K-12



Title IX Coordinator

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LESSON ONE

Overview and Reminders



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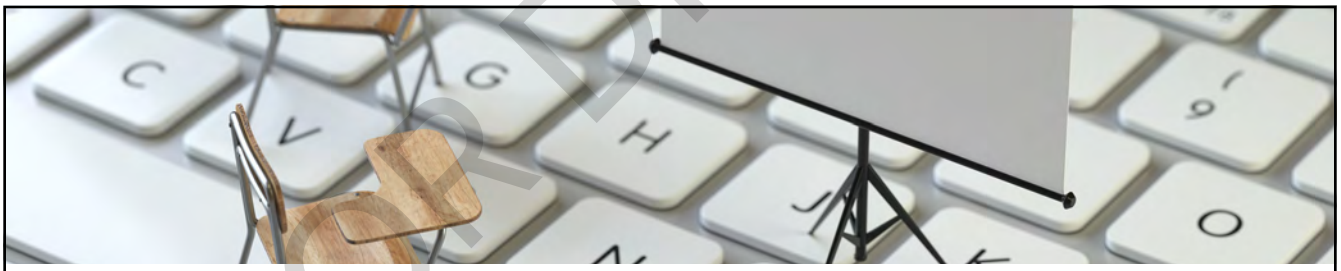
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AGENDA

Lesson One	Overview and Reminders
Lesson Two	Role and Scope - Building your Team
Lesson Three	Role and Scope - Policies, Procedures, etc.
Lesson Four	Role and Scope - Supportive Measures & Prevention Efforts
Lesson Five	Triage - Perfecting the High Kick
Lesson Six	Formal Complaint - To Sign or Not to Sign
Lesson Seven	Title IX Process
Lesson Eight	Additional Information
Lesson Nine	Wrap Up & Final Assessment of Knowledge

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DISCLAIMERS:

- Not legal advice
- Cannot possibly cover everything
- Designed to provide you with options so that you can make the decisions that make the most sense for you/your district
- Most decisions will be district specific and the regulations allow for flexibility

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REMINDERS



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REMINDERS!!!

- Title IX is about access
- Templates, templates, templates
- House of Title IX

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TITLE IX COORDINATOR....

OCR has found that some of the most egregious and harmful Title IX violations occur when a recipient fails to designate a Title IX coordinator or when a Title IX coordinator has not been sufficiently trained or given the appropriate level of authority to oversee the recipient's compliance with Title IX.
- 2015 DCL

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ROLE OF TITLE IX COORDINATOR

- Build a Title IX Team
- Oversee all aspects of Title IX compliance obligations
- Coordinate training for Title IX Team and all employees
- Coordinate response to all complaints involving Sexual Harassment
- Provide and track Supportive Measures
- Monitor investigations, resolutions, outcomes, remedies, and sanctions
- Monitor patterns and trends
- Avoid Conflicts of Interest and biases
- Update Policies and Procedures
- Recordkeeping

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TITLE IX SEXUAL HARASSMENT + **EDUCATION PROGRAM OR ACTIVITY** = **FORMAL GRIEVANCE PROCESS**

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LESSON TWO

ROLE AND SCOPE - BUILDING YOUR TEAM



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COORDINATING RESPONSE

- Complainant/Respondent
- Who is Investigating
- Timelines
- Appropriate Notices to Students, Parents, Advisors
- Supportive Measures
- Resolution Process and Outcome
- Appeals

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"Of all the things I've done, the most vital is coordinating those who work with me and aiming their efforts at a certain goal." - Walt Disney



Your job is to:

1. Place good employees in the right positions
2. Make sure each team member understands their role
3. Ensure that the work is getting done
4. Track the process
5. Be available

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INVESTIGATOR



- Notice of Allegations
- Notice of Meetings with sufficient opportunity/time to prepare
- Investigation meetings
- Collects evidence/information (inculpatory and exculpatory)
- Provides information/evidence directly related to allegations to parties for review (10 days prior to report)
- Writes report summarizing relevant evidence
- Provides report to parties for review (10 Days)

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DECISION-MAKER



- Question and Answer: Afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party
- Written Determination regarding Responsibility/Sanctions/ Remedies

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APPELLATE DECISION-MAKERS



- Understand district specific process
- Review appeals
- Make timely decisions and simultaneous notifications

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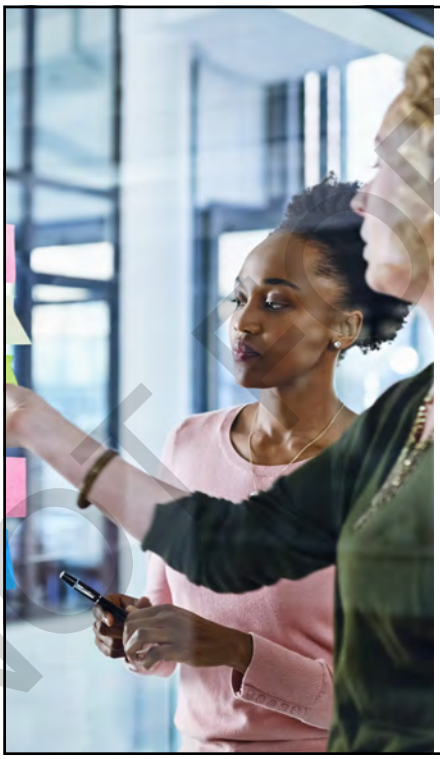
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INFORMAL RESOLUTION FACILITATORS

