

FY27 STUDENT SEXUAL MISCONDUCT RESPONDING PROCEDURES



*Sexual misconduct is prohibited under MCPS Board Policy ACF. **EVERY** Allegation of sexual misconduct must be investigated and documented. Incidents of sexual misconduct may be categorized as sexual harassment under Title IX of the Educational Amendments of 1972.*

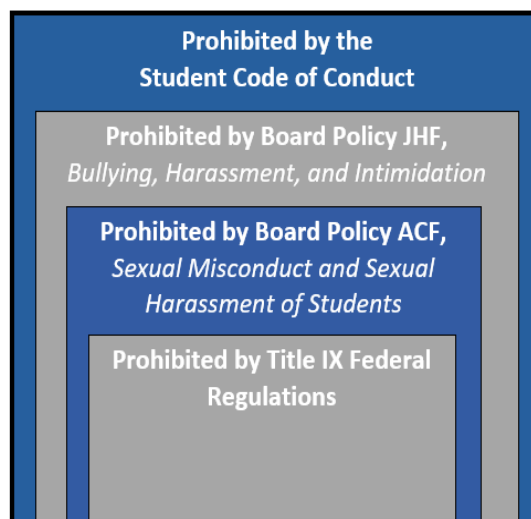
Sexual Misconduct under MCPS Board Policy ACF

Unwelcome verbal, written, electronic, or physical behavior directed at an individual, or against a particular group, because of actual or perceived sex, sexual orientation, gender identity, gender expression.

Sexual Harassment under Title IX Federal Regulations

A student experiences unwelcome sexual conduct:

- Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively **DENIES** a person equal access to an MCPS educational program or activity; or
- The federal definitions of “Sexual Assault”, “Dating Violence”, “Domestic Violence”, or “Stalking”; or
- A MCPS employee conditioning the provision of an aid, benefit, or service of MCPS contingent on an individual’s participation in unwelcome sexual conduct; or
- Under circumstances in which MCPS have substantial control over both the harasser and the context in which the harassment occurred.



STEPS FOR ALLEGATIONS OF SEXUAL MISCONDUCT:

- ☐ 1. **REPORT:** Student, staff member, parent/guardian, makes verbal or written report to any staff member/administrator. A report may also be made by emailing the Title IX Coordinator at TitleIX@mcpsmd.org. Follow [ACF-RA, Investigation of Title IX Sexual Misconduct and Sexual Harassment of MCPS Students](#).
- ☐ 2. **POLICE NOTIFICATION:** ANY CASE INVOLVING ALLEGED RAPE, SEXUAL ASSAULT by threat/force, or violent nature require a call to MCPD at (ECC) 240-683-1600. Imminent danger CALL 911
- ☐ 3. **PRINCIPAL/DESIGNEE COLLABORATE WITH STUDENT COMPLIANCE (SWC):** 240-740-3215 Triage the allegations to determine the appropriate next steps and procedures to follow.
- ☐ 4. **PRINCIPAL/DESIGNEE: CONTACTS** Division of School Leadership and Improvement (DSLI): Within 1 hour of the reported allegations
Region 1&2: 240-740-5137, Region 3&4: 240-740-5138, Region 5&6: 240-740-5136
DSLI enters the incident into SYNERGY.
- ☐ 5. **COMPLETE MCPS FORM 230-35, Bullying, Harassment, or Intimidation Reporting Form:** EVERY allegations of sexual misconduct must be documented on [MCPS Form 230-35](#). The form may be completed by any staff member, student, or parent/guardian. **SUBMIT THE COMPLETED MCPS FORM 230-35 to PRINCIPAL/DESIGNEE.**
[Available to complete online [HERE](#)]

- ☐ 6. **CPS/APS NOTIFICATION:** Cases where the student is an alleged victim of sexual abuse, or a staff member suspects that the student's behavior may indicate they are a victim of sexual abuse, follow the Child Abuse and Neglect Protocols.
Call Child Protective Services (CPS) **1-800-91-PREVENT/1-800-917-7383**, or if the student is 18 years or older call Adult Protective Services (APS) **240-777-3000**.
- ☐ 7. **PRINCIPAL/DESIGNEE SCHOOL-BASED INVESTIGATION:**
- Implement a [Supportive Measures Plan](#) for involved students
 - Notify parent/guardian of alleged victim.
 - If police are involved, consult with law enforcement prior to:
 - Communicating with the alleged offender and their parent/guardian
 - Conducting the school investigation
 - Once cleared by police, conduct a fact-finding investigation:
 - Collect evidence and conduct interviews
 - Document timeline, steps, and findings
 - [MCPS Form 230-36, Bullying, Harassment, or Intimidation Incident School Investigation Form](#) should be used to document the fact finding investigation
 - Disciplinary action is in alignment with the [Student Code of Conduct](#)
- ☐ 8. **PREVENTING HARASSMENT AND RETALIATION:**
- Counselor/Student Welfare Liaison should conduct post-incident check-ins with both the victim/offender to ensure safety of all students involved.
 - Ensure that students/families know how to report subsequent issues.
- ☐ 9. **RECORD KEEPING AND FOLLOW-UP WITH SWC:**
- The incident outcome is updated/completed in **SYNERGY**.
 - Incident Response Form sent to SWC, TIX@mcpsmd.org

RESOURCES:

[ACF, Sexual Misconduct and Sexual Harassment of Students](#)

[ACF-RA, Investigation of Title IX Sexual Misconduct and Sexual Harassment of MCPS Students](#)
[Title IX and Sexual Assault](#)

[ACA, Nondiscrimination, Equity, and Cultural Proficiency](#)

Need Help? Contact *Student Conduct and Appeals* at 240-740-3215 or
Visit our website at <https://www.montgomeryschoolsmd.org/compliance/>