

NOTICE OF REPORTING PARTY (COMPLAINANT) RIGHTS & RESOURCES



Title IX of the Educational Amendments of 1972 ensures that every student has the right to access an education free of harassment or discrimination and reads as follows:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Under Title IX, the following are considered forms of sexual harassment and are prohibited: sexual harassment including engaging in unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a student equal access to a school’s education program or activity, sexual assault, dating violence, stalking or cyberstalking. For more detailed definitions please visit www.pps.net/titleix.

School-Based Title IX Coordinators

School-based Coordinators (SBCs) are the first level of intervention when gender-based harassment or discrimination of any kind is reported. As a learning organization, our goal is to ensure students understand what is expected at school and how this may differ from other environments they frequent outside of school. In some cases, the response may be educational, providing students with specific opportunities for learning, growth, and accountability. In others, such as a single severe incident, a formal investigation may begin. For more on the role of the school-based coordinator, check out the [FAQ](#).

The reporting party, also called the complainant, is the person who was harmed by an incident or behavior prohibited under Title IX, or a policy in the [PPS Student Rights & Responsibilities](#) and/or other PPS policy including [1.80.020-P Nondiscrimination/Anti-Harassment](#) and [4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment](#).

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Receiving this *Notice of Reporting Party Rights & Resources* means the district may investigate a matter where you were potentially harmed by another PPS student. The district will respond to all complaints but not all complaints will result in disciplinary action. The district will consider contextual and mitigating factors in determining an appropriate response. For all Title IX matters, school-based coordinators are directed to intervene early with appropriate psychoeducational interventions and resources that teach students the expectations for behavior at school.

Factors that may be considered in determining a response include:

- Student's prior conduct. Is this the first time the student engaged in this behavior? If not, it may be persistent. Is the behavior developmentally appropriate or is there concern about exposure to pornography or child abuse? Take into account the student's age, health, ability, etc.
- Is there an immediate and imminent risk to student safety?
- What (if any) cultural or linguistic factors may have played a role?
- Who was harmed by this behavior (impact)? Did the behavior have the effect of denying someone their right to an education even for a short period of time?
- Is the student willing to be accountable, apologize and/or participate in some form of restoration?
- How many students or other members of the school community were impacted (how pervasive)?
- What supportive measures can be immediately offered to those impacted by what happened? This may be academic accommodations, referral to counseling, class change, etc.
- What are appropriate interventions or supplemental educational activities that can address this behavior?
- Based on preliminary info gathered, is there a concern that a child is being abused by an adult? If so, we will make an immediate call to the DHS Child Abuse Hotline.

A school-based investigation is not the same as the criminal process; PPS cannot send someone to jail. The most significant consequence that a school can apply is suspension or expulsion for a period of time. However, this occurs extremely rarely and is reserved for the most serious and dangerous behaviors. If the report contains information that may include a crime, the school administrator may consult with or refer the matter to local law enforcement. These steps are coordinated in collaboration with the reporting party and their parent(s)/guardian(s).

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PPS values related to discipline:

- School personnel and parents/caregivers are responsible for encouraging students' appropriate behavior.
- School personnel are expected to use a continuum of positive behavior interventions, strategies, and supports to teach, encourage and reinforce appropriate behaviors conducive to a learning environment.
- School personnel are expected to intervene early and start the discipline process at the lowest possible level reasonably calculated to change the student's behavior and minimize loss of instructional time.

This notice provides important information about your rights and resources available to support you throughout the process.

Safety or Medical Needs

The priority of Title IX policy and response is student safety. Once you let PPS know what happened, we will take immediate steps to ensure both parties (if applicable) are safe and protected from further harm. This may include a request that the parties cease communication and/or the implementation of immediate safety measures in your school. You do not have to go through this alone.

If you experienced harm or trauma, please reach out to advocacy, support, or community resources. Many are available 24/7/365. It is important to address your emotional and/or physical needs first; once you are safe, you can alert the district or [Safe Oregon](#) about what occurred.

Please visit the [Student/Family Title IX website](#)] for a full list of resources.

Safety (or Supportive Measures)

Students who are harmed by a behavior or incident under Title IX have the right to interim supportive measures that are placed at school during the course of a Title IX investigation and may also continue after the investigation concludes. The measures supplied by a school district in an educational setting are vastly different from measures taken by law enforcement in criminal proceedings. The following are examples of the kinds of support that may be available. Discuss these with your school-based coordinator.

- ☐ Referral to counseling or school-based mental health provider
- ☐ Referral to school-based health clinic

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- ☐ Implementation of a No Trespass Order
- ☐ Academic accommodations such as extensions on class assignments or due dates
- ☐ Changes to class schedules
- ☐ Escorts provided by a Campus Security Agent (CSA). Examples: to/from class, during passing time, to/from the school bus, etc.
- ☐ Restrictions on contact between the parties (No Contact Agreement or Stay Away Plan)
- ☐ Leave of absence from school
- ☐ School-based safety or support plan (short-term or long-term)
- ☐ Monitoring of certain areas of campus.
- ☐ Other reasonable accommodation

Reporting party/complainant & their guardian/parent's have the right to...

1. Attend District schools and activities free from harassment or discrimination;
2. A fair, neutral, unbiased, impartial, and thorough review of the facts when impacted by a prohibited behavior;
3. Fully participate in the investigation, which may include presenting evidence (texts, screenshots, video, etc.), suggesting witnesses or other corroborating information about what occurred;
4. The school (or District) provided support and guidance;
5. To be treated with respect and compassion throughout the investigation;
6. To have an advisor of your choice throughout the process. This can be a parent, guardian, counselor, advocate, attorney, or another trusted adult whose role is to provide support;
7. To appeal the outcome based on additional information not previously available or a procedural violation.

Retaliation or Intimidation

Once a report is made, under the law, it is strictly prohibited to retaliate, intimidate, harass or threaten the individual who reported the matter. This includes:

- Threatening to harm, spread rumors or other misinformation about the named student
- Intimidating or harassing behavior towards the named student
- Threats, coercion, or intimidation on your behalf by a third-party (such as another PPS student) towards the named student

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Any actions perceived as retaliatory should be immediately reported to the Title IX Director (contact information provided below).

Privacy & Confidentiality

The Family Education Rights and Privacy Act (FERPA) was enacted to ensure the confidentiality of student records and to make them accessible only to parents and eligible students. However, student records may be disclosed pursuant to one of FERPA's exceptions including when the release of a student record is for a legitimate educational purpose.

Other Remedies

The school district's internal procedures do not prevent the right of any individual to simultaneously report or pursue other administrative, civil, or criminal remedies outside of a school-based investigation. These remedies are not provided by the school or district but may be available through other entities. Students also have the right to file a complaint online with the [Oregon Department of Education's Office of Civil Rights](#).

Title IX Compliance

The Title IX Director is responsible for tracking, reporting, and responding to Title IX reports for Portland Public School District in collaboration with school administrators.



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