- Meet with students, parents, advisors and facilitate resolutions after Formal Complaint and before determination regarding responsibility
- Informal Resolutions are not required but if using them, Informal Resolution Facilitators must be trained

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TRAINING, TRAINING, TRAINING

REQUIRED

- Title IX Coordinator (robust), Investigators, Decision-Makers, Informal Resolution Facilitators, Appellate Decision-Makers
- Decision-Makers - training on technology
- All employee training (highly recommended)

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MONITOR OPEN CASES/BE AVAILABLE FOR YOUR TEAM

- Monitor outcomes, sanctions and remedies
- Bring team together regularly to make sure processes are working consistently
- Remain focused on equity
- Correct in the moment, mistakes will happen
- Schedule meetings with investigators (virtual or in person) to discuss status of cases
- If something is not working, fix it/pivot
- Use a data tracking system if possible
- Remain as transparent as possible

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Others With Title IX Responsibility

Responsible Employees


Teacher


Bus Driver


Principal


Cafeteria Worker

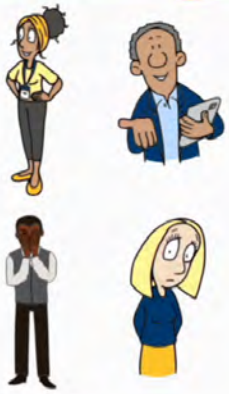

Custodian


Other

Advisors



Support Team



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ADVISORS



- Of choice
- Can be an attorney, doesn't have to be
- Your policy defines how they can be involved in your process
- Challenges with advisors
- Benefits to advisors

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DON'T FORGET YOUR EMPLOYEES



- ALL employees are responsible for reporting at K-12 level
- Actual knowledge = NOTICE
- Notice without action = deliberate indifference

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PARENTS/GUARDIANS

"While elementary and secondary school students retain less control over when disclosure of sexual harassment triggers the school's mandatory response obligations, these students (with involvement of their parents as appropriate) do retain control over whether to accept supportive measures, and whether to also file a formal complaint."

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LESSON THREE



ROLE AND SCOPE - POLICIES, PROCEDURES, ETC.

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Policies must be:

- Compliant
- Clearly displayed and distributed

UPDATE, DISSEMINATE, AND PUBLISH POLICIES

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REMINDER!!!

Your Title IX Team must be trained on your policies and procedures!

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K-12 Title IX Coordinator
Notification, Dissemination, and Publication Checklist
Section 106.8

☐ **1. Prepare the following information related to Title IX Coordinator:**
- Name OR Title
- Office Address
- E-mail Address
- Telephone Number

☐ **2. Prepare the following notifications:**
- The district does not discriminate on the basis of sex
- The district is required by Title IX not to discriminate on the basis of sex
- The requirement not to discriminate based on sex extends to admission and employment
- Inquiries should be referred to Title IX Coordinator

☐ **3. Prepare the following:**
- District's grievance procedures and process
- How to report or file a complaint of sex discrimination How to file a Formal Complaint of Sexual Harassment How district will respond to reports

☐ **4. Notify the following of the information in boxes 1-3:**
- Applicants for admission and employment
- Students and employees
- Unions or professional organizations with collective bargaining or professional agreements

☐ **5. Publish/promptly display the information in boxes 1-3:** On website
- In all handbooks/catalogs and make them available to those identified in box 4

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State laws may also impact your policies and procedures.



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Common Policy Deficiencies:

- Failure to provide fully all sexual harassment definitions
- Missing one or both 10-day review periods



- Not user friendly
- Failure to provide timeframes for Formal Grievance Process

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REMINDER!!!

There is conduct that does not require the Formal Title IX Grievance process but requires a response from your school or institution and falls under Title IX:

- Gender-equity in athletics
- Discrimination based on pregnancy
- Failure to accommodate pregnant students
- Discrimination based on "sex" that is not "sexual harassment" (i.e., teacher treating female students differently than male students)

**Do you have a policy/procedure for these matters?*

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RECORDKEEPING

Districts must maintain the following records for seven years:

- Records and action taken in response to a report or Formal Complaint, including:
  - Supportive measures
  - The basis for district's conclusion that its response was not deliberately indifferent
  - Measures taken to restore and preserve equal access to district's education program or activity
  - Reasons why district's response was not clearly unreasonable in light of the known circumstances if district does not provide a Complainant with supportive measures
- Each Sexual Harassment investigation including:
  - Any determination regarding responsibility and all audio or audiovisual recording or transcript
  - Disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant
  - Any appeal and result of appeal
- Any informal resolution and result therefrom
- All materials used to train Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators

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LESSON FOUR

ROLE AND SCOPE - SUPPORTIVE MEASURES & PREVENTION EFFORTS



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Supportive Measures

What:
- Defined term and intentional deviation from "interim measures"
- Individualized services provided to a complainant or respondent that are non-punitive, non-disciplinary, and do not unreasonably burden the other party yet are designed to restore or preserve a person's equal access to education
- Non-disciplinary
- Non-punitive
- Individualized services
- Interactive process



Offered:
- To complainant and respondent (can be refused) as appropriate
- As reasonably available
- Without fee or charge

