

Title IX Training

AUGUST 2026

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Agenda

History of Title IX

Definitions

Response to Notice or Report

Response to Formal Complaint

Investigative Process

Decision & Appeal

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Definitions

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Sexual Harassment

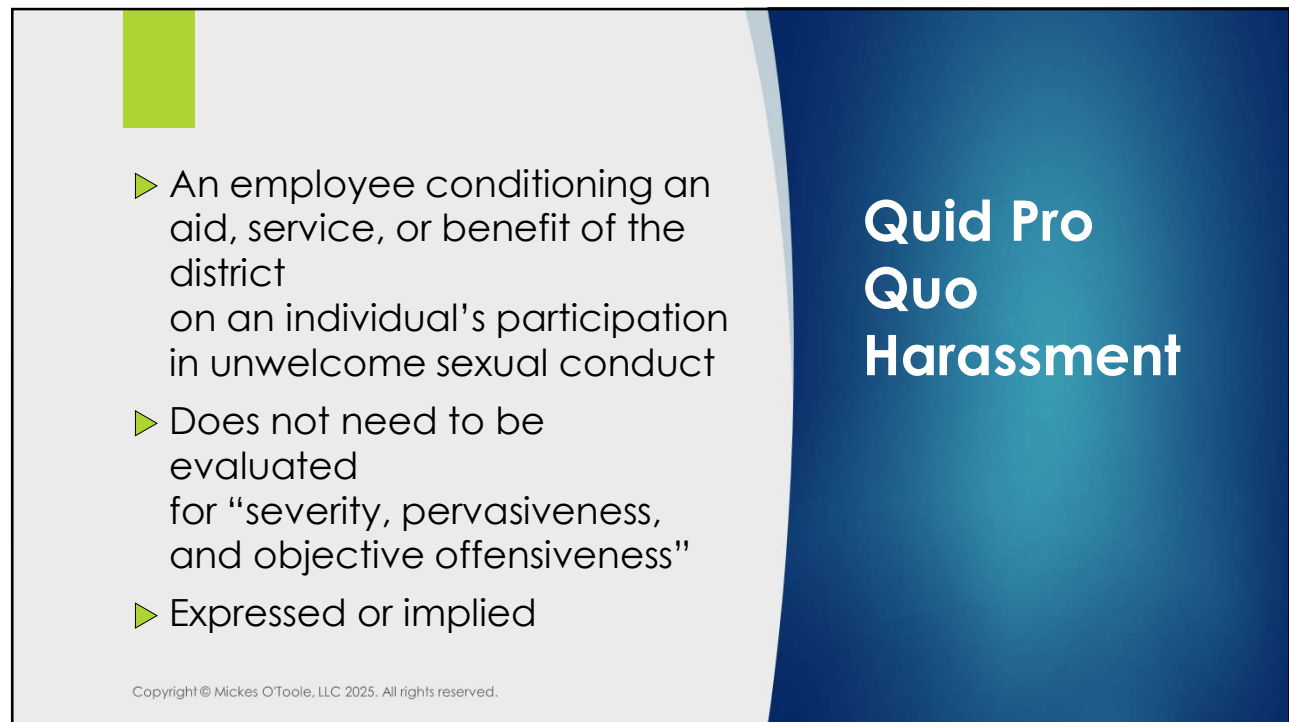
Quid Pro Quo
Harassment

Hostile
Environment

Harassment under
Violence Against
Women Act &
Clery Act

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This slide features a light gray background on the left and a dark blue gradient background on the right. A small lime green rectangle is positioned in the top left corner of the gray area. The title 'Quid Pro Quo Harassment' is written in white, bold, sans-serif font on the blue background. The content area on the left contains three bullet points, each preceded by a lime green right-pointing triangle. At the bottom left of the gray area, there is a small copyright notice.

- ▶ An employee conditioning an aid, service, or benefit of the district on an individual's participation in unwelcome sexual conduct
- ▶ Does not need to be evaluated for "severity, pervasiveness, and objective offensiveness"
- ▶ Expressed or implied

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This slide features a dark blue gradient background on the left and a light gray background on the right. A small lime green rectangle is positioned in the top right corner of the gray area. The title 'Hostile Environment' is written in white, bold, sans-serif font on the blue background. The content area on the right contains four bullet points, each preceded by a lime green right-pointing triangle. At the bottom right of the gray area, there is a small copyright notice.

