name an Independent Study Contract for DURATION so s/he could complete work at home during the investigation.
* During our phone conversation OR meeting, you were informed of your right to file a formal Sexual Harassment Complaint under Administrative Regularion (“AR”) and Board Policy (“BP) 5145.7). Sexual harassment is considered sex-based discrimination, therefore your Sexual Harassment Complaint may be handled under the Uniform Complaint Procedures (AR and BP 1312.3).
* During our phone conversation/meeting, about the incident you were told about the prohibition of retaliation for reporting sexual harassment and asked to discuss it with Name.
* The District’s Title IX office was notified of the sexual harassment report and pending investigation.

The school conducted an investigation of the allegations during which Name, \_\_\_, and all potential witnesses were interviewed and/or provided written statements. MUST INCLUDE: briefly describe the steps taken in the investigation, the results of the investigation, present any evidence, etc. EX: \_\_\_\_\_\_, the boy/girl (accused), and several potential witnesses were interviewed and/or wrote statements. \_\_\_\_\_\_ denied the accusations. Three witnesses verified that \_\_\_\_\_\_ said \_\_\_\_\_\_. The District was OR was not able to substantiate the allegation(s). The claim of sexual harassment was OR was not supported by the evidence.

SUBSTANTIATED BUT NOT SEXUAL HARASSMENT (FOR ACCUSER AND ACCUSED)

Although the reported incident does not rise to the level of sexual harassment, the allegation itself was substantiated. To address any possible effects of the incident on the students involved; to support and ensure their access to the District’s educational programs and activities; and to prevent a hostile educational environment; the supportive measures listed below have been put in place by the school. You and Staff Name or I met on DATE to discuss these supportive measures.

 SUBSTANTIATED FOR ACCUSER OR ACCUSED

As a result the investigation, which was substantiated, to address any possible effects of the incident on the students involved; to support and ensure their access to the District’s educational programs and activities; and to prevent a hostile educational environment; the supportive measures listed below have been put in place by the school. You and Staff Name or I met on DATE to discuss these supportive measures.

UNSUBSTANTIATED FOR ACCUSER OR ACCUSED

Although the investigation into the report of sexual harassment did not substantiated the allegations, in order address any possible effects of the incident on the students involved; to support and ensure their access to the District’s educational programs and activities; and to prevent a hostile educational environment; the supportive measures listed below have been put in place by the school. You and Staff Name or I met on DATE to discuss these supportive measures.

List interventions or remedies you plan to implement as a result of the investigation. Consider the results of the investigation, students’ needs, and staff needs. These are EXAMPLES. Delete those that do not apply, or add any additional that are feasible at your site.

