



TITLE IX Regulations: What You Need to Know!

Title IX Regulations: What You Need to Know!

- What is Title IX (including the 2020 regulations)?
- Who is covered by Title IX?
- What activities are covered by Title IX?
- What are the key terms I need to know?
- Who is the Title IX Coordinator?
- What does this mean for me?
- What is the process for addressing allegations?
- Is the process confidential?
- When in doubt . . . reach out!

Board policies reinforce the District's commitment to Title IX adherence as well as provide that all persons in the District's educational and employment environment do so in a safe, positive environment that is free from all forms of harassment and discrimination. Title IX does not replace, limit or eliminate other District policies and codes of conduct.

What is Title IX?

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any federally funded education program or activity.

Title IX Statute (20 U.S.C. 1681-1688): “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:

- Is often thought of as a focus on gender equity in sports, HOWEVER, the scope is much broader and covers ALL educational programs and/or activities.
- Requires a meaningful response to allegations of sexual assault or discrimination.
- Mandates due process protections for both parties (complainant and respondent).
- Is enforced in the United States Department of Education’s Office for Civil Rights (OCR).

What is Title IX? (cont.)

2020 Final Regulations:

The U.S. Department of Education's Final Regulations serve the purpose of having the full effect of law, thus imposing (for the first time) legally binding rules on educational institutions receiving federal support (SCASD receives federal support).

Among the responsibilities identified in the Final Regulations, schools must:

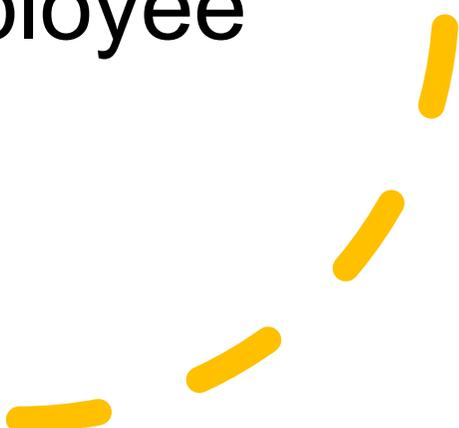
- Identify key personnel who are trained and prepared to respond to a Title IX complaint.
- Respond promptly and supportively to persons alleged to have been victimized by sexual harassment.
- Resolve allegations promptly and accurately under a predictable, fair grievance process.
- Provide for due process protections to both the alleged victim(s) and alleged perpetrator(s) of sexual harassment.
- Effectively implement remedies for victims.
- Provide information to all members of the SCASD community.

Please review and become familiar with the comprehensive information and references found at the [SCASD Title IX website](#).

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Who is
covered by
Title IX?

Title IX protects students, employees, and third parties from sex discrimination, sexual harassment, and violence by any District employee, another student, or a non-employee third-party.

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What activities are covered by Title IX?

Title IX provides for protection from sex discrimination, sexual harassment, and violence by any District employee, another student, or a non-employee third-party. This includes activities that occur within the United States; at any location, event, or circumstance where the District exhibits substantial control over the alleged harasser as well as the “context” and setting in which the alleged harassment occurred. Examples of settings that fit the intent of that definition include buildings or other locations that are part of the District’s operation, including remote learning platforms; off-campus settings if the school exercises substantial control, such as a field trip; and, off-campus buildings owned or controlled by a student organization officially recognized by a postsecondary school.

What are the key terms I need to know?

Complainant

The individual who is alleged to be the victim of sexual harassment

Respondent

The individual who is reported or alleged to be the perpetrator of sexual harassment.

Sexual Harassment

Unwelcome conduct of a sexual nature that includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature.

Sexual Assault

Rape, Fondling, Incest, Statutory Rape

Dating Violence

Includes (and not limited to) sexual abuse or physical abuse as well as the THREAT of such abuse

Stalking

Conduct directed at a person that causes a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. Domestic Violence

Retaliation

Intimidation, threats, coercion or discrimination that arise as a result of a report or complaint, or interfering with an individual's rights under Title IX.

