

Title IX

Why should I care?

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Title IX

What do you know about Title IX?

What do you know about sexual harassment?

What do you know about sexual assault?

Title IX

Title IX is the section of the Education Amendments of 1972, explicitly prohibiting “discrimination based on sex in education programs and activities in federally funded schools at all levels. If any part of a school district receives any Federal funds for any purpose, all of the operations of the district are covered by Title IX” (OCR, 2015d, p. 1).

Title IX Coordinator

The Title IX coordinator is the individual selected by recipients of Federal financial assistance designated to coordinate the recipients' efforts to obey and accomplish their responsibilities under Title IX (OCR, 2015b).

Currently, there are seven (7) ongoing Office of Civil Rights (OCR) federal investigations against public schools in New Mexico.

In the 2023-2024 school year there have been Title IX investigations conducted by the staff at Albuquerque Aviation Academy.

Sexual Harassment

"Sexual harassment is unwelcome conduct (behavior) of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct (behavior) of a sexual nature" (OCR, 2015d, p. 15).

Sexual Harassment

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that creates a hostile or offensive environment.

Sexual harassment includes, verbal comments, unwanted touching, and explicit (obvious) imagery.

Sexual harassment can occur between peers (student to student, opposite genders or same genders).

Sexual harassment can occur from or towards teachers or staff (same gender or opposite genders).

Sexual harassment can occur from or towards a third party (same genders or opposite genders).

Sexual Assault

Sexual assault is a form of sexual harassment referring to “physical, sexual acts perpetrated (performed) against a person’s will or where a person is incapable of giving consent (e.g., due to the student’s age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). Several different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion (pressure)” (OCR, 2015d, p. 15).

Sexual Assault

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient.

Sexual assault includes rape, molestation, and unwanted sexual touching.

Rights and Responsibilities

As a student, you have the right to receive an education free from sex-based discrimination, including sexual harassment and sexual assault.

As a student, you have the legal responsibility of reporting incidents of sexual harassment or sexual assault to school authorities.

As a student, you have the legal responsibility to cooperate with all Title IX investigations.

Rights and Responsibilities

The school is legally responsible for doing all in its power to prevent and address sexual harassment and sexual assaults.

The school is legally responsible for providing support services to victims of sexual harassment and sexual assault occurring at school or during school sponsored activities away from school.

The school is legally responsible for taking discipline action against perpetrators, and for doing all in its power to protect the victim(s) at school or during school sponsored activities away from school.

Retaliation

The Federal civil rights laws that OCR enforces prohibit discrimination based on sex in programs or activities receiving Federal financial assistance.

It's not okay to treat people unfairly because of their gender in places that get money from the government.

If someone speaks up about a Title IX violation, they shouldn't get punished for it.

People should feel safe to speak up if they see something wrong happening, and they shouldn't fear what might happen to them if they do.

Retaliation

If someone tells a school (including telling any school employee) about a Title IX violation, the school can't then treat them even worse because they spoke up. That would be against the law.

The Office for Civil Rights makes sure these rules are followed, especially the ones that protect people from being punished for speaking out against unfair treatment.

So What?

Depending on the severity of the violation, students may face disciplinary actions within their school, such as suspension or expulsion.

Students who violate Title IX may lose certain privileges, such as participation in extracurricular activities, sports teams, or leadership positions within the school.

In cases of serious Title IX violations, students may face legal consequences, including lawsuits or criminal charges, especially if the violation involves sexual harassment, assault, or discrimination.

Conclusion

Thank you for your time and attention.
Are there any questions?



References

U.S. Department of Education, Internal Affairs Office (USNEI). (2008). *Organization of U.S. Education: The School Level*.

<https://www2.ed.gov/about/offices/list/ous/international/usnei/us/edlite-org-us.html>

U.S. Department of Education Office for Civil Rights (OCR). (2015d). *Title IX Resource Guide*. <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf>