

CCPS Staff Title IX Sexual Harassment Training

An Introduction to Title IX
July 2025

Objective

To provide a foundational overview of Title IX, and CCPS' Administrative Regulation

This presentation is for informational purposes only and does not constitute advice of counsel. Please consult with your Title IX Coordinator or attorney for direction on a specific matter.



What is Title IX?

- Title IX is a federal law that prohibits discrimination on the basis of sex, including sexual harassment, in education programs and activities.
- Enforced by the Office of Civil Rights (OCR).
- In May 2020, the U.S. Department of Education issued regulations to implement Title IX which set forth requirements for the investigation and resolution of complaints of sexual harassment in education programs and activities.



Title IX of the Education Amendments of 1972

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 educational program or activity receiving federal financial assistance.

Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq) and related regulations (34 C.F.R Part 106)



Title IX Application

- If receiving federal financial assistance, Title IX applies to:
 - Local School Districts/Systems
 - Post-Secondary Institutions
 - Charter Schools
 - For profit schools
 - Vocational rehabilitation agencies
 - Museums
 - Libraries



Title IX Scope

- Sex Discrimination
 - Discrimination
 - Program Equity
- Sexual Harassment
 - Quid Pro Quo
 - Hostile Environment
 - Sexual Assault
 - Dating Violence
 - Domestic Violence
 - Stalking
 - Retaliation



Title IX Coverage

- Students
- Staff
- Parent/guardians
- Applicants
- Coverage extends regardless of:
 - Gender
 - Gender Identity
 - Sexual Orientation
 - Race
 - Disability
 - National Origin



Why it Matters: K12 Data

- A report by the Center for Democracy and Technology highlighted that approximately 2.3 million high school students experienced technology facilitated sexual harassment, including deepfake non-consensual intimate imagery, in 2024.
- According to Association of American Universities, nearly half of students in grades 7-12 report experiencing some form of sexual harassment.
- In a November 2023 report, the US Department of Education, using data from 2020-2021 school year, found that K12 students reported over 42,500 complaints of harassment or bullying based on sex, sex orientation, race, disability or religion, to school officials.
- National Women's Law Center report found that over 56% of girls in grades 7-12 have reported experiencing sexual harassment in schools.
- The Center for Disease Control and Prevention released a 2023 report which found that in 2021-2022, 18% of teen girls and 5% of teen boys experienced sexual violence. 22% of LGBTQ+ students experience sexual violence during the same period.



Common Terms

- **Complainant** - An individual who is alleged to be the victim of conduct that could constitute sexual harassment. At the time of filing a formal complaint, the Complainant must be participating or attempting to participant in CCPS' education program or activity
- **Respondent** - An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment
- **Preponderance of the evidence** - Evidence which is of greater weight or more convincing than the evidence to the contrary; evidence which shows that something is more likely than not to be true or to have occurred; greater than 50.1%



Retaliation

- **Retaliation** - The act or process of intimidating, threatening, discriminating or otherwise penalizing a person for reporting an alleged violation of policy or for participating or refused to participate in an investigation of an alleged violation. Retaliation is strictly prohibited in accordance with Title IX.



Education Activity or Program

- **“Education program or activity”** includes locations, events, or circumstances over which CCPS exercises **substantial control over both the respondent and the context in which the sexual harassment occurred**. It includes:
 - Academic, educational, extracurricular, athletic, and other programs or activities of schools, regardless of the location as long as it is in the United States
 - Online activity that occurs on computer and internet networks, digital platforms, and computer hardware and software owned or operated by CCPS, or used in the operations of CCPS
- **The educational program or activity includes all operations of the school, whether on or off campus.**



Actual Knowledge

- An educational institution has actual knowledge of sexual harassment or allegations of sexual harassment if a responsible employee knew, or in the exercise of reasonable care, should have known, about the discrimination or harassment
- Actual knowledge for elementary and secondary schools (K12) occurs **when any employee has notice of sexual harassment of allegations of sexual harassment.**

Actual Knowledge

- Actual knowledge can include:
 - Student complaints to teacher, administrator, school-based staff
 - Parental complaint
 - Staff witnessing an event
 - Widespread, openly practiced or information well-known to students and staff



Caution

- Making a report of Sexual Harassment **does not** relieve staff of following Board Policy JLF: Child Abuse and Neglect, Board Policy AC: Non-Discrimination and Policy ACF: Bullying, Harassment, Intimidation, Discrimination and Hazing, and Policy: GBAA: Sexual Harassment
- Err on the side of contacting the Title IX Coordinator if you have questions.



