2020 Title IX Regs Overview:
Commitment Beyond Compliance for K-12 Schools and Districts

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Find out more at www.atixa.org/r3/
Your Presenters

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Regulatory Changes

• Released on May 6, 2020
• Effective on August 14, 2020
Roles and Responsibilities

- Title IX Coordinator (required for the district)
- Deputy IX Coordinators (consider appointing a deputy for each school)
- Investigators (TIXC may conduct investigations)
- Decision-makers
- Appellate decision-makers
- Informal Resolution facilