Idaho Title IX Professional Learning Community
06.10.2025 Meeting

When should a Title IX Coordinator sign a formal complaint?

- ❖ Consider a variety of factors:
- ❖ What would you consider?
    - ➢ Is there a pattern of alleged misconduct by a particular Respondent?
    - ➢ Do allegations involve threats, serial predation, violation?
    - ➢ Other complaints about the same individual or other evidence of history of violence?
    - ➢ Age of Complainant (especially minor), relationship between parties.
    - ➢ Relevant evidence (cameras, etc.)?
- ❖ Practical Considerations
    - ➢ Does the institution have sufficient information to move forward with an investigation?
    - ➢ Has the complainant been advised that non-participation may limit the institution ability to respond and that the institution will proceed in best interest
- ❖ Risk Assessment
    - ➢ Severity of the allegation
    - ➢ Whether the prohibited conduct involved the plying or surreptitious use of "rape" drugs or similar drugs or intoxicants
    - ➢ Whether there are other aggravating circumstances/indicators of predatory behavior
    - ➢ Whether the prohibited conduct involved physical violence
    - ➢ Whether the prohibited conduct occurred while the Complainant was unconscious, physically helpless, or unaware that the prohibited conduct was occurring
- ❖ Document analysis and ultimate decision
    - ➢ Threats of further violence or retaliation against the complainant or others

Informal Resolution

- ❖ May be offered after formal complaint and prior to any decision regarding responsibility
- ❖ Must provide to parties a written notice disclosing:
- ❖ Allegations
- ❖ Process requirements
- ❖ When a party is precluded from resuming a formal complaint - right to withdraw from informal process
- ❖ Consequences resulting from participating in process
- ❖ Must have voluntary written consent of parties

Record Keeping

- ❖ Must maintain for 7 years (also look at district/school policies and state law)
- ❖ Each investigation files
- ❖ Anything that needs to be in writing and important documentation should be saved!

- ❖ Any appeals and results
- ❖ All material used to train TIX team + make available on website