* We notified the San Diego Unified School District (District) Police and/or the San Diego Police department was/were notified. They may be conducting an independent investigation.
* School personnel filed a mandated CPS report was filed. (optional)
* We followed the District’s Restorative Discipline Policy. Name or Boy or Girl was suspended for NUMBER days. (YOU MAY INCLUDE THE CONSQUENCE IN THE ACCUSED’S LETTER, BUT NOT THE ACCUSER’S LETTER.)
* The principal OR school counselor OR vice principal provided counseling to Name about the incident.
* We have submitted a referral for the STEPS program with your approval.
* We offered a Restorative Justice Practices session to Name and the other student(s). Name OR Boy or Girl declined.
* Name and the other student(s) voluntarily participated in a Restorative Justice Practices session. The result was \_\_\_\_short summary of what happened\_\_\_\_.
* Name OR Boy OR Girl was directed to have no contact with Name OR Boy OR Girl. “Contact” will include, but is not limited to, both direct and indirect contact, including messages through other students, teachers or adults; face-to-face interactions; texting, social media, the internet; in writing or via telephone, etc. Name OR Boy OR Girl was asked to report any contact made by Name Boy or Girl. If we receive any allegations of any violations of this directive, we will Name OR Boy OR Girl conduct an investigation into retaliation and, if substantiated, apply progressive discipline.
* Name OR Boy OR Girl was directed to stay at least ten feet away from Name or Boy or Girl. We will consider eye contact and hand gestures toward the other student a violation of this directive, we will conduct an investigation into retaliation and, if substantiated, apply progressive discipline.
* We confidentially notified supervision staff and teachers about the incident so they may monitor the students and offer assistance during classes, in the lunch line, recesses, passing periods, and out-of-class times.
* We issued an “any-time pass” to Name to allow him/her to leave class and report to his/her counselor as necessary.
* Name chose PERSON/STAFF as a “safe adult” to whom s/he can report at any time. A pass was issued for Name to carry as authorization to speak to that person. If PERSON/STAFF is not available then s/he can report to PERSON/STAFF.
* The teacher assigned Name and the other student(s) separate seating in the classroom and during all classroom activities.
* We reviewed class schedules for the students. We did not make any schedule changes because the students did not share any common classes.
* We reviewed class schedules for the students and changed Name’s or Boy’s or Girl’s class(es) so the students no longer have any classes together.
* Name or Boy or Girl requested we change his/her schedule so the students no longer have any classes together.
* You requested we change your child’s class schedul. We did so. The students are no longer in the same class.
* We evaluated travel paths for Name and the other student(s) and made a travel-path plan to minimize contact between OR among the students.
* We offered Name an adult or a student to escort him/her during passing periods, recess, lunch, and out-of-class time so he/she feels safe on campus. Name accepted/declined the offer. (FOR ACCUSER)
* We issued a verbal warning of progressive discipline to Name for any further offenses of sexual harassment or sexual misconduct. The progressive discipline may include, but is not limited to, suspension and/or a recommendation for expulsion.
* We assigned an adult to escort Name any time s/he is outside of the classroom. This supportive measure will continue until further notice. (FOR ACCSUED)
* Name is required to use an assigned restroom or the restroom in the nurse’s office until further notice. (FOR ACCSUED)
* The counselor scheduled a Student Study Team (SST) meeting on DATE to develop a plan to support Name with his/her behavior, in particular his/her repeated incidents of a sexual nature and supports for his/her behavior.
* In our meeting or the SST meeting on DATE, we discussed an assessment plan for special education services. We will send you or included with this letter is the Assessment Plan paperwork for your approval.
* The counselor convened a Student Study Team (SST) on DATE, and we held a follow up SST meeting on DATE. We discussed an Assessment Plan for Special Education Services at the follow-up meeting. We will send you or included with this letter is the Assessment Plan paperwork for your approval. Please complete the form, sign it, and return it to the school as soon as possible.
* The counselor scheduled a 504 Plan meeting on DATE to address the severity of the incident and develop supportive measures and accommodations for Name. (ACCUSER)
* The counselor scheduled a 504 Plan meeting on DATE to revise Name’s current 504 plan and add additional supports.
* We have scheduled an Individualized Education Plan (IEP) meeting on DATE to address Name’s behavior and to discuss possible additional supports including, but not limited to, Mental Health Resource Services (MHRS), Behavior Support Resources (BSR), a Behavior Intervention Plan (BIP), and a possible change of placement. (ACCUSED)
* Your child’s case manager has scheduled a Manifestation Determination meeting on DATE as related to his/her Individualized Education Plan (IEP).
* The matter was referred to the District’s Human Resources Department and will be handled in accordance with District policy. (FOR ADULT-TO-STUDENT ONLY**)**
* On DATE, the school administration reviewed/will review the District’s “Student Sexual Harassment Policy” with all staff. We will remind staff they are required to report all suspected sexual harassment to an administrator.
* The counselor OR classroom teachers reviewed OR will review the District’s “Student Sexual Harassment Policy” with all students on DATE.
* The District distributes a “Facts for Parent” publication to all students at the start of each school year. The publication includes the “Student Sexual Harassment Policy.” We again reviewed the District’s “Student Sexual Harassment Policy” with all students.
* The District distributes a “Facts for Parent” publication to all students at the start of each school year. The publication includes the “Student Sexual Harassment Policy.” We provided an additional copy of the policy to all students to take home to parents. We asked parents to review the policy with their student or students.
* The counselor conducted age-appropriate assemblies or classroom presentations on DATE. The counselor and students talked about the District’s student “Student Sexual Harassment Policy,” presented an age-appropriate definition of sexual harassment, discussed both physical and verbal sexual harassment, and how to and to whom students can report inappropriate sexual conduct. We showed a video regarding consent for touching (younger) OR consent for sexual contact (older).
* We revised or developed the school’s hallway or bathroom or recess or lunch line, etc. policy. The classroom teachers presented and discussed the policies with students.
* We assigned additional supervision staff to monitor the restroom area OR the hallway OR after school dismissal area, etc.
* Upon your request, we are pursuing an Informal School Initiated Placement (ISIP) for Name. The new school will be provided a copy of this letter so the supportive measures can be followed up the new school.
* Upon your request, we are exploring an Informal School Initiated Placement (ISIP) to move Name to another District school. We issued an Independent Study Contract for him/her while the ISIP is finalized.
* You chose to keep Name home from school since the incident. We have excused his/her absences for # days. As discussed, we expect Name to return to school with these supportive measures in place.
* Should you notice a decline in academic performance because of the absences due to the incident. We can arrange for and provide tutoring. Please notify us immediately.
* Should you notice a decline in academic performance because of the incident. We can arrange for and provide tutoring. Please notify us immediately.
* Name’s academic performance/grades have declined since the incident. We will therefore arrange for and provide tutoring.
* The Counselor has noticed that Name’s academic performance and/or grades have declined since the incident. We will therefore arrange for and provide tutoring.
* We provided Name an Independent Learning Contract for the time s/he was absent from school due to the allegation(s) and investigation. The duration of the contract was for DURATION days/weeks.
* Title IX and the District strictly prohibit retaliation for reporting sexual harassment as well as any retaliation toward anyone providing information in an investigation into sexual harassment. We will thoroughly investigate any suspected retaliation and/or reports of retaliation. The school has informed all of the students and witnesses involved in this incident about the prohibition of retaliation and we asked them to report any suspected retaliation to school administration or the counselor immediately.
* The counselor will check in with Name weekly OR daily for how long OR until further notice, to follow up with him/her regarding any additional supports s/he may need and in order ensure s/he is doing well in school. During the check-in meetings, the counselor will be assessing for any change in demeanor, mood, and grades, which may result from the incident.
* During one or more of the aforementioned check-in meetings with the counselor, Name will be required to participate in lessons regarding sexual harassment. (ACCUSED)
* We have arranged with Name to complete his/her academic studies online from home for continuity in his/her education and/or completion of academic requirements (toward graduation), and so the students have no further contact for safety reasons. (HIGH SCHOOL)
* Please communicate any concerns you notice regarding your child’s demeanor, mood, and/or school performance immediately to a school administrator or the counselor so that we may add any additional supportive measures as necessary.
* The school has the ability to provide outside-therapy services provided certain qualifications are met. We can discuss a referral for therapy services may be able to submit a referral for the services upon mutual agreement.
* Rady Children’s Hospital Behavioral Health services information can be found at <https://www.rchsd.org/programs-services/behavioral-health-2/> or you may call the Behavioral Health Urgent Care office at (858) 966-5484 for more information.