- ▶ Unwelcome conduct
- ▶ Reasonable person
- ▶ Severe, pervasive, and objectively offensive
- ▶ Effectively denies a person's equal access to education program or activity

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Harassment under VAWA & Clery Act

- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking

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Sexual Assault

Rape	Sodomy	Sexual Assault with an Object
Fondling	Incest	Statutory Rape

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Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim

Existence of relationship determined based on consideration of the length, type, and frequency of interaction

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse

Dating violence does not include acts covered under the definition of domestic violence

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Domestic Violence

Felony or misdemeanor crimes of violence committed by:

- ▶ Current or former spouse or intimate partner of the victim
- ▶ Person with whom the victim shares a child in common
- ▶ Person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- ▶ Person similarly situated to a spouse of the victim under the domestic or family violence laws of Missouri
- ▶ Person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Missouri

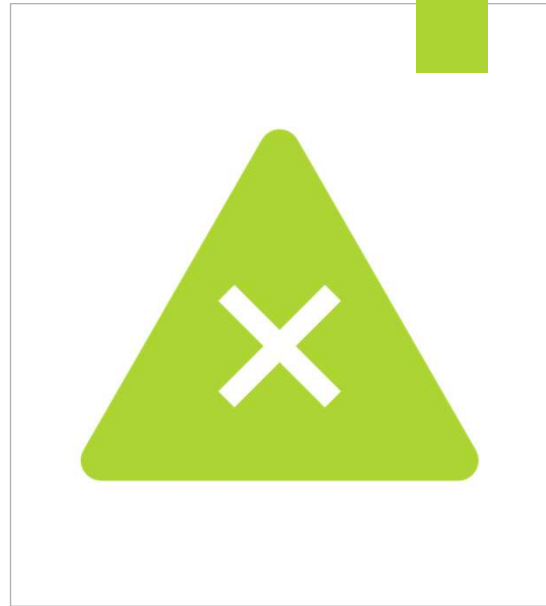
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Stalking

- ▶ Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress

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Location

In an educational program or activity- locations, events, or circumstances over which the school district exercised substantial control over both the Respondent and the context in which the sexual harassment occurs

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Retaliation

Adverse treatment in response to seeking protection under Title IX

May be independent basis for charge or litigation

Examples include harassment in educational program, discipline, or denial of participation

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Response to Report

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What is the
difference?

Report

Formal Written
Complaint

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Report of
Actual
Knowledge

"Actual knowledge" is notice of sexual harassment or allegations of sexual harassment to any district employee

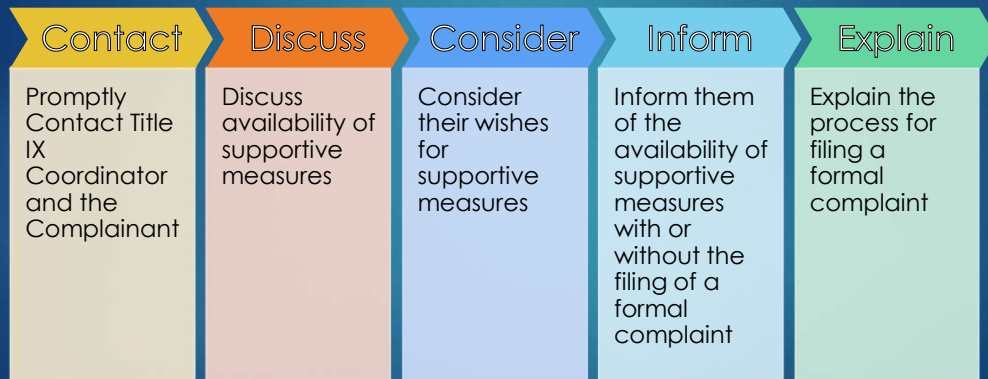
Any person may REPROT sexual discrimination (alleged victim or any third party)

