To: Ms. Debbie Decision-Maker

From: Ms. Ingrid Investigator

Date: March 20, 2020

***Re: Title IX Investigation Report – Jane Doe/Trevor Morris***

 What follows is summary information representing a thorough investigation of allegations of violations of Imaginary School District Board Policy XY, Prohibition Against Discrimination, Harassment, and Retaliation, and Board Policy XYZ, Title IX Sexual Harassment Policy and Procedure.

**The Allegations:**

 On the evening of February 18, 2020, the father of Imaginary High School (IHS) 10th-grade student, Jane Doe, left a voicemail for Principal Gary Fields regarding an incident involving Miss Doe and another student during the IHS cheerleading team’s trip to Orlando, Florida. According to Mr. Doe, while the cheerleading team was returning home from Orlando on a chartered bus, Trevor Morris, a 9th-grade student, placed his hand underneath Miss Doe’s sports bra and touched Miss Doe’s breast without consent. Upon receipt of Mr. Doe’s voicemail on February 19, 2020, this matter was referred to Dr. Carl Coordinator, ISD’s Title IX Coordinator, to determine whether an investigation should proceed under Board Policy XYZ.

 Dr. Coordinator met with Miss Doe on February 20, 2020, and during the course of their meeting, Miss Doe told Dr. Coordinator that she wanted to file a Formal Complaint against Mr. Morris under Policy XYZ. Miss Doe’s Formal Complaint is attached to this Investigation Report as **Exhibit A**. Per Miss Doe’s Formal Complaint, she was sleeping on the bus and woke up when Mr. Morris touched her breast underneath her sports bra. Miss Doe states Mr. Morris’s action was done without Miss Doe’s consent.

**Background Information:**

 The IHS cheerleading team has two squads: junior varsity and varsity. While both squads attend pep rallies and sports events during the school year, only the varsity squad engages in competitive events. On a biennial basis, the varsity squad will travel to a national competition in Orlando, Florida, sponsored by the National Cheerleading Association.

 The 2019-2020 varsity squad has 18 members total: 7 seniors, 5 juniors, 4 sophomores, and 2 freshmen. The squad has 12 female students and 6 male students.

 Because this incident occurred while the varsity squad was traveling back to Fictional from Orlando, I decided not to interview any members of the junior varsity squad unless I determined doing so would be necessary to follow up on additional information gathered during the course of this investigation.

**The Investigation:**

 Based on Miss Doe’s Formal Complaint, I focused my investigation on whether Mr. Morris inappropriately touch Miss Doe without her consent.

 As part of my investigation, I independently interviewed Miss Doe, Mr. Morris, Mr. Jake Hafley, and Coach Janice Frye. Miss Doe did not indicate any other witnesses to the incident beyond Mr. Hafley, so I did not interview any additional varsity team members.

*Interview with Jane Doe* – February 24, 2020

I met with Miss Doe in my office at ISD Central Office on Monday, February 24, 2020, after school let out for the day. Her father, Mr. Doe, was also in attendance as Miss Doe’s selected advisor. Miss Doe described the chartered bus as having two seats on either side of a center aisle. Miss Doe said that students were allowed to sit where they wanted to sit, and Miss Doe stated that she initially selected a seat closer to the front of the bus to sit with her group of friends. According to Miss Doe, she was trying to sleep, but her friends were playing games and generally being loud. Miss Doe stated that she moved to a seat toward the back of the bus, where it was quieter. Miss Doe said she selected a row of seats where no one was sitting, though she said she noticed all of the boys sitting in the back. When I asked what they were doing, Miss Doe stated a few boys (specifically Mr. Morris, Mr. Paul Smith, and Mr. Tom Baker) were quietly huddled together, Mr. Jake Hafley was playing on his Nintendo Switch, and Mr. Scott Lang was asleep. Miss Doe noted that she asked the boys if it was okay if she slept across two of the empty seats but that none of the boys responded. I asked Miss Doe to describe how she was situated across the bus seats. Miss Doe stated she was laying with her head on a pillow toward the windows and her feet toward the center aisle. She said she was laying underneath a blanket.

Miss Doe said the next thing she remembers is waking up to feeling someone touching her breast inside her sports bra. Miss Doe said when she opened her eyes, she saw Mr. Morris kneeling in front of the outer seat with his arm under Miss Doe’s blanket and his hand on her chest. Miss Doe said she just looked at Mr. Morris but did not saying anything to him. Miss Doe stated she was so alarmed that she does not remember if Mr. Morris said anything to her or if anyone else say what happened. Miss Doe told me that she quickly relocated back to the front of the bus to return to sitting with her friends. She was not sure what Mr. Morris did after that.[[1]](#footnote-1)

I asked Miss Doe if she told anyone about the incident while she was on the bus. Miss Doe stated she did not immediately tell any of her friends about what happened. However, Miss Doe told me that she talked about the incident with Jake Hafley, who she considers to be a brother-like figure, after he noticed her looking upset when the team was waiting for their rides in the IHS arena. Miss Doe told me that she also confided in her older sister about the incident.[[2]](#footnote-2) Miss Doe stated that she asked her older sister to keep the information a secret from their parents.[[3]](#footnote-3)

I asked Miss Doe why she did not want to immediately report this incident to Coach Frye or any other trusted adult. Miss Doe stated that she was concerned “tattling” on Mr. Morris would ruin the dynamic of the squad. Miss Doe stated she also thought Coach Frye would only do something if a boy reported it, and that’s why she asked Mr. Hafley to report the incident to Coach Frye.

