

Title IX The New, Old Regulations

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Which Title IX Regulations are Valid?

- In August 2024, the 2024 Title IX Regulations went into effect.
- On January 9, 2025, the United States District Court, Eastern District of Kentucky, issued an order prohibiting the U.S. Department of Education from enforcing the 2024 Regulations.
 - This ruling applied nationwide.
 - Essentially found that they changed Title IX in such a way that was only allowed by Congress.
 - Expanding meaning of Title IX to include gender identity in the “meaning of ‘on the basis of sex.’”
 - Expanded discrimination on the basis of sex to include sex stereotypes, sex characteristics, and sexual orientation.



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Which Title IX Regulations are Valid?

- January 20, 2025: New administration and shortly thereafter did executive order defining male and female.
- January 31, 2025: U.S. Department of Education issued *Dear Colleague Letter* clarifying that OCR would be enforcing the 2020 Title IX Regulations.
- February 4, 2025: U.S. Department of Education issued second *Dear Colleague Letter* to clarify that any investigation started under 2024 regulations should be “immediately reevaluated to ensure consistency with the requirements of the 2020 Title IX Rule and the preexisting regulations at 34 CFR 106, et. seq.”



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Title IX Does Not:

- Alter any other obligation under other federal authorities to discriminate.
 - Executive Order 11246, Title VII of the Civil Rights Act, Equal Pay Act, or any other Act of Congress or Federal regulation.
- Allow any state or local law or requirement which would limit the eligibility of any applicant or student, on the basis of sex, to practice any occupation or profession.
- Allow any rules or regulations of private organizations in any education program or activity operated by a recipient and which receives federal financial assistance to limit the eligibility of any applicant or student, on the basis of sex, to participate.

34 CFR 106.6



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Title IX Does Not:

- Allow any state or local law to preempt Title IX.
- California Department of Education’s website was updated on February 11, 2025, but still states that Title IX protects transgender and non-confirming students, citing to the language in the preamble of the original 1972 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.”



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Title IX Regulation Roles

- Title IX Coordinator
- Investigator
- Decision Maker
- Informal Resolution Facilitator
- Appeal Decision Maker



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Required Training For All Roles

- Definition of sexual harassment in 106.30.
- Scope of the recipient's education program or activity.
- How to conduct an investigation and grievance process.
 - Includes hearings, appeals, and informal resolution processes.
- How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- Training materials must not rely on sex stereotypes and must promote impartial investigations of formal complaints.

34 CFR 106.45(b)(1)(iii)



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General Requirements for all Roles

- May not have a conflict of interest or bias for or against complainants or respondents, as group or individuals. 34 CFR 106.45
- Should use upper-level management for each position.
 - Can the person appropriately be involved in potential discipline of a staff member?



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Title IX Coordinator

- Must be an employee of the recipient.
 - May have more than one.
- Cannot be the same person as the Decision Maker or Appeal Decision Maker.
- Responsible for the independent implementation of Title IX grievance process.
- Responsible for coordinating the effective implementation of supportive measures.
- Responsible for effective implementation of any remedies.
- Regulations state recipient must provide notice of policy, likely to fall to Title IX Coordinator

34 CFR 108.8(a); 106.30 and 106.45(b)(7)(iv)



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Investigator

- Cannot be the same person as Decision Maker or Appeal Decision Maker.
- Additional training:
 - Issues of relevance to create an investigative report that fairly summarizes relevant evidence as stated in 34 CFR 106.45(b)(5)(vii).

34 CFR 106.45(b)(1)(iii)



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Decision Maker

- Cannot be the same person as the Title IX Coordinator, Investigator or the Investigator.
- Additional Training:
 - Any technology to be used at a live hearing; AND
 - Issues of relevance of questions and evidence.
 - Includes determining relevancy of questions about complainant's sexual predisposition or prior sexual behavior.

34 CFR 106.45(b)(1)(iii)



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Informal Resolution Facilitator

- May be anyone, there are no prohibitions on who it may be; can be filled by person that has another role.
- Recommend if have sufficient staffing, to have this as single person.
- This person is essentially a mediator. As mediator's are independent, it would be a good practice, if possible try to avoid appointing the Investigator or the Decision Maker as the Resolution Facilitator due to their roles in this process should the parties decide to return to the grievance process.



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Appeal Decision Maker

- Cannot be the Title IX Coordinator, Investigator, or Decision Maker
- Consider appointing superintendent.

(34 CFR 106.45(b)(8)(iii)(B))



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Required Notice of Policy

Recipient must provide notice of:

- Contact information of the Title IX Coordinator:
 - Name or Title
 - Office Address
 - Electronic Mail Address
 - Telephone Number
 - **Must be confidential
- That the recipient “does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and this part not to discriminate in such a manner.”
- The requirement not to discriminate extends to admission and employment.

34 CFR 106.8



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Required Notice of Policy (Con't.)

- Inquiries regarding the application of Title IX can be made to:
 - Recipient's Title IX Coordinator;
 - Assistance Secretary*; OR
 - Both
- Must provide grievance procedures and process, including:
 - How to report or file a complaint of sexual discrimination;
 - How to report or file a formal complaint of sexual harassment; AND
 - How the recipient will respond.
 - To comply, provide copy of board regulation regarding grievance procedure.
 - Employees: 4119.12
 - Students: 5145.71

34 CFR 106.8(b) and (c)



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Required Notice of Policy: Who?

- Applicants for admission and employment
- Students
- Parents or legal guardians of elementary and secondary schools
- Employees
- All unions or professional organizations holding collective bargains or professional agreements with the recipient.

34 CFR 106.8(a)



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Required Notice of Policy: Where?

- Website:
 - Must “prominently display:”
 - Contact information of Title IX Coordinator; AND
 - Non-discrimination policy.
 - Also required on website:
 - Remainder of notification described, including grievance procedure
 - Training materials
 - Potential copyright issues: If cannot obtain consent to publish, must create own training materials to publish on website.
- Handbook or catalog made available to those that must be notified (previous slide).
- Campus:
 - Must prominently display Title IX Coordinator contact information
 - Non-discrimination policy.