When:
- Promptly
- Before or after the filing of formal complaint OR
- Where no formal complaint has been filed

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SUPPORTIVE MEASURES CONTINUED

- **Purpose:**
  - restoring or preserving equal access
  - protecting safety
  - deterring sexual harassment
- **Burden:** remains on the district not the parties
- **Not:** punitive or disciplinary
- **Confidential:** as much as possible
- **Document:** when provided, when not provided and why
- **Title IX Coordinator:** ultimately responsible for effective implementation, but others can also implement
- **Examples:** in section 106.3

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TRACKING SUPPORTIVE MEASURES

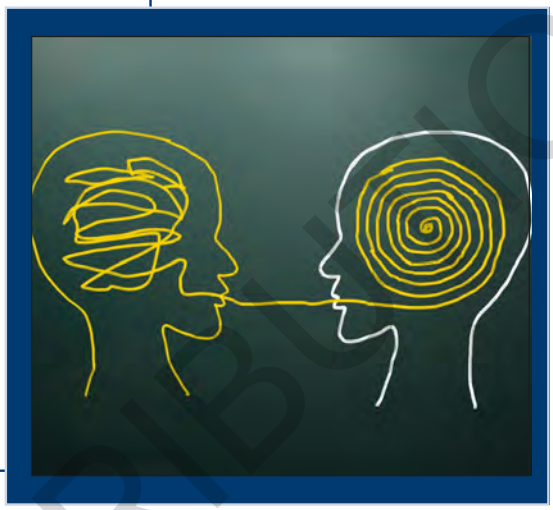
- When was the event reported
- When were measures offered to parties
- What measures were offered
- Were they accepted
- When were they re-evaluated/updated

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EXPLAIN SUPPORTIVE MEASURES TO EMPLOYEES EARLY AND OFTEN.

*Make sure they understand **BEFORE** you ask them to implement.*



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CAUTION:

If you are Coordinator and Investigator, be aware of overlap of roles and potential issues especially regarding supportive measures.

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PREVENTION EFFORTS



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Tracking patterns and trends related to sexual violence is one of the most important (and often overlooked) roles of a Title IX Coordinator. Adequate trend tracking enables a school district to institute timely and relevant prevention initiatives and provide clear, consistent, and compliant responses.

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"Through compliance reviews and raising public awareness about what's actually happening in too many of our nation's schools, we can build on the good work we're already doing to enforce Title IX and protect students. We cannot rest until every student can learn in a safe, nurturing environment where their civil rights are protected."

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BENEFITS OF TRACKING PATTERNS & TRENDS



- Prevention Consistency
- Sustainability Planning
- Requesting and Advocating for Additional Funds

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BARRIERS TO REPORTING
WHAT WE LEARNED FROM VACATED 2024 REGS

Monitor for barriers to reporting information about sex discrimination.



Take steps to address the barriers.

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Monitoring Barriers to Reporting



Data: It is necessary to understand the data related to what is occurring at your school.



Assessment: It is necessary to understand why individuals are reporting/not reporting.



Increased Reporting: Assessing and removing barriers WILL increase reporting/notification.

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FINAL THOUGHTS ON ROLE AND SCOPE

- You are the Title IX expert for your school
- You cannot do it alone - delegation

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SEE YOU IN LESSON 5!

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LESSON FIVE



TRIAGE - PERFECTING THE HIGH KICK

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TRIAGE AND EVALUATION OF REPORTS IS ONE OF THE MOST IMPORTANT ROLES OF A TITLE IX COORDINATOR



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RESPONSE TO REPORTED CONDUCT



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Info to include in an online form



- Who (Complainant and Respondent)
  - Names
  - Ages/grades/employment status
  - What school do they attend
- What happened
- Where did it happen
- Reporter name and info
- Home language
- IEP/504
- Attachments

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WHO?
Who MUST report?
-ALL Employees

Who Can report?
-Anyone

WHAT?
What should be reported?
-Sexual behavior, comments, or touching

WHERE / HOW?
Where/How does someone report?
-Online form
-In person
-Via email?

WHEN?
When should someone report?
-As soon as possible.

WHY?
Why do they report?
-It's the right thing to do
-It's required by law

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QUESTIONS TO ASK YOURSELF UPON RECEIPT OF REPORT:

On its face, if the allegation is TRUE, does it:

1. Fit within a bucket

2. Do we have control

a.) Is Respondent a student or employee or attempting to be one?

b.) Did the behavior occur on our property or at a school related event?

c.) Did the event occur in the U.S.?

