



Employee Title IX Training
Hendry County School District

Title IX of the Education Amendments Act, 1972

“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 educational program or activity receiving Federal financial assistance.”

School Board Policy 2266, Nondiscrimination on the Basis of Sex in Education Programs and Activities

- The Board has adopted a policy to enforce Title IX protections.
- That Policy is 2266. Board policies can be found on the Board's website under its Policy Manual at:
<https://go.boarddocs.com/fl/hendry/Board.nsf/Public?open&id=policies>
- The Policy contains definitions, contact information for the Title IX Coordinators, procedures for handling Title IX complaints and investigations, and other useful information.

Sexual Harassment Definition

Sexual harassment is defined as conduct on the basis of sex that satisfies one (1) of the following:

- A school employee conditioning the provision of aid, benefits, or services on the individual's participation in unwelcome sexual conduct ("quid pro quo");
- Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it denies a person equal access to the education program or activity; or
- Sexual assault, as defined in the Clery Act, or dating violence, domestic violence or stalking, as defined in the Violence Against Women Act.

Sexual Harassment

- Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
 - Unwelcome sexual propositions, invitations, solicitations, and flirtations.
 - Physical and/or sexual assault.
 - Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
 - Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
 - Sexually suggestive objects, pictures, videotapes, audio recordings, or literature, placed in the work or educational environment, which may embarrass or offend individuals.
 - Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
 - A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
 - Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
 - Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
 - Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's education, or such that it creates a hostile or abusive educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

Title IX Coordinators

- The Board has designated 2 Title IX Coordinators to oversee and coordinate its efforts to comply with Title IX:

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Scope of Title IX

- An individual must report under Title IX when the person has:
 - Actual Knowledge of Sexual Harassment
 - When **any** Board employee has actual knowledge or notice of sexual harassment or allegations of sexual harassment, the Board employee must report it to the Title IX Coordinator
 - Occurring in an Educational Setting
 - “Educational setting” refers to any education program or activity, which refers to all operations of the District, including but not limited to, in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement programs that occur on school grounds or other property owned or occupied by the Board. It also includes locations, events, and circumstances off school grounds where the Board exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.

Mandatory Reporting Requirement

- Any person may report sexual harassment, regardless of whether the reporting person is the alleged victim of the conduct
- A report can be made in person, by telephone, by mail, or by electronic mail to the Title IX Coordinator
- **Board employees with actual knowledge of sexual harassment in the educational setting are required to report sexual harassment to the Title IX Coordinator. Failure to do so could lead to discipline up to and including termination of employment.**

Child Abuse Reporting Obligation Does Not Change

- In the event that there is actual or suspected cases of child abuse, neglect, or abandonment, School Board employees have the responsibility to report all actual and suspected cases to the state-wide central abuse hotline pursuant to Florida Statute §39.201.
- Also, report to law enforcement if there is an actual or suspected crime so that law enforcement may conduct a criminal investigation.

Formal Complaints

- Formal complaints can be filed by the complainant, parent or legal guardian, or the school-based Title IX Coordinator
- Formal complaints should be filed with the Title IX Coordinator