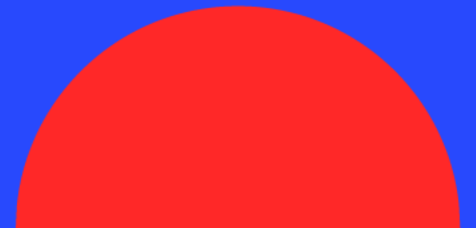
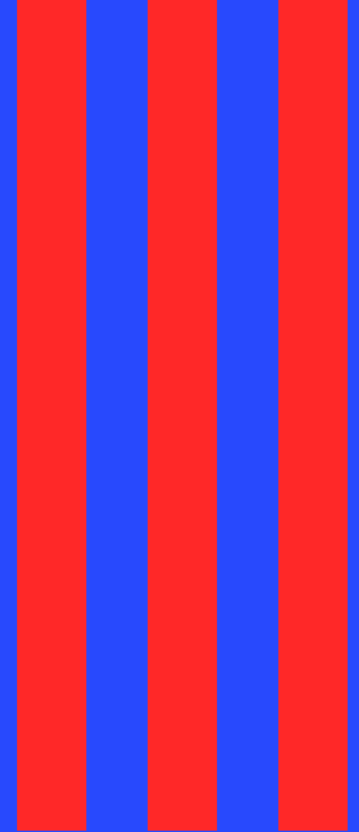


Title IX

**Presentation to Transportation Administration
Northwest ISD
August 1, 2024**

**Cindy Bauter
Title IX Coordinator**



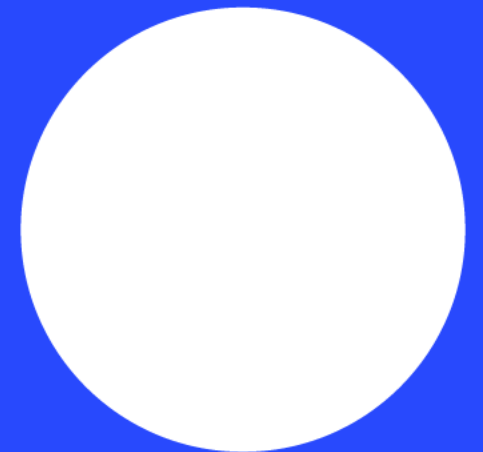
Contact Information

Title IX Coordinator: Cindy Bauter

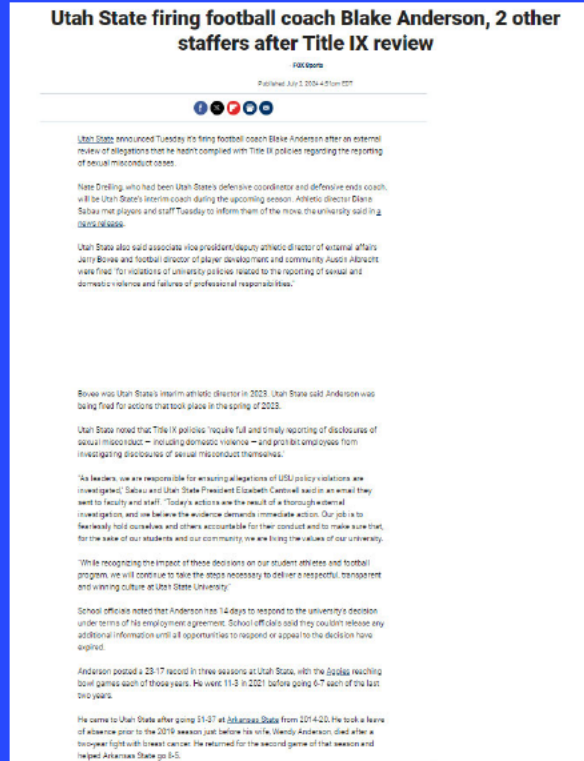
817.215.0567

Cynthia.Bauter@nisdtx.org

District Administrative Legal Counsel Office



Cautionary Tale 1



If you are the recipient of a report of sex-based discrimination, you must report it to me and/or your campus admin. You do not decide whether it's factually accurate.

If you *witness* sex-based discrimination (you know it to be factually accurate), you must report it to the Title IX Coordinator. You should report to your boss but **MUST** report to TIX Coordinator.

- Don't coverup.
- It's not yours to investigate if it falls under Title IX. Maybe under every other non-sex-based situation, but not Title IX.
- Old allegations may still be pursued.