34 CFR 106.8(b)(2)



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Who May Report and How

- Who: Any person whether or not that person is the victim of the conduct that constitutes sexual harassment or discrimination.
 - Must be participating in or attempting to participate in the recipient’s education program or activity of the recipient where complaint is filed.
- How:
 - In person
 - Mail
 - Telephone
 - Electronic mail
 - Other means that results in the Title IX Coordinator receiving the person’s verbal or written report
 - Any other method designated by the recipient.
- May be made at any time using the Title IX Coordinator’s contact information.

34 CFR 106.8(a) and 106.30



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Jurisdiction

- Must occur:
 - Within the United States
 - In recipient’s educational program or activity

34 CFR 106.8(d)

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Jurisdiction: Social Media

Office for Civil Rights 2025 Online or Digital Sexual Harassment under the 2020 Title IX Regulations Resource provides examples of what might be covered:

- Locations, at events, or under circumstances in which the school exercised substantial control over both the alleged harasser and the context in which the sexual harassment occurs – including conduct that occurs off-campus under certain circumstances;
- Occurs in a building owned or controlled by a student organization that is officially recognized by a college;
- Occurs in school-related, off-campus setting such as field trips, online classes, and athletic programs;
- Takes place via school-sponsored electronic devices, computers, and internet networks; or
- Takes place on digital platforms operated by, or used in the operations of, the school, including AI technologies.

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Jurisdiction: Social Media

Office for Civil Rights 2025 Online or Digital Sexual Harassment under the 2020 Title IX Regulations Resource provides examples of how it might be carried out:

- Unwelcome conduct on social media platforms, such as sexually demeaning or discriminatory slurs or threats of sexual violence;
- Nonconsensual texting, posting, or otherwise sharing naked or intimate images of a person – whether real, altered or created through artificial intelligence (AI) technologies; OR
- Stalking using technology, including sending multiple unwanted text messages, creating fake social media accounts, or using apps to work around a blocked number.



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Definitions: Parties

- Complainant: Individual who is alleged to be the victim of sexual harassment or discrimination.
- Respondent: Individual who has been reported to be the perpetrator of the sexual harassment or discrimination.
- Recipient: Local Education Agency that receives federal funding either directly or through another recipient.
- Elementary or secondary school: Includes a preschool or private elementary or secondary school.



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Definitions: Education Program or Activity

- Locations, events, or circumstances over which the recipient exercised control over both the respondent and the context in which the sexual harassment occurs.
 - Includes any building owned or controlled by a student organization that is officially recognized by a post secondary institution.

34 CFR 106.44(a) 

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Definitions: Actual Knowledge

- The recipient is deemed to have actual knowledge when notice of sexual harassment or allegations are made to recipient's:
 - Title IX Coordinator;
 - Any official of the recipient who has authority to institute corrective measures on behalf of the recipient; OR
 - Any employee of an elementary and secondary school.
 - Exception: The employee is the respondent.
 - Students are required to be online: online harassment, stalking, human trafficking, etc.

34 CFR 106.30 

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Definitions: Consent

- Does not require any particular definition of consent; each recipient must adopt definition.
- Affirmative Consent found in Education Code section 67386(a)(1):
 - “Means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that the person has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.”
- Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity.



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Definitions: Formal Complaint

- Document filed by a complainant; OR
 - Document or electronic submission;
 - Must have complainant’s physical or electronic signature or otherwise indicate the complainant is the person filing the formal complaint.
- Document signed by the Title IX Coordinator.
 - The Title IX Coordinator’s signature does make the person a party to the investigation.
- The document alleges sexual harassment against a respondent and requests recipient investigate.

34 CFR 106.30



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Definitions

- Findings:
 - Responsible: Respondent violated Title IX; guilty.
 - Not responsible: Respondent did not violate Title IX; not guilty.
- Evidence:
 - Inculpatory Evidence: Tends to prove the respondent is responsible.
 - Exculpatory Evidence: Tends to prove the respondent is not responsible.



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Sexual Harassment and Sexual Discrimination



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Definitions: Sexual Harassment

Conduct on the basis of sex that satisfies one or more of the following:

- Quid pro quo: 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;
 - Note: Return to must be an employee respondent.
- Unwelcome sexual 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
 - Note: Return to must be all three.
 - Regulations do not define reasonable.
 - Does not require complete exclusion from education, but rather a denial of "equal" access. May include skipping class, declining grades, difficulty concentrating in class, etc.

34 CFR 106.30



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Definitions: Sexual Harassment

- Specific Offenses:
 - 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)(10)
 - Domestic violence as defined in 34 U.S.C. 12291(a)(8)
 - Dating and Domestic Defined by VAWA: Former spouse, spouse, former cohabitant, cohabitant, someone have a child with and have or previously have had dating or engagement relationship.
 - Includes same sex relationships.
 - Stalking as defined in 34 U.S.C. 12291(a)(30)

34 CFR 106.30



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Definitions: Sexual Harassment

- People have a variety of responses to sexual harassment. Title IX does not require any type of manifestation of trauma.
- OCR addressed this in the Q&As issued on September 4, 2020:
 - “The 106.30 definition neither requires nor permits school officials to impose notions of what a ‘perfect victim’ does or says, nor may a recipient refuse to respond to sexual harassment because a complainant is ‘high-functioning’ or not showing particular symptoms following a sexual harassment incident.”
 - “No concrete injury is required to conclude that serious harassment would deprive a reasonable person in the complainant’s position of the ability to access the recipient’s education program or activity on an equal basis with persons who are not suffering such harassment.”
- May also file Title IX complaint based on retaliation.



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Definitions: Sex Discrimination

- Specific Prohibitions:
 - Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
 - Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
 - Deny any person any such aid, benefit, or service;
 - Subject any person to separate or different rules of behavior, sanctions, or other treatment;
 - Apply any rule concerning the domicile or residence of a student or applicant, including eligibility for in-state and tuition;
 - Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
 - Otherwise limit any person in the enjoyment of any right privilege, advantage, or opportunity.

