



Title IX and Sexual Misconduct for K–12

Title IX and Sexual Misconduct for K–12

Introduction

Course Overview and Objectives

Public Schools and some private schools are partially funded through federal funding, which requires that they adhere to specific mandated obligations such as Title IX of the Education Amendments of 1972.

The essence of Title IX is keeping students safe. Under Title IX, all persons in a school setting are protected from sex discrimination. Preventing and remedying sex discrimination in schools is essential to ensure a nondiscriminatory, safe environment in which ALL students can learn.

Problems arise when Title IX's provisions are ignored or willfully violated. The potential harm can be devastating, encompassing psychological damage to students and major lawsuits for schools and school districts.

That is why it is vital that all involved parties—including teachers, students, district personnel, and parents—understand the law and adhere to its obligations. This course presents detailed information to help you do just that.

This course will help you develop the expertise needed to fulfill the requirements of Title IX in a K through 12 setting, and recognize what actions are required of K through 12 schools and their employees.

It is our goal that by taking this course you will better understand your role in making schools a safe place for everyone—free of harassment and discrimination—through compliance with Title IX requirements.

By the end of this course, you will be able to:

- Define Title IX of the Education Amendments of 1972
- Identify key concepts and behaviors associated with Title IX
- Distinguish fact from fallacy associated with sex discrimination
- Identify red flags that indicate Title IX violations
- Recognize the legal consequences of ignoring Title IX violations

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It's the Law

Defining and Detailing the Scope of Title IX

Before you can fulfill the requirements of Title IX, you need to know what it is. This lesson will enable you to:

- define Title IX
- (and) detail its scope

Title IX provides:

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.

Title IX is published in the United States Code at 20 U.S.C. §1681–§1688.

U. S. Department of Education Title IX Final Rule

“Provide greater clarity regarding: the definition of “sex-based harassment”; the scope of sex discrimination, including recipients’ obligations not to discriminate based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; and recipients’ obligations to provide an educational environment free from discrimination on the basis of sex.”

Sexual harassment, exploitation, discrimination, retaliation for reporting, and other forms of sexual conduct with children are **ILLEGAL**. Despite legal mandates, these behaviors still occur in K through 12 learning environments.

Title IX, a section of the Education Amendments of 1972, prohibits sex discrimination in any federally funded educational program.

All public and private elementary and secondary schools, school districts, colleges, and universities (hereinafter “schools”) receiving any Federal funds must comply with Title IX.

All educational environments are federally mandated to be free of harassment, discrimination, and retaliation.

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This prohibition applies to all institutions that receive certain federal funds including K through 12 public school districts and publicly funded charter schools. This includes all educational experiences the district offers including academics, athletics, and extracurricular activities.

An institution may not exclude, separate, deny benefits or resources to, or otherwise treat any person differently on the basis of sex unless expressly authorized to do so under Title IX or the Department's implementing regulations.

Simply put, Title IX promotes equity in education by ensuring that all students receive equal resources and treatment in the classroom.

Title IX provides protections for students who are sexually harassed and discriminated against, and/or bullied based on their gender. Title IX protects both male and female students from sex-based harassment by any school employee, another student, or even a non-employee third party.

The Department of Education's Office for Civil Rights (OCR) enforces application of the law to include sex discrimination, which encompasses sex-based harassment, violence, and other misconduct.

These behaviors can take place on the playground, in the classroom, or in the locker room. Sex-based harassment and discrimination seem to strike when individuals are most vulnerable!

Preventing and remedying sex-based harassment in schools is essential to ensure a nondiscriminatory, safe environment in which all students can learn. Agencies are taking sex discrimination very seriously and so should you.

Definitions

In many cases, students, parents, and school staff may not know what sex-based harassment is, how to stop it, or what can be done to prevent it from happening.

Students may be the recipient of inappropriate behaviors, but may not be able to properly put a finger on what the behavior is.

Knowing the vocabulary associated with Title IX can help with this problem. This lesson provides definitions for key concepts and behaviors to allow everyone to discuss Title IX topics using a common vocabulary.

Knowing these key definitions will enable you to better recognize and respond to inappropriate or unwanted sexual behavior and Title IX violations that might occur in your school.

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Knowing how to talk about the problem could help you and your school avoid potential liabilities and lawsuits, and the possibility of staggering monetary awards.

What is Discrimination?

Discrimination involves the unfair or prejudicial treatment of different categories of people or things—especially on the grounds of race, age, or sex—which results in adverse consequences or a hostile environment for the target of the discrimination and potential liabilities for the perpetrator.

