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DISTRICT LEADER TRAINING

Title IX & Civil Rights Compliance for District Leaders

Title IX · Title VI · Colorado SB23-296

ALL TOGETHER for ALL STUDENTS



District Leadership Role



Set clear response expectations

Coach building leaders through uncertainty

Monitor implementation across buildings

Intervene when responses drift


Title IX Foundations
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Title IX bars sex discrimination

"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." **— 20 U.S.C. § 1681(a)**

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Within the district's program and control:

- Education program or activity, in the U.S.
- District controls context and alleged harasser
- Protects students, employees, and third parties
- Evaluate off-campus or online in-school effects

Sex discrimination v. Sexual harassment

Discrimination (Policy AC)

Unequal treatment based on sex

Harassment (Policy AC-R2)

Title IX sexual harassment is conduct on the basis of sex that falls into one or more of these categories:

1. **Quid Pro Quo:** A School District employee conditioning the provision of an aid, benefit, or service on unwelcome sexual conduct.
2. **Hostile Environment:** Unwelcome conduct determined by a reasonable person to be severe, pervasive, and objectively offensive.
3. **Specific Offenses:** Sexual assault, dating violence, domestic violence, or stalking.



The District's Title IX Team

Who receives, investigates, decides, and reviews

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The Title IX Team has distinct, non-overlapping roles

District Title IX Coordinator

Leads district wide compliance

Deputy Coordinators

Support specific populations or functions (Dist. AD, Principals, HR))

Investigators (SSAs)

Conduct impartial, conflict-free reviews

Decision-makers (EDs)

Determine violations and remedies

Appeal reviewers (Cabinet)

Independently review appeals

Who does what



Principals

Receive the initial report, issue spot, implement interim support, contact guardians, make mandatory reports, and connect with the Title IX Coordinator.



Title IX Coordinator

Assesses the legal standard and determines next steps for formal/informal resolution or supportive measures.



Stop, Prevent, Remedy

Three obligations that define an adequate response

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Schools must stop, prevent, and remedy discrimination



Stop

End the ongoing discriminatory conduct now



Prevent

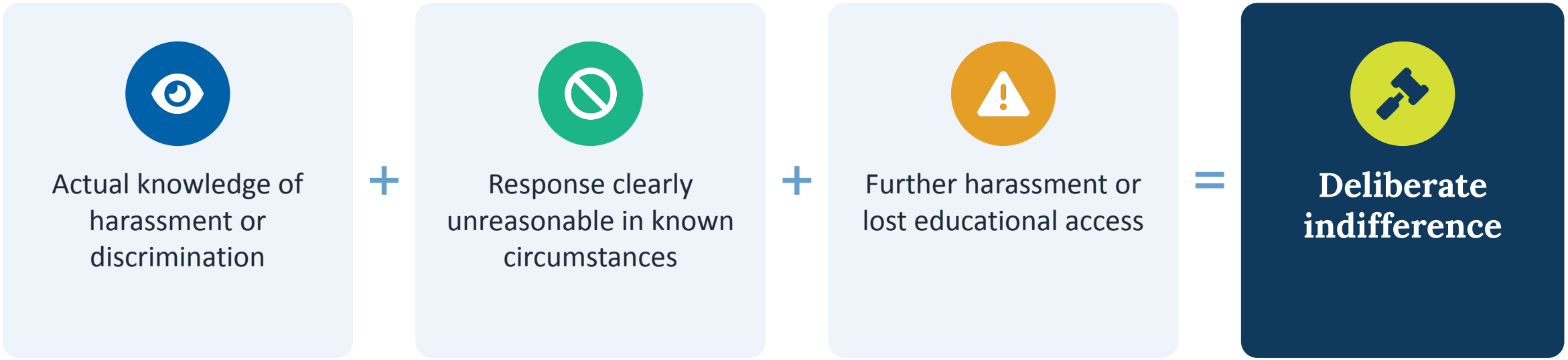
Stop recurrence for individuals and system-wide