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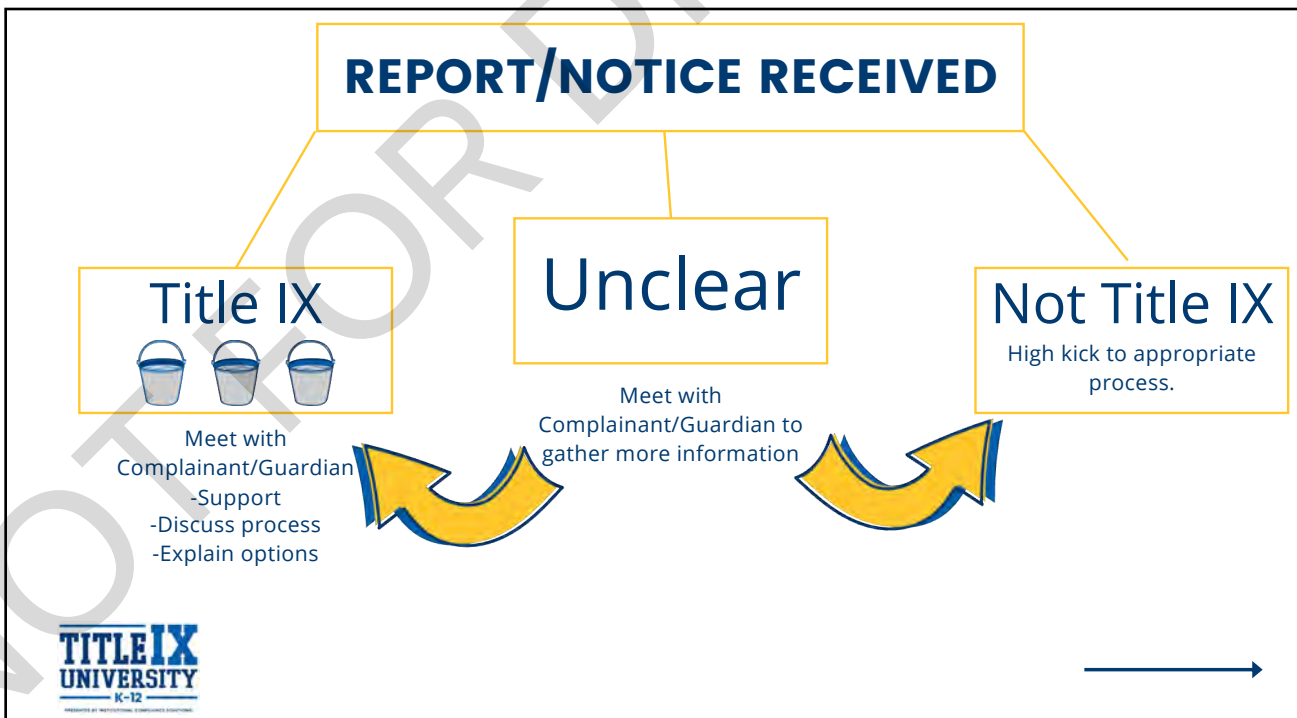
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Evaluate the initial information you have

Do not make assumptions

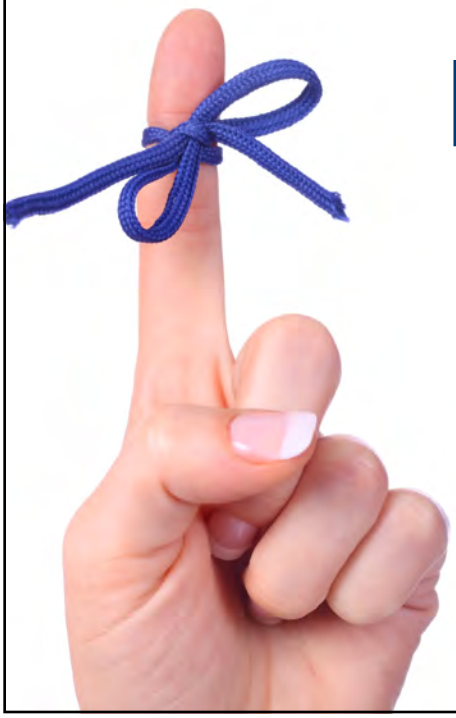
Do not make judgments as to credibility or trustworthiness

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REMINDER!!!

Use the triage tool!!

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PRIOR TO INITIAL MEETING WITH COMPLAINANT

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PRIOR TO INITIAL MEETING

- If the parties are students, Guardians (both Complainant and Respondent) should be NOTIFIED
- Connection made with Title IX Coordinator or explanation provided as to why it is being evaluated under Title IX
- Initial/urgent supportive measures and safety plans in place

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DURING INITIAL MEETING WITH COMPLAINANT

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DURING MEETING

For students, guardians included in the meeting--or, depending on the age, it may ONLY be with guardians

Explain Title IX and how it compares to other student or employee processes

Explain your role

Build rapport

Allow time to make decisions

Discuss additional supportive measures

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OTHER CONSIDERATIONS



- Where is the meeting happening?
  -Virtual, in person, phone
- When will it occur? - convenience

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REMINDER!!!

- High Kick does not mean "Don't Care" or "Will not address behavior"

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LESSON SIX

FORMAL COMPLAINT - TO SIGN OR NOT TO SIGN



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Formal Complaint: *Document (Written)*

- Alleging Sexual Harassment
- Requesting investigation
- Signed by:
  - Complainant/Guardian or Title IX Coordinator

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A FEW NOTES ABOUT FORMAL COMPLAINTS:



- Electronic signature is OKAY
- Be flexible, FORM not required
- All details NOT required

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CONSIDERATIONS FOR WHEN A COORDINATOR MAY SIGN A FORMAL COMPLAINT:

(1) The complainant's request not to proceed with formal complaint;

(2) The complainant's reasonable safety concerns regarding initiation of a formal complaint;

(3) The risk that additional acts of sexual harassment would occur if a complaint is not initiated;

(4) The severity of the alleged sexual harassment, including whether the sexual harassment, if established, would require the removal of a respondent from the school or imposition of another disciplinary sanction;

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CONSIDERATIONS FOR WHEN A COORDINATOR MAY SIGN A FORMAL COMPLAINT CONTINUED:

(5) The age and relationship of the parties, including whether the respondent is an employee of the school;

(6) The scope of the alleged sexual harassment, including information suggesting a pattern, ongoing sexual harassment, or sexual harassment alleged to have impacted multiple individuals;

(7) The availability of evidence to assist a decision-maker in determining whether sexual harassment occurred; and

(8) Whether the school could end the alleged sexual harassment and prevent its recurrence without initiating its formal grievance procedures.