What is Sex Discrimination?

Sex discrimination involves discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity.

Note that in addition to Title IX, California has its own law protecting students from discrimination. In discussing ongoing litigation about the 2024 Rule in federal courts, the California Department of Education has stated that “Notwithstanding any federal court activity, it is important to know that California state law continues to protect students from discrimination based on gender identity, gender expression, and sexual orientation. Under California law, “gender” means sex, and includes a person's gender identity and gender expression; “gender expression” means a person's gender-related appearance and behavior whether or not it is stereotypically associated with the person's assigned sex at birth; and ‘sexual orientation’ means heterosexuality, homosexuality, or bisexuality. California state law specifically provides that students shall be permitted to participate in programs and activities and use facilities that are consistent with their gender identity.

What is Sex-based Harassment?

Sex-based harassment is considered a form of sex discrimination. It includes verbal, visual, or physical conduct of a sexual nature that leads to a negative impact on the victim's academic or work performance.

The result of these behaviors is an intimidating, hostile, or unpleasant educational or work environment. These behaviors can occur in the classroom, playground, athletic field, locker room, or in other academic settings.

Both the Federal courts and the Office for Civil Rights (OCR) of the United States Department of Education (ED) recognize three forms of unlawful sex-based harassment in education: “quid pro quo,” “hostile environment,” and certain specific offenses.

What is Quid Pro Quo?

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Quid pro quo harassment occurs when a school employee or other person authorized by the school to provide an aid, benefit or service explicitly or implicitly conditions the provision of the aid, benefit or service on someone's submission to unwelcome sexual conduct.

Quid pro quo harassment is equally unlawful whether the person resists and suffers the threatened harm, or submits and thus avoids the threatened harm.

What is Hostile Environment?

Hostile environment harassment is unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive is so severe or pervasive that it limits or denies someone's ability to participate in, or benefit from, an educational program.

Typically, in school settings and particularly between students, allegations of hostile-environment harassment are more commonplace than allegations of quid pro quo harassment.

What are the Specific Offenses?

Title IX considers the following courses of conduct to amount to sex-based harassment:

- Sexual assault
- Dating violence
- Domestic violence
- Stalking

What is Retaliation?

Retaliation involves "getting back in kind at a victim to cause adverse action or harm" in response to the reporting or investigation of claims that relate to Title IX incidents and includes retaliation by peers.

What is Sexual Violence?

Sexual violence is any sexual act, or attempt to obtain a sexual act, by violence or coercion without consent. It should be noted that children in K through 12 environments are not of consensual age and are in a vulnerable class.

What are some examples of Sexual Conduct?

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- Examples of sexual conduct that might be found in a K through 12 environment include:
- making sexual advances, propositioning, or pressuring students for sexual favors
- touching inappropriately or of a sexual nature
- writing graffiti of a sexual nature on bathroom walls or lockers
- displaying or distributing sexually explicit drawings, pictures, or written materials
- performing sexual gestures or touching oneself sexually in front of others
- telling sexual or dirty jokes
- spreading sexual rumors or rating other students as to sexual activity or performance, including in social media
- distributing or showing emails or websites of a sexual nature
- stalking behaviors
- distributing sexually inappropriate messages, pictures, or other explicit materials through social media

If you have experienced or observed a situation in which any of these behaviors have been demonstrated, you have a duty to report it unless you are considered a “confidential” employee.

What is a complaint?

Complaint means an oral or written request to the school that objectively can be understood as a request for the school to investigate and make a determination about alleged discrimination. It does not have to be filed.

What is a complainant?

A complainant may be a student, employee, or other person who was participating/trying to participate in the recipient’s education program or activity.

What is a confidential employee?

A confidential employee is one who does not have a legal duty to report evidence of sex-based harassment or discrimination to the appropriate people. Schools can designate who is a

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confidential employee. They generally designate employees like healthcare and mental health professionals and counselors. Title IX does not require confidential employees to report signs of discrimination, but it does require them to tell students with evidence of discrimination:

- that they are a confidential employee
- whether they are obligated to report the information to the Title IX coordinator
- how to contact the Title IX coordinator and
- that the Title IX coordinator can offer supportive measures and initiate the resolution process

What is a non-confidential employee?

Anyone who is not designated a confidential employee must notify the Title IX coordinator when they have information about conduct that reasonably may constitute sex discrimination.