Remedy

Repair effects on the person and the community

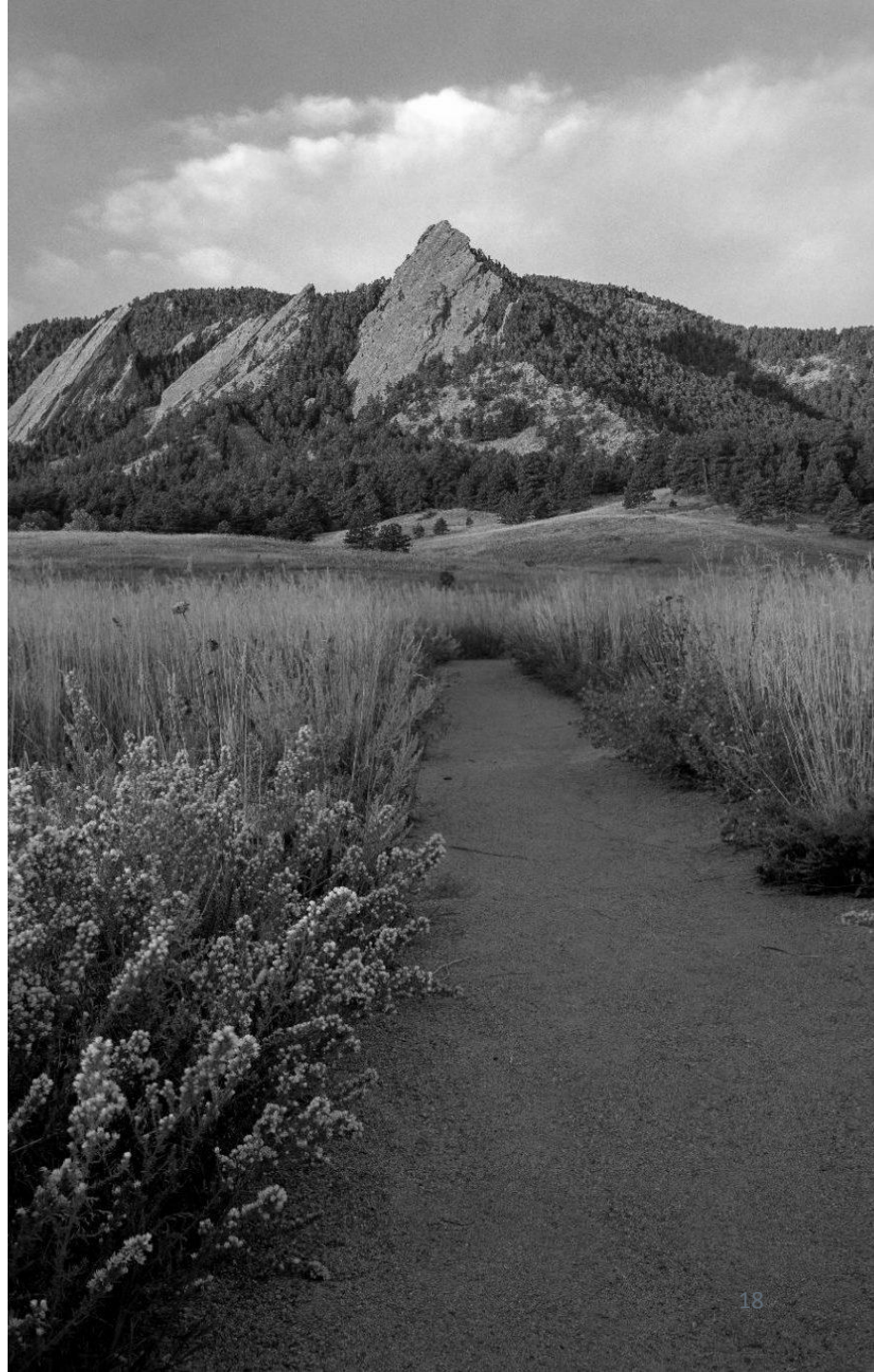
Deliberate indifference is the legal liability standard