34 CFR 106.31(b)



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Definitions: Sex Discrimination

- No person, on the basis of sex, shall be excluded from participation in, denied benefits of, or subjected to discrimination in a recipient’s educational program or activity.
 - Includes the following operated by the recipient:
 - Academic;
 - Extracurricular;
 - Research;
 - Occupational training; OR
 - Any other educational program or activity.
 - Note: 2024 included on the basis the person’s gender identity.
- A recipient’s treatment of a complainant or respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex.

34 CFR 106.31(a) & 106.45(a)



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Definitions: Sex Discrimination

- Recipient’s obligations in regard to aids, benefits, or services they do not provide, but require participation by any applicant, student, or employee:
 - Must design and implement a procedure that assures the operator or sponsor of the program or activity takes no action that qualifies sex discrimination as described in this section.
 - If it does, shall not facilitate, require, permit, or consider such participation if such action occurs.

34 CFR 106.31(d)



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Hypotheticals

- Jane and John previously dated for two months but broke up two weeks ago. Jane reports John is constantly waiting for her either in the parking lot or at the school entry. He follows her to class, asks her friends about her, and has sent threatening messages to her. He has now threatened to post picture she sent them while dating.
- Mark and John have dated for four months. A custodian, who knows that they are dating observes them get in an argument and Mark punches John.
- Student reports that her teacher told her that if she sent him a photograph of her in a bathing suit, she would get an “A” in the class and would be one of the starters for the basketball team.
 - Jane reports that Mark, the captain of the football team, told her that if she sent him a nude photograph of herself, he would make sure that she was on the cheerleading team.



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Definitions: Supportive Measures

- Definition: Non-disciplinary, non-punitive individualized services offered to both complainant and respondent.
- Purpose: Supportive measures are designed to “restore and preserve equal access to the recipient’s education program or activity” and deter sexual harassment.
 - Includes protecting the safety of all parties or the recipient’s educational environment.
- Requirements:
 - Must be offered regardless of whether or not a formal complaint is filed.
 - Services must be provided free of charge.
 - Must not unreasonably burden the other party.
 - Must keep supportive measures confidential to the extent possible.
- Examples of supportive measures:
 - Counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.
- Be aware of potential special education issues: Does it change a student’s services and/or placement.



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Confidentiality

- Title IX requires the recipient to keep confidential the identity of:
 - Any individual who has made a report or complaint of sexual harassment
 - Includes any individual filed a formal complaint
 - Any Complainant
 - Any individual who has been reported to be the perpetrator of sex discrimination
 - Any respondent
 - Any witness

34 CFR 106.71(a) 

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Confidentiality

- Exception to confidentiality
 - FERPA
 - As required by law
 - Mandated reporting
 - Carry out the purpose of Title IX
 - Includes conducting any investigation, hearing, or judicial proceeding
- 2020 Regulations do not have the same level of protection of confidentiality as the 2024 Regulations had.
 - Only require confidentiality is placed on the recipient.



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Recipient's Required Response

- Once recipient has actual knowledge of harassment, recipient must respond in a way that is “not deliberately indifferent.”
 - Deliberately indifferent: The response to sexual harassment is clearly unreasonable in light of the known circumstances.
- Must treat complainants and respondents equitably by offering supportive measures.
- Must follow grievance process that complies with 106.45 before implementing any discipline or other actions that were not supportive measures against a respondent.

34 CFR 106.44(a)



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Recipient's Required Response (Con't.)

- Title IX Coordinator must promptly contact the complainant to discuss:
 - Availability of supportive measures;
 - Must consider the complainant's wishes in regard to supportive measures;
 - Inform the complainant of the availability of supportive measures whether or not a complaint is filed; AND
 - Explain process of filing a formal complaint.
- In initial response and all steps throughout grievance process, remember mandated reporting requirements.



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Grievance Procedure: Right to Advisor

- Parties have an equal right to have an advisor present during any grievance proceeding, including any “related meeting or proceeding.”
- The advisor is a person of their choice, including an attorney.
- The recipient does not have to provide or pay for the advisor.
- May not place limitations on the advisor.
 - Exception: May place restrictions regarding the extent to which advisor may participate in proceedings as long as restrictions are equally applied to both parties.

34 CFR 106.45(b)(5)(iv)

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Response to Filing of Formal Complaint

- Once formal complaint is filed, must respond in accordance with the district’s written Title IX compliant grievance procedures
 - Must investigate a formal complaint, unless may dismiss pursuant to Regulations or the district’s policy.

34 CFR 106.44(b)(1)

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“Gag Order” Prohibited

- Title IX prohibits any restriction on a party’s ability to discuss the allegations under investigation or to gather and present relevant evidence.
 - Cannot issue what is commonly referred to as a “Gag Order.”
- For employees: Must assure that send correct PAL letter that does not include the normal directive to not speak to others about the investigation.
- Does not provide ability to harass a person.
 - Retaliation applies.

34 CFR 106.45(b)(4)(iii)



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Emergency Removal

May remove a respondent on an emergency basis, if:

- Perform an individualized safety and risk analysis;
 - No particular analysis is required, but make sure that it is standardized.
- Based on that analysis, determine that there is an immediate threat to the physical health or safety of any student or other individual; AND
 - Note: 2024 had changed to “health or safety,” which included mental health; this no longer applies.
- Provides respondent with notice and opportunity to “immediately” challenge the removal.
- Nothing in this overrides IDEA or 504.

34 CFR 106.44(c)



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Employee Removals

- Employees: Regulations do not preclude leave for employees.
 - May be placed on paid administrative leave.
 - Must still follow all applicable employee laws, collective bargaining agreements and board policies or regulations.
- Employees maintain any rights under 504 or ADA



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Labor Considerations

- Not allowed to restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. Cannot issue a “Gag Order.” (34 CFR 106.45(b)(5)(iii).)
 - National Labor Relations Board has ruled that an employer has a right to order employees to abide by confidentiality rules during an open investigation. (*Apogee Retail LLC d/b/a Unique Thrift Store*, 368 NLRB No. 144 (2019).)
 - Rule only applies to Title IX investigations
 - *Recommendation*: Request, not order, that the employee abide by confidentiality.
 - In order to keep this process fair and not taint other witnesses, our expectation is that you not disclose information about your interview or information that you provided during interview to others.