Note that employees also have a duty to promptly provide a student (or person who has a legal right to act on behalf of the student) with the Title IX coordinator's contact information upon being informed of the student's pregnancy or related conditions (pregnancy, childbirth, termination of pregnancy, or lactation, and related medical conditions and recovery).

They must also inform them that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the recipient's education program or activity.

School employees are not required to ask a student unprompted about their pregnancy or about their needs or medical status.

You now have the vocabulary you need to discuss issues pertaining to Title IX. You've learned definitions and behaviors that are unwelcome, uncomfortable, and abusive. However, when you encounter these behaviors in a school setting, they may not be overt. The attacker often uses cryptic, manipulative elements in their attack that leave the victim feeling powerless, guilty, and questioning their own perception. The connotation of impropriety may be veiled. Most of these situations involve a more powerful person (attacker) victimizing a more vulnerable individual.

After receiving a disappointing F on a crucial test, Sarah musters the courage to email her teacher, Mr. Thompson. She desperately seeks a way to improve her grade, hoping to secure a better GPA.

Mr. Thompson's response surprises her. He offers to change her grade to a B but with a concerning condition: she must visit his house first. Sarah's initial hesitation turns into a wave of confusion and discomfort.

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Sarah's dilemma intensified as Mr. Thompson continued to persuade her, emphasizing the benefits of his offer and downplaying her concerns. Uncertain of what to do, Sarah replies that she will consider the offer.

Alone at home the next morning, she realizes the gravity of the situation. This isn't just about a grade; it's about her safety and integrity.

Seeking guidance, Sarah confides with a trusted teacher. Together, they formulate a plan to document the conversation and report it to the school administration.

With their support, Sarah takes a stand against inappropriate behavior and upholds her dignity as a student. In doing so, she learns the importance of speaking up and advocating for herself, no matter the circumstances.

Fallacies, Red Flags, and Legal Consequences

Distinguishing Fact from Fallacy

Unfortunately, we live in a society in which discrimination and sex-based harassment are frequently reported and investigated. Most of us have experienced bullying, harassment, discrimination, retaliation, or victimization at some point in our lives.

Title IX protects students in schools from sex-based harassment by other students, administrators, teachers, staff, volunteers, or school visitors.

It's designed to promote equity, including equal resources and treatment in the classroom for all students.

It's troubling that sexual and discriminatory behaviors are commonly excused, ignored, and even propagated. The law is only effective if violations are reported, and that will only happen if individuals like you can identify when bad behavior is being ignored or excused, and what that bad behavior might look like.

In this section, you'll have the opportunity to:

- Distinguish fact from fallacy associated with sex discrimination
- Identify red flags that indicate Title IX violations and
- Recognize the legal consequences of ignoring Title IX violations

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Fact or Fallacy? Are you able to distinguish one from the other? Fallacies have influenced us to not immediately recognize when sex-based harassment has occurred.

A fallacy is a mistaken belief based on unsound judgment, whereas a fact can be backed by sound evidentiary support. Let's review some statements to determine which is fact and which is fallacy. Carefully consider the reasoning used to reject each fallacy, so you will be able to respond to similar fallacies when you encounter them.

Boys will be boys.

Is this fact or fallacy?

This is a fallacy. This fallacy is used to express the view that immature behavior is typical of boys or young men and should not cause surprise when it occurs. This fallacy could lead to sex-based harassment or other abuses by allowing bad behavior to be excused or ignored.

Anyone, regardless of gender, can be the target or perpetrator of harassment.

Is this fact or fallacy?

This is a fact.

She was asking for it. She shouldn't dress like that if she doesn't want that kind of attention.

Is this fact or fallacy?

This is a fallacy. This fallacy is based on a misunderstanding of cause and effect. No one would accuse a person driving a nice car of "asking for it" to be stolen. Similarly, no one is ever "asking" to be the target of sexual assault or harassment, and people are targeted no matter how they act or dress. This is often referred to as "blaming the victim." Clear consent is required for all sexual interaction, and suggesting the target was to blame is another attempt to excuse bad behavior on the part of the perpetrator.

Sex-based harassment can be between people of the same gender or different genders.

Is this fact or fallacy?

This is a fact.

If he doesn't want to be hit on by other boys on the football team, he shouldn't be gay.

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Is this fact or fallacy?

This is a fallacy. This is another example of “blaming the victim.” Title IX, prohibits sex discrimination in any federally funded educational program. This law extends to males and females, gay or straight. No matter how one feels about whether someone “should” be gay, everyone should be able to participate in school activities in a safe environment, without fear of sex-based harassment. It’s the law, and it’s our responsibility as school employees to keep everyone safe.