Who is the Title IX Coordinator?

Michelle Simpson, Human Resources Executive Director, serves as the Title IX Coordinator [814-231-1051; mrs20@scasd.org]. In this role she ensures District compliance with Title IX as well as receives complaints. Ms. Simpson is available for consultation and guidance for individuals with questions, concerns or requests for process clarification.

Stephanie Beaver, Director of Student Services, [814-231-1011; sxb11@scasds.org] and Jeanie Andrews, Senior Human Resources Manager [814-231-1051; jsa15@scasd.org] serve as Title IX Deputy Coordinators.

The District encourages anyone (students, parents, staff, third parties) who reasonably believe that they have witnessed behavior or conduct of concern, even if they are uncertain if it is a violation of Title IX (or any other policies) to immediately report such incidents. Employees are required to report such acts to the Title IX Coordinator (or Title IX Deputy Coordinator).

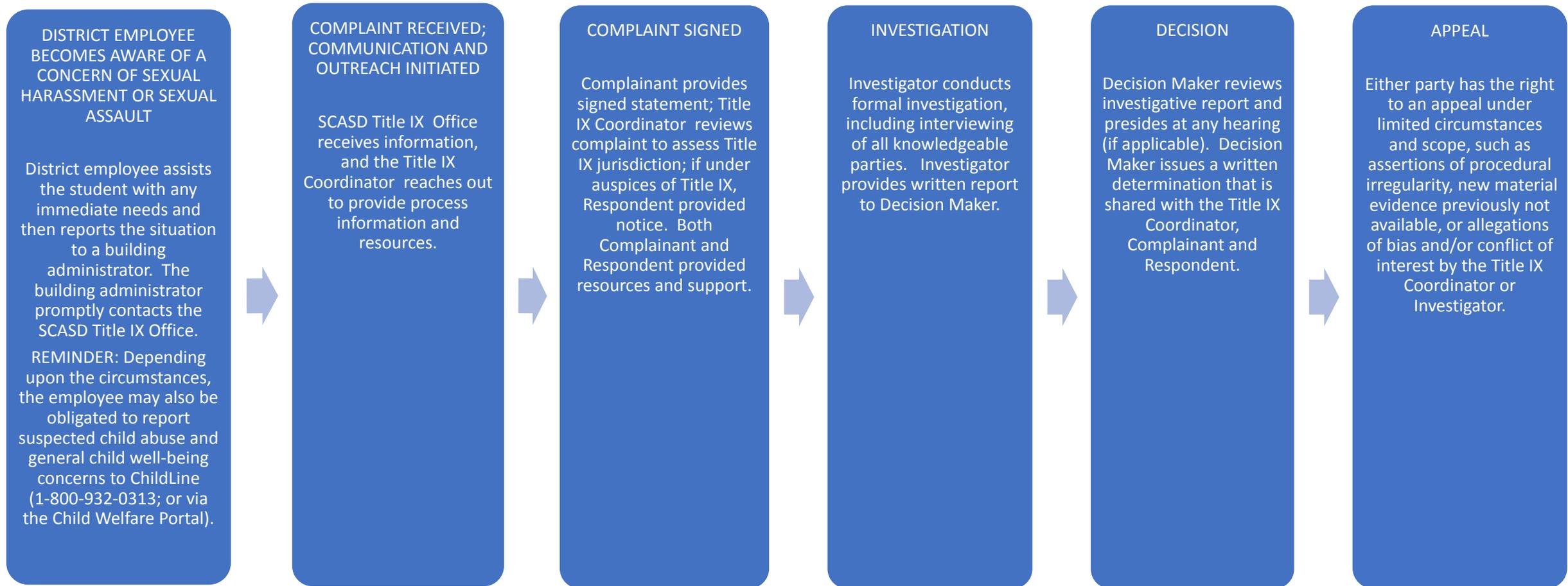
What does this mean for me?

