MPSB Decision on Formal Complaint

[to be completed by decision-maker]

**Name of Decision-Maker(s):**

# Date of Determination:

**Names of Parties to the Complaint:** [Complainant(s) and Respondent(s)]

# List the allegations in the complaint:

**Procedural history: [**A description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility – can use what is in the investigation report as a starting point in addition to the following:]

* The parties were provided the investigation report on [date – at least 10 days prior to date of this determination]. The parties had an opportunity to submit a written response to the investigation report for consideration prior to this decision-maker reaching a determination regarding responsibility. [indicate whether each party did or did not submit a written response].
* The parties had an opportunity to submit written questions to be asked of the other party and any witnesses. The decision-maker asked all relevant questions and provided the responses to those questions to the parties. The parties had a limited opportunity for follow-up questions [if applicable].
* The decision-maker considered all available, relevant evidence prior to reaching the determination(s) contained in this report.

# Findings of fact for each allegation:

Statement of undisputed material facts:

Findings on disputed material facts:

**Conclusions:** [Conclusions for each allegation regarding the application of this Policy and any other relevant District policy, procedure, handbook provision, or rule to the facts. Include a statement of whether each allegation is founded or unfounded, and rationale for this determination]

**Sanctions:** [Include any sanctions that will be imposed (or recommended if outside the authority of the decision-maker) on respondent, if any, and a rationale therefor]

**Remedies: [**include any remedies the District will provide to restore or preserve Complainant’s access to the District’s educational program or activity, if applicable, and a rationale therefor]

**Appeal Procedures:** Within five (5) calendar days of delivery of the written decision to them, either party may appeal this decision and/or any sanction imposed herein to or her/his designee.

Such appeals will be in writing and will be delivered to the or her/his designee. The

or her/his designee will determine if the written decision will be stayed pending the outcome of the appellate decision. Appeals will be limited to any of the following bases:

* A procedural irregularity that affected the outcome of the matter;
* New evidence that was not reasonably available at the time the written decision was issued that could affect the outcome of the matter; or
* The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias that affected the outcome of the matter.

The or her/his designee will notify both parties in writing if an appeal is received alleging one of the basis for appeal above. Both parties will be given an opportunity to submit a written statement in support of, or challenging, the written decision. The parties’ written statements must be submitted within five (5) calendar days of notice of the appeal.

**Retaliation:** Retaliation against a person who reports sexual misconduct, assists someone with a report of sexual misconduct, or participates in any manner in an investigation or resolution of a sexual misconduct report is strictly prohibited. Retaliation includes threats, coercion, discrimination, intimidation, reprisals, and/or adverse actions related to employment or education. Any individual who believes they have been retaliated against in violation of this Policy should immediately contact the District’s Title IX Coordinator, Dr. Dana J. Boockoff, dboockoff@mpsb.us or 318-283-1600.

Sincerely,

[name(s) and title(s) of decision-maker(s)) Date