Verbal remarks are not a necessary part of sex-based harassment.

Is this fact or fallacy?

This is a fact.

You shouldn’t be upset by what he said. He gives me compliments like that all the time; he doesn’t mean anything by it.

Is this fact or fallacy?

This is a fallacy. Remarks that may seem flattering to one person could still make another person feel uncomfortable. Each person’s threshold is different, and no one should be made to believe their feelings are incorrect or insignificant.

He said he didn’t mean to touch me like that, so I must have misunderstood.

Is this fact or fallacy?

This is a fallacy. Each person needs to listen to their feelings. Sometimes a perpetrator will provide alternative facts to make the target question their own perceptions.

Harassment is motivated by a desire for sex.

Is this fact or fallacy?

This is a fallacy. Though a commonly stated fallacy, harassment is often motivated by a desire for power rather than sex. In addition, sex-based harassment is against the law, no matter the motivation!

If you would like to learn more about fallacies and how to spot them, visit the course resources.

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Identifying Red Flags

By now you should have a feeling for some of the situations that constitute Title IX violations and require action on the part of the school or district.

Let's review some red flags. Note that this list is not all inclusive.

- hostile environment
- quid pro quo
- touching inappropriately
- displaying or distributing sexually explicit drawings, pictures, or written materials
- performing sexual gestures or touching oneself sexually in front of others
- making verbal sexual comments, or telling sexual or dirty jokes
- spreading sexual rumors over social media
- stalking behaviors
- target has asked for the behavior to stop
- school personnel are aware of the situation but have not yet responded to the problem
- making sexual advances, propositioning, or pressuring students for sexual favors

Now consider the following scenarios. In each scenario, more than one red flag will apply, but not all red flags from the list will be represented by these situations.

Scenario 1. You are a middle school teacher. Throughout the school year, Alex repeatedly shares sexually explicit notes to Sarah during math class. The notes are offensive to Sarah, and she is unable to concentrate during class. Sarah has complained to you, and her parents have complained to school administrators.

Which red flags apply? (Display list when this question is asked and allow 5 seconds of silence)

In this scenario, the following red flags were recognized:

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- Hostile environment
- Displaying or distributing sexually explicit drawings, pictures, or written materials
- Target has asked for the behavior to stop
- School personnel are aware of the situation but have not yet responded to the problem

Scenario 2: A high school drama teacher tells a female student that if she has sex with him, she will be given the lead part in the school play. The student unwillingly agrees to have sex. She has now become very shy and quiet in class and during rehearsals, and she has complained to the school counselor.

Which red flags apply? (Display list when this question is asked and allow 5 seconds of silence)

In this scenario, the following red flags were recognized:

- Quid pro quo
- Making verbal sexual comments, or telling sexual or dirty jokes
- School personnel are aware of the situation but have not yet responded to the problem
- Making sexual advances, propositioning, or pressuring students for sexual favors

Scenario 3: On several occasions over a period of three months, one of your fifth-grade students has inappropriately touched another fifth-grade student. She makes overtly sexual comments and gestures to the fellow student. The conduct is unwelcome. These behaviors result in the target's grades falling, because he is unable to concentrate. You have observed the behavior, but the target has not complained to you.

Which red flags apply? (Display list when this question is asked and allow 5 seconds of silence)

In this scenario, the following red flags were recognized:

- Hostile environment
- Touching inappropriately
- Performing sexual gestures or touching oneself sexually in front of others

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- Making verbal sexual comments, or telling sexual or dirty jokes
- School personnel are aware of the situation but have not yet responded to the problem

Scenario 4: Throughout the football season, a male member of the high school football team makes unwelcome sexual advances toward another member of the football team. The target is a homosexual male who quits the football team. This conduct is sexual in nature, unwelcome, and has denied the victim the ability to participate on the school football team. The coach accepted the gay student's resignation.

Which red flags apply? (Display list when this question is asked and allow 5 seconds of silence)

In this scenario, the following red flags were recognized:

- Hostile environment
- School personnel are aware of the situation but have not yet responded to the problem
- Making sexual advances, propositioning, or pressuring students for sexual favors

Take a moment to consider the potential liabilities associated with sex-based harassment. Each of these fictionalized accounts have associated liabilities. These liabilities could potentially result in tremendous lawsuits and severe emotional damages for victims.

Legal Consequences of Ignoring Violations

School district officials fear lawsuits. In situations of sex-based harassment, lawsuits are a real threat. Lawsuits involving sex discrimination, misconduct, or abuse can cost school districts millions of dollars.