As a member of the State College Area School District community:

- You are entitled to a safe, positive learning and work environment that is free from harassment, discrimination and retaliation. If you have experienced (or have knowledge of) such behaviors and actions, you have the right to submit a formal complaint through SCASD's designated Title IX Coordinator utilizing the form on the [SCASD Title IX Website](#)
- You are required to consult with and refer information to the Title IX Coordinator when you are made aware of (or have reason to believe) that prohibited conduct under Title IX has, or may have, occurred.

REMINDER: You may also be obligated to report suspected child abuse and general child well-being concerns to ChildLine (1-800-932-0313; or via the [Child Welfare Portal](#)).

What is the process for addressing allegations?



A voluntary informal resolution process can occur anytime after filing of a formal complaint, but prior to any formal hearing.

What is the process for addressing allegations?

In addressing allegations, the District will:

- Provide that those involved in the process be free of conflicts of interest or bias against either party.
- Avoid determinations of credibility based upon a person's status as a witness, complainant or respondent.
- Ensure a timely and prompt time frame for the investigation.
- Per the regulations, allow that each party (complainant and respondent) is entitled to an advisor of their choice (who may be, but does not need to be, an attorney).
- Apply a presumption that the respondent is not responsible (i.e., often referred to as a "presumption of innocence"), thus establishing that the District bears the burden of proof.
- Treat complainants and respondents equitably (including providing remedies to any complainant when it is determined the respondent was responsible).
- Describe and provide a range of supportive measures to both the complainant and respondent.
- Require objectivity when evaluating evidence.
- Provide notice to appropriate parties if, in the course of the investigation, a determination is made to investigate allegations that may not have been included in the original complaint.
- Make a determination of responsibility at the end of the grievance process.
- Protect any individual (including complainants, respondents and witnesses) from retaliatory actions for filing a complaint or participating (or refusing to participate) in the Title IX grievance process.

What is the process for addressing allegations? (cont.)

The [Title IX Guide](#) includes comprehensive information on roles, responsibilities and the process and procedures in support of Title IX. Please ensure you review this important document and understand the information and resources provided.

All District employees are required to consult with and refer information to either their administrator or the Title IX Coordinator when they are made aware of (or have reason to believe) that prohibited conduct under Title IX has, or may have, occurred. Please remember that depending upon the circumstances involved, the employee may also be obligated to report suspected child abuse and general child well-being concerns to ChildLine (1-800-932-0313; or via the Child Welfare Portal).



Is the process confidential?

Reasonable steps will be taken consistent with requests for confidentiality as long as doing so does not compromise the District's responsibility for investigating and responding to the report. If the complainant requests confidentiality or indicates that they do not want the matter pursued, the District must exercise appropriate judgment to determine whether the relevant factors allow the District to agree to the complainant's wishes or if the District is required to proceed in light of broader community and safety issues. Submission of anonymous complaints may limit or prohibit the school from taking necessary or requested steps to address the basis of the complaint and the complaint may be dismissed.

This process does not preclude the Title IX Coordinator from exercising judgment in informing other authorities when safety issues or law enforcement matters are revealed, and such intervention can occur throughout the process if/as appropriate.

When in doubt . . . reach out!

When we encounter (see or hear about) issues of concern, we have a responsibility to report, investigate and provide support to both the claimant and respondent. The Title IX Coordinator is responsible to coordinate and ensure Title IX compliance, receive complaints, provide guidance and process clarification, and be a resource for additional information.

Even if uncertain if it is a violation of Title IX (or any other policies), immediately report such incidents.

SCASD Title IX Coordinator:

Michelle Simpson, Human Resources Executive Director

814-231-1051; mrs20@scasd.org

SCASD Title IX Deputy Coordinator:

Stephanie Beaver, Director of Student Services

814-231-1011; sxb11@scasd.org

SCASD Title IX Deputy Coordinator:

Tonya Black, Director of Equity, Inclusion, and Belonging

814-231-5050; tlc13@scasd.org