

IDAHO K-12 TITLE IX PROFESSIONAL LEARNING COMMUNITY #6

COMMON QUESTIONS

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NEXT MEETINGS

▶ March

- ▶ 3rd Thursday (March 17th) at 12 pm MT/11 am PT
- ▶ 4th Tuesday at 9 am MT/8 am PT

▶ April and May

- ▶ 4th Tuesday at 9 am MT/8 am PT
- ▶ 4th Thursday at 12 pm MT/11 am PT

▶ What topics would you like covered?

UPDATES

- ▶ Updates
 - ▶ IREA Update
 - ▶ Others?

PROGRAM OR ACTIVITY

WHEN DOES TITLE IX APPLY TO A COMPLAINT?

A school with actual knowledge of sexual harassment in an education program or activity of the recipient ...

- If met:
 - And there is a formal complaint, must process per required grievance procedures before any disciplinary measures (except admin leave or emergency removal).
 - And there is no formal complaint, there can be no disciplinary measures (Title IX Coordinator may need to sign a complaint under some circumstances).
- If not met, may apply alternative employee/student processes.

PROGRAM OR ACTIVITY

- ▶ When you have **actual knowledge** of **sexual harassment** in an **education program or activity** – must respond in a way that is not deliberately indifferent
- ▶ **Education program or activity** – Includes ALL operations of a local educational agency (all incidents that occur on LEA property)
 - ▶ Also includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs

DISCUSSION QUESTIONS/TOPICS

WHAT IS SPOO?

- ▶ **Sexual Harassment** – conduct on the basis of sex that is:
 - ▶ Quid pro quo by an employee (conditioning of a benefit, help, etc. on participation in sexual contact); OR
 - ▶ **Unwelcome conduct that is so severe, pervasive and objectively offensive that it effectively denies access;** OR
 - ▶ Sexual assault – forcible or nonforcible sex offense; OR
 - ▶ Dating violence, domestic violence, or stalking.

SPOO ATIXA CASE STUDIES

Review of three case studies from ATIXA TIXKit. To view case studies, log onto the Idaho Department of Education ATIXA account. Look under the subsection for “Decision Maker/Hearing” and click on the “SPOO v Not SPOO Case Studies” (last document).

SPOO AND YOU

What have you seen?

What situations do you have questions about?

NEXT MONTH

- ▶ When should a Title IX Coordinator file a complaint?
 - ▶ What should you consider?
- ▶ How to identify dating violence in middle school?
 - ▶ How are students in your middle school talking about dating?
- ▶ Addressing non-forcible sexual violence.

WHAT QUESTIONS OR CONCERNS HAVE ARISEN FOR YOU THIS MONTH?

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