



Title IX



Title IX



“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 education program or activity receiving Federal Financial assistance.”

-Title IX of Education Amendments of 1972



Title IX- Sexual Harassment Definition



“Sexual Harassment” = conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (i.e. quid pro quo sexual harassment)
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291 (a) (8), or "stalking" as defined in 34 U.S.C. 12291 (a) (30)



Response Standard

- A recipient with **actual knowledge**
- Of **sexual harassment** (as defined previous slide)
 - In an **education program or activity** of the district
 - Against a person **in the United States**,
- Must respond promptly
- In a manner that is not **deliberately indifferent**.

“Actual knowledge” means notice of sexual harassment to a recipient's Title IX Coordinator, any ISD official who has authority to institute corrective measures on behalf of the ISD, or to any employee of an elem or sec school.

“Education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both respondent and the context in which the sexual harassment occurs.

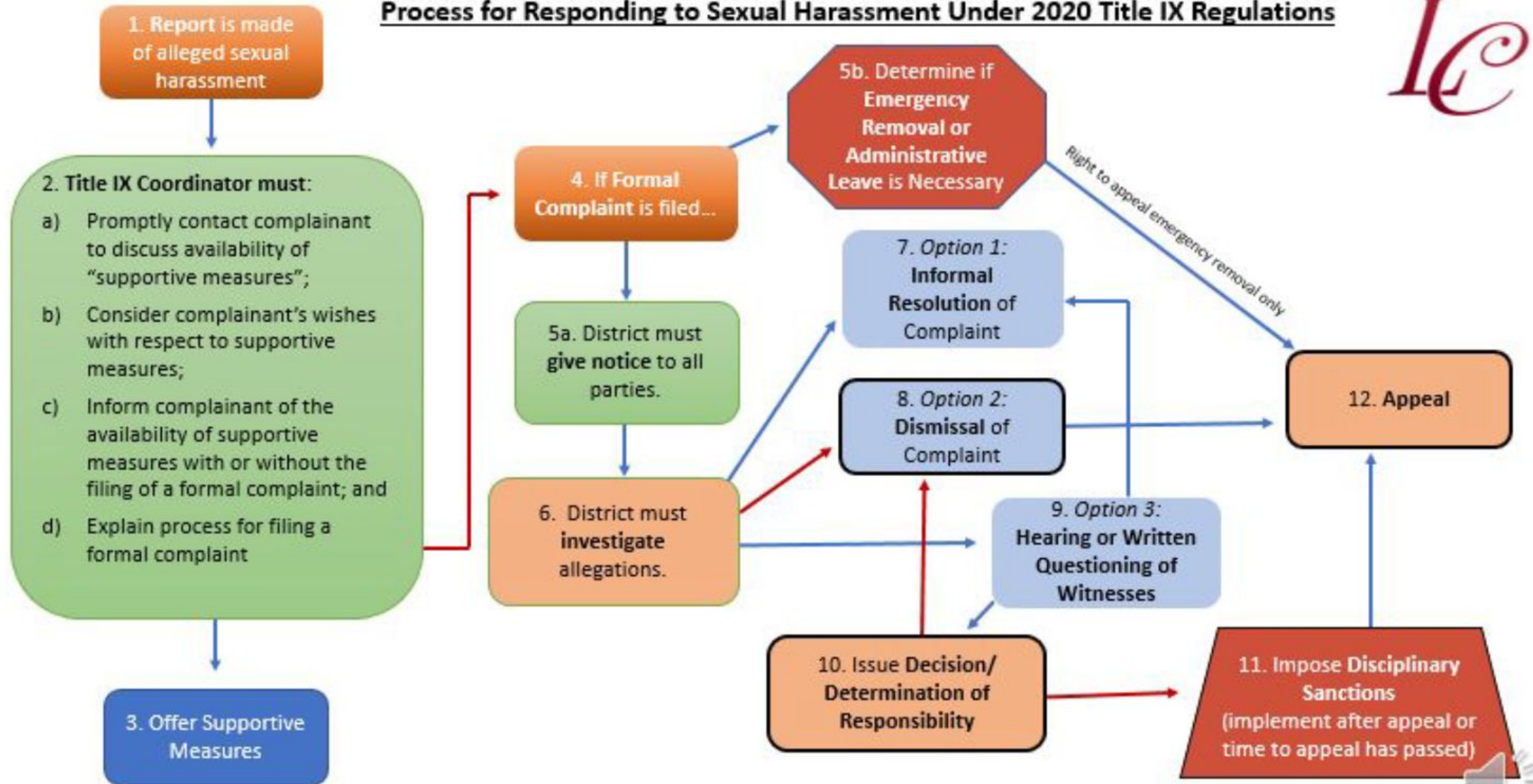
“Deliberately indifferent” means clearly unreasonable in light of known circumstances.

