

Title IX Overview for School Liaisons



District Title IX Coordinator Contact Information

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“ 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 of the Education Amendments of 1972

Title IX

Title IX Definition of Sexual Harassment

- Under the regulations, any of the following conduct on the basis of sex, constitutes sexual harassment:
 - A school employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct (often called "quid pro quo" 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; or
 - Sexual assault, dating violence, domestic violence, or stalking as defined by Federal law.

Responding to a Report of Sexual Harassment

- A school must respond when the school has actual knowledge* of sexual harassment; which occurred within the school's education program or activity (situations over which the school exercised substantial control); against a person in the United States.

*The Final Rule expands “actual knowledge” to include notice to any elementary or secondary school employee.

Roles Related to Title IX

- Title IX Coordinator
- Investigators
 - Deputy Title IX Coordinators
 - HR Department Investigators
 - School Title IX Liaisons
- Decision-Makers
- Appellate Decision-Makers
- Informal Resolution Process Facilitators

Role of Title IX Liaison

- Facilitating reporting of allegations of sexual harassment
- Facilitating implementation of supportive measures
- Facilitating the flow of information between the school site and the District's Title IX Office with regard to all grievance procedures
- Any tasks related to reports and Complaints of sexual harassment as delegated by the Title IX Coordinator and/or their Principal

Role of the Title IX Liaison

- The role of a Title IX Liaison is to facilitate the flow of information between the school site and the District's Title IX Office.
 - It is imperative that we gather the information necessary to determine what type of investigation is required based on the information available.
 - The information gathered from the Title IX Liaisons will determine whether a matter needs to follow the detailed Title IX procedures required by Federal law or other School Board policies and procedures.

School Site Title IX Liaison

- The school site Title IX Liaison in conjunction with the Title IX Coordinator or Deputy Title IX Coordinator will assess the initial facts of the report to determine the following:
 1. Whether the conduct alleged meets the definition of sexual harassment? (including whether the School Board had substantial control over both the Respondent and the context in which the harassment occurred);
 2. Whether supportive measures should be offered, and if not, document the reasons why such a response was not clearly unreasonable in light of the known circumstances; and
 3. Whether the Complainant wishes to file a formal complaint.

**Always call the Human Resources Department and speak to the Title IX Coordinator or a Deputy Title IX Coordinator regarding any allegation of sexual harassment to determine the appropriate investigation type.

Guidance for Handling Complaints

- The District's Title IX Sexual Harassment Manual and Board Policy 3.33 will guide you in properly handling complaints of discrimination or harassment of and by students.
- The first step in handling any complaint is to ensure that you report the complaint to the Title IX Office immediately.

School Site Title IX Liaison

- When speaking with those involved in allegations of sexual harassment, It is critical that you:
 - Listen, are present, avoid judgment, and do not blame the complainant for what happened.
 - Avoid statements that indicate that you do not believe the person you are interviewing during the investigation.
 - Avoid statements and comments about possible outcomes.

Evaluating Bias and Conflict of Interest

All members of the Title IX Team must ensure the investigation and decision-making processes are free from conflict of interest and bias, as these may be grounds for an appeal on the case. Every member of the Title IX Team should assess for any bias or conflicts of interests before and during the Title IX process.

- Circumstances that tend to demonstrate bias include:
 - Direct: an interest directly tied to the parties, their family or career
 - Indirect: the interest of a group, person or business of one of the parties is or was closely connected (e.g. a friend of a friend, or a previous relationship between those close to a member of the Title IX team or a party)
 - Financial: monetary gain or loss based on the outcome of the investigation
 - Non-financial: “favoritism or prejudice resulting from friendship, animosity, or other personal involvement with another person or group”

Evaluating Bias and Conflict of Interest

- A conflict of interest is when a member of the Title IX Team is in a position to derive personal benefit from actions or decisions made in their official capacity.
- If a member of the Title IX Team believes they may have a conflict of interest of bias, it should be brought to the attention of the Title IX Coordinator immediately.
- Should any member of the Title IX Team believe or question whether they may have a bias or conflict of interest on a given case, they should consult with the Title IX Coordinator immediately (i.e. before taking any action on a case if possible.)

Retaliation

- Anyone who provides information related to harassment based on sex, including sexual harassment or any other protected category is expressly protected from retaliation.
- This means a person cannot take adverse action against a person who makes a report of harassment or discrimination which would likely cause a reasonable person to be dissuaded from reporting such events in the future.
- Any person who retaliates against someone based on their involvement in a civil rights matter is subjected to disciplinary action.

Questions & Other Discussion