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Labor Considerations (Con't.)

- Under labor laws, have right to confidentiality during investigation.
 - Should advise that will keep information confidential to the extent possible.
 - Never promise that you will not disclose information given during investigation.
- Determinations in labor investigation can be by preponderance of the evidence.
- District can be liable for a defective investigation:
 - An employer who fails to follow its own complaint policy/procedures and uses a potentially biased investigator and fails to interview witnesses for potentially exculpatory information evidences pretext for purposes of claims of discrimination in violation of public policy, FEHA.

(Nazir v. United Airlines, Inc. (2009))



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Special Education Considerations

- Should work closely with special education staff (IEP team) to assure compliance with Title IX and IDEA/504
 - May have to attend IEP or manifestation meetings
 - Note: 2024 Regulations required; now just a potential violation of IDEA, not Title IX.
- A special education student can seek monetary damages for failure to protect from harassment or assault.
- Do the actions trigger child find?
 - Do the actions indicate an FBA, BIP, or other assessment is needed?
- Accessibility issues regarding the grievance procedure
 - Will special education student and parent be able to access the evidence and attend any interview, hearing, propose questions, etc.?
 - Advocates and other members of IEP team may want to access the records for the IEP meeting, but it involves other students who may be entitled to confidentiality.



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Special Education Considerations (Con't)

- *Supportive Measures:* Likely will need to be addressed in IEP
 - Change placement, change in schedule, counseling, etc.
 - Do supportive measures trigger IDEA or 504?
- *Emergency Removal:* If disabled student is the accused, a manifestation will be required if emergency removal is more than 10 days.
 - It will always be more than 10 days because the process takes 20 plus days to complete, excluding an appeal.
 - Only exception would be “serious bodily injury” exception that would allow 45 days.
- Can you use the misconduct data to support a change in placement?



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Hypotheticals

- A female general education student reports that a male student with down syndrome is constantly hugging her and sometimes kisses her cheek. She has tried to nicely tell him to stop and has tried avoiding going through the hallway that he is in, but he still finds her at lunch time to hug her.
 - Female student told her teacher last month.
- Special education student reports that a general education student touched her inappropriately.



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Grievance Process: Parents

- Exercise of rights of parents or guardians of any legal right of a parent or guardian to act on behalf of a “complainant,” “respondent,” “party,” or other individual including, but not limited to, the filing of a complaint.
 - Subject to FERPA



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Grievance Procedure: Basic Requirements

- Must follow 34 CFR 106.45 but may add other requirements as long as they apply equally to both parties.
- Must treat complainants and respondents equitably by:
 - Providing remedies to complaint if respondent found responsible; AND
 - Only imposing discipline once grievance process is complete.
- Must presume that the respondent is not responsible for alleged conduct until determination made at end of process.
- Reasonably prompt time frames for:
 - Filing and resolving appeals
 - Information resolution process
 - Continuances
- Description of possible disciplinary sanctions and remedies or list possible sanctions and remedies if found responsible

34 CFR 106.45(b)



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Grievance Procedure: Basic Requirements (Con't.)

- State standard of evidence:
 - Preponderance of the evidence v. clear and convincing evidence.
 - Must use same standard of evidence for everyone.
- Include procedures and permissible bases for appeal.
- Describe range of supportive measures available to complainants and respondents.
- Do not allow or seek questions or evidence that are protected under a legally recognized privilege, unless the holder of the privilege waived it.

34 CFR 106.45(b)



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Greivance Procedure: Conflict of Interest/Bias

- Guiding principle of grievance procedure is to act without conflict of interest or a bias.
- Conflict of Interest: Occurs when a person has a personal interest (whether actual or potential) that conflicts with the interests of the investigation.
 - Either the complainant, respondent, or witness is related to the Investigator or Decision Maker.
- Bias: Allowing a personal feeling or past dealing affect your judgment
 - Belief that all football players are liars and get away with everything so that they can play football.



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How to Avoid Conflict of Interest

- Don't allow past behaviors by a party or feelings towards a party affect your judgment.
- Focus on the evidence, not your feelings about any party or issue.
- Avoid showing that you agree or disagree with either party or that you're on their side or not on their side.
 - "Yes, I agree." "I understand what you are going through."
 - "In my opinion this is not sexual harassment, you're overreacting." "She's overreacting."
- Don't allow wishes of others (administration) to affect your judgment, focus on the evidence



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Hypotheticals

- Your daughter's friend is the respondent.
 - Your daughter's boyfriend that is at your home at least once a week is the respondent.
- The respondent's parents previously filed a complaint against you.
- You have previously punished the female complainant for smoking marijuana with a boy in the bathroom after school.
- You believe that athletes' behavior is tolerated so they can play their sports.



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Grievance Procedure: Written Notification After Formal Complaint

Once formal complaint is filed, must provide written notice of the following to both complainant and respondent:

- Recipient’s grievance process;
 - Including any informal resolution process.
- Allegations of sexual harassment;
- Must provide sufficient details of allegations:
 - Identities of parties involved;
 - The conduct allegedly constituting sexual harassment; AND
 - Date and location of alleged incident.

34 CFR 106.45 (b)(2)



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Grievance Procedure: Written Notification After Formal Complaint (Con’t.)

- A statement that the respondent is presumed not responsible;
- Decision of responsibility will be made at conclusion of responsibility;
- That parties may have an advisor of their choice;
 - May be an attorney, but recipient does not provide/fund;
- Have right to inspect and review evidence; AND
- Inform the parties of any provision in the recipient’s a code of conduct that prohibits knowingly making false statements or knowingly submitting false evidence.
- While not required by regulations, consider informing parties of the name of each person in each role so that the party may raise concerns about any conflict of interest or bias.

34 CFR 106.45 (b)(2)



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Grievance Process: Continuance

- May have a "limited extension of time frames" for good cause.
- Requirements:
 - Must provide written notification to complainant and respondent.
 - Written notice must include the reasons for the action.
- Good cause may include, but not limited to:
 - Absence of a party, party's advisor or witness;
 - Concurrent law enforcement activity; OR
 - Need for language assistance or accommodations of disabilities.

