



Northwest ISD Title IX Employee Training For School Year 2024-2025

Regarding Title IX rules effective 8/1/2024

**Injunction
issued
7/11/24**

**The new federal
regulations are on hold
until further court
action.**

**Title IX Coordinator
Dr. Cindy Bauter**

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Why do I have to complete this module?

All employees must know what Title IX is, who the Title IX Coordinator is, and how to report a violation.

All employees must complete training annually.

Link: [34 Code of Federal Regulations §106.44](#)



The reporting responsibility applies to *all* NISD employees.

Whenever any employee of a K-12 school has notice of a Title IX violation, including *allegations* of sex-based harassment, the employee **must** report to an administrator and/or to NISD's Title IX Coordinator.

In elementary and secondary schools, notification made to ANY employee puts the school on notice.

Any employee includes bus drivers, cafeteria workers, maintenance personnel, employees who are not based on a campus.



Title IX is a protection under federal law in the Civil Rights Act of 1972:

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



What does Title IX cover?

Sex-based discrimination (of all kinds, including equality in athletic facilities)

Hostile environment harassment

Sexual Assault (Domestic violence, dating violence, stalking, retaliation)

Gender-based discrimination, harassment, assault

Inappropriate teacher-student relationships

Pregnancy and related conditions

Retaliation for reporting a violation or participating in a Title IX investigation



Discrimination on the basis of sex includes

“discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.”

-34 C.F.R. § 106.10



Northwest ISD policy complies with Title IX, and protects students and employees.

NISD Board Policy (Legal) and (Local):

DIA — Employee Welfare: Freedom from Discrimination, Harassment, and Retaliation

FFH — Student Welfare: Freedom from Discrimination, Harassment, and Retaliation

FFI — Student Welfare: Freedom from Bullying



Title IX prohibits anyone in the District from excluding, denying, and discriminating based on sex.

The statute now specifically addresses ***pregnancy and related conditions.***



What about pregnant students?

When a student or guardian of a student informs an employee--any teacher or staff member--that the student is pregnant or has a pregnancy-related condition, you **MUST** give them the Title IX Coordinator's contact information, and you must report to the Title IX Coordinator.

Our Family and Parenting Program Coordinator, Cynthia Elliott, will work with the student *and* will notify you of any accommodations, but this does not absolve you of your responsibility to give them the Title IX Coordinator's contact information and to report to the Title IX Coordinator.

Furthermore, you **CANNOT** deny a student's accommodations. You **MUST** allow the student to make up any missed work.

This is a *new* requirement to Title IX rules. When you know, you **MUST** provide my information, and contact me.



Title IX prohibits anyone in the District from excluding, denying, and discriminating based on sex.

One of the common ways this happens is through *sex-based harassment*.

Because it's common, let's talk about it some more.



Sex-based Harassment is conduct on the basis of sex that satisfies one or more of the following:

- (1) **quid pro quo** harassment by an employee of an educational institution
- (2) **Hostile environment harassment** is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (*i.e.*, creates a hostile environment).; or
- (3) **specific offenses**: sexual assault (as defined in the [Clery Act](#)), dating violence, domestic violence, or stalking (as defined in the [Violence Against Women Act](#)).

Each of these categories of misconduct is a serious violation that jeopardizes a victim's equal access to education.



(1) Quid Pro Quo

Is a type of sexual harassment when an employee offers something to a student or other person in exchange for sexual conduct.



(2) Hostile Environment Harassment is

Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (*i.e.*, creates a hostile environment).

Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- (i) The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
- (ii) The type, frequency, and duration of the conduct;
- (iii) The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- (iv) The location of the conduct and the context in which the conduct occurred; and
- (v) Other sex-based harassment in the recipient's education program or activity



(3) Specific offenses

Sexual Assault (defined in the Clery Act as rape, fondling, incest, statutory rape)

Dating Violence (can include threats by perpetrator to harm oneself if the victim does not behave in a certain way)

Domestic Violence

Stalking



A sex-based harassment claim qualifies as Title IX when:

(1) the school has actual knowledge of sex-based harassment;

(2) that occurred within the school's education program or activity;

(3) against a person in the United States



A “school’s program or activity” includes sex-based harassment

when it occurs on district property, *or*

during an activity substantially controlled by the district,

including any time or any place a district employee and a student are involved.



Who can report a Title IX violation?

Anyone who has knowledge of a Title IX violation, including a sex-based harassment incident or allegation, can tell any district employee.



Schools must follow a grievance process

The process must comply with Title IX regulations ***before imposing any disciplinary action*** against a respondent.

(Investigation→Decision→Appeals)

However, schools can/will provide supportive measures promptly.



Do not be *deliberately indifferent*.

It is a violation of Title IX federal law for the district NOT to take action when a district employee knows of a Title IX violation.



If you are aware of a violation, what must you do?

Inform campus administrator immediately.

Do not continue to question the individuals who may be involved; others will investigate the situation.

Write down

- notes of what you witnessed or what was told to you
- names of the individuals involved as well as any witnesses
- date, time, location

Do not discipline the accused student(s).

Follow directions of your administrator for any next steps.

We will implement supportive measures for both parties. These cannot be punitive.



To whom do you report a Title IX violation, suspected violation, or pregnancy-related concern?

An administrator and/or
the Northwest ISD Title IX Coordinator, Dr. Cindy Bauter.



REPORT VIOLATIONS HERE:

www.nisdtx.org/title-ix



Review of Title IX Reporting

A Title IX violation
(discrimination on
the basis of sex)

Involving any
student or
employee

Reported to any
district employee

Reported by
anyone

Obligates the
employee to
promptly tell an
administrator
and/or the district's
Title IX
Coordinator, Dr.
Cindy Bauter

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Resources

[April 2020 Title IX Regulations](#)

[OCR's Title IX policy page](#)

[Clery Act](#)

[Violence Against Women Act](#)

[NISD's Title IX page](#)