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CONSIDERATIONS FOR WHEN A COORDINATOR MAY SIGN A FORMAL COMPLAINT:

THE CATCH ALL...

If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the school from ensuring equal access on the basis of sex to its education program or activity

**Note: these are derived from the vacated 2024 regulations but are helpful and appropriate even under 2020.*

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Transparency is Kindness

If Coordinators KNOWS they plan to sign Formal Complaint regardless of the Complainant's wishes, that should be discussed with Complainant in initial meeting.



Complainant should be notified once it is signed.

Coordinator should always discuss this in the intro meeting with Complainant in case it is determined that they need to sign in the future.

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DISMISSAL OF A FORMAL COMPLAINT

Mandatory/MUST Dismiss (High Kick Optional)

- Doesn't fit in a bucket
- Don't have control of location (not in school's education program or activity)
- Didn't happen in U.S.

Permissive/MAY Dismiss (Supportive Measures ONLY)

Use caution with permissive

- Complainant notifies Coordinator IN WRITING that they want to withdraw the Formal Complaint or allegations within it
- Respondent no longer employed by school or respondent is no longer a student
- Specific circumstances prevent the school from gathering evidence sufficient to reach a determination

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AFTER DISMISSAL OF A FORMAL COMPLAINT



MUST promptly send written notice of dismissal and reason for dismissal to BOTH parties

BOTH parties receive opportunity to appeal dismissal of a formal complaint

***more information on appeals in the appeals section of the training**

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CONSOLIDATION OF FORMAL COMPLAINTS

School MAY consolidate Formal Complaints when the allegations of sexual harassment arise out of the same facts or circumstances and:

- Allegations are related to more than one Respondent
- Allegations are by more than one Complainant against one or more Respondent
- Allegations by one party against the other party (Cross Complaint)

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GIANT REMINDER!!!

- No Investigation before or without a Formal Complaint

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LESSON SEVEN

TITLE IX FORMAL GRIEVANCE PROCESS



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1

NOTICE OF ALLEGATIONS

- Notice of Grievance Process (including informal resolution process if one exists)
- Allegations potentially constituting Sexual Harassment
  - Identities of the parties
  - Conduct constituting Sexual Harassment
  - Date of incident
  - Location of incident
- Statement: Respondent presumed not responsible, and responsibility is determined after Grievance Process
- Right to Advisor of choice
- Code of Conduct provision(s) prohibiting false statements or false information in process

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INSTITUTIONAL COMPLIANCE SOLUTIONS

Notice of Allegations Checklist

- ☐ Notice of Grievance Process; Including Informal
- ☐ Allegations Potentially Constituting Sexual Harassment
  - Identities of the Parties
  - Conduct Constituting Sexual Harassment
  - Date of Incident
  - Location of Incident
- ☐ Statement: Respondent Presumed Not Responsible/Responsibility Determined After Process
- ☐ Right to Advisor of Choice
- ☐ Code of Conduct Provision Prohibiting False Statements or False Information in Process

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3

Title IX Coordinator?

Title IX Investigator?



WHO IS RESPONSIBLE FOR THE NOTICE OF ALLEGATIONS ON THE TITLE IX TEAM?

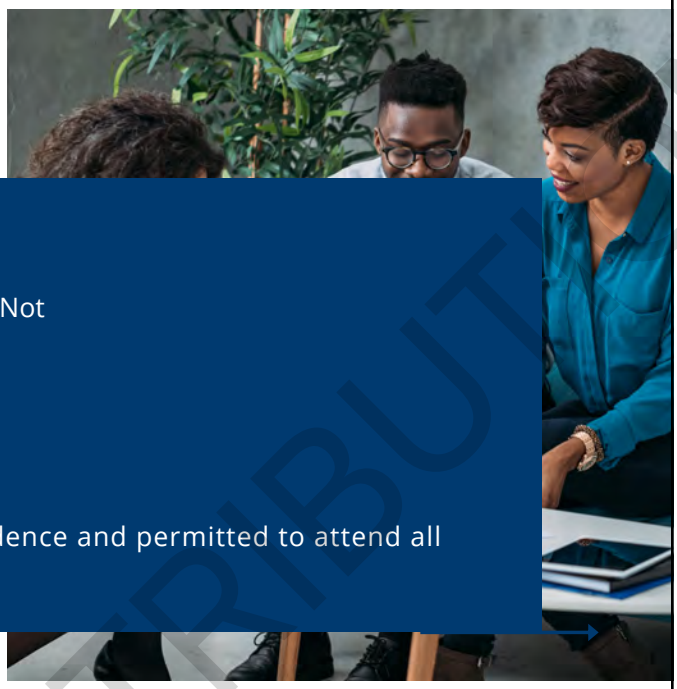
**Consider now for consistency*

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WHO ARE ADVISORS?