34 CFR 106.45(b)(1)(v)

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Greivance Process: Consolidation

- May consolidate additional allegations about the complainant or respondent that are not included in the original notification:
 - Did the allegations of sexual harassment arise out of the same facts or circumstances?
 - May be more than one respondent, more than one complainant, or one party against the other.
- Must provide written notice to both parties of new allegations consistent with requirements for written notification of original allegations.

34 CFR 106.45(b)(2) and (b)(4)

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Dismissal

- Recipient **must** dismiss if:
 - Even if proven to have occurred, the alleged conduct does not constitute sexual harassment under Title IX; OR
 - The alleged conduct did not occur in the United States.
 - Conduct did not occur in the recipient’s education program or activity.
 - Independent study and other school online activities.
- Recipient **may** dismiss if:
 - Complainant provides written notification to Title IX Coordinator that would like to withdraw formal complaint;
 - Respondent no longer enrolled or employed by the recipient;
 - Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination of responsibility.

34 CFR 106.45(b)(3)



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Dismissal

- Exercise caution in dismissing complaints:
 - Potential civil liability
 - No longer a statute of limitations on childhood sexual assault.
 - Student or employee goes to another district.
- Must provide prompt and simultaneous written notification of dismissal to complainant and respondent:
 - Reasons for dismissal
 - Complainant may appeal a dismissal
- If dismiss, comply with mandated reporting requirements

34 CFR 106.45(b)(3)



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Investigation: General Principals

- The burden of gathering evidence sufficient to reach a determination of responsibility is on the recipient.
- Provide the parties with an equal opportunity to present evidence:
 - Fact and expert witnesses
 - Inculpatory Evidence: Tends to prove a party is responsible.
 - Exculpatory Evidence: Tends to prove a party is not responsible.
- Investigation by law enforcement does not nullify obligation to complete Title IX investigation; must still complete investigation.
 - Consider how you want to work with law enforcement
 - Do not depend on whether or not charges were filed in making your determination of responsibility as law enforcement uses a different standard.



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Investigation: Written Notification

- Must provide written notice of the following to each party whose participation is invited or expected of the date, time, location, participants, and purpose of:
 - All hearings
 - Investigative interviews
 - Meetings
- Must provide written notification in "sufficient time" for the party to prepare to participate.

34 CFR 106.45(b)(5)(v)



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Investigation: Inadmissible Evidence

- A party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional and are made in connection with the provision of treatment to the party.
 - Exception: Party voluntarily consents in writing.
 - If student cannot consent, then parent may consent.



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Investigation: Determining Relevant Evidence

- The final Title IX rule does not define relevance
 - Does not adopt the Federal Rules of Evidence for hearings
 - May not adopt rules that contravene those evidentiary requirements prescribed in 34 CFR 106.45
 - For example, the Preamble to Title IX states that a recipient “may not adopt a rule excluding relevant evidence whose probative value is substantially outweighed by the danger of unfair prejudice; although such a rule is part of the Federal Rules of Evidence.”
 - Similarly, it also states that may not adopt rules excluding relevant evidence, such as lie detector results and rape kits.
- (Preamble to Title IX, pp. 980-82)*
- There are three types of evidence that is deemed irrelevant by the Rule:
 - A party’s treatment records without consent
 - Information protected by a legally recognized privilege
 - Complainant’s prior sexual history



66

Investigation: Determining Relevant Evidence

- Some types of evidence that is generally excluded from a criminal trial cannot be excluded from a Title IX investigation: unfairly prejudicial evidence, evidence concern bad acts, or evidence that constitutes character evidence.
- Decision Maker has discretion in considering evidence: Title IX “does not prescribe rules governing how admissible, relevant evidence must be evaluated for weight or credibility by a recipient’s decision maker, and recipients thus have discretion to adopt and apply rules in that regard, so long as such rules do not conflict with 106.45 and apply equally to both parties.”
(Preamble to the Title IX Rule, at pp. 980-82)
 - You may decide the weight or credibility to give to any particular evidence as long as that rule is applied equally to both sides.
 - Each side must be given the opportunity to argue the weight and credibility the decision maker should give to each piece of evidence.



67

How do I Determine Relevant Evidence?

- Was the person offering the evidence credible?
- How is the evidence relevant to the issues?
 - Does it go to a party’s credibility?
 - Did that person have any motive for coming forward?
 - Does it tend to prove or disprove a material fact?
- How many levels of hearsay?
 - Hearsay: A statement, reported by another person (not the declarant), offered to prove the truth of the matter asserted
 - Example: Jane testifies, “Mary told me that John slapped her.”
- Does it tend to show the respondent has committed similar acts in the past?



68

Hypotheticals

- Samantha files a complaint alleging that Mr. Smith, her PE teacher, makes comments to her about her physical appearance every day and tells her he wishes she was 18. Mr. Smith presents evidence that Samantha lied earlier in the year about why her homework in a different class was not completed.
 - Mr. Smith presents evidence that two months prior, Samantha falsely reported that a student named Mark had slapped her buttocks during PE class.
- Sally files a complaint alleging that Tom has been verbally sexually harassing her and that it has caused her to have severe anxiety prior to class. Tom seeks to gain access to her therapy records that show she had been treated for severe anxiety the prior year.



69

The Investigation

- Statements of complainant, respondent, and witnesses
 - Whether or not to record interview
 - *May NOT secretly record*
 - Decide order of interviews
 - Use words that the witness uses
 - Is what the person reporting age or ability appropriate?
- Review prior discipline and reports of incidents
 - Be mindful of any privacy concerns – only look where you are allowed to look
- Surveillance cameras at location
- Social media of those involved
- Notes/letters/photos of those involved. Most likely electronic, such as cell phone, iPad, computer, etc. Be sure to consider search and seizure rules.



70

The Investigation (Con't.)

