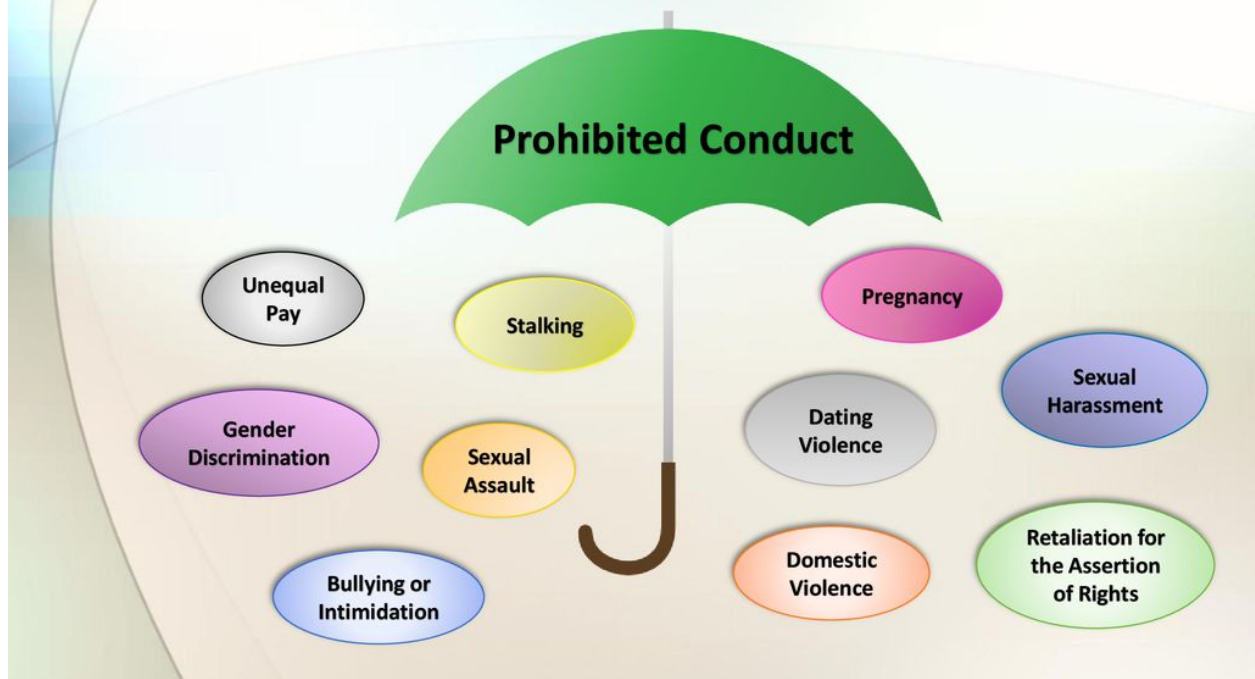


9 THING TO KNOW ABOUT TITLE IX

- 1 Title IX is a civil right that prohibits sex discrimination in education.
- 2 Title IX applies to all students regardless of gender identity.
- 3 Schools may not retaliate against someone filing a complaint and must keep complainants safe from other retaliatory harassment.
- 4 Schools should ensure that no student has to share campus spaces with their abuser.
- 5 Schools must be proactive in ensuring that your campus is free from sex discrimination.
- 6 Schools must have a procedure for handling complaints of sexual harassment and violence.
- 7 Schools cannot discourage you from continuing your education.
- 8 All schools receiving federal funding, including public K-12 schools and a majority of colleges, are subject to Title IX.
- 9 Schools can issue no-contact directives to prevent alleged perpetrators from approaching or interacting with you.

What Does Title IX Cover?



What does Title IX cover?

- Certain institutional obligations
 - Policies, procedures, notice requirements
- Policies related to students
 - Admissions and recruitment of students
 - Education programs and activities, course offerings
 - Housing and other facilities
 - Counseling
 - Financial aid
 - Employment assistance
 - Health and insurance benefits and services
 - Athletics
- **Sexual harassment**
 - Includes harassment on the basis of sexual identity, but not sexual orientation

9 Things To Know About --- TITLE IX

1. Title IX is a landmark federal civil right that prohibits sex discrimination in education.

2. Title IX does not apply to female students only.

3. Schools must be proactive in ensuring that your campus is free of sex discrimination.

4. Schools must have an established procedure for handling complaints of sexual discrimination, harassment, or violence.

5. Schools should ensure that a victim doesn't have to share spaces, such as dorms, classes and campus jobs, with his or her assailant.