Title IX Authority

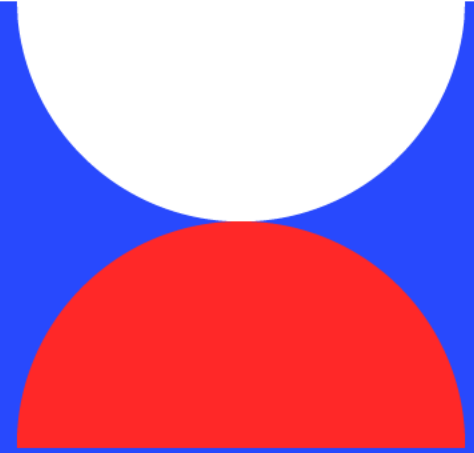
Civil Rights Act of 1972



Civil Rights Division
U.S. Department of Justice



20 USCS §1681



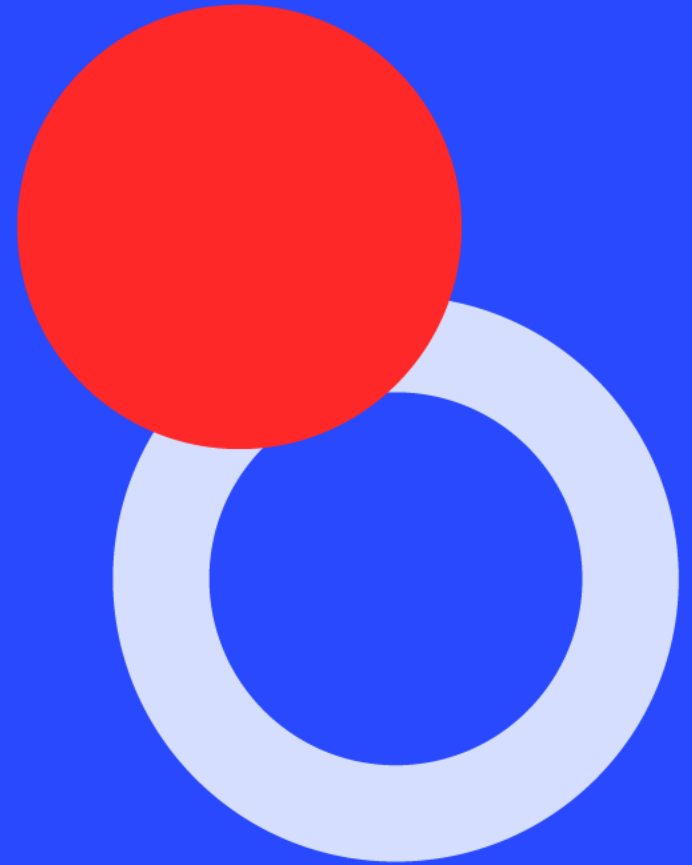
No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Law: 20 USCS 1681

Federal Regulations: 34 CFR 106

Amendments: Federal Register Vol. 80 No. 83 April 29, 2024

**How does this
apply to
transportation?**

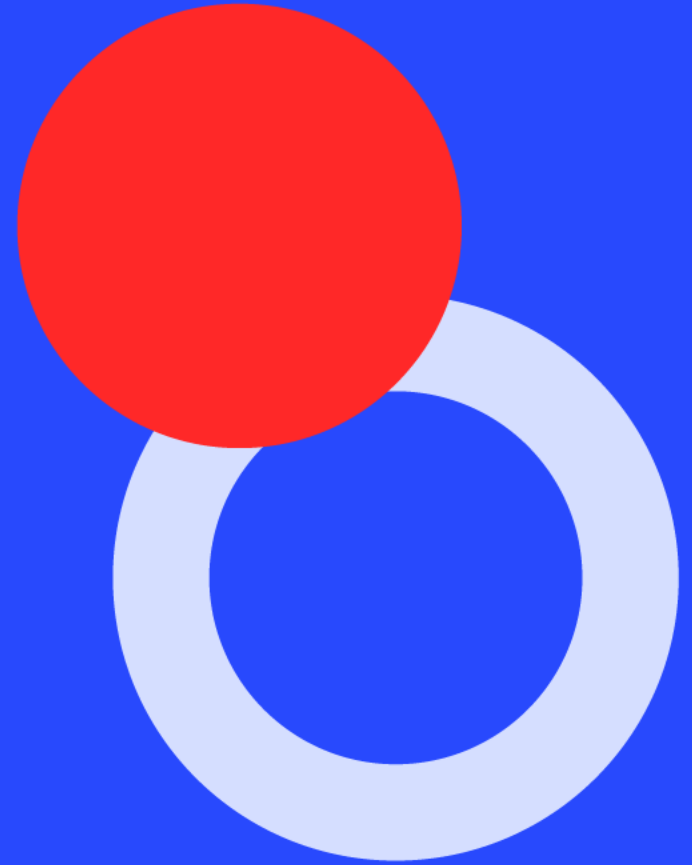




Location Data

Location	# reports
Classroom	
Hall	
Playground	
Bus	
Cafeteria	
Off Campus	
Restroom	
Art/Music/PE	
Lunchroom	
gym	
Unspecified	
Locker room	
Natatorium	
Band	
Theater	
Weight Room	
Resource Room	

Identifying possible Sex-Based Discrimination



Pregnancy

- Expanded scope of 2024 regulations are currently enjoined. Guidance from court can change this at any moment.
- We will not discriminate based on sex.
- Under other, employment laws (eg PWFA) pregnancy is considered a sex-based matter.
- We will provide accommodations for students and employees who are pregnant.



Retaliation

Retaliation based on a Title IX matter should also be reported. Retaliation (for any matter) is prohibited.

Title IX retaliation, depending whether we are under the 2020 regulations or the 2024 regulations, is handled under specific (and different) policies and processes.