Key cases: *Gebser v. Lago Vista; Davis v. Monroe County*

A principal's own knowledge can trigger district liability

- Knowledge may count as district notice
- Report promptly—do not investigate first
- Preserve access and prevent retaliation
- Route concerns to the Title IX Coordinator



For Title IX sexual harassment, a principal's job is to respond, not investigate



Respond supportively

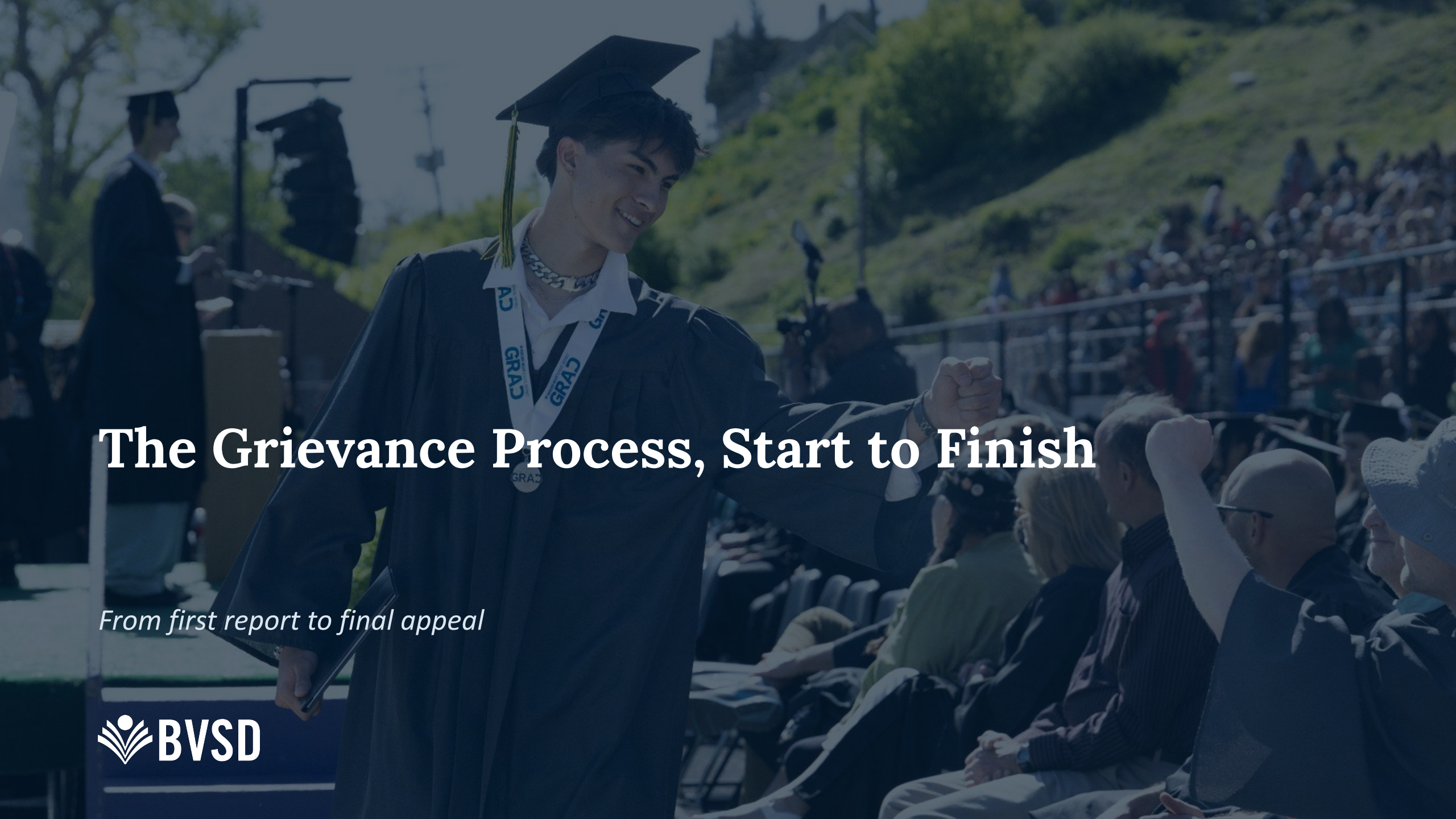
Gather only essential information/mandatory report (if appropriate)

Address urgent needs and implement interim supportive measures

Communicate with Guardians about the report and support (over the phone and in writing)

Complete District reporting form/connect with the Coordinator

Respond → Protect → Preserve → Report. Leave the fact-finding to the Title IX Team.