I asked Miss Doe if there had been any other incidents involving Mr. Morris. Miss Doe stated that she had not heard any stories about Mr. Morris doing anything else inappropriate. Miss Doe said that Mr. Morris is shy and that (because he is one of the youngest members of the varsity team) Mr. Morris had some trouble making “guy friends” on the squad. As we talked, Miss Doe stated that Mr. Morris had always been friendly to her, and she did not think Mr. Morris really meant any harm by what he did.

I asked Miss Doe if there was anything else she wanted to discuss with me, and she hesitated. After a couple moments, Miss Doe stated there was nothing else she wanted to talk about right now.

*Mr. Trevor Morris* – February 25, 2020

 I met with Trevor Morris during his zero hour period on February 25, 2020. Mr. Morris appeared without an advisor during our initial meeting. I reminded Mr. Morris that he was allowed to have an advisor present and that the allegations against him were serious. He said he wanted to proceed without an advisor at this time.

I reviewed Miss Doe’s Formal Complaint with Mr. Morris. Mr. Morris agreed that he was on the bus, and he agreed that he was talking with Tom Baker and Paul Smith. However, Mr. Morris denied touching Miss Doe in the manner described. After that, Mr. Morris said he did not feel comfortable answering any more questions. Accordingly, I ended our meeting.

*Mr. Jake Hafley* – February 27, 2020

 I met with Mr. Jake Hafley, an 11th-grade student on the varsity cheerleading team, during his sixth hour FACS class on February 27, 2020. Mr. Hafley willingly talked to me about his friendship with both Miss Doe and Mr. Morris, and he was forthcoming with details relayed to him about the incident. I found Mr. Hafley to be a reliable witness.

 According to Mr. Hafley, while the varsity squad waited to the picked up by their respective rides upon returning to Fictional from the Orlando trip, Mr. Hafley noticed that Miss Doe had withdrawn from her typical friend group on the cheerleading squad. Mr. Hafley stated that he has known Miss Doe since elementary school and they have a very congenial relationship. Mr. Hafley said he asked Miss Doe what was wrong, and she whispered to Mr. Hafley that Mr. Morris had “felt her up” on the bus. Mr. Hafley said he felt shocked and angry when Miss Doe told him this. When asked why he felt shocked, Mr. Hafley said it seemed like strange behavior for Mr. Morris because he was usually pretty shy.

 As we were talking, Mr. Hafley mentioned that he knew Mr. Morris was trying to “find his place” on the squad, but that Mr. Hafley was concerned about Mr. Morris getting mixed up with the two boys he was sitting with on the bus. I asked Mr. Hafley to elaborate, and he said that he remembered Mr. Morris sitting next to Paul Smith and Tom Baker on the bus. Mr. Hafley said he remember them laughing about something, but he did not know what because he was playing video games. Mr. Hafley said that Mr. Smith and Mr. Baker are constant troublemakers for the squad, and Mr. Hafley assumed that one of them “put Trevor up to it.” I asked if he meant like a dare, and Mr. Hafley said yes.

*Coach Janice Frye* – March 3, 2020

 I met with Coach Frye on March 3, 2020, during her planning period. Coach Frye and I had a difficult time finding a mutual time to discuss this incident, which delayed my investigation. Coach Frye has been a teacher with IHS for almost 7 years, and she has coached cheerleading in some capacity during that entire time. However, for the 2019-2020 school year, Coach Frye was promoted to head cheerleading coach after the retirement of the prior coach. Coach Frye said she takes a more “low key” approach to her role as head coach, and she wants the students to feel comfortable confiding in her—like “girlfriends.”

 Coach Frye corroborated that Mr. Hafley reported the incident to her on February 18, 2020, and the details Coach Frye remembered from Mr. Hafley’s report match the details included in the Formal Complaint. Coach Frye stated that she did not notice anything amiss on the bus ride home. I asked Coach Frye what she was doing on the bus, and she stated that she was “bingeing Netflix pretty much the whole time.”

 Coach Frye said that Miss Doe seemed a “little off” when the team was waiting in the IHS arena, but Coach Frye assumed Miss Doe had a fight with friends. Coach Frye said she was surprised by the incident because she could “see another kid doing that but not Trevor.” When pressed for more detail, Coach Frye said that it sounded like something Paul Smith or Tom Baker would do. Coach Frye elaborated that Paul Smith and Tom Baker are constantly “flirting” with the female cheerleaders to “prove they’re not gay.”

Coach Frye reluctantly told me that she has had to talk to Mr. Smith and Mr. Baker about not inappropriately touching the girls during lifts and stunts. Coach Frye said this has been an issue for the last two years and more than one girl has complained. Coach Frye said she thought it was something the students could handle internally “among the squad,” and that she did not want the boys to get in trouble because they are critical to achieving difficult stunts. Coach Frye ended our meeting shortly after this.

**Conclusion(s):**

 While Mr. Morris denied engaging in the conduct alleged by Miss Doe, I found Miss Doe and Mr. Hafley to be more credible. Accordingly, it is my opinion that Mr. Morris did engage in the conduct as alleged by Miss Doe.

1. Miss Doe appeared visibly uncomfortable during the re-telling of the incident. Miss Doe shifted in her seat quite a bit, and her voice was shaky. My impression is that she did not want to discuss the details in front of her father. [↑](#footnote-ref-1)
2. Miss Doe’s sister attends a local college. She is not a student at IHS. [↑](#footnote-ref-2)
3. Mr. Doe seemed surprised and shocked by this information during the interview, though he did not say anything to Miss Doe in front of me. [↑](#footnote-ref-3)