Report to Title IX Coordinator in person, by mail, phone, or email

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Response after a REPORT



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Supportive Measures

-  Available any time throughout process
-  Available with or without filing of a formal complaint
-  Non-punitive
-  Record any supportive measures taken or why supportive measures were not taken

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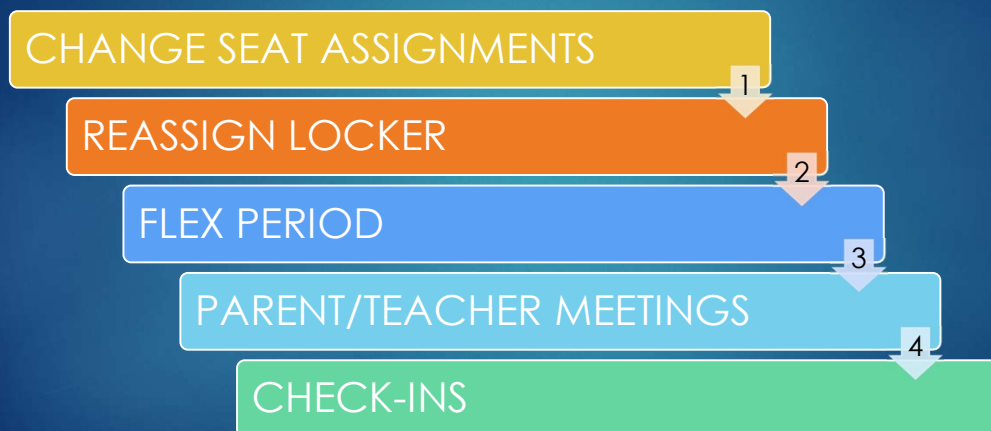
EXAMPLES of Supportive Measures



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More EXAMPLES of Supportive Measures



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Response to Formal Complaint

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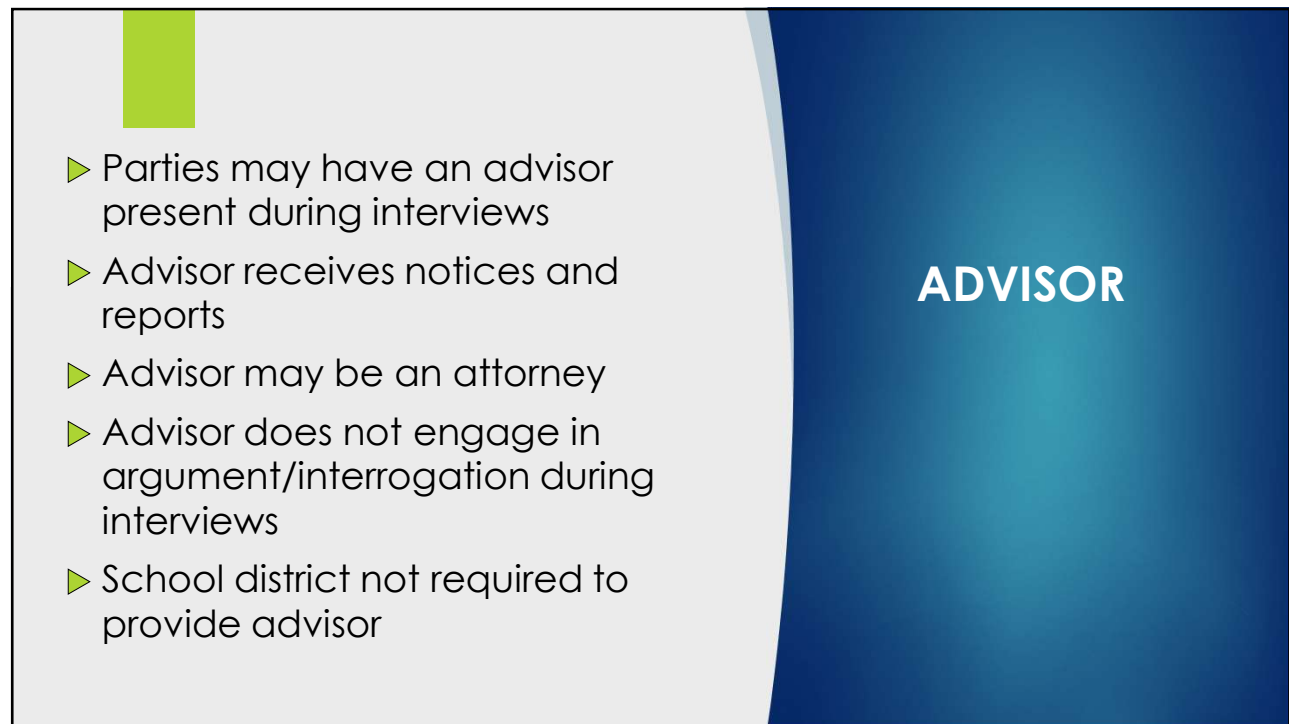
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FORMAL COMPLAINT

