

Title IX in K12

October 9, 2018

**By the end of this presentation,
CLT members will be able to:**

**Summarize what Title IX requires of educational
institutions**

**Identify similarities and differences between Title IX
implementation in higher education and at the K12 level**

**Discuss national trends in sexual violence prevention
and response at the K12 level**

Title IX

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.

Non-Discrimination Statement & Title IX Information

[Non-Discrimination
Statement](#)[Title IX Information](#)[Dignity for All Students
Act](#)

Title IX Summary

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in federally funded education programs and activities. Title IX provides, "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."

What is covered by Title IX?

- Complaints of sex discrimination, including sexual harassment, sexual violence, and other sexual misconduct

Title IX: Basics

●————● **Federal civil rights law:** ●————●

Education Amendments of 1972

●————● **Enforced By:** ●————●

Department of Education

●————● **Discrimination includes:** ●————●

sexual harassment and sexual violence
(via subregulatory guidance)

●————● **Applies to:** ●————●

institutions of higher education,
public K12 schools, private schools that receive federal funding

Title IX in Higher Ed

Required by OCR	Higher Education
Title IX coordinator	Dedicated or part-time staff member
Procedures for responding to claims of harassment and violence	Sexual misconduct policies
Support and accommodations for survivors	Medical and mental health services; academic and housing accommodations
Education for faculty, staff and students on system for response	Course for incoming students, regular training for faculty and staff
Prevention	Coupled with Clery Act requirements

Comparing Higher Ed and K12

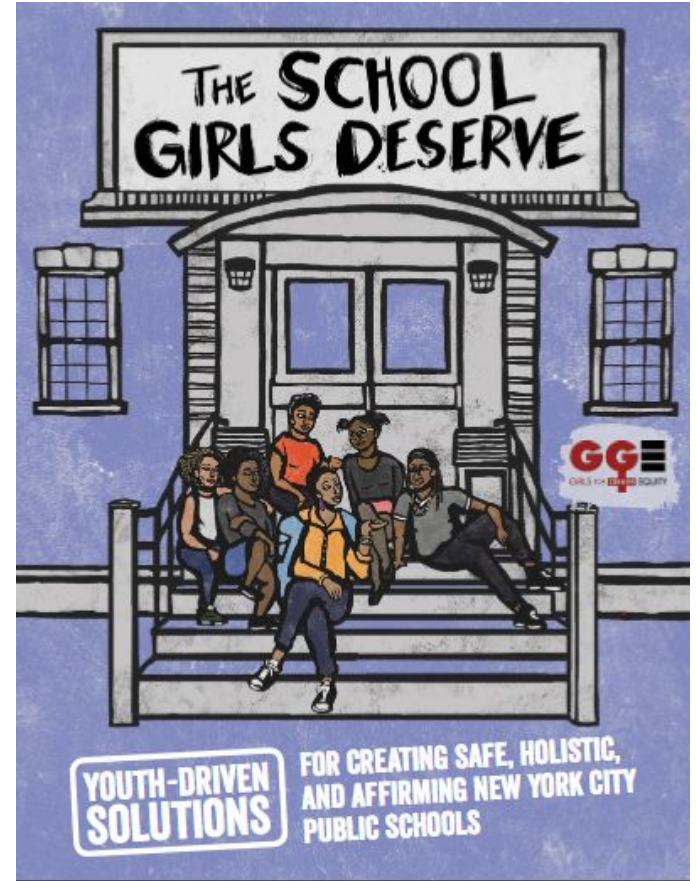
Required by OCR	Higher Education	K12
Title IX coordinator	<i>Dedicated or part-time staff member</i>	Part-time staff administrator
Procedures for responding to claims of harassment and violence	<i>“Sexual misconduct policies”</i>	Healthy boundaries policies Title IX policies Mandated reporting for CPS
Support and accommodations for survivors	<i>Medical and mental health services; academic and housing accommodations</i>	Referrals to key services; Academic accommodations
Education for faculty, staff and students on system for response	<i>Course for incoming students, regular training for faculty and staff</i>	Comprehensive sexuality education for students;
Prevention	<i>Coupled with Clery requirements</i>	Training for teachers and staff; Education for parents

