



# Title IX Training

# Contacts

- Title IX Coordinator:
  - Sam Ells - Assistant Superintendent
    - [sells@careeracademysb.com](mailto:sells@careeracademysb.com)
- Building Representatives:
  - Career Academy: Roxanne Cardenas, Dean of Students, [rcardenas@careeracademysb.com](mailto:rcardenas@careeracademysb.com)
  - Success Academy: Janet Scott, Instructional Coach, [jscott@successacademysb.com](mailto:jscott@successacademysb.com)

# What is the Goal?

- Ensuring A Safe Environment in Which Students Can Learn
  - Action Step 1:
    - Prevent discrimination and harassing conduct of a sexual nature.
  - Action Step 2:
    - But if it occurs, act to lessen the harm
      - Report immediately
      - Cooperate in investigation
      - Maintain confidentiality

# Title IX Definition of Sexual Harassment

- Section 106.30
  - Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:
    - 1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (quid pro quo).
    - 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity, or
    - 3) "Sexual assault" as defined in 20 U.S.C. 1092 (f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

# What is prohibited?

- Conduct of a sexual nature that:
  - Denies or
  - Limits a student's ability to participate in or enjoy the benefits of a program, activity, or opportunity such as courses, extracurricular activities, or facilities.

# What does prohibited conduct mean?

- A Few Examples:
  - Advances-from requests for dates to requests for sexual activity
  - Gestures/Touches
    - Repeated hugging
    - Hugging in a “sexual way”
    - Hugging under inappropriate circumstances

# What Does Prohibited Conduct Not Mean?

- Not the occasional hug of congratulations after a winning a game, competition, or achieving a milestone.
- Not a teacher's consoling hug .
  - Beware of the inherent risk of any hug.
  - Risks increase as the student's age increases.

# Who Can Behave Inappropriately?

- An administrator
- A teacher
- Any employee
- A student
- A non-employee – parent, vendor, visitors, repair and delivery personnel.



# Who Can Behave Inappropriately?

- Teachers, employees, other students, and third parties can create a hostile environment.
  - Adults have the power or appearance of power
    - Students may fear objecting or complaining
  - Group Student Perpetrators
    - The more perpetrators = likely more hostile

# Who Can Behave Inappropriately?

- Individual Student Perpetrators
  - May be less hostile but...
    - What if the student is subjected to similar conduct by several students?
    - What if the individual is known to be “connected” around town-and knows everyone?
    - What if the student perpetrator is older than the target?
    - Does it make a difference that the intimidating, unwelcome, or aggressive behavior is on the shuttle bus, hallway, or on the playground?
  - The above questions should be taken into consideration when investigating the situation.

# What Do You Think?

- Example: Male students discuss and stare at a female students' breasts?
  - What do you need to know?
- Example: Male student grabs or attempts to touch a female student inappropriately.
  - What do you need to know?
- What about unwelcome invitations to outside of school events?
- What about unwanted gifts?
- When you are informed of a situation you need to determine the following:
  - Who, What, When, Where, and How.

# How Can I Avoid Creating A Sexually Hostile Environment for Students?

1. Don't make sexually suggestive remarks, comments, or facial expressions.
2. Don't call others by terms of endearment (honey, dear, babe, sweetheart...). Call them by their name.
3. Don't use demeaning or degrading terms.
4. Don't place your hands on other body parts where they should not be. Respect others' space.
5. Don't make sex-charged jokes or remarks on-line (social media) or offline.
6. Avoid being alone with a student out of view of others.

# Consequences For Violating Title IX.

- For either creating a sexually harassing environment or failing to report suspected sexual harassment:
  - Employee discipline, up to and including suspension and termination of employment.
  - Potential personal civil liability
  - Potential criminal liability for failure to report, depending on employee's conduct.

# Retaliation

- Retaliation will not be tolerated against anyone who reports suspected sexual harassment/
  - Retaliation could include:
    - Giving the “cold shoulder”
    - Telling a person that he/she is not believed
    - Changing grades
    - Giving greater discipline.
- Retaliatory words or actions against someone who reports suspected sexual harassment will result in discipline, up to and including termination of employment.

# What Must You Do?

- Report IMMEDIATELY in WRITING to a building administrator any suspected sexual harassment of a student:
  - Whether you saw it or heard it firsthand or second-hand, through rumor or gossip, ect.
  - Remember, there is no “do it yourself” option for addressing suspected sexual harassment.

# What Else Must You Do?

- Report First
- Cooperate with the building administration in:
  - Deciding whether a report to CPS is required.
- Keep information confidential to the greatest extent possible.



# Responding to Sexual Harassment

## The Title IX Coordinator or Building Representative will:

- Promptly contact the person to discuss supportive measures.
- Consider that person's wishes with respect to supportive measures.
- Offer supportive measures.
- Inform the complainant that supportive measures are available with or without the filing of a formal complaint.
- Explain to the complainant the process of filing a formal complaint.

## Supportive Measures:

- Supportive measures may include, but not limited to counseling, extensions of deadlines or other course-related adjustments, modifications, of work or class schedule, mutual restrictions on contact between the parties, monitoring of certain areas, and other similar measures.
- The school will keep supportive measures provided to the parties confidential, to the extent possible.

# What is a formal complaint?

- A formal complaint is any document or electronic submission, such as an email that contains the complainant's physical or digital signature that indicated that the complainant is the one filing the complaint.

# Grievance Process

- Once a formal complaint has been filed with the building representative or Title IX coordinator the following procedures occur:
  - Both parties (victim and alleged perpetrator) will be notified of the complaint in writing.
  - A formal investigation into the incident will occur
    - Both parties have the right to review the evidence
  - Title IX Coordinator will provide written notice of the decision and outcome of the investigation.
    - Both parties have the right to appeal the decision.

# Contacts

- Title IX Coordinator:
  - Sam Ells - Assistant Superintendent
    - [sells@careeracademysb.com](mailto:sells@careeracademysb.com)
- Building Representatives:
  - Career Academy: Roxanne Cardenas, Dean of Students, [rcardenas@careeracademysb.com](mailto:rcardenas@careeracademysb.com)
  - Success Academy: Janet Scott, Instructional Coach, [jscott@successacademysb.com](mailto:jscott@successacademysb.com)