

TITLE IX TRAINING PRESENTATION



SCHOOL PERSONNEL



DISTRICT TITLE IX COORDINATOR

Chris Davis

Title IX Coordinator

Fort Smith Public Schools

3205 Jenny Lind Rd

Fort Smith, AR 72901

cdavis1@fortsmithschools.org

(479) 785-2501



TITLE IX INQUIRIES AND COMPLAINTS

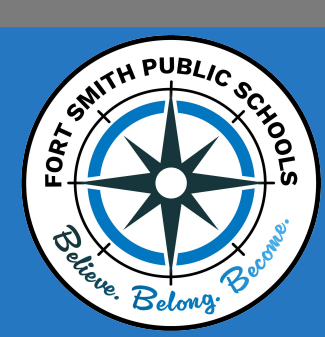
Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator in person or by using the mailing address, telephone number, or email address provided. A report may be made at any time, including during non-business hours, and may be on the individual's own behalf or on behalf of another individual who is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.



TITLE IX

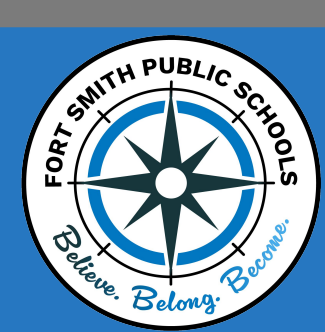
“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”

20 U.S.C. § 1681



TITLE IX APPLICABILITY

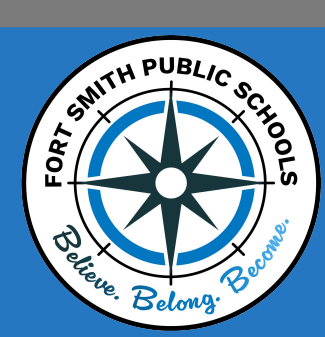
- **Title IX does not just cover athletic opportunities or programs**
- **It includes:**
 - **Program Equity**
 - **Sex/Gender Discrimination**
 - **Sexual Harassment**
 - **Quid Pro Quo**
 - **Hostile Work Environment**
 - **Retaliation**
- **Sexual Assault, rape, sexual violence**



DEFINITION OF SEXUAL HARASSMENT

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

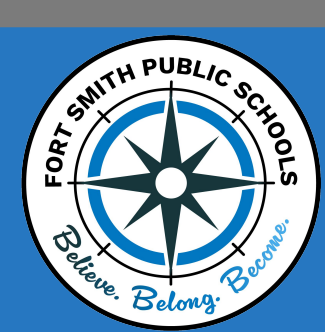
- Using the rejection of sexual conduct as a basis for academic decisions affecting that individual;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school district's education program or activity;
- Offering a benefit conditional on the individual's participation in sexual conduct; or
- Sexual assault, dating violence, domestic violence or stalking.



EXAMPLES OF SEXUAL HARASSMENT

Examples:

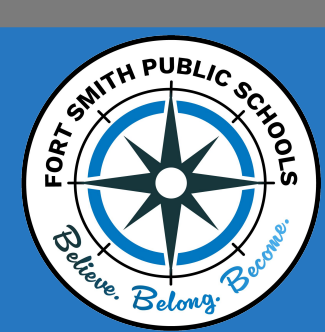
- Making Sexual Propositions or pressuring for Sexual activity
- Unwelcome touching of a private body part
- Telling sexual or crude jokes
- Discussions of sexual experiences
- Name calling in relation to sex or gender roles
- Repeated sexual jokes, comments, or gestures
- Spreading sexual rumors or making degrading remarks
- Persistent unwanted flirting or requests for dates
- Sending or showing sexual messages, memes, or drawings
- Repeated verbal teasing or name-calling of a sexual nature
- Repeated touching of non-intimate body parts in a sexual manner after being told to stop
- **Anything that constitutes: Sexual Assault, Dating Violence, Domestic Violence, Stalking**



APPLICABILITY

Title IX applies to Fort Smith Public Schools if sexual harassment occurs at any location, event, or circumstance over which the district exhibits substantial control over the alleged harasser and the context in which the harassment occurred.