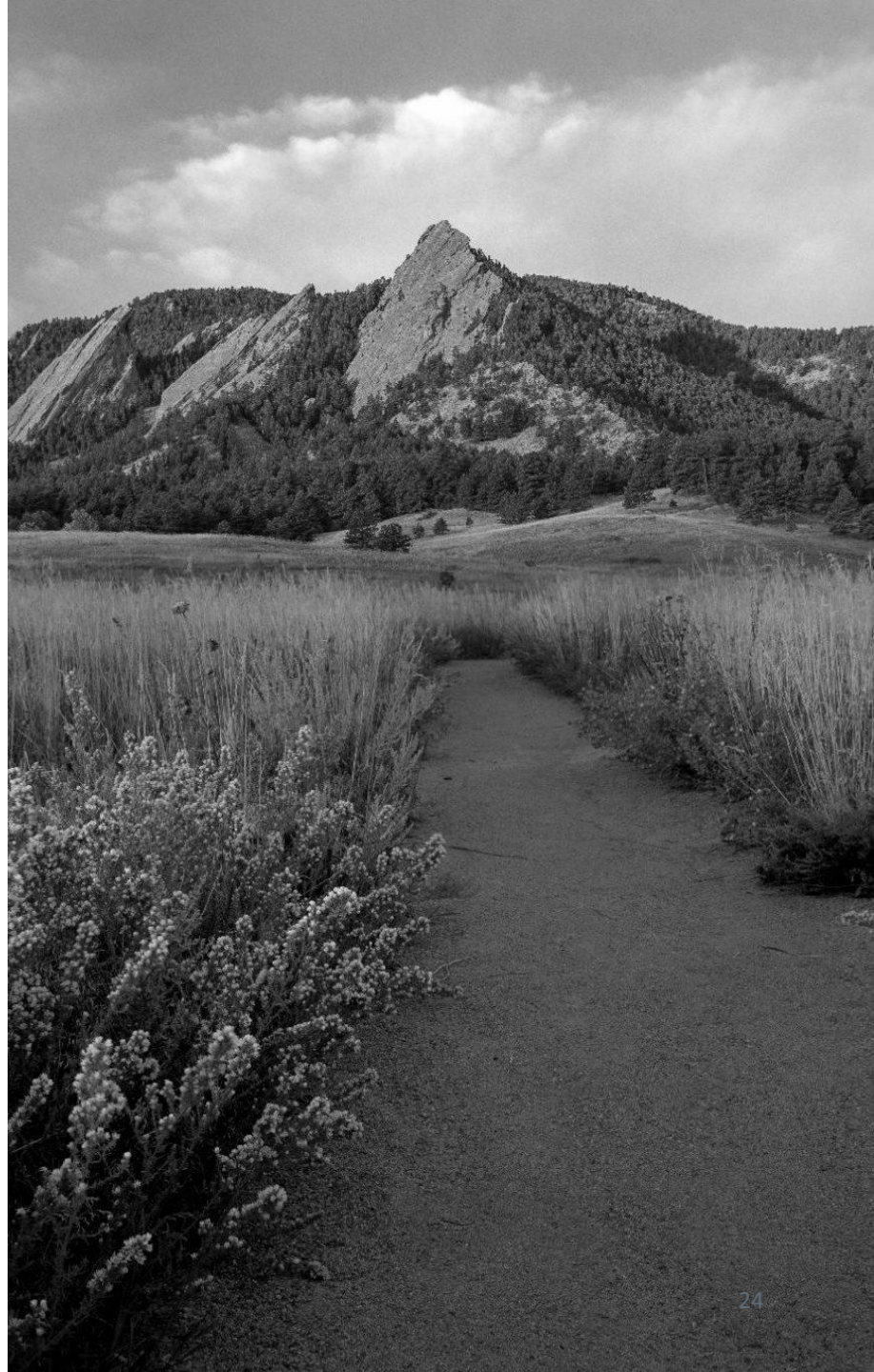
The Grievance Process, Start to Finish

From first report to final appeal

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Formal investigation follows a defined sequence