6. Schools may not retaliate against someone filing a complaint and must keep a complainant-victim safe from other retaliatory harassment or behavior.

7. Schools can issue a no-contact directive under Title IX to prevent the accused student from approaching or interacting with you.

8. In cases of sexual violence, schools are prohibited from encouraging or allowing mediation (rather than a formal hearing) of the complaint.

9. Schools cannot discourage you from continuing your education.

9 THINGS TO KNOW ABOUT TITLE IX

FOR LGBTQ+ STUDENTS

1 Title IX is a civil rights law that prohibits sex discrimination in education.

2 Transgender students are protected by Title IX, which ensures they have the right to equal access to educational opportunities, including access to single-sex spaces and activities consistent with their gender identity.

3 Title IX protects all students who experience sexual violence and gender discrimination, regardless of the gender of the survivor or the named perpetrator(s).

4 LGBTQ+ survivors of sexual violence or victims of discrimination have the same rights under Title IX to accommodations, a prompt and equitable complaint process, and freedom from retaliation.

5 Title IX requires schools to respect transgender students' gender identity with regard to dress codes, names, pronouns, and access to single-sex facilities (including restrooms). Facilities should be accessible to all who require them and not prohibited by age.

6 Schools' obligations to appropriately respond to sexual violence and support a survivor's continued access to education are the same regardless of the sexual orientation, gender identity, and/or gender presentation of a complainant or respondent; this remains true when incidents of sexual violence may be partly based on a survivor's (actual or perceived) sexual orientation or gender identity.

7 Schools must investigate and remedy instances of sexual violence against LGBTQ+ students using the same policies and procedures used in all complaints of sexual violence.

8 Title IX protects transgender and gender nonconforming students from gender-based harassment and bullying – that is, harassment or bullying a student experiences because they do not conform to stereotypical notions of masculinity and femininity.

9 Transgender students should have access to reasonable accommodations that respect their gender identity, such as gender inclusive emergency housing.



If your school isn't respecting your rights, you have options.
Learn more and get involved at www.knowyourIX.org

2

1. Who are your constituents

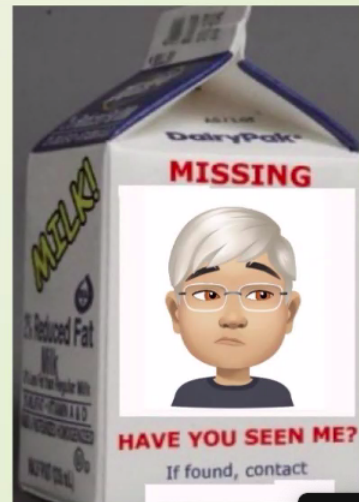
Bill Howe

- SEA responsible for **all** school districts
- TIX in **every** school building
- Compliance **&** Training
- Must enforce **fairly** regardless

3

2. Are your practices transparent?

- The milk carton approach.
- Populate your website.
- Work the room.
- Make yourself accessible.



▶ 3. Have you considered the role of culture?

- ▶ Understanding gender roles
- ▶ Comfort level regarding **sex** varies
- ▶ Reluctance/**fear** of complaining

Why the need for the Final Rule?

1. Clarify sexual harassment as a form of sex discrimination.
2. Ensure fairness in due process proceedings between both parties.
3. Require the school to offer survivors supportive measures, to ensure educational access for both parties.



Definition of Sexual Harassment

Pre-2020 Regulations

“...conduct explicit or implicitly
individual's employment.”

to types:

Quid pro

Hostile env

With 2020 Regulations

Conduct on the basis of sex that fulfills one or more of the following categories:

1. Quid pro quo
2. Unwelcome conduct on the basis of sex that is so severe, pervasive, **and** objectively offensive that it denies a person equal access to their education.
3. An incident that meets the definition of “sexual assault,” “dating violence,” “domestic violence,” or “stalking” under the Clery Act.

Two new roles!

Investigator

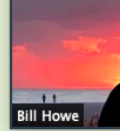
- Investigates allegations and determines if the claim fulfills the definition of sexual harassment.
- All information gathered in the investigation process must be shared with both parties before a decision is issued.

Decision-maker

- Oversees the hearing and delivers the verdict on sexual harassment allegations.

Important note: The Title IX Coordinator can be the Investigator, but not the Decision-maker.

Questions Every Title IX Coordinator Must Consider



1. Who are your constituents?
2. Are your practices transparent?
3. Have you considered the role of culture?

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