Title IX in K12: What We Know

1 in 3 girls interviewed
reported experiencing sexual
harassment at school

1 Title IX coordinator
for 1.1 million students in NYC
school district

Girls for Gender Equity. (2017). *The School Girls Deserve: Youth-Drive Solutions For Creating Safe, Holistic and Affirming New York City Public Schools*. Retrieved from: http://www.ggenyc.org/wp-content/uploads/2017/11/GGE_school_girls_deserveDRAFT6FINALWEB.pdf



Title IX in K12: what we know

21% of girls ages 14 to 18
reported someone touched or
kiss them without their consent

Retrieved from:

https://nwlc-ciw49tixqw5lbab.stackpathdns.com/wp-content/uploads/2017/04/final_nwlc_Gates_HarassmentViolence.pdf

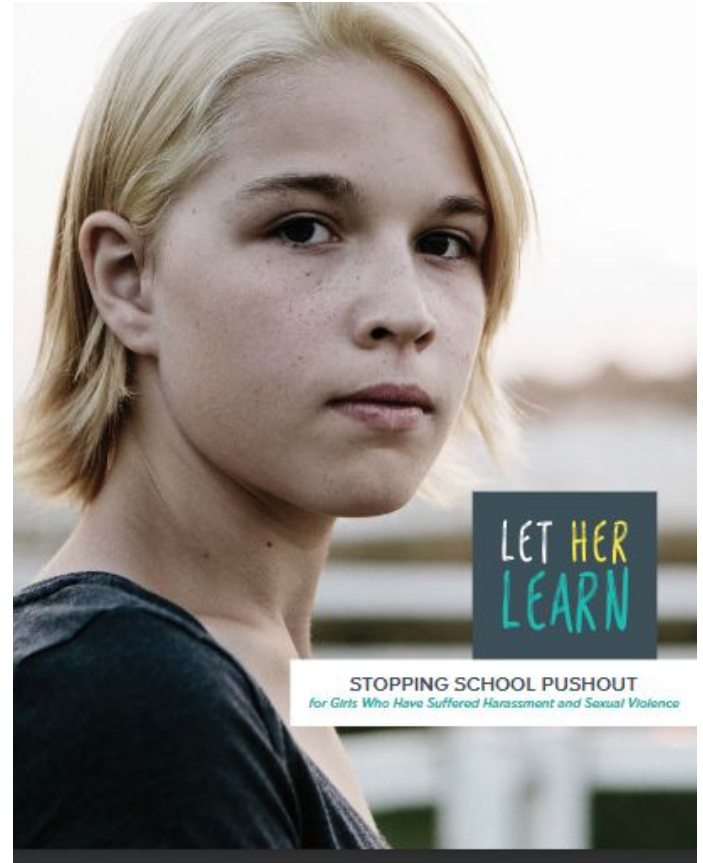


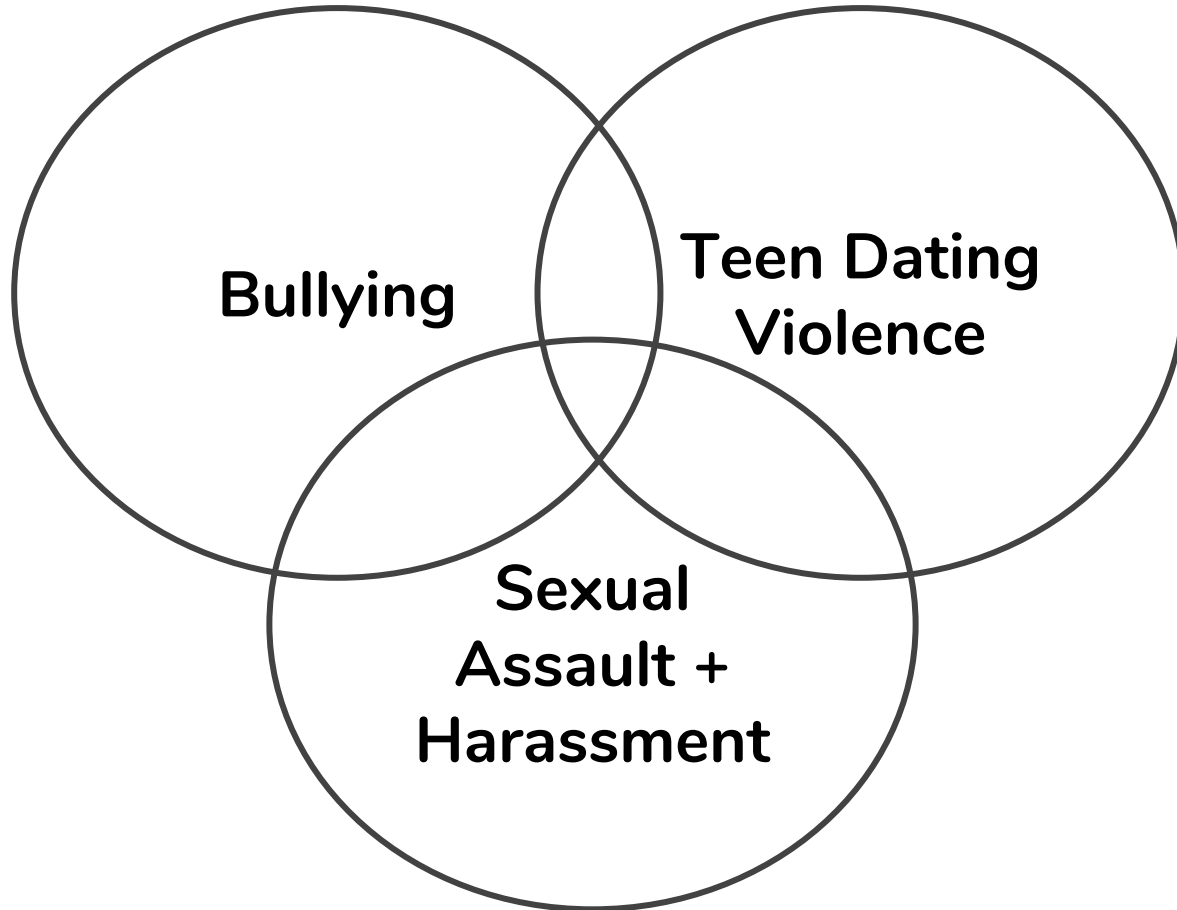
Figure 1. Girls' Responses to being Harassed or Assaulted⁹

WHAT DID YOU DO IN RESPONSE TO BEING HARASSED OR ASSAULTED?



Source: National Women's Law Center, Let Her Learn Survey, Conducted by Lake Research Partners (2017).

Title IX in K12: what we know



Title IX in K12: the latest

- Evaluation of **teen dating violence prevention** programs
CDC's Dating Matters, Start Strong Boston
- Research on **prevalence of cyber bullying** and victimization
- Translation of **bystander intervention** programs from higher ed to K12
Bringing in the Bystander, Green Dot, etc