- Where did it happen?
- When did it happen?
- How did it happen?
- Who was involved?
- Were school resources or property used?
- The complainant **MUST** be a current student or attempting to enroll (does not cover former employees)
- Covers any school event and any location where a school event was taking place
 - Does not cover actions off campus and not school-related
 - Includes remote/ virtual learning

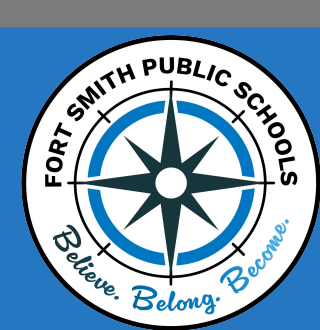


TITLE IX KNOWLEDGE AND RESPONSES

- The district may be deemed to have actual knowledge of the sexual harassment if any district employees have notice or receive allegations of sexual harassment.
- If you know or see something, you must say something.
- Treat Title IX and sexual harassment just like mandated reporting for the purposes of child abuse/maltreatment - always report.
- Must involve your Title IX coordinator
- Must follow are Title IX procedures
- We must respond promptly to actual knowledge of sexual harassment in a manner that is not deliberately indifferent.

Deliberately indifferent = a response that is clearly unreasonable in light of known circumstances.

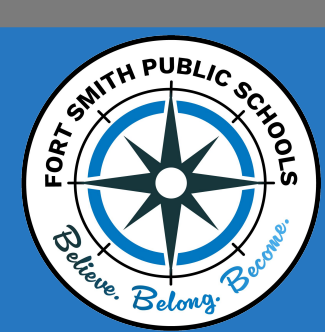
- **Disciplinary sanctions cannot be given out before the Title IX process is complete.**



TITLE IX DISTRICT PROCEDURES

Student or parent or friend tells an FSPS employee about an incident, concern, or reports sexual harassment/assault.

- Are they describing anything that deals with the following behaviors?
 - Any touching of an intimate body part
 - Unwanted or forced sexual contact (touching private areas)
 - Attempted or completed sexual acts without consent
 - Forcing or pressuring a student into sexual activity
 - Exposing oneself or showing explicit images without consent
 - Recording, distributing, or sharing sexual images/videos without consent
 - Threatening sexual harm or retaliation
 - Sexual assault, rape, dating violence, domestic violence, or stalking
 - Repeated sexual jokes, comments, or gestures
 - Spreading sexual rumors or making degrading remarks
 - Persistent unwanted flirting or requests for dates
 - Sending or showing sexual messages, memes, or drawings
 - Repeated verbal teasing or name-calling of a sexual nature
 - Repeated touching of non-intimate body parts after being told to stop
- **If so, immediately contact the Title IX Coordinator!**



TITLE IX DISTRICT PROCEDURES

- Ensure students are safe and separated as this process continues.
- Document the report using the [FSPS Intake Form](#). Be descriptive.
- Talk through the situation with the Title IX Coordinator to determine if Title IX applies or not before proceeding. **No Discipline Action Can Be Taken Yet.**
- If the issue is brought to the school district from a DHS hotline report, Fort Smith Police, or any police report, report this to the Title IX Coordinator immediately before taking next steps.
 - DHS, Police, and other departments also have steps to take, but the school district MUST begin the Title IX process ALSO.
 - Example: High school student says she was raped at school. She tells her parents. Parents call the police and file a report. The Fort Smith Police call the FSPS Police and let them know. FSPS would then contact the Title IX Coordinator so the District can start that process. Police continue with their process as well, making it very clear there are two separate procedures in place.
- After speaking with the Title IX Coordinator, the administrator of the school needs to contact the parents - follow the [Quick Guide](#) advice.



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