Mandatory Reporter

- All CCPS employees are required to **promptly** report sexual harassment or allegations of sexual harassment when:
 1. They receive a report of alleged sexual harassment from a student, parent/guardian, or staff member
 2. Observe an incident of sexual harassment
 3. Have reason to believe that sexual harassment is occurring in the workplace or education environment
- A report may be made by:
 - Contacting the CCPS Title IX Coordinator. You may also inform your Principal or immediate supervisor
 - Completing the Title IX Report form
- **Principals and Immediate Supervisor(s) must support a student, parent/guardian, or employee seeking assistance in completing the reporting form or filing of a formal complaint**



Confidentiality

- To keep secret or private
- Identities of the Complainant and Respondent are to remain confidential, absent limited circumstances, including:
 - If disclosure is required by Family Education Rights and Privacy Act (FERPA)
 - If disclosure is required by law
 - If disclosure is necessary to carry out the purposes of Title IX and its regulations, including to conduct the grievance process.
- CCPS will maintain the confidentiality of the reporter, Complainant, witnesses and Respondent, to the extent permitted by law



Supportive Measures

- Non-disciplinary, non-punitive services offered to the Complainant and Respondent, before or after the filing of a formal complaint or where no formal complaint is filed
- Offered without charge
- Designed to:
 - protect safety
 - restore or preserve equal access to the school's education program or activity
- Supportive Measures might include:
 - Academic Adjustments
 - Work location reassignment
 - No contact orders
 - Social and Emotional support referrals
 - Transportation or scheduling changes



Reporting Title IX allegations

- Can be made by any person, including the Complainant
- Can be made anonymously
- Can be made orally, by mail, by telephone or email.
- A student, parent/guardian, or staff member may use the Bullying, Intimidation, Discrimination, or Hazing Reporting System to report sexual harassment of a student.
 - CCPS employees are to immediately forward any Bullying report which alleges sexual harassment or discrimination to the Title IX Coordinator for review and consideration.



Filing a Formal Title IX Complaint

- Must be signed by the Complainant or Title IX Coordinator
 - Utilizes the CCPS Title IX Sexual Harassment Formal Complaint Form.
 - Can not be filed anonymously



TITLE IX COORDINATOR

- CCPS' Title IX Coordinator:

Dr. Arlene Moore

Equity and Community Relations Officer

125 North Court Street

Westminster, MD 21157

410-386-1680

anmoore@carrollk12.org

- Reports can be made at any time, including after school hours



Title IX team members

- Title IX Coordinator
- Investigator(s)
- Decision Maker(s)
- Appeal Decision Maker
- Informal Resolution Facilitator
- Advisor, if desired by either party



Title IX Coordinator

- Oversees Title IX compliance for the district, including managing the Title IX team
- Answers questions from staff and students regarding Title IX and CCPS grievance process
- Point of contact for receipt of all reports and complaints of alleged Title IX violations
- Upon receipt of report or complaint, Title IX Coordinator will contact Complainant, offer **supportive measures**, and explain the process for filing a formal complaint
- Title IX Coordinator may also initiate complaints when immediate or serious threat exists, or the alleged conduct prevents district from ensuring equal access



Team Members roles

- **Investigator**: collects evidence, interviews Complainant, Respondent and witnesses, provides all evidence to the parties for review; creates a final report
- **Decision Maker**: Reviews the investigations file with “fresh eyes”; makes independent decision and issues written determination regarding responsibility and sanctions
- **Appeal Decision Maker**: reviews appeals and issues final determination
- **Informal Facilitator**: facilitates informal resolution should parties voluntary agree; drafts resolution agreement
- **Advisor** : Individual selected by a party to accompany the individual to meetings and interviews. Can assist party in responding to written requests. Advisors need not be attorneys



