

**ERIE 1 BOCES
TITLE IX FORMAL COMPLAINT FORM**

Title IX of the Education Amendments Act of 1972 and its implementing regulations (Title IX) prohibit discrimination on the basis of sex in any education program or activity operated by a BOCES that receives federal financial assistance. As required by Title IX, the BOCES does not discriminate on the basis of sex in its education programs and activities or when making employment decisions.

The BOCES will promptly respond to reports of sexual harassment, ensure that all investigations are conducted within a reasonably prompt time frame, ensure a predictable fair grievance process to address formal complaints of sexual harassment that provides due process protections to complainants and respondents, and impose sanctions and implement remedies when warranted.

Instructions

This form is used to file a formal complaint of sexual harassment under Title IX. Under Title IX, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the BOCES conditioning the provision of an aid, benefit, or service of the BOCES on an individual's participation in unwelcome sexual conduct;
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the BOCES' education program or activity; or
- 3) Sexual assault, dating violence, domestic violence, or stalking.

Filing a formal complaint of sexual harassment initiates the BOCES' Title IX grievance process which involves, among other things, investigating the allegations of sexual harassment. At the beginning of the grievance process, a written notice of allegations will be sent to all known parties which describes, among other things, details of the allegations being made including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

This form must be completed and signed by either the alleged victim ("the complainant"); a parent or legal guardian who has a right to act on behalf of the complainant; or the Title IX Coordinator. It should be submitted to the Title IX Coordinator in person or by mail, email, or other method made available by the BOCES. Filling this form out as thoroughly as possible will assist the BOCES in providing for the prompt, thorough, and equitable resolution of all allegations. Inquiries about this form or the Title IX grievance process may be directed to the BOCES' Title IX Coordinator(s).

The BOCES has designated and authorized the following BOCES employee(s) to serve as its Title IX Coordinator(s):

For elementary and secondary students, and for applicants for admission to or current students of BOCES' Adult Career Training programs:

Assistant Superintendent of Instructional Services
355 Harlem Road
West Seneca, NY 14224
(716) 821-7462
atrautman@e1b.org

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ERIE 1 BOCES
TITLE IX FORMAL COMPLAINT FORM (Cont'd.)

For employees and applicants for employment:

Director of Human Resources
355 Harlem Road
West Seneca, NY 14224
(716) 821-7006
keisenried@e1b.org

You may use additional sheets of paper if needed and attach any relevant materials or evidence.

Information about the Complainant

(The person alleged to have experienced the sexual harassment.)

First and last name: _____

Complainant's relationship to the BOCES:

Student Employee Other _____

Primary building or location: _____

Further details including, if applicable, grade or title: _____

Complainant's contact information:

Address: _____

Home phone: _____ Cell phone: _____ Work phone: _____

Email: _____

Information about the Respondent

(The person alleged to have perpetrated the sexual harassment.)

First and last name: _____

Respondent's relationship to the BOCES:

Student Employee Other _____

Primary building or location: _____

Further details including, if applicable, grade or title: _____

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**ERIE 1 BOCES
TITLE IX FORMAL COMPLAINT FORM (Cont'd.)**

Respondent's contact information:

Address: _____

Home phone: _____ Cell phone: _____ Work phone: _____

Email: _____

Information about the Alleged Incident(s)

Describe the alleged incident(s) of sexual harassment and how it has affected you. **Include any known date(s), time(s), and place(s) of the alleged incident(s).**

Is the sexual harassment continuing? [] Yes [] No

Information about Witnesses

List the names and known contact information for any witnesses, individuals who may have information related to this formal complaint, or individuals you have discussed the alleged incident(s) with:

Information about Previous Reports

Have you previously reported or provided information (verbal or written) about this or related incidents? If yes, when and to whom did you report information to? What was the remedy, outcome, or resolution?

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**ERIE 1 BOCES
TITLE IX FORMAL COMPLAINT FORM (Cont'd.)**

Information about the Person Completing this Form

Are you the complainant? Yes No

If no, fill out the following:

First and last name: _____

Relationship to the complainant:

I am the parent/legal guardian of the complainant

I am the Title IX Coordinator for the BOCES

Other _____

Your contact information:

Address: _____

Home phone: _____ Cell phone: _____ Work phone: _____

Email: _____

Additional Information

Did you use additional sheets of paper and/or attach any relevant materials or evidence in completing this form? Yes No

If yes, please:

Indicate how many additional sheets of paper have been attached: _____

Identify all relevant materials and evidence that have been attached: _____

**ERIE 1 BOCES
TITLE IX FORMAL COMPLAINT FORM (Cont'd.)**

I certify that the facts in this formal complaint are true to the best of my knowledge, information, and belief. By signing and submitting this form, I am requesting that the BOCES initiate its Title IX grievance process and investigate the allegations of sexual harassment being made in this formal complaint.

First and last name: _____

Signature: _____

Date: _____

Notice: If, after reviewing this form, the Title IX Coordinator finds either that the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the BOCES' education program or activity, or did not occur against a person in the United States, then the BOCES will dismiss the formal complaint. You may also notify the BOCES' Title IX Coordinator in writing at any time during the investigation (or hearing, if one is held) in the event you wish to withdraw this formal complaint or any allegations therein. In the event of a withdrawal, the BOCES may dismiss the complaint. In the event of a dismissal, you will be provided with prompt written notice and the reasons for the dismissal. This dismissal does not preclude action under another related BOCES policy, procedure, collective bargaining agreement, or other document such as the BOCES' *Code of Conduct*. Further, you have the right to appeal the dismissal of this formal complaint.

For BOCES Use Only

Formal complaint initially received on: _____

Formal complaint initially received by: _____
(name and title)