- ▶ Written & Signed by Complainant, Parent/Legal Guardian, or Title IX Coordinator
- ▶ No other third party can file a formal complaint
- ▶ Description of allegation (date, location, witnesses)
- ▶ As practical, in Complainant's own words

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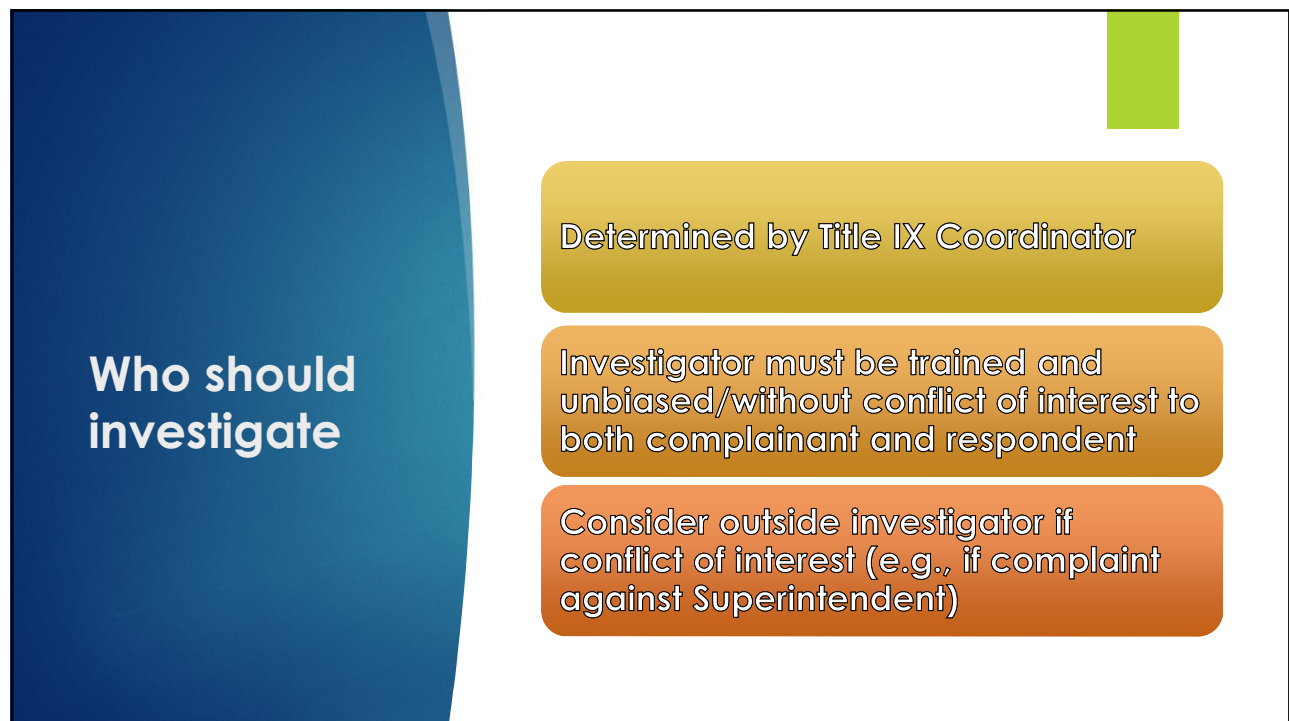
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A slide titled "ADVISOR" with a blue gradient background on the right and a light gray background on the left. A green vertical bar is on the far left. The title "ADVISOR" is in white, bold, sans-serif font. To the left of the title, there is a list of five bullet points, each preceded by a green right-pointing triangle.