Response to Reports and Complaints

- CCPS must respond **promptly** to **actual knowledge** of sexual harassment in any “**education program or activity**” in a manner that is “**not deliberately indifferent**”
- Deliberate indifference: A response that is “**clearly unreasonable in light of the known circumstances.**”



Guiding Principles

- Complainant and Respondent must be treated equitably
- Respondent is presumed not responsible
- A preponderance of the evidence standard must be applied
- Investigations are to be prompt, with limited circumstances under which delays are permitted
- Coordinators, Investigators, Decision Makers, and Informal Resolution Facilitators must be free of bias and conflicts of interest



Bias, Conflict of Interest and Recusal

- Every Title IX team member must be mindful of:
 - Not having a side between the parties
 - The way ways conflicts of interest or bias can sneak into the process
 - Wearing too many “hats”
 - Lack of impartiality
 - Reliance on stereotypes

Knowing a student or employee, or having previously disciplined them, is typically not enough to create a conflict- but is your objectivity comprised?



Sexual Discrimination and Sexual Harassment



What is Sex Discrimination

- Sex Discrimination includes:
 - Inequitable treatment based on sex or gender, including sexual orientation and gender identity
- Students
 - Course Offerings
 - Extra-Curricular Activities including Clubs
 - Athletics and Facilities
- Staff
 - Employment and Hiring
 - Salaries and Benefits
 - Promotion
- Those seeking admission to or employment by CCPS



What is Sexual Harassment?

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- ***Quid Pro Quo***: a situation where an individual in a position of power (like a supervisor or professor) demands sexual favors from another individual (like an employee or student) in exchange for something of value, such as a job benefit or a good grade.
 - May be expressed or implied
- ***Hostile School 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 Board of Education's education program or activity; **or**
- ***Sexual Assault, Dating Violence, Domestic Violence, and Stalking***



Sexual Harassment

Quid Pro Quo

- Can be expressed or implied
- Need not be “severe” or “pervasive”
 - A single incident may constitute quid pro quo sexual harassment

HOSTILE ENVIRONMENT

- Severe: intense, harsh, distressing
- Pervasive: openly practiced; frequent
- Objectively offensive: reasonable person standard
- Examples may include:
 - Posters, Flyers, or other decorative materials that contain nudity or sexual representations
 - Lewd or insulting graffiti; pornographic
 - Repeated phone calls, emails or text messages
 - Staring
 - Rude and offensive comments



Sexual Assault

Any sexual act or attempted sexual act directed against another person, without the consent of the individual, including instances in which the Complainant is incapable of giving consent. Sexual Assault includes: rape, sodomy, sexual assault with an object, fondling, incest and statutory rape.

- Each offense is defined in CCPS' Administrative Regulation



Dating Violence, Domestic Violence and Stalking

- Dating violence: violence committed by a person who is or has been in an intimate or romantic relationship with the victim
- Domestic violence: violence committed by a person who is a
 - Current or former spouse or intimate partner, or a person similarly situated to a spouse of the victim
 - is cohabitating, or cohabitation with the complainant as a spouse or intimate partner
 - Shares a child in common
 - commits acts against a youth or adult victim protected from those acts under the family or domestic violence laws of Maryland
- Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - Fear for the person's safety or others
 - Suffer Emotional Distress



Required Steps

- Once on notice of an allegation of Sexual Harassment, Title IX Coordinator must take steps to promptly and effectively stop, prevent and remedy
 - Stop: Put an immediate end to the conduct giving rise to the complaint
 - Prevent recurrence at both the individuals and district level
 - Remedy: Rectify the effects of discrimination for the individual and the community



What process is followed?

Title IX Grievance Process Overview



Title IX Coordinator Response

- Will meet with the Complainant to:
 - Explain the process for filing a formal Complaint, as needed
 - Offer supportive measures
 - Determine if allegations warrant the Coordinator filing a formal complaint, should the named Complainant decline to do so
 - Determine if there is jurisdiction for a Title IX investigation
 - Determine if emergency removal is required
 - Determine if Informal resolution is permissible
 - Informal Resolution is not available in matters involving employees and students
 - Assign investigator
 - Issue Notice of Investigation and Allegations (NOIA)



