



**Thank you for joining us.
The webinar will begin soon.**

Before We Begin

- **All attendees are in listen-only mode.** If you run into any audio issues during the webinar, please try another method of listening in, such as computer audio or calling in by phone.
- All registrants and attendees will receive a link to the recorded version of this webinar in a follow up email.
- If you have questions during the presentation, **please let us know by typing your question into the Q&A panel.** We will address these at the end of the presentation.



Title IX: New Regulations and New Compliance Requirements for K-12 Schools

May 22, 2024



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Megan is an advisor and consultant to educational institution clients with a focus on Title IX compliance. Megan's approach focuses on providing practical, reasoned advice to colleges, universities and K-12 schools who are implementing change and bringing her legal, business, and education expertise to unique challenges.

Megan's background includes working as Title IX Coordinator at Palo Alto School District and Notre Dame of Maryland University. She has also served as in-house counsel, faculty member, and graduate program director. Aside from these in-house positions, Megan also has provided risk and litigation management counseling to institutions, developed internal policies and procedures for education clients, and designed customized training programs for educational institutions across the country.

Megan holds a Bachelors of Arts degree from Loyola University, a Juris Doctor from Widener University, and a Masters of Business degree from University of Maryland. Megan holds a Certificate in Bias and Diversity from Cornell University and Mentor Coaching from the Coach Training Alliance, an International Coach Federation (ICF) program.

Disclaimer

- Not legal advice.
- Not a comprehensive review of all changes necessary under the new regulations.

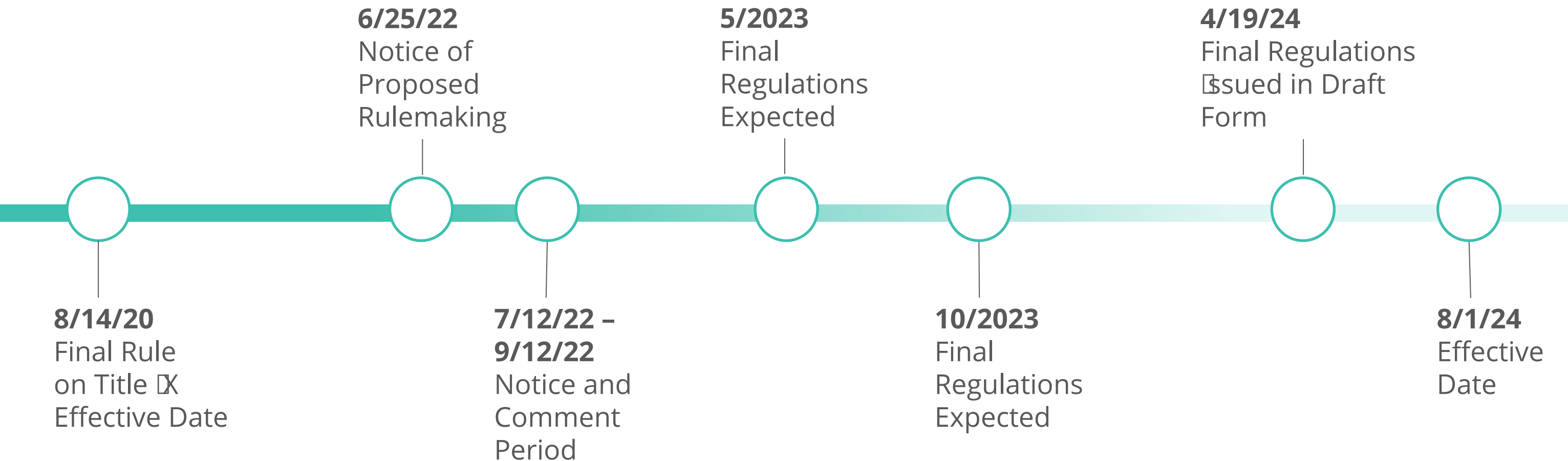


Our Time Together

During the webinar, we will:

- Set Your Compliance Calendar
- Revise the Scope of Title IX Claims Pursuant to the New Regulations
 - Definitions
 - Jurisdiction
- Set Standards for Required Response to Reports
 - Employee Obligations to Report
- Revise Title IX Grievance Process
- Evaluate Your District's Training Needs

Timeline



Title IX Covers

Sex-Based Discrimination

- Sexual Discrimination
 - Discrimination / Harassment based on:
 - Sex Stereotypes
 - Sex Characteristics
 - Sexual Orientation
 - Gender Identity
- Pregnancy (or related conditions)
- Peer Retaliation

Sexual Harassment

- Quid Pro Quo
- Hostile Environment
 - Totality of Circumstances
 - Subjectively and Objectively Offensive
 - Severe or Pervasive
 - Limits or Denies ability to participate in or benefit from education program or activity
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking

- Off-campus conduct may create a sex-based hostile environment.
 - Even when alleged conduct occurred outside of the scope of K-12 jurisdiction.
 - Impact of off-campus conduct will be considered in the analysis.
- The definition of viable Complainant has been expanded.