Here are a few examples:

In 2012, the Allentown Pennsylvania School District entered into a settlement agreement with the U.S. Department of Justice after the department intervened in a private lawsuit. The suit alleged violations of Title IX after a 12-year-old fifth-grade student sexually harassed and assaulted four 6-year-old first-graders on separate occasions in school bathrooms. Despite reports of each incident, administrators did not address the complaint or take steps to prevent future assaults. A federal court was asked to intervene, because the school district allegedly failed to comply with the settlement terms.

In 2013, the Hawaii School for the Deaf and the Blind settled a class-action lawsuit brought by 35 students and their families. Defendants alleged that a gang of students systematically and

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repeatedly raped fellow students over nearly 10 years. The lawsuit settled for \$5.75 million dollars.

These lawsuits had several common characteristics. In both cases:

- school personnel knew, or should have known, about the behaviors
- and repeated abuse was ignored

The young and vulnerable victims in these lawsuits suffered unconscionable emotional and physical trauma, most likely resulting in severe lasting emotional damages.

As a result, each of these lawsuits cost school districts a lot of money.

First, there was the payout of money directly to the injured parties. Next, there was payment for legal defense fees that likely cost the district thousands—if not millions—of dollars. There were time costs, paper fees, and hiring expenses for new employees.

The liabilities involved in resolving these matters are extensive. It should be noted that students can sue as individuals, as well.

The takeaway here is that it's better to have systems in place to handle these issues before getting into a situation that merits a lawsuit. By paying attention to the items presented in this course, you will be more aware of the potential liabilities that could lead to costly litigation.

Responding to a Complaint

Overview

You have learned of the many emotional and legal consequences that could arise from ignoring or not being aware of Title IX violations. Now you may be wondering what you should do to prevent such liabilities, and what procedures you must follow to report possible violations.

Schools must provide an environment that operates free from sex discrimination, including sex-based harassment. Victims of sex-based harassment (called “complainants”) and respondents must have procedures for the prompt and equitable resolution of complaints of sex discrimination.

If a student, parent, or a responsible employee reports sex discrimination, or a school employee has knowledge of conduct that reasonably may constitute sex discrimination, the school should inform the targeted student (and the student's parent, depending on the student's age) of their options and the school's responsibilities.

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When a school district has knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity, it must take immediate action to remedy the situation. These actions must be taken regardless of whether a student or an observing party makes a complaint.

These actions include:

- ending the discrimination
- preventing recurrence
- remediating effects

Failure to act could result in civil liability for the school district under Title IX, in addition to any OCR enforcement action. Title IX prohibits retaliation, including peer retaliation, against students or employees who report sex-based harassment.

Not only are schools and school districts prohibited from retaliation, but students or employees accused of harassment are also prohibited from doing so under the law.

Moreover, a student can prevail on a claim, or the OCR may find Title IX violations, if the district did not prevent retaliation, even if there was no finding of harassment in the initial reported incident.

You should be aware that reports also can come from other sources including: an anonymous letter, an anonymous phone call, or through the media. In this case, the school should respond in the same manner previously outlined. The school should take all reasonable steps to investigate and respond to the complaint in a manner consistent with a request for confidentiality.

But what if an incident is not reported? Does a school have to do anything about sex-based harassment if an incident is not reported to the school?

If the accused harasser is a teacher or district employee, then the school district is responsible regardless of whether the district knew or not. The school employee may be performing his or her job in the context of providing benefits or services to the student.

In this situation, it doesn't matter whether the abuse is reported or not. The district must act in either case.

If the accused harasser is another student, a third party, or a school employee who is not acting

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within the context of that employee’s responsibility or job duties, and once the school has knowledge of the conduct, the school must investigate the conduct and take appropriate steps to resolve the situation.

2024 Rule Requirements

Consistent with Supreme Court precedent and the text of Title IX, a school must respond when:

The school has knowledge of conduct that reasonably may constitute sex discrimination.

That sex discrimination occurred within the school’s education program or activity; and

If there’s a sex-based hostile environment under a school’s education program or activity, the school must address it even if some conduct occurred outside the school’s education program or activity or outside the United States.

The school has a responsibility to investigate all complaints. If the alleged conduct does not fall under Title IX, then the school may address the allegations under the school’s own code of conduct and provide supportive measures.

The 2024 Rule requires schools to investigate and adjudicate complaints of sex-based harassment and sex discrimination using a grievance process that provides prompt and equitable resolutions for complaints.

