

# Title IX

Presented by:

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**Title IX is a federal law that was enacted in 1972.**

**“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

- Covers many things including:
  - Requirement for equity in athletic programs;
  - Prohibits discrimination in educational programs; and
  - Establishes a framework for addressing complaints/grievances related to sexual harassment (focus of the current regulations).



- The law has evolved over the years, with federal regulations and case law clarifying and expanding Title IX's application to public schools. These changes provide new information as to what rights students have under Title IX and how a school district's response can impose liability on it.
- Codify prohibitions against sexual harassment in schools for the first time in history.
- The regulations carry the full force of the law, unlike in previous years where regulatory agencies had only issued guidance documents.



# Requirements for School Districts

**Title IX regulations and underlying enforcement guidance require school districts to:**

- **Designate persons to coordinate compliance with Title IX and train those persons;**
- **Adopt and publish procedure for prompt and equitable resolution of student complaints of sexual harassment; and**
- **Impartially investigate complaints of sexual harassment.**



# WCBOE Policies and Procedures

The District's internal policies and procedures regarding complaints of sexual harassment are vital to preventing and reducing harm to students, ensuring the well-being of students and the school environment, as well as minimizing potential liability.



# Requirement to Respond

School districts with actual knowledge of conduct which may constitute sexual harassment must respond appropriately or face liability.



# To Whom Does Title IX Apply?

It covers conduct by  
**EMPLOYEES** and **STUDENTS**.





# Current Title IX Regulations

- Revises Sexual Harassment definition;
- Requires investigation process which includes separation of duties and emphasizes due process; and
- Requires appeal procedures



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# Sexual Harassment Defined

- Sexual Harassment is defined as conduct on the basis of sex, occurring on WCS property or at a sanctioned WCS activity/program (off or on WCS property) which is subject to control and supervision of WCS AND satisfying one or more of the following:
  - A **school employee** conditioning an educational aid, benefit or service or activity upon a person's participation in unwelcome sexual conduct (“**quid pro quo**” (this for that) harassment);
  - 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 school's education program or activity (This is known as a **hostile environment.**)  
; or
  - Sexual assault, dating violence, domestic violence, or stalking (as defined under federal law).

34 C.F.R. 106.30(a)



# Violation of Title IX

A school violates Title IX when its response to sexual harassment is deliberately indifferent—clearly unreasonable in light of the known circumstances (new regulations require mandatory responses through an established grievance process).

34 C.F.R. 106.44.



# Complaints

Any person may report sexual harassment/discrimination (whether or not the person reporting is the person alleged to be the victim of the alleged wrongful conduct) in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator, or by other means that result in the Title IX Coordinator receiving the person's verbal or written report.



# Student to Student Concerns

For Student-to-Student concerns/complaints or issues, please contact:

Kayla Aaron, Title IX Coordinator for WCS

Email: [Kayla.Aaron@wcs.edu](mailto:Kayla.Aaron@wcs.edu)

Phone: 615-472-4000



# Employee Concerns/Complaints

Employee concerns/complaints are handled by Human Resources at the WCS Central Office.

Please contact Vickie Hall, Assistant Superintendent of Human Resources

Email: [Vickie.Hall@wcs.edu](mailto:Vickie.Hall@wcs.edu)

Phone: 615-472-4000



# Responding to Complaints

The Title IX Coordinator must promptly contact the complainant confidentially to discuss the availability of supportive measures with or without filing a formal complaint, consider the complainant's wishes with respect to supportive measures, and inform the complainant the process for filing a formal complaint.

34 C.F.R. 106.44(a)