1. Notify parties of allegations (Coordinator)
2. Interview parties and witnesses (Investigator)
3. Collect evidence (Investigator) / party review
4. Draft report (Investigator) / party review
5. Written questions + Issue the final report (Decision-maker)



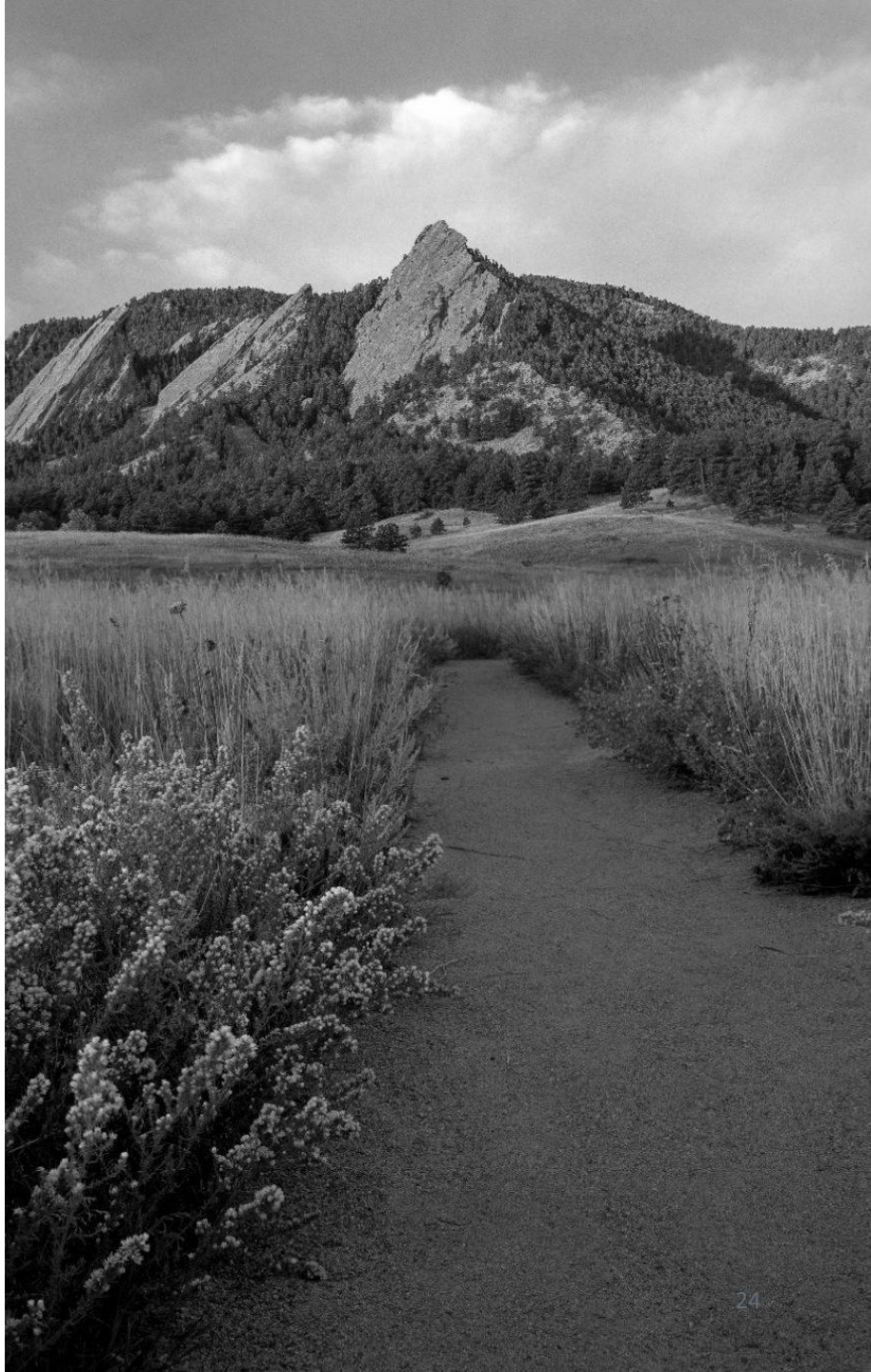
A manifestation determination review may be required before discipline