Anyone

- Attorney
- Parent
- Witness--- most challenging--- Not prohibited. Not recommended.

What is their purpose?

- Support
- Understanding
- Extra ears
- Should be copied on written correspondence and permitted to attend all meetings
- Potted plant

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WHAT IF THERE IS SOMETHING YOU DON'T KNOW RELATED TO THE ALLEGATIONS THAT IS REQUIRED?

- Provide as much as possible
- Update and send to both parties if/when you know
- Example: dates or specific locations

WHAT IF YOU LEARN SOMETHING WAS WRONG IN THE NOTICE?

Fix it and re-send to both parties

WHAT IF YOU LEARN ABOUT ADDITIONAL ALLEGATIONS?

Add them and re-send to both parties

***Big Take-Away --- Don't forget to update the notice!**

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INVESTIGATION



- Interviews with parties and witnesses
  - Including Notice with sufficient time to prepare for the meeting/interview
  - Document date of meeting and date notice provided
- Collect evidence and information
  - Document when and how evidence/ information was collected
- Allow parties and advisors to review "evidence directly related to the allegations" (10 days)
- Write investigation report that "fairly summarizes relevant evidence"
- Provide opportunity for parties and advisors to review the report (10 days)

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QUESTIONS/ DECISIONS TO BE MADE BEFORE STARTING INVESTIGATION

Who is serving as your investigator?

- No conflict or bias
- Capacity to do the work
- Appropriate skill set
- Trained
- Understands privacy

How/Where will you store the information gathered?

What challenges do you anticipate?

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IMPORTANT NOTES FOR INVESTIGATIONS

- Burdens
  - Burden of gathering evidence on school - NOT the parties
  - Burden/Standard of Proof Preponderance of the Evidence (more likely than not) or Clear and Convincing Evidence
- **May NOT** access, consider, disclose, or use party's treatment records unless school obtains voluntary WRITTEN consent
- **MUST** provide equal opportunity for parties to:
  - Present witnesses (fact or expert--does not say character)
  - Gather and present relevant evidence
- **May NOT** restrict the ability of the parties to discuss the allegations or gather and present relevant evidence (no gag orders)

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PARTIES IN AN INVESTIGATION



01 Complainant

02 Respondent

03 Advisor/Parent/Guardian

04 Witnesses

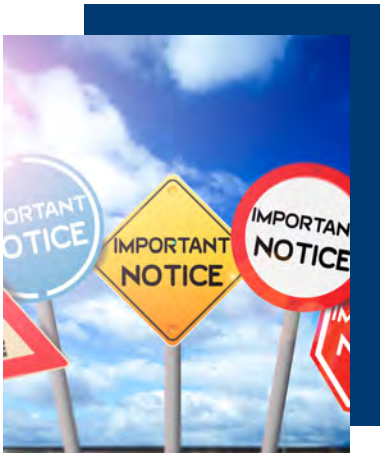
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NOTICE OF MEETINGS



MUST provide WRITTEN notice of the

- date
- time
- location
- participants
- purpose
- of all hearings, investigative interviews, or other meetings, with SUFFICIENT TIME for the party to prepare

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MUST: Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is DIRECTLY RELATED to the allegations. Including:

- The evidence upon which the school does not intend to rely in reaching a determination
- Inculpatory or exculpatory evidence

...so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

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How Long?

10 days (business or calendar)

Define in policy

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Investigation Culminates in a Report



Title IX report is a summary of relevant evidence not a notes dump



Required 10-day review and response period before determination



Consider waiting on a response before sending to decision-maker

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INVESTIGATION FLOW CHART

Notice of Allegations

Investigation
Notice to parties of all meetings and interviews with time to prepare.

Review
Opportunity for parties to inspect, review, and respond to all evidence directly related to allegations- relevant or not
Written Response: 10 days

Investigative Report
- Considers responses to evidence
- Determines what evidence is relevant
- Summarizes the relevant evidence
- May include recommended finding

Review
Opportunity for parties to review the investigative report. Can provide written response.
10 days

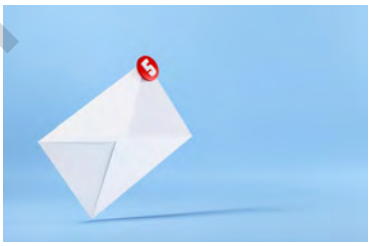
Question and Answer/Resolution

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Move matter to Decision-Maker (different than the Investigator or Coordinator)



Notify parties WHO is serving as the Decision-Maker



Check for conflict/bias

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QUESTION & ANSWER

- Parties **MAY** submit WRITTEN questions to the Decision-Maker
- Questions **MAY** be posed for other party(s) and/or witnesses
- Questions **MUST** be RELEVANT
- Decision-Maker **MUST** determine whether Relevant
- If relevant, Decision-Maker **MUST** submit the question to party or witness
- If NOT relevant, Decision-Maker **MUST** notify the party who asked the question why it is not relevant.
- **Must** allow time for participants to answer question(s)
- **Must** provide responses to the party who asked the question(s)
- **MAY** allow limited follow up (discretion of Decision-Maker)

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INSTITUTIONAL COMPLIANCE SOLUTIONS

