



Title IX

And Sexual Harassment



HISTORY

- Federal law *Title IX of the Education Amendments of 1972* prohibits discrimination on the basis of sex, including sexual harassment in education programs and activities.
- Department of Education's Office for Civil Rights (OCR) is the federal agency responsible for the enforcement of Title IX in schools. This agency took on oversight in 1980.



Title IX Facts

Law States:

“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 protects students from harassment connected to any of the academic, educational, extracurricular, athletic and other programs or activities of the schools regardless of the location.

Title IX protects students (male and female) from sexual harassment by any school employee, another student, or a non-employee third party.

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- Many people think of Title IX as it relates to educational institutions' discrimination in employment
 - Others think of it as it applies to High Schools and College Athletics and equal access (Gender Equity)
 - Greater emphasis the past few years has been on student rights under Title IX

WHAT IS SEXUAL HARASSMENT?

Sexual Harassment occurs when the harassment of a student interferes with a student's right to receive an education free from discrimination.

Sexual harassment is unwelcome conduct of a sexual nature.

Sexual Harassment Can Be In the Form of:

Verbal Harassment

Non-Verbal Harassment

Physical Harassment

Verbal Harassment

- Comments about a person's body
- Spreading sexual rumors
- Sexual remarks or accusations
- Telling "dirty jokes" or stories when those who are listening are uncomfortable with what is being told

Non-Verbal Harassment

- Displaying or distributing sexually explicit drawings or pictures
- Showing sex-related objects
- Writing graffiti of a sexual nature
- Sending crude or sexually descriptive e-mails or letters
- Making obscene gestures

Physical Harassment

- Grabbing or touching oneself or another student in a sexual manner that is unwanted, uncomfortable, embarrassing or offensive
- Sexual assault



WHAT IS SEXUAL HARASSMENT? (cont.)

Two types of sexual harassment are:

Quid Pro Quo (this for that)

Hostile Environment (sexual harassment creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from a school's programs, ex. makes someone afraid or uncomfortable coming to school, interferes with schoolwork, prevents student from benefitting in program or activity.)

Reporting Sexual Harassment

Harassment should be reported to an administrator, teacher, or the Title IX Coordinator at each school.

Teach students how to report!

If reported to a teacher or a teacher witnesses sexual harassment occurring, the teacher should immediately report it to a school administrator.

Legal problems arise when school personnel are aware that sexual harassment has occurred but do not respond or follow procedures.

Administrators and staff members must never imply that the student is responsible for the harasser's behavior.

Students should not be told, "If you had told us earlier, we could have stopped it before it got to this point." or "Just ignore the person and it will stop."

SCHOOL'S RESPONSIBILITY

When a school receives a complaint, a school must:

- **Promptly investigate**
- **Determine what occurred**
- **Take appropriate steps to resolve the situation**

A school's inquiry must be:

- **Prompt**
- **Thorough**
- **Impartial**

If Sexual Harassment Has Occurred

A school must take steps to remedy the effects

Some Ways May Include:

1. Counseling
2. Changing class assignments
3. Providing time for students to make up work missed
4. Providing training for students on what constitutes sexual harassment
5. Talking with perpetrators concerning harassment and consequences
6. Insuring that there is no retaliation
7. Providing appropriate consequences

IN HOUSTON COUNTY

We are making employees aware of Title IX and its implications. Principals will go back to schools and provide staff with training.

We have Grievance Procedures in place for filing a grievance dealing with sexual harassment report.

For Middle and High School, sexual harassment will become part of the bullying training we do with students at the beginning of each year.

For Elementary, administrators should talk to students about keeping hands and feet to self and respecting other students' personal space.

Each school has an administrator who has been named as the Title IX Coordinator. That person's name will be included in student handbooks.

Assistant Principals or those who will be the primary person in investigating sexual harassment complaints will receive preliminary training and will get additional training at the beginning of the year every year.

We have developed forms that are posted on the School Operations SharePoint page and have established procedures for investigating and documenting sexual harassment complaints.

Things to Remember

Administrators, teachers or any staff member should treat any report as genuine and administrators should investigate to determine whether or not harassment has occurred.

Principals should make certain that staff members know to report any claims of sexual harassment immediately.

Staff members should know who the Title IX Coordinator is in the building.

The school should notify parents of both the victim and the harasser.

Schools need to be prompt and thorough in investigating the claim.

Schools should take immediate action to eliminate the harassment, prevent its recurrence and address its effects.

Schools must keep documentation.

Be consistent and consider severity of offense, age of child, etc..



By September 14, 2018

- Submit your Title IX Sexual Harassment assurances on Office 365 Forms. Lazunia will send out the e-mail with a link for you to add the following:
 - Information on **how** and **when** you will educate staff, students, and parents about Title IX and sexual harassment.



FIVE DATES TO REMEMBER

- ❖ By **July 31, 2018** - educate your school's faculty and staff about sexual harassment
- ❖ By **August 31, 2018** - educate your school's students about sexual harassment
- ❖ By **September 7, 2018** - educate your school's parent population about sexual harassment
- ❖ By **September 14, 2018** – Submit Assurances of Training information to Office 365 Forms.



When in doubt...

Call School Operations!

We will be glad to assist you
in any way!