

LIABILITY: TITLE IX



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Recent events have shown a spotlight on Title IX and with proposed changes in the news, it is important for schools to understand the requirements and follow guidelines to make sure their districts are protected.

TYPES OF TITLE IX CLAIMS DISTRICTS SEE

- Teacher on student abuse or harassment
- Staff on staff abuse or harassment
- Student on student abuse or harassment

TYPES OF TITLE IX ISSUES DISTRICTS FACE

- Student Due Process Rights
- Hostile Work Environment
- Hostile Educational Environment

○ POLICIES & PROCEDURES

Districts must not only have a Title IX policy and coordinator, but also understand the content of the policy and follow it. Ensure that Title IX policy and coordinator information is easily identifiable on district websites and includes:

- Title IX Coordinator(s) with contact information (address, phone, and email address)
- Title IX School Board Policy
- List of the Title IX trainings that all coordinator(s) have completed

○ TRAIN

District staff must understand Title IX obligations to ensure an education free of sexual misconduct, discrimination or harassment is provided to students. Provide training of all employees and students. Train employees annually on how to identify, stop, and prevent sexual harassment, including sexual violence. Any training should include the district's anti-discrimination policy and grievance procedures, how to make a complaint, and resources available to victims.

○ REPORT

Report ALL reported or suspected sexual misconduct to the proper authorities. Most school personnel are mandatory reporters; failure to do so is punishable by law. In addition, please note that in Michigan, the statute of limitations for sexual misconduct is 10 years past the age of majority or until the individual is 28 years old. Federal laws require Title IX records be retained a minimum of 7 years. SET SEG recommends keeping until the minor turns 28.

○ INVESTIGATE

Districts have obligation to conduct a Title IX investigation, regardless of another authority conducting a separate investigation, on any subsequent claim of sexual misconduct, retaliation, discrimination or harassment. **We recommend reporting any incident to CPS online for tracking and record-keeping purposes.**

*The Vector Training, K-12 Edition training offers the ability to upload your district's Title IX policy to ensure all employees have read, understand, and acknowledge your policy.

For more information, visit the Title IX resource guide on the Office of Civil Rights website.