Decision-Maker Determination Regarding Responsibility Checklist

- ☐ Identification of the Allegations
- ☐ Description of Procedural Steps Taken
  - Notifications to the Parties
  - Interviews with Parties and Witnesses
  - Site visits
  - Methods used to gather other evidence
  - Hearings held
- ☐ Findings of Fact Supporting Determination
- ☐ Conclusions Regarding the Application of the Code of Conduct to the Facts
- ☐ Result of Each Allegation Including Rationale
  - Determination Regarding Responsibility
  - Disciplinary sanctions
  - Whether remedies designed to restore or preserve equal access to education program or activity provided to the Complainant
- ☐ Procedures and Permissible Bases for Appeal

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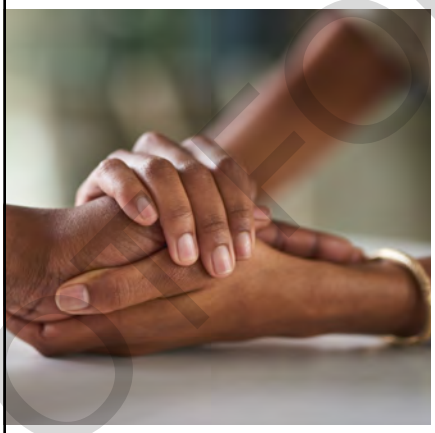


REMINDER!!!

- Make sure supports are in place when sending notification of determination.
- Send to BOTH parties and advisors/guardians simultaneously.

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Supportive Measures can and should remain in place regardless of outcome.

Remedies to prevent future behavior can and should occur regardless of outcome.

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APPEALS



- Offered to both parties
- Can appeal dismissal of Formal Complaint or any allegations therein or determination regarding responsibility
- On the following basis:
  - Procedural irregularity that affected the outcome of the matter
  - New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter
  - Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter
  - Additional bases if offered equally to both parties
- Notify the other party in writing when an appeal is filed
- Give both parties a reasonable opportunity to submit a written statement in support of or challenging the outcome
- Written decision describing the result and rationale for the result
- Provide written decision simultaneously to both parties

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INSTITUTIONAL COMPLIANCE SOLUTIONS

Appeals Checklist

- ☐ Provide Equal Opportunity to Appeal
  - Determination of Responsibility
  - Dismissal of Formal Complaint
- ☐ Based Upon Proper Grounds
  - Procedural Irregularity that Affected Outcome
  - New Evidence that Was Not Reasonably Available at the Time of the Determination that Could Affect Outcome
  - Conflict or Bias by Title IX Coordinator, Investigator, or Decision-Maker
- ☐ Notify the Other Party in Writing
- ☐ Decision-Maker NOT Same as Prior Decision Makers, Investigators, or Title IX Coordinator
- ☐ Provide Equal Opportunity to Submit Written Statement
- ☐ Issue Written Decision and Rationale
- ☐ Provide the Written Decision Simultaneously

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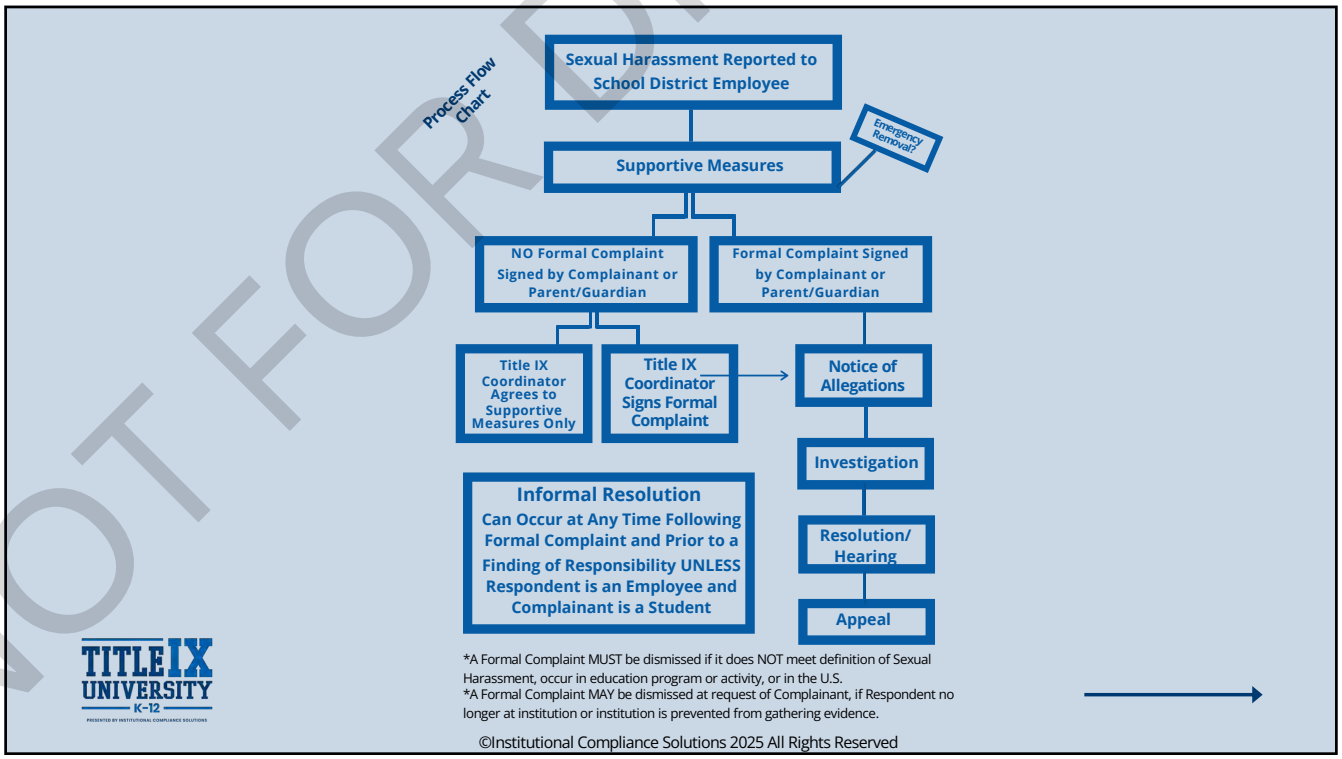
Informal Resolution

