



NORTH ANDOVER HIGH SCHOOL

430 Osgood Street
North Andover, MA 01845
978-794-1711

www.northandoverpublicschools.com/schools/nahs

April 13, 2018

[REDACTED]
North Andover, MA 10845

Re: Title IX Harassment Investigation

Dear Ms. [REDACTED]

This report addresses allegations of harassment raised by your daughter, [REDACTED], a North Andover High School student, on or about April 3, 2018. In response to the allegations raised by your daughter regarding the alleged harassment on the basis of gender, following a report of an inappropriate sexual interaction with a fellow student (hereinafter, "Student A"), North Andover High School opened an investigation to determine whether your daughter had been subjected to harassment based on gender and inappropriate sexual communications or contact by a student at North Andover High School, as well as to determine if a hostile environment has thus been created at school under Title IX of the Education Amendments of 1972 and the Massachusetts state laws that prohibit discrimination based on gender (hereinafter referred to collectively as "Title IX"). In the course of this investigation, the school interviewed only [REDACTED]. Student A declined the opportunity to be interviewed, and no witnesses were named.

Applicable Standards:

Under the Title IX implementing regulation at 34 C.F.R. Section 106, no individual may be subjected to discrimination on the basis of gender. To determine whether an individual was subjected to a sexually hostile environment, the Title IX Investigator must find that teachers and/or students engaged in sexually offensive or gender-based conduct and that the conduct must be sufficiently severe, persistent or pervasive to interfere with or limit a student's ability to participate in, or benefit from, the services, activities or privileges provided by the school. When determining whether an environment is sexually hostile, the Title IX Investigator examines the context, nature, frequency, and location of the sexual or gender-based incidents, as well as the identity, number and relationships of the persons involved. The Title IX investigator considers whether the harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the alleged victim, and under similar circumstances. Harassment based on Title IX includes harassment based on traditional notions of masculinity or femininity. If the Title IX investigator is able to establish the existence of a sexually hostile environment based on a preponderance of the evidence, the school must take prompt, effective action to remedy that hostile environment.

Factual Background and Analysis:

North Andover High School investigated the incident raised by your daughter and also any incidents that may not have been shared in the student's original reports to the school but came to light through this process. ██████ indicated during an interview that one instance of inappropriate sexual contact happened, on April 2, 2018, outside of North Andover High School. ██████ reported that she was picked up in a vehicle on the evening of April 2nd by Student A, and that the alleged incident took place inside of Student A's vehicle. ██████ recounted that she did not have a relationship or friendship with Student A before April 2nd, and also indicated that she and Student A have had no communication or contact since April 2nd.

Based upon the evidence and information available at this time, there is not a preponderance of evidence to contradict ██████'s claim of inappropriate sexual conduct by Student A in his car on the date in question. Despite this finding, however, there is also no evidence to support that Student A engaged in inappropriate communications or conduct toward ██████ either prior or subsequent to that reported incident. Accordingly, there is not a preponderance of evidence to support a determination that Student A has engaged in sexual harassment of ██████ at North Andover High School.

Based upon the findings of this investigation, and to help ensure a non-hostile environment for ██████ at North Andover High School, North Andover High School has taken the following actions:

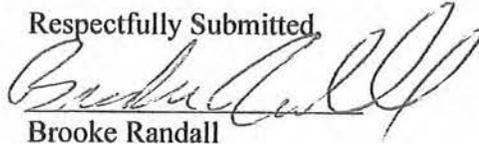
- Student A has been reassigned from the two common classes shared with ██████ this trimester
- Both ██████ and Student A have signed an Avoidable Contact Safety Plan
- ██████ will be provided with continued support and education through the Guidance Department.
- The Guidance Department will regularly check-in with ██████ regarding her well-being and sense of safety throughout the remainder of the school year.

Finally, please note that retaliation against any individual who complains of harassment, or who participates in the investigation thereof, may be subject to severe disciplinary sanctions including long-term suspension from school. If you or ██████ believe that you are being subject to retaliation for your participation in the investigation of this matter, please notify me immediately.

I would like to thank you and your daughter for bringing these matters to North Andover High School's attention. If you have any factual corrections, additional witnesses, or if you feel that there are any allegations that I have not addressed in my investigation, please contact me immediately so that the North Andover High School may address these. Please let me know if you believe there are any other ways that we can ensure your daughter's safety at North Andover High School. Thank you again for your support and cooperation in ensuring that the North Andover High School environment is one in which students can be free from harassment so that your daughter, and other students, can achieve their personal and academic potential. Should you

have any questions or concerns about this letter or my investigation, please do not hesitate to contact me by telephone at (978) 794-1711 or by email at randallb@northandoverpublicschools.com.

Respectfully Submitted,



Brooke Randall
Assistant Principal
North Andover High School

Cc: Chet Jackson, Principal, NAHS
Dr. Donna Straight, Assistant Superintendent

School Safety Plan

This contract is an agreement between [REDACTED] and North Andover High School.

[REDACTED] will:

- Refrain from any avoidable contact or communication with Eli Tuttle. This includes, but is not limited to face to face conversation, communication via cell phone, communication via social media and communication through a third party.
- Travel her normal pattern in order to attend any classes. When out of class, she will do so according to the procedures of the classroom teacher and the student handbook.
- Report any contact regardless of its nature with the other student to school staff immediately.

Any violation of this plan, will result in school discipline. This plan will stay in place until both students graduate or all parties and parents agree to end the plan.

Student: [REDACTED]

Date: 4/13/18

Administrator: 

Date: 4/13/18