



Written Determination (STS-F043)

To: _____

Date: _____

Re: Determination

NOTE: This is a confidential matter. Information contained in the Written Determination is confidential. You and/or your student may not share information or evidence contained or referenced in the Written Determination. Violation of this directive by a student may result in consequences pursuant to the Student Code of Conduct.

1. Identification of Allegations potentially constituting sexual harassment:

2. Description of procedural steps taken from receipt of formal complaint through determination:
 - Date parties were given written notice of allegations and explanation of process: _____
 - Dates of party and witness interviews: _____
 - Date parties were provided written investigative report: _____
 - Whether parties submitted written questions to Decision-maker: ☐ Yes ☐ No

3. Findings of fact and conclusions regarding the application of the Code of Conduct, to include Sexual Harassment Policy ([STS-A007](#)). Continued on a separate attached sheet ☐ Yes ☐ No

4. Determination of responsibility, to include a statement of and rationale for, the result of each allegation, as well as any disciplinary sanction to be imposed, whether further supportive measures are necessary and any other actions necessary to prevent the recurrence of harassment. Continued on a separate attached sheet ☐ Yes ☐ No



5. If the determination is a dismissal of a formal complaint, indicate the basis:

- ☐ The alleged conduct even if proven would not constitute sexual harassment (ensure specifics provided);
- ☐ The alleged conduct did not occur in or on the District's education program/activity or premises (ensure specifics provided);
- ☐ During the investigation, the complainant provided written notice of withdrawal of formal complaint or specific allegations in the formal complaint (attach copy);
- ☐ During the investigation, the respondent withdrew and is no longer enrolled as a student or is no longer employed by CMCSS; or
- ☐ During the investigation, specific circumstances prevented CMCSS from gathering evidence sufficient to reach a determination as to the formal complaint (include description of circumstances above).

6. Description of appeal process only as to **determination of responsibility and non-discipline remedies¹**:

- Either party may appeal from a determination of responsibility or the dismissal of a formal complaint by submitting a written appeal within 10 days of the date of determination to the Chief of Staff/designee, via email at TitleXappeals@cmcoss.net facsimile 931-920-9946, or by U.S. mail/hand delivery to her attention at 621 Gracey Avenue, Clarksville, Tennessee 37040.
- An appeal under this process may only be made upon one or more of these bases, which must be stated specifically in the party's appeal:
 - Procedural irregularity that affected outcome of the matter;
 - New evidence that was not reasonably available at the time the determination of responsibility or dismissal was made and such evidence could affect the outcome of the matter; or
 - The investigator or decision-maker had a conflict of interest or bias for/against complainants or respondents in general or an individual party in the particular case which affected the outcome of the matter.
- Within 5 days of receiving a written appeal under this process the Chief of Staff/designee will give further information about the appellate process to the parties.

Signature: _____

Name: _____

Position: _____

Ensure a completed copy of this form is emailed to Chief of Staff/ designee at TitleXappeals@cmcoss.net, and to assessment@cmcoss.net.

¹ **NOTE: This is not an appeal of the disciplinary sanctions, if any. An appeal of the disciplinary sanctions may be made pursuant to the District's ordinary review process for discipline and you must follow the prescribed deadlines under that process. See STS-M001, Student Code of Conduct.**