

Revision of Title IX Regulations

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What is Title IX?

- Federal civil rights law that prohibits discrimination on the basis of sex in education and program activities
- All public and private schools that receive federal funds must comply with Title IX
- Discrimination includes sexual harassment within the school setting or school-controlled activities
- Recent revision of Title IX reflects changes to the investigation of sexual harassment claims

Source: U.S. Department of Education Office for Civil Rights

Definition of Sexual Harassment

- Quid pro quo harassment by a school employee
- Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access
- Any instance of sexual assault, dating violence, or stalking

Source: Robbins Schwartz: Preparing for Implementation of the New Title IX Regulations: Recommendations for K-12 Districts

School District Obligations

- Investigate formal written complaints filed with the District
- Investigate actual District knowledge of sexual harassment in its educational program
- Provide supportive measures for complainant to ensure equal educational access
- Ensure students and employees are given the same due process protections

Overview of Title IX Changes

- Previous guidance defined sexual harassment as severe or pervasive has been revised to severe and pervasive
- Regulation changed from schools knowing or should have know to actual knowledge of sexual harassment
- Regulations no longer apply to off campus incidents
- Complaints must be from current students
- Parties have equal opportunity to provide and review evidence

Implementation Next Steps

- Revise district policies, procedures, and student handbook
- Designate two investigators and one decision-maker
- Train all relevant staff members
- Provide contact information for Title IX Coordinator on District website
- Publish training information and materials on District website
- Effective date is August 14, 2020

Q & A