- Photographs:
 - Area of occurrence
 - *Those involved*: Damage to clothing, injuries, etc.
 - Only photograph what you have consent to photograph
- Schedules and attendance of those involved, including witnesses
- Any evidence going to credibility of any witness
 - *Motive to Lie*: Did teacher recently give student bad grade? Did student respondent recently break up with student complainant?
 - Has person been dishonest in the past?
- If involves student, contact parents – anything relevant going on at home?
 - Consider any confidentiality issues prior to contacting parents



71

Investigation: Search and Seizure

- The Fourth Amendment protects an individual's justified expectations of privacy against unreasonable government intrusions.
- Consent: "Consent searches are part of the standard investigatory techniques of law enforcement agencies and are a constitutionally permissible and wholly legitimate aspect of effective police activity."
- Caveats: Must be informed and voluntary.
 - Submission to Authority: Consent is not voluntary if the student is acquiescing to a show of authority.
 - Examples: A student's consent to search after it was expressed or implied that the search would be conducted with or without his consent is involuntary.
 - "You don't have anything in your pockets you don't want me to see, do you?"
 - (Negative response)
 - Followed by: "Then you wouldn't mind me looking, would you?"
 - Will invalidate consent.



72

Investigation: Search and Seizure

- The legality of a search of a student depends on the reasonableness of it. This requires a twofold inquiry:
 - Was the search justified at **inception**?
 - Under ordinary circumstances, a search of a student by a teacher or other school official will be “justified at its inception” when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.
 - Was the search **permissible in scope**?
 - A search will be permissible in its scope when the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction.



73

Investigation: Search and Seizure

Scope of Search (Con't):

- Educ. Code § 49050:
 - No school employee shall conduct a search that involves:
 - (a) Conducting a body cavity search of a pupil manually or with an instrument.
 - (b) Removing or arranging any or all of the clothing of a pupil to permit a visual inspection of the underclothing, breast, buttocks, or genitalia of the pupil.



74

Investigation: Interviews

- If involves potential criminal conduct, do not have to advise a student of *Miranda* rights (Fifth Amendment right to remain silent). *Miranda* only applies if a peace officer is conducting a custodial interrogation designed to elicit an incriminating statement.
- Know who the complainant, respondent and witnesses are
 - Rapport Building
 - Do not be immediately confrontational
- Ages/grade level
- Understand the person's mental capabilities – determine if in special education.
- Is investigator bilingual or need an interpreter?
- Recognize that the act might appear minimal to you as the investigator, but that it was extremely traumatic to the complainant.



75

Investigation: Interviews (Con't.)

- Ask open ended questions
 - Can ask direct questions to clarify.
- Avoid promises, oral agreements, and coercion.
- Use the words that the person your interviewing uses
 - May need to clarify that speaking of the same body parts when allegations involve touching.
- At the end, ask if there is anything else the person wants you or the district to know and let the person know that they can contact you with any additional information they might have.



76

Hypotheticals

- A female fourth grade student reports that her male classmate has been showing her videos of people “doing bad stuff” on his cell phone. She tells him she does not want to see that.
 - Same student reports that the classmate was showing her videos of sex acts on his phone.



77

Trauma Informed Care

- *Trauma*: An event, or series of events, that overwhelms the central nervous system
 - Trauma occurs when one's ability to defend, protect or say no is overwhelmed
 - Trauma is what occurs when your solution (active response to threat) does not work
 - Empoweringeducation.org
- It is about considering/treating the whole person, not just the immediate incident
 - Ask “What happened to you?” Do not ask, “What's wrong with you?” “What's wrong?”
- Key concepts to speaking with a person using trauma informed care:
 - Safety
 - Trustworthiness
 - Choice
 - Collaboration
 - Empowerment
 - Office for Victims of Crime, Training and Technological Assistance Center



78

Investigation: Employee Rights During Interview

- *Weingarten Rights*: If it reasonably appears employee could be subject to discipline, employee has right to have union representative present.
 - Representative cannot be intrusive or unduly adversarial
- Employee that is mere witness to events and non-suspected of being culpable do not typically have *Weingarten* right unless required by personnel rules, collective bargaining agreement or past practice.
- *Spielbauer Warning*: If the employee invokes their Fifth Amendment right to remain silent, he or she can be ordered to answer questions. The statements may not be used in a criminal proceeding but may be used in a discipline proceeding. Must give a *Spielbauer* warning:
 - You do not have a right to refuse to answer these questions. Should you refuse, you may be guilty of insubordination, an offense that can and will lead to discipline up to and including termination. Any information you provide to us, however, will not be used against you in any criminal proceeding.



79

Investigation: Law Enforcement

- Do you have a district Policy?
- Generally advise cooperating with law enforcement to the extent legally permissible.
- Law Enforcement Investigation:
 - Pre-text call
 - Multiple interviews of victim
 - Interview of suspect
 - Will *Miranda* apply?
 - Investigative techniques
- Must complete District's Title IX investigation.



80

Investigation: Exclusion of Prior Sexual History

- Evidence of a complainant's sexual history is generally not relevant and should be excluded.
 - Examples:
 - She had sex with Sam; therefore, she had consensual sex with John.
 - Evidence regarding a reputation for being promiscuous.
- Evidence can be considered if it is directly relevant to an issue
 - Examples:
 - Complainant previously consented to an act with respondent, therefore, he/she consented during the current incident (state of mind).
 - The evidence will explain an injury the complainant has or other evidence.
- Title IX specifies the only two conditions that sexual history may be asked:
 - Someone other than respondent committed the act
 - Specific incidents between respondent and complainant to prove consent

(34 CFR 106.45(b)(6)(ii))



81

Investigation: Credibility

- May not make credibility determinations on the bases of a person's status as a complainant, respondent, or witness.



82

Investigation: Right to Inspect Evidence

- Both parties must be provided with an equal opportunity to inspect and review any evidence obtained during the investigation that is directly related to the allegations.
 - Must include evidence that do not intend to rely on in reaching a determination of responsibility.
 - Must include inculpatory and exculpatory evidence.
- Purpose: Allow each party to meaningfully respond to the evidence prior to the conclusion of the investigation.
- Prior to completion of report: Send each party and their advisor, the evidence in an electronic format or hard copy.
 - Allow at least 10 days to respond.