1. Cannot be offered as a condition of enrollment or continued employment
2. Cannot be offered to resolve employee on student allegations
3. After a Formal Complaint is filed
   Prior to decision regarding responsibility
4. Parties cannot be required to participate
5. District must:
   - Provide written notice disclosing allegations, requirements of the informal resolution process including circumstances under which it preclude the parties from resuming a Formal Complaint arising from the same allegations
   - Allow any party the right to withdraw from the informal resolution process and resume grievance process with respect to Formal Complaint
   - Provide consequences resulting from informal resolution process including records maintained or shared
   - Obtain both parties voluntary, written consent to the informal resolution process

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LESSON EIGHT

ADDITIONAL INFORMATION



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EMERGENCY REMOVAL/ ADMINISTRATIVE LEAVE



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EMERGENCY REMOVAL

May remove student on an emergency basis AFTER undertaking individualized safety and risk analysis.

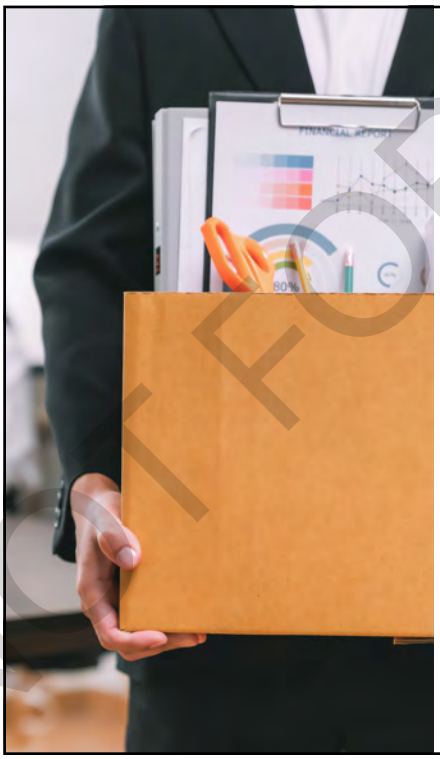


In order to remove a student, school must determine:

Imminent and serious threat to the physical health or safety of a Complainant or other person arising from the allegations of the sex discrimination that justifies removal.

Must provide Respondent an opportunity to challenge the decision IMMEDIATELY following the removal.

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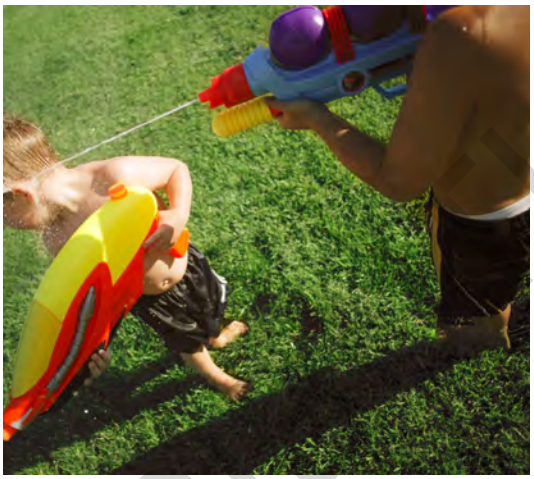
ADMINISTRATIVE LEAVE

May place employee on paid administrative leave during pendency of the grievance procedures.

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RETALIATION



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RETALIATION

- When informed of retaliation, provide supportive measures.
- Which grievance procedures will you use when on notice of allegation of retaliation?

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WHAT ABOUT THE OTHER AREAS THAT FALL OUTSIDE OF THE REGS?



Pregnancy discrimination and accommodations



Discrimination based on sex that falls outside of the 2020 Title IX regulations



Gender-equity in athletics

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SEE YOU IN LESSON 9!

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LESSON NINE

WRAP UP AND FINAL ASSESSMENT OF KNOWLEDGE



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DELIBERATE INDIFFERENCE

"Clearly unreasonable in light of the circumstances"

- Must promptly offer supportive measures
- Cannot impose discipline without a formal process
- Must investigate allegations in a formal complaint

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TRAINING PATHWAYS

Title IX Coordinator and/or Designee(s)

REQUIRED!

- **Title IX Introduction and Overview**
- **Title IX Coordinator**
- **Suggested to take all courses!**
- **Intermediate and Advanced Courses**

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REMINDER!!!

- Do not forget your course downloads and other resources within Title IX University
- Triage Tool
- Survival Kit

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QUESTIONS?

Title IX Coordinator
info@titleixu.com



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CONGRATULATIONS!!

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