Definition (2020) of Sex-Based Harassment:

- 1. Quid Pro Quo — *(something for something)* - conditions an educational benefit or service on individual's participation in unwelcome sexual conduct,
- 2. Hostile Environment- 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 recipients education program or activity; or
- 3. Sexual violence (Clary Act) – Sexual assault, domestic violence, dating violence, stalking.

1. Quid Pro Quo violations

- Giving a student or subordinate privileges for sexual relationship
- No assumptions about gender of victim or respondent
- If the infraction is between student and staff, there is a formal investigation and HR will consider whether to place employee on administrative leave.

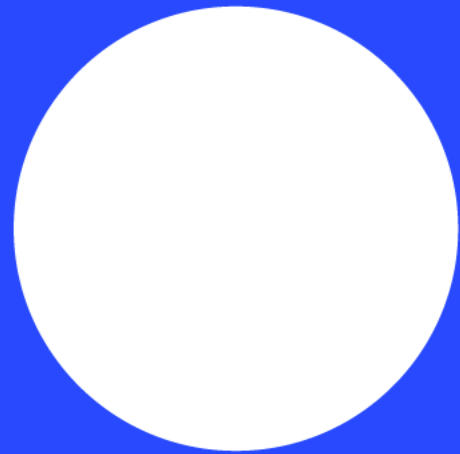
2. Hostile harassment violations

- Derogatory, sex-based, or sexist remarks
- Offensive jokes
- Name-calling or slurs
- Rumors regarding a student's sexuality or sexual history
- Hazing/ganging up on student who doesn't conform to sex stereotypes
- Physical aggression, threats, intimidating conduct based on a person's actual or perceived sexual orientation or gender identity
- Obscene phone calls, texts, emails, social media posts

3. Sexual Violence violations

- Sexual assault (rape, fondling, any sexual act directed against another without consent, sexual assault with an object)
- Domestic Violence (intimate partner, cohabiting, and then commits violence)
- Dating Violence (is or has been in a romantic or intimate relationship and commits violence)
- Stalking

Responding to Sex-Based Discrimination



1. Listen to the complainant

Do not be dismissive. Do not presume males can't be victims of sex-based discrimination. Do not make biased judgments on the truth of the report.

2. Validate

Affirm the individual for reporting.

Classroom management, separation right away, whatever is appropriate.

3. Clarify

Ask enough questions, but not too many, to understand if it deals with sex in any way.

Do NOT overinvestigate.

4. Help the reporter

Get him/her to admin or counselor asap

Contact CPS/law enforcement as required or applicable

Reporting Sex-Based Discrimination (including hostile environment)

To whom?

- Admin
- TIX Coordinator
- Directors
- HR
- CPS
- Law Enforcement

When?

- Asap
- Immediately
- 48 hours

How?

- Title IX Coordinator
 - Phone
 - Email
 - In person
 - Laserfiche
- Admin
 - Document
- Documentation Trail

What happens once you report?

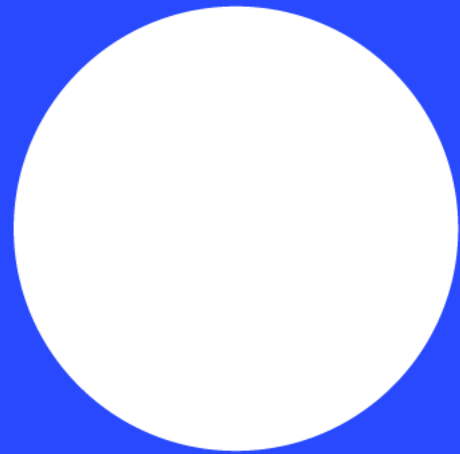
Supportive Measures

Hold on Discipline

Caution on overinvestigating

Title IX Coordinator will help with next steps

Cautionary Tale 2



Discipline cannot be issued until the end of the investigation.

If you have a team and there is a Title IX violation, you will keep both players until the end of the investigation.

Implications to community

Prevention

Tips, takeaways, & questions

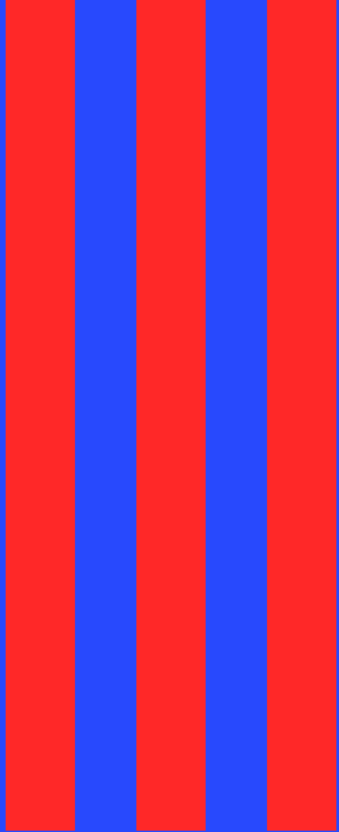
- Prevention is so much better than supportive measures or remediation.
- Report (over-report if you are going to make a reporting error).
- Support.
- Do not be deliberately indifferent.
- Questions?

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IX