Administrative Regulation (“AR”) and Board Policy (“BP”) 5145.7, and AR 5145.71 describe San Diego Unified School District’s policy for handling reports of student sexual harassment and the District’s Title IX Sexual Harassment Complaint Procedures. If at any time, you wish to file a formal written complaint of sexual harassment, you may do so under AR 5145.7. Complaints of sexual harassment may be dismissed under the Title IX regulations and handled under the Uniform Complaint Procedures, which are AR and BP 1312.3. These policies are enclosed with this letter

Title IX of the Education Amendments of 1972 requires the District to take steps end any harassment, prevent its reoccurrence, and to address the effects on the children involved. Additionally, Title IX prohibits retaliation against any person who reports, testifies, assists, or participates in District complaint procedures. You may contact the District’s Title IX Coordinator, Lynn Ryan, at lryan@sandi.net or (619)-725-7225 with questions pertaining to Title IX.

I am committed to ensuring your child has full access to the educational program and we will follow up and monitor for further issues. Please contact me should there be any further concerns.

Sincerely,

Administrator

Title

enclosures: AR and BP 5145.7-Sexual Harassment

 AR 5145.71-Title IX Sexual Harassment Complaint Procedures

 AR and BP 1312.3-Uniform Complaint Procedures

cc: Lynn Ryan, Title IX Coordinator