Note: staff to student misconduct is illegal and needs to be reported to law enforcement.

Schools must offer free supportive measures to every alleged victim of sexual harassment (the complainant).

Supportive measures are individualized services to restore or preserve equal access to education, protect student and employee safety, or deter sexual harassment. Supportive measures are required to be offered even if a complainant does not pursue the grievance process.

Individuals react to sexual harassment differently due their unique backgrounds and the different situations involving sexual harassment. Therefore, the 2024 Rule gives complainants control over the school-level response that best meets their needs.

Title IX Compliance

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Appoint a Title IX Coordinator or Contact Person

Title IX of the Education Amendments of 1972 is intended to protect individuals from sex-based harassment, sexual discrimination, and other sexual abuses. While it's important to know how to respond to and investigate a Title IX complaint, the best path is to avoid these complaints altogether, if possible.

School districts should follow the adage: An ounce of prevention is worth a pound of cure.

There are four recommended steps to promote Title IX compliance:

Step 1: Appoint a Title IX coordinator or contact person.

Step 2: Adopt a district-wide anti-discrimination policy and grievance procedure.

Step 3: Conduct training.

Step 4: Select a qualified investigator.

Every school district must have a Title IX coordinator or Title IX contact person.

The coordinator or contact person must ensure district compliance and a systematic approach to nondiscrimination, including a non-discriminatory environment.

The coordinator or contact person also must ensure gender equality and will coordinate policies and procedures to ensure compliance with the administrative requirements of Title IX.

Ideally, the Title IX coordinator or contact person may be the employee designated to handle Section 504 complaints. Section 504 is the statute that prohibits discrimination based upon disability.

If a complainant or respondent is an elementary or secondary student with a disability, the Title IX coordinator must consult with one or more members, as appropriate, of a student's IEP or 504 plan team.

Adopt an Anti-Discrimination Policy and Grievance Procedure

The Department of Education requires each school district to develop and publish a statement confirming that it “does not discriminate on the basis of sex in education programs or activities it operates.”

In order to resolve liability issues that could arise from Title IX issues, school districts should

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have a current Anti-Discrimination Policy and Grievance Procedure in place to comply with this mandate.

The Anti-Discrimination Policy and Grievance Procedure statements should be shared in common and public areas, so everyone can see them.

Statements should include key definitions and instructions on the complaint, and the communication process that should be followed by students, parents, and employees. The contact information and other job titles for the school district's Title IX coordinator or contact person should also be displayed.

Conclusion

Implications

The essence of Title IX is to keep students safe. Under Title IX, all persons in a public-school setting are protected from sexual misconduct.

Remember that sexual harassment, exploitation, discrimination, retaliation for reporting, and other forms of sexual conduct with children are illegal.

Preventing sexual harassment and sexual violence in schools improves the learning environment for everyone, and Title IX compliance is the path toward that end.

Summary

References and Resources

This course has provided an overview of Title IX of the Education Amendments of 1972, along with associated key concepts and behaviors. Distinguishing fact from fallacy, with regard to sexual misconduct, as well as identifying red flags that indicate Title IX violations, will enable you to properly report incidents.

Legal consequences can arise from ignoring or failing to address Title IX violations, and any complaints of harassment must be investigated in a timely manner. By appointing a Title IX coordinator or contact person, adopting an anti-discrimination policy and grievance procedure, and conducting necessary training, your district will be well prepared to respond to violations and can ensure Title IX compliance. Review the course resources for materials you can use to ensure compliance in your district.

Click on the Table of Contents to review any lessons, as necessary, before taking the test.

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Considerations for School District Sexual Misconduct Policies - White House Task Force to Protect Students from Sexual Assault, September 2016.

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Sample Policies and Procedures: Quillayute Valley School District #402 (QVSD). Student and Parent Handbook.

<https://www.qvschools.org/site/handlers/filedownload.ashx?moduleinstanceid=16&dataid=2536&FileName=2019-2020%20Student%20Parent%20Handbook.pdf>

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Sample Resolutions: West Contra Costa School District Resolution Agreement 2013 (add PDF link - need to upload doc to file center in Target - saved in folder)

Sample Resolutions: Resolution Agreement Yakima School District.

<https://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/10115001-b.pdf>

Clery Act, 20 U.S.C. § 1092. Legal Information Institute.

<https://www.law.cornell.edu/uscode/text/20/1092>

Violence Against Women Act, 34 U.S.C. § 12291. Legal Information Institute.

<https://www.law.cornell.edu/uscode/text/34/12291>