



*Dedicated to  
Excellence*

Cherry Creek Schools

## Title IX Notice of Formal Complaint and Rights

You are receiving this notice because you or your student is alleged to be involved in a Title IX Formal Complaint. A Title IX investigation occurs when the School District receives allegations of conduct that may constitute sexual harassment under the implementing regulations of Title IX and a Formal Complaint has been signed. Attached please find the CCSD Title IX Grievance Procedures and Notice of Rights in Formal Complaints.

The allegations and information known at the time of the Formal Complaint (i.e. identities of the Parties, alleged conduct constituting Title IX sexual harassment, date and location of alleged incident):

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### **Participant(s) Interviews:**

Name of Participant(s)/role(s) and date/time/location of interviews:

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Purpose of Investigative Interviews:

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## **Title IX Notice of Formal Complaint and Rights**

### **Notice of Rights of the Parties in Formal Complaint Process:**

- You have the right to an impartial and unbiased investigation and resolution of the allegations. The burden to investigate is on the Investigator, but both Parties have the right to gather evidence or information and provide it to the Investigator. Both Parties will be afforded the opportunity to review evidence and information gathered as part of the investigation and provide feedback.
- You have the right to file a criminal complaint with your local police department or report to the Department of Human Services.
- You have the right to meet with the Title IX Coordinator and discuss and develop Supportive Measures to restore or preserve equal access to the school's education program or activity. You are not required to accept Supportive Measures. Supportive measures cannot be disciplinary, punitive, or place an unreasonable burden on other students.
- You have the Right to be provided with written notice of the date, time, location, participants, purpose of investigative interviews, and sufficient time to prepare for such interviews, when your participation is invited or expected.
- You have the right to supportive measures without filing or participating in a Formal Complaint.
- You have the right to file a Formal Complaint pursuant to CCSD Board Policy AC-R-5.
- You have a right to file a complaint with the federal agency charged with enforcing Title IX—The United States Department of Education, Office for Civil Rights (OCR).
- The Respondent maintains a presumption of non-responsible for the alleged conduct, and the determination regarding responsibility shall not be made prior to the conclusion of the grievance process.
- The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.
- You have the right to not participate in the Grievance Procedures. If you decline to participate in the Grievance Procedures, your lack of participation will not be construed against you.
- The Complainant maintains the right to withdraw the Formal Complaint at any time by submitting a withdrawal in writing. The Complainant maintains the right to not be pressured or compelled to withdraw the Formal Complaint.



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## **Title IX Notice of Formal Complaint and Rights**

- The Formal Complaint may be informally resolved if both Parties agree in writing. Parties have the right to not be pressured or compelled to participate in Informal Resolution.
- The Complainant and Respondent may have an advisor of their choice who may be, but is not required to be, an attorney and may inspect and review evidence.
- You have the right to not be retaliated against. No School or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated or declined to participate in any manner in an investigation or proceeding under this Board Policy. Parties have a right to file a complaint of retaliation with the Building Title IX Coordinator.
- Under CCSD Board policy JICDA, lying or giving false information either verbally or in writing to a school employee may result in disciplinary consequences under CCSD Conduct and Discipline code.