FAPE services continue either way

Informal resolutions follows a different sequence

1. Notify parties of allegations and consent to participate in informal resolution (Coordinator)
2. Gather requested terms from Complainant
3. District review of terms
4. Work with parties through negotiation / RJ
5. All parties sign agreement and matter dismissed





Title VI Foundations

Race, color, and national origin protections

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Title VI bars discrimination

> *"No person…shall…be excluded…denied benefits…or subjected to discrimination" because of race, color, or national origin.*

Grounding: 42 U.S.C. § 2000d; 34 C.F.R. Part 100 (1964)

Title VI recognizes three types



Disparate treatment

Different treatment because of race, color, or national origin



Disparate impact

Neutral practice disproportionately burdens a protected group



Harassment

Unwelcome conduct limits access to educational opportunities

Deliberate indifference also governs Title VI harassment liability



Title VI reaches harassment, language access, and discipline disparities

Address racial and national-origin harassment

Provide meaningful access for English Learners

Review discipline disparities and subjective rules

Title VI also governs access to programs and tracking practices

- Review access to advanced courses
- Watch for racial isolation
- Question lower-level tracking patterns
- Protect reporters from retaliation



Interim measures to restore access without punishing the complainant

Offer schedule or classroom changes

Provide counseling, check-ins, academic support

Add safety planning and language access

Monitor for retaliation; report it immediately

Title VI and Title IX side by side

	Title VI	Title IX
Protects	Race, color, national origin	Sex
Covers	Disparate treatment, impact, harassment	Sex discrimination and harassment
Harassment standard	Harassment: severe, pervasive, or persistent	Standard depends on claim and context

Colorado law sets broader protections than federal standards

- SB23-296: effective July 1, 2024
- Covers many protected classes beyond sex
- No severe-or-pervasive requirement
- Broader duty than Title IX or Title VI



One report can implicate more than one civil rights law

- Listen for every protected characteristic
- Preserve the person’s full account
- Do not filter through one legal category



Piecemeal resolution leaves part of a complaint unaddressed

Do not resolve one concern informally

Review the full report together

Avoid leaving related concerns unaddressed



District-Level Oversight & System Monitoring

From individual reports to patterns across buildings

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Disaggregated discipline data reveals patterns a single case can't

Race, color, national origin

Sex and protected characteristics

Offense, referral source, location

Consequence and instructional exclusion

Pause & discuss: *Which categories help separate an isolated event from a recurring pattern?*

Zero reports can hide underreporting

0

reports does not always mean zero problems

- Staff may not know where to report
- Principals may resolve concerns informally
- Families may distrust the building response
- Reports may become “ordinary discipline”
- Leaders may delay or suppress notification

Pause & discuss: *Why can a low report count reflect barriers rather than safety?*

Signals a building needs district intervention

- Late reports or incomplete documentation
- Independent investigations or premature conclusions
- Inconsistent or burdensome supportive measures
- Repeated complaints, retaliation, or informal resolutions
- No reports despite known climate concerns

Pause & discuss: *Which red flag would require the fastest district response, and why?*

Some complaints require moving authority to the district level

- Employee-on-student conduct
- Complaint names building leadership
- Building conflict of interest
- Pattern across students or groups
- Prior bias, suppression, or noncompliance