Grievance Process: Investigator

- Investigation must be prompt
 - Ordinarily within 30-45 days, absence extenuating circumstances
 - Each party must be provided with opportunity to review draft report and all evidence
 - Each party may submit questions they would like asked of the other party
 - Investigator will determine relevancy of the questions, before forwarding to other party
 - Investigation report will be provided to the Decision-Maker



Grievance Process: Decision Maker

- Upon receipt of the investigator report, the Decision Maker will review the report and all relevant evidence, with “fresh eyes.”
- May pose additional questions to either party
- Will determine if Respondent is “responsible” and if so, what sanction is to be imposed
- May determine if remedies will be granted to the Complainant
- Either party may appeal the Determination of the Decision Maker



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Knowledge Review

- **1. What does Title IX primarily prohibit?**
 - A) Discrimination based on race or ethnicity
 - B) Discrimination based on gender or sex
 - C) Discrimination based on age
 - D) Discrimination based on disability

- **2. Title IX applies to which of the following?**
 - A) Only K-12 schools
 - B) Only colleges and universities
 - C) Any educational program or activity receiving federal funding
 - D) Private institutions only



Knowledge review

3. A student files a Title IX complaint regarding sexual harassment. What is the school required to do?

- A) Immediately suspend the accused student
- B) Investigate the complaint and take appropriate action
- C) Decline to process the complaint if there is no physical evidence
- D) Transfer the Complainant and Respondent to different schools



Knowledge Review

4. Which department enforces Title IX in educational institutions?

- A) The Department of Education (Office of Civil Rights)
- B) The Department of Justice
- C) The Department of Labor
- D) The Equal Employment Opportunity Commission (EEOC)

5. A school is only required to address Title IX complaints if the alleged harassment happens on school grounds. True / False

6. A female student, Lisa, is being repeatedly harassed by a male student in the form of unwanted comments and physical advances. Lisa feels uncomfortable and files a formal complaint. The school responds by telling her to "he's just teasing you because he likes you" and does not investigate. Has the school violated Title IX? Yes or No?



Knowledge Review

7. You are an employee of CCPS. A student tells you that whenever he wants to speak with his teacher about classwork, the teachers pushes him off and requires that he return to ask his questions at the end of the day. When they meet, the teacher always closes the door. He also has a piece of paper that covers the glass so that no one can see in. The teacher touched the student's leg once. The students begs you to keep the manner confidential and asks if you can go with him when he meets with the teacher tomorrow. What if any steps are required of you?

- A) Report the allegation to your principal**
- B) Call the teachers and ask him to stop touching the kid. Inform him that you will be accompanying the student to all future meetings.**
- C) Honor the student's wishes. Say nothing**
- D) Call the Title IX Coordinator**



Knowledge Review

8. A high school has a dress code for prom. Girls must wear full length gowns and males must wear tuxedos. Tiffany elected to wear a tuxedo, without gaining permission from the admission. During the prom, which is held at a local ballroom, you notice small crowds frequently gathering near and talking to Tiffany. Tiffany looks uncomfortable and leaves prom after an hour? Should you report your observations to the Title IX Coordinator. Yes or No?

9. Adam is the newest member of the football team. After being introduced by the coach after the first practice, the coach reports to his office to complete paperwork. Team members welcome him with a towel snap on the buttocks. During the ensuing weeks, team members hold Adam down while his pants are pulled off, asked if he's a virgin, and give him a nickname which references his body part. Adam's parents notice the change in his demeanor and after much prodding, he shares his experience with the football team. Adam and his family decide that he will quit the team. Six months later, you meet Adam and his family at church. A few months thereafter, Adam's mom share their experience. Do you have an obligation to report this information to the Title IX Coordinator. Yes or No?



KNOWLEDGE REVIEW

10. Rumors are floating that a teacher and student A are having an affair. Student B shares that he saw the teacher and student A at the movies this weekend and that student A said that his parents were “cool” with it. You have witnessed the teacher and Student A whispering in the hallway but haven’t noticed anything else. You report this information to the Principal who instructs you with report the matter to Department of Social Services. Have you fulfilled your obligation as a school employee. Yes or No?



- 1) B
- 2) C
- 3) B
- 4) A
- 5) False
- 6) Yes
- 7) D
- 8) Yes
- 9) Yes
- 10) No