- ▶ Parties may have an advisor present during interviews
- ▶ Advisor receives notices and reports
- ▶ Advisor may be an attorney
- ▶ Advisor does not engage in argument/interrogation during interviews
- ▶ School district not required to provide advisor

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A slide titled "Who should investigate" with a dark blue gradient background on the left and a white background on the right. A green vertical bar is on the far right. The title "Who should investigate" is in white, bold, sans-serif font. To the right of the title, there are three stacked, rounded rectangular boxes with a gradient from yellow to orange. Each box contains text.

Who should investigate

- Determined by Title IX Coordinator
- Investigator must be trained and unbiased/without conflict of interest to both complainant and respondent
- Consider outside investigator if conflict of interest (e.g., if complaint against Superintendent)

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Investigation Process

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Prompt & Serious

Investigate

Investigate efficiently and effectively

Take

Take allegations seriously

Do not refuse

Do not refuse investigation because of delayed timing of complaint

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Overview of Process for a Formal Complaint

Notices

Dismissal

Consolidation

Collection of Evidence

Review of Evidence by Parties

Investigative Report/Response/Exchange of Questions

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Written Notice of Formal Complaint

Notice of the school districts' grievance process, including informal resolution process

Notice of the allegations of sexual harassment (parties, date, location)

Statement that Respondent is presumed not responsible

Notice of right to an advisor

Notice of right inspect and review evidence

Notice of prohibition on knowingly making false statements or submitting false information

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Mandatory Dismissal

- ▶ If the conduct alleged would not constitute sexual harassment even if proved
- ▶ Did not occur in school district's education program or activity
- ▶ Did not occur against a person in the United States

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Discretionary Dismissal

- ▶ A Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint
- ▶ The Respondent is no longer enrolled or employed
- ▶ The specific circumstances prevent the school district from gathering evidence

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Collection of Evidence

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Interview Guidelines



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Possible Evidence



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Relevance

- ▶ It has a tendency to make a fact more or less probable than it would be without the evidence
- ▶ Fact is of consequence in determining the action or conduct
- ▶ Relevant evidence goes towards proving whether a fact of consequence to the actual allegations are more or less likely to be true

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Prohibition

No questions on Complainant's prior sexual history, unless:

- Offered to prove someone other than Respondent committed conduct
- If evidence of specific incidents of prior sexual conduct between Respondent and Complainant is offered to prove consent

No seeking privilege information or records unless privilege is waived by the party

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Reminder

- ▶ Parties are not restricted in discussing allegations with others
- ▶ Parties have right to gather evidence favorable to their position
- ▶ No party can intimidate, harass, retaliate
- ▶ Monitor situation during investigation

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Sharing of Evidence



Before the investigative report is complete, provide evidence to both complainant and respondent (and their advisors) for review



Allow the parties 10 days to submit a written response



Consider the parties' response prior to completion of report; more investigation may be needed

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Investigative Report

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Investigative Report

Create	School districts must create an investigative report that "fairly summarizes relevant evidence"
Send	Send to each party the investigative report 10 days prior to a determination of responsibility
Allow	Allow parties to review and respond to investigative report
Exchange	Exchange of questions on behalf of decision-maker

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Exchange of Questions

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Submission of Questions

- ▶ Decision Maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness
- ▶ Must provide each party with the answers
- ▶ Must allow for additional, limited follow-up questions from each party