New regs do not apply to sexual harassment alleged to have happened outside the US.

- Districts may still address under the student code of conduct.
- Note that other Title IX prohibitions do apply outside the US

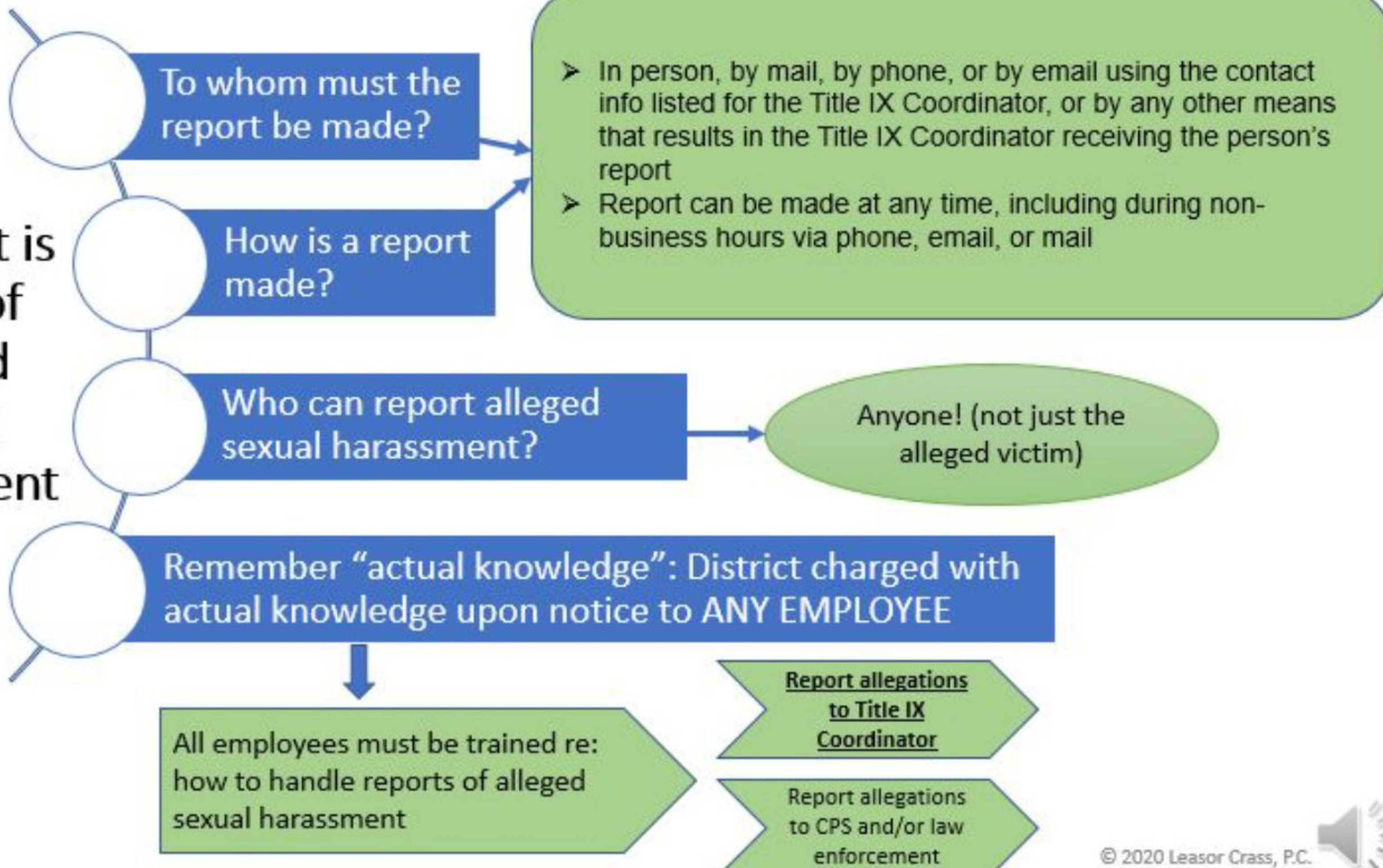


Process for Responding to Sexual Harassment Under 2020 Title IX Regulations





1. Report is made of alleged sexual harassment



Information to Know



- When to communicate Title IX offense
- Discipline vs. Title IX