Jurisdiction

A woman with short, curly hair and glasses is sitting at a desk in an office, working on a laptop. She is wearing a dark jacket over a striped shirt. The background shows a whiteboard and some office supplies. The text "Reports of Sex-Based Discrimination / Harassment" is overlaid on the image in a large, white, sans-serif font.

Reports of Sex-Based Discrimination / Harassment

- Notice
 - When a non-confidential employee has information about conduct that may reasonably be sex discrimination in violation of Title IX.
 - Written and verbal reports.
 - No formal complaint is required.

- *Required response under 2020 Regulations:*
 - *Respond in a manner that is not deliberately indifferent.*
 - *Derived from the legal standard set forth in Title IX Supreme Court case from 1998 (Gebser v. Lago Vista Independent School District).*
- **New Regulations Required Response:**
 - Prompt and effective action to end discrimination and prevent its recurrence.
- **Title IX Coordinator Must:**
 - Treat parties equitably.
 - Provide supportive measures (and ability to appeal measures).
 - Notify Complainant of procedures.
 - Initiate grievance process or informal resolution procedures, if requested.
 - Evaluate report and decide whether to initiate an investigation.

A photograph of a woman in a blue patterned shirt and jeans walking through a classroom, with her right arm around the shoulder of a young girl with a red backpack. They are walking away from the camera towards the back of the room. The classroom has desks, chairs, and a whiteboard in the background.

Required Response by District

Employee Reporting Obligations

Non-Confidential Employees

- Must report to Title IX Coordinator.
- Information about conduct that may reasonably be sex-based discrimination in violation of Title IX.
- Distinguish MANDATORY REPORTING obligations from Title IX reporting obligations.

Confidential Employees

- Ability to identify who will be confidential employee for the purposes of Title IX.
 - Not only mental health professionals holding a license.
- Possibilities include:
 - Wellness Staff
 - Counselors
 - Designated Administrator
- Should clearly articulate confidential employees in the policy and trainings.

Grievance Procedures

- Informal process permitted prior at any time.
 - Never offered if Complainant is student and Respondent is employee.
- Notice of Allegations
- Conduct an adequate, reliable, and impartial investigation.
- Duty is on the district to investigate and gather sufficient information.
- Parties have the opportunity to provide relevant evidence.
- Parties receive access to relevant evidence and report.
- Parties given a reasonable opportunity to respond to evidence.
- Provide written outcome.
- Performed within a reasonable period of time.

- District cannot identify Respondent after taking reasonable steps to do so.
 - Respondent is no longer enrolled in or employed by district.
 - Complainant voluntarily withdraws the complaint.
 - Alleged conduct would not constitute discrimination, if proven.
-
- Dismissals can be appealed by either party to a Decision-Maker not previously involved in the matter.

A photograph of two men in business attire walking down a hallway lined with red lockers. The man on the left is wearing a dark suit and a blue tie, while the man on the right is wearing a light blue shirt and a red tie. Both are wearing lanyards with ID badges. The word "Dismissals" is overlaid in large white text across the center of the image.

Dismissals

A photograph of a woman with short blonde hair and glasses, wearing a striped shirt, sitting at a desk in an office. The image is overlaid with a semi-transparent blue filter. The title "Appeals of Decisions" is written in large white text across the middle of the image.

Appeals of Decisions

- For sexual harassment allegations, appeal grounds remain the same as 2020 Regulations.
 - Procedural Error
 - New Information
 - Bias of Conflict of Interest
 - **Change** the Outcome
- For other sex-based discrimination allegations, appeal process must be similar to appeals offered in other District discrimination matters.

Notable Comparisons from 2020 Regulations



Single investigator model is allowed.



Advisors for parties not required during K-12 districts process.



Removal process required to prevent Respondent from attending school.



Guidance for Title IX Coordinators on when to initiate investigations.



Required outreach to IEP team member when a special education student is party.

- Title Coordinator
- Title Investigator
- Title Decision-Maker / Appeal Officer
- Title Informal Resolution Officer

Training



A photograph of three men sitting around a table in a meeting room, looking at documents and talking. The man on the left is wearing a maroon shirt, the man in the middle is wearing a blue shirt, and the man on the right is wearing a light-colored shirt and glasses. The background shows bookshelves filled with books.

Training

- All Employees
 - Annually
 - Obligations to Address Sex-Based Discrimination
 - Definitions of Sex-Based Discrimination
 - Sexual Harassment
 - Notification Requirements

- Posting of all training materials requirements has been removed.
- However, training materials must be supplied to a requestor.

Training



New Regulations – Legal Challenges

- Athletics are specifically excluded from the New Regulations.
- Federal law takes precedence over state law under Supremacy Clause (*Article V, Paragraph 2 of the U.S. Constitution*).
 - New Regulations Explicitly State: *The obligation to comply with Title IX and this part is not obviated or alleviated by any State or local law or other requirement that conflict with Title IX or this part. See, Section 106.6 (b)*
- Litigation Currently Pending:
 - Alleging overstep of President's authority and undermining the Title IX anti-discrimination law.
 - Conflict with state law around bathroom/locker room use and athletics.
 - States who have joined the challenges:
 - Tennessee, West Virginia, Kentucky, Ohio, Indiana, Virginia, Alabama, Louisiana, Texas, and others.