34 CFR 106.45(b)(5)(vi)



83

Investigation: Requirements of Report

- Report must “fairly summarize relevant evidence.”
 - Inculpatory and exculpatory
 - All witness statements
 - Description of any physical evidence, videos, photos, etc.
- Cite to any applicable policies and/or code of conduct that are considered.
- Must be provided at least 10 days prior to a hearing or determination of responsibility.
 - Must provide to parties and their advisors.
- Can be provided in electronic format or hardcopy.
 - May need to have it translated.
- Parties may review and provide written response.
 - Must consider and include written response.
- Should be a confidential document but assume it will be released to public or used in future lawsuit.

34 CFR 106.45 (b)(5)(vii)



84

Investigation: Finalizing Report

- Must provide copy of report to both parties at least 10 days prior to a hearing or other determination regarding responsibility.
- Allow parties to review and respond.

34 CFR 106.45(b)(5)(vii)



85

Determination of Responsibility

- Two options:
 - Hearing: Required by post-secondary
 - Decision Maker
- Must choose one applicable to all complaints
- Recommend: Decision Maker for K-12



86

Determination of Responsibility: Hearings

- If a party does not have an advisor, the recipient must provide an advisor of the recipient's choice without fee or charge to the party.
 - May or may not be an attorney
- Decision Maker must permit each party's advisor to ask questions of any witness
 - Parties are not allowed to ask questions of witnesses.
 - Limitations as what advisor may ask does not apply to post-secondary hearings.
- Only relevant cross-examination and other questions may be asked of a party or witness.
- If a party or witness refuses to submit to cross-examination at the hearing, the Decision Maker must not rely on that person's statements.
- Must create audio or audio-visual recording or transcript of any live hearing and make available to either party.



87

Determination of Responsibility: Decision Maker

- Upon receipt of the investigation report, the Decision Maker must:
 - Provide each party with an opportunity to submit written relevant questions that a party wants asked of the other party or of a witness;
 - Provide answers to each party; AND
 - Allow for limited follow-up questions.
- Not relevant:
 - Complainant's prior sexual predisposition or prior sexual behavior.
 - Exceptions, offered to prove:
 - Someone other than respondent committed the alleged conduct; OR
 - Concerns specific incidents of sexual behavior regarding the respondent in order to prove consent.
 - Decision Maker must explain to party proposing the question the reason for excluding the question.



88

Determination of Responsibility: Written Report

Must include:

- Identification of the allegations as defined in 106.30.
- Description of procedural steps taken from the receipt of the formal complaint through determination. Must include:
 - Notifications to the parties
 - Interviews with the parties and witnesses
 - Site visits
 - Methods used to gather other evidence
 - Hearings held if applicable

34 CFR 106.45(b)(7)(ii)



89

Determination of Responsibility: Written Report

Must include (Con't.):

- Findings of fact supporting the determination;
- Conclusions regarding the application of the recipient's code of conduct to the facts;
- Statement and rationale for the result as to each allegation, includes:
 - Determination of responsibility;
 - Any disciplinary sanctions; AND
 - Whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant.
- Procedures and bases for complainant and respondent to appeal.
- Assume may be released to public or at least used in future law suit

34 CFR 106.45(b)(7)(ii)



90

Determination of Responsibility: Written Report

- Must provide the written report simultaneously
- Decision become final on:
 - Date provide an appeal
 - Date appeal, if not filed

34 CFR 106.45(b)(7)(ii)

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91

Remedies

May be implemented following a determination of responsibility.

- Must be described in the grievance procedure.
- Must be designed to restore or preserve equal access to the recipient’s education program or activity.
- May include:
 - What was previously supportive measures.
 - May not be disciplinary in nature and may burden the respondent.
- Provided to complainant when there is a finding against respondent.

34 CFR 106.45(b)(1)(i)

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92

Appeals

- Must offer both parties an appeal from a dismissal or determination of responsibility on the following bases:
 - Procedural irregularity that affected the outcome of the matter;
 - New evidence that was not reasonably available at the time of the determination of responsibility or dismissal and could have affected the outcome; AND
 - The Title IX Coordinator, Investigator, or Decision Maker had a conflict of interest.
- Recipient may offer additional bases for appeals as long as offered equally to both parties.

34 CFR 106.45(b)(8)



93

Appeal Procedure

- Must:
 - Provide written notification that the other party has filed an appeal.
 - Provide both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
 - Issue a written decision. Must include:
 - Result; AND
 - Rationale for the result.
 - Provide the written decision simultaneously to both parties.



94

Informal Resolution

- Requirements:
 - Formal complaint must be filed;
 - Must not have reached a determination; AND
 - Must obtain both parties voluntary, written consent to participate.
- Prohibited:
 - Forcing a party to participate.
 - Requiring participation as condition of employment, enrollment, or any other waiver of an investigation.
 - Offering informal resolution if the allegations are that an employee sexually harassed a student.

34 CFR 106.45(b)(9)



95

Informal Resolution: Written Notification

Must provide written notification to both parties:

- The allegations;
- Requirements of informal resolution session:
 - Circumstances for which parties are prohibited from resuming a formal complaint.
 - Have the right to withdraw from informal resolution at any time and resume grievance procedure.
- Any consequences resulting from participating in informal resolution session, including records that will be maintained and possibly shared.
- While not required, recommend reducing any agreement to writing and signed by parties.

34 CFR 106.45(b)(9)



96

Conducting the Resolution Session

- Do both parties agree on how to proceed?
- Understand alleged conduct
- What resolution is sought?
 - What would make victim feel safe? Stay away order?
 - Avoid making complainant move, can be revictimizing
 - Does complainant just want respondent to understand the issue?
 - Think about restorative justice: Engagement, accountability and restoration.
- If it involves SPED, does anyone from IEP team need to be involved?
- Not required by Title IX, but good practice to write resolution out and have both parties sign.