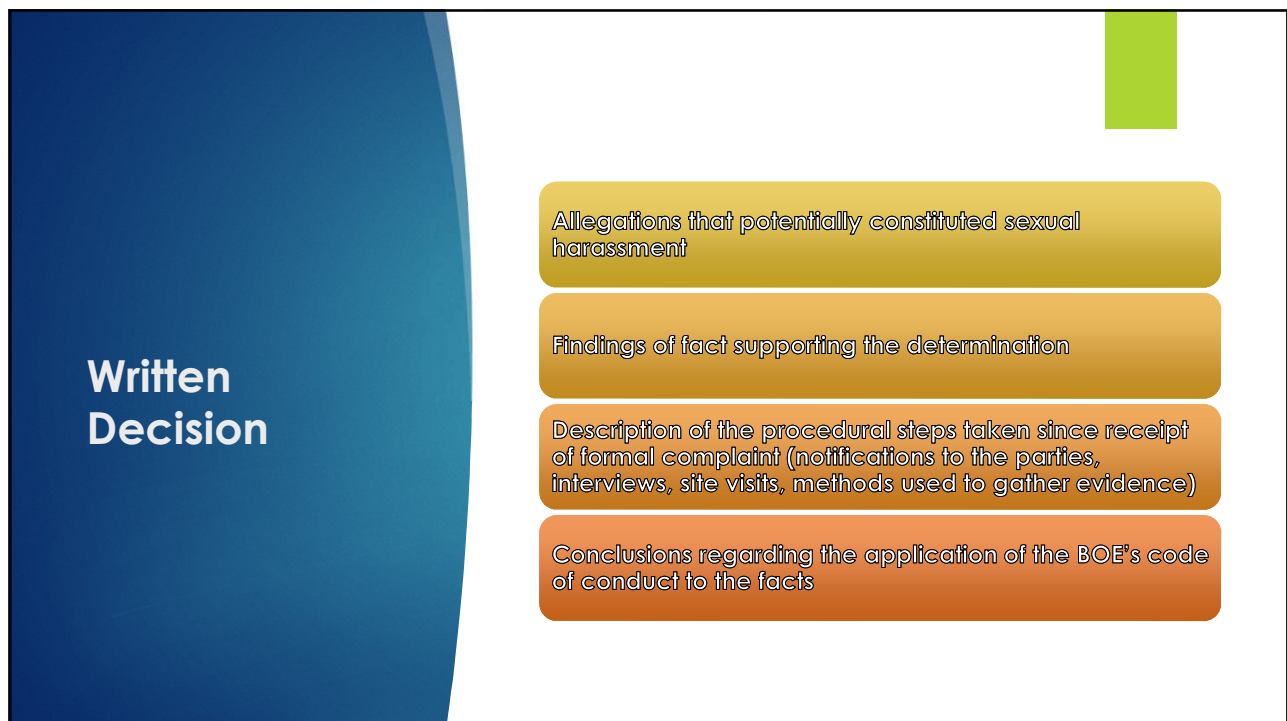
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Determination Regarding Responsibility

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Written Decision

Determination of responsibility as to each allegation and rationale for the result

Any discipline sanction imposed

Whether remedies will be provided to the Complainant

The BOE's procedures and bases for appeal

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Written Decision

- ▶ If a determination of responsibility for sexual harassment is made, District will provide remedies to the complainant designed to restore or preserve equal access to the District's education program or activity
- ▶ Consequences for violations may have educational, restorative, rehabilitative and/or punitive components
- ▶ Conduct constituting sexual harassment or related retaliation will be subject to discipline

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Appeal Process

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Basis for Appeal

- ▶ **Procedural Irregularity** that affected outcome
- ▶ **New Evidence** not reasonably available at the time of the determination regarding responsibility or dismissal and that would have affected the outcome
- ▶ **Conflict of Interest or Bias** that affected outcome

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Determination on Appeal

Decision maker on appeal will issue a written decision and the reason for the decision on appeal.

Result on appeal will be given to both parties at the same time.

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Voluntary Process

- ▶ Informal Resolution is a voluntary process that the Parties can engage in after a formal complaint of sexual harassments has been filed
- ▶ Aim is to resolve the formal complaint without formal investigative process
- ▶ Informal Resolutions can occur within the District or with use of a 3rd party mediator, attorney, or other dispute resolution process
- ▶ Title IX Coordinator can facilitate an Informal Resolution

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