- Integration of **consent** into existing sex-ed frameworks
- Evidence that **LGBTQ students are at heightened risk** for bullying and sexual victimization

Title IX: What's next?



September 2017 - Interim Guidance released by ED

Select procedural clarifications



August 2018 - Draft regulations leaked

Changes to standard of evidence requirements



October 2018 - Notice of Proposed Rulemaking (NPRM)

Seeking input and comments from the public

Resources:

- Stop Sexual Assault in Schools (SSAIS) <http://stopsexualassaultinschools.org/>
- Girls for Gender Equity (GGE) <https://www.ggenyc.org/>
- Know Your IX <https://www.knowyourix.org/high-school-resource/>
- CDC Dating Matters <https://www.cdc.gov/violenceprevention/datingmatters/>
- Soteria Solutions K12 <https://www.soteriasolutions.org/highschool/>
- Comprehensive Sex Ed as a Primary Prevention Strategy:
<http://journals.sagepub.com/doi/abs/10.1177/1524838018772855>
- Futures Without Violence:
<https://www.futureswithoutviolence.org/children-youth-teens/>
- Only 8 States Require Consent Education as Part of Sex Ed:
<https://www.cnn.com/2018/09/29/health/sex-education-consent-in-public-schools-trnd/index.html>
- Trevor Project: <https://www.thetrevorproject.org/>
- Tyler Clementi: <https://tylerclementi.org/tcfyouthambassador/#TCFYA>