A photograph of two women sitting at a desk, looking at documents. One woman is writing with a pencil. The image has a blue overlay. The text "Next Steps" is overlaid in white.

Next Steps

- Alerting leadership and key staff members about the changes.
- Creating a timeline for completion of key compliance areas.
- Developing policy and finalizing prior to 8/1/24.
- Advising staff, students, and parents (K-12s) about the changes.
- Training
 - Members of Title IX Team
 - All Employees



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SCHOOL BUS SAFETY
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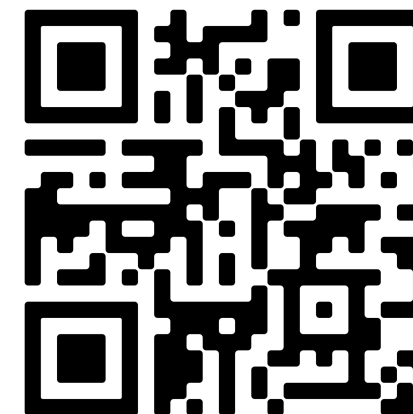


STUDENT SAFETY & WELLNESS

Title IX Related Courses

Safety & Compliance Training for School Staff

- Title IX Compliance Overview
- Title IX and Gender Equity in Athletics
- Sexual Harassment: Policy and Prevention
- Sexual Harassment: Staff-to-Staff
- Sexual Harassment: Student Issues & Response
- Sexual Misconduct: Staff-to-Staff
- Sexual Misconduct: Staff-to-Student
- Discrimination: Avoiding Discriminatory Practices
- Discrimination Awareness in the Workplace



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[Customer Support Center](#)
[Title IX Updates](#)

Vector Training Course Updates

- We are committed to providing updated courses reflecting compliance-related changes by 8/1.
- Key courses will be updated by 7/1.
- Courses will be updated where necessary to reflect changes in these key topic areas that were impacted by the new Title IX regulations.

How Vector Solutions Can Help

Support Healthy Development, Resiliency, and Well-Being

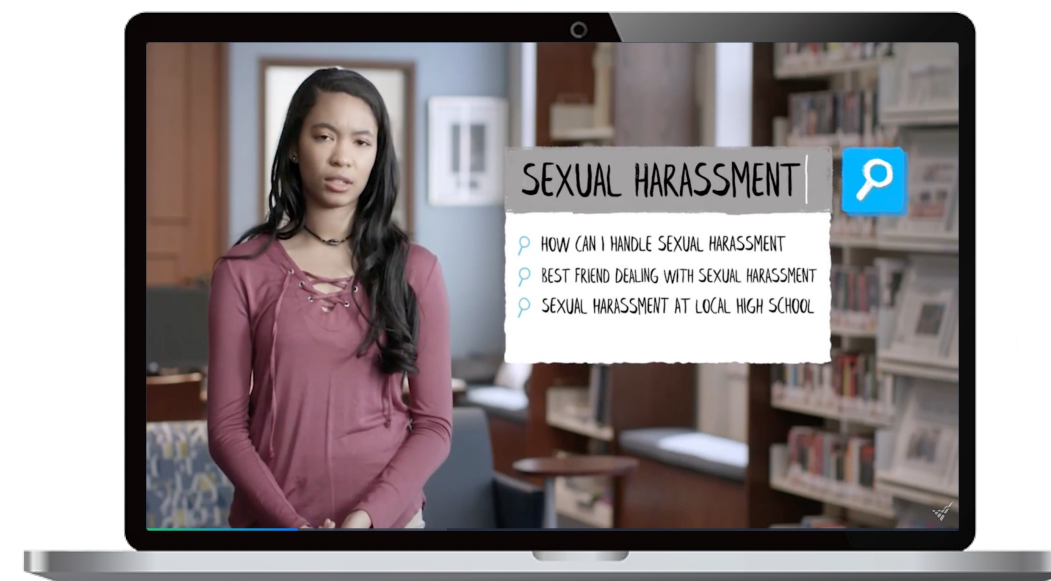
Student Safety & Wellness - Healthy Relationships Program

Grades 6-8 & 9-12

- Bullying & Cyberbullying
- Dating Violence
- Digital Citizenship
- Healthy Relationships
- Skills for an Inclusive School
- Resolving Disagreements
- **Sexual Harassment** – will be updated to reflect Title IX changes

Platform Features

- Educator Resources and Lesson Plans
- Translations
- Enhanced Course Customization (*add school or district-specific policies, resources, and content*)
- Assessments
- Pre-and Post-Course Surveys and Reporting



Q&A

Note: If your question doesn't get answered during the allotted time, we will follow up by email.

Additional Questions? Visit us
at VectorSolutions.com/K12



Thank You!