97

Retaliation

Retaliation includes:

- A recipient or other person intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege pursuant to Title IX.
- Acts that violate code of conduct that do not involve sex discrimination or harassment but arise out of the same facts or circumstances as a report or complaint for the purposes of interfering with any right or privilege guaranteed by Title IX.
- Making a report or formal complaint of sexual harassment for the purpose of interfering with any right or privilege secured by Title IX.

34 CFR 106.71(a)



98

Retaliation (Con't.)

- Breaking confidentiality of the investigation can constitute retaliation, as the district is obligated to keep the identity of complainant, respondent, witnesses, and any person who has made a report or complaint confidential.
- Exceptions to confidentiality:
 - As permitted by FERPA statutes and regulations.
 - As permitted by Code of Federal Regulations regarding FERPA.
 - Carrying out the purpose of Title IX, including investigations, hearings, or judicial proceedings arising thereunder.



99

Marital or Parental Status

- Shall not apply any rule regarding actual or potential parental, family, or marital status which treats student differently on the basis of sex.
- May not exclude any from education program or activity, including extracurricular, on the basis of student's:
 - Pregnancy
 - Childbirth
 - False pregnancy
 - Termination of pregnancy
 - Recovery
 - Exception: Student voluntarily requests separate program
- Return: May require a student to obtain certification from physician that the student is physically and emotionally able to continue to participate.
 - Allowed only if such certification is required of everyone.

34 CFR 106.40



100

Marital or Parental Status: Leave

- Must treat in same manner as any other temporary disability with respect to any medical or hospital benefit, service, plan or policy which the recipient administers, operates, offers, or participates in with respect to students admitted to the recipient's education program or activity.
- Leave Policy: Must allow a period of time as deemed medically necessary by the student's physician.
 - At the conclusion, the student shall be reinstated to the status which she held when the leave began.
- Did not affect Pregnant Workers Fairness Act

34 CFR 106.40



101

Athletics

- Must provide equal athletic opportunities for members of both sexes.
- Recipient may operate separate teams for members of each sex where:
 - Selection for such teams is based upon competitive skill
 - Activity involves a contact sport.
- If separate on either of these bases, but no such team for members of the other sex exists and athletic opportunities for member of that sex have been limited, members of the excluded sex must be allowed to try-out for the team, unless it is a contact sport.
- Contact sports: Boxing, wrestling, rugby, ice hockey, football, basketball and other sports the purpose or major activity of which involves bodily contact.



102

FERPA

- The records created in the Title IX grievance hearing are likely “student records” of the perpetrator and victim.
- Title IX specifies that a school cannot hide behind FERPA to avoid Title IX obligations.
- *Parent Inspection of Records:* Should not let parent inspect until completion of entire grievance process.
- *Hearing to Challenge Student Records:* Should only allow the parent, person responsible for creating the record and Superintendent at the hearing. Should not allow parent to turn hearing into a Title IX hearing to retry the Title IX complaint.
 - The Title IX process allows for a written response to be part of the record but could allow them to file another written response.
- *Law Enforcement Records:* If law enforcement was involved in investigation, those reports are not “student records” pursuant to FERPA.



103

Record Keeping

Must maintain records for seven years:

- Each investigation, including:
 - Determination of responsibility
 - Any audio or audiovisual recording or transcript
 - Discipline sanctions imposed on respondent
 - Remedies provided to complainant
- Any appeal and result.
- Any informal resolution and result.
- All materials used to train all members of Title IX Team.
- Record of any action, including supportive measures, taken in response to report or formal complaint
- Reasons that response was not deliberately indifferent.
- Measures taken to restore or preserve equal access to the recipient’s educational program.
- Reasons did not provide supportive measures and why that was not “clearly unreasonable” in light of the known circumstances.
- Must put training materials on website.



104

Who Will Investigate Title IX Complaints?

- April 4, 2025: U.S. Department of Education announced that it would be forming a “Title IX Special Investigations Team” (“SIT”) with the U.S. Department of Justice to “ensure timely, consistent resolutions to protect students and especially female athletes, from the pernicious effects of gender ideology in school programs and activities.”
- Secretary of Education: It has taken “months, even years” to complete a Title IX investigation and will move much quicker under this.
- Attorney General: This will allow Department of Education to collaborate with attorneys to “take a comprehensive action when women’s sports or spaces are threatened and use the full power of the law to remedy any violation of women’s civil rights.”



105

Title IX Special Investigations Team Members

- ED Office for Civil Rights investigators and attorneys
- DOJ Civil Rights Division attorneys
- ED Office of General Counsel attorneys
- ED Student Privacy and Protection Office case workers and an FSA Enforcement investigator



106

Review of Recipient's Actions

- Recipient with actual knowledge of sexual harassment must respond promptly in a manner that is not deliberately indifferent, whether or not a complain was filed.
- Reviewed by Assistant Secretary
 - Was response clearly unreasonable in light of the known circumstances?
- In reviewing, whether or not the recipient acted with deliberate indifference will not make that determination solely because would have reached a different determination based on independent weighing of the evidence.
- Will not be limited only by reasons written in records as to certain bases or measures; may provide additional explanations for additional steps taken.

34 CFR 106.44(b)(2)



107

Hypotheticals

- A sixth grade female student reports that a sixth grade male student told her that he liked her.
 - The sixth grade male student has now left numerous notes for her saying that he likes her and has slapped her buttocks several times. She has made it clear to him that she does not like him.
- A fourth grade student reports that her teacher hugs her everyday when she gets to school and when she leaves. He does not hug any other student. She has missed several days due to being ill and her grades are falling.
 - She has told the playground aide that she does not want to go to class because her teacher keeps making her feel “weird” by hugging her.
- A custodian finds inappropriate photos and notes between two sixth grade students. The notes indicate Sam has been demanding more photos from Sally and threatening to put the others on social media if she does not provide more.



108

Hypotheticals

- Over a weekend, John posts several inappropriate photographs with sexually explicit comments of Jane on social media. Jane sees the posts and is very upset and humiliated.
- Other boys add sexually explicit comments to the photos.
- Several of the boys make comments to Jane about the photographs during the week at school.
 - Jane refuses to come to school and leaves the campus when her parents drop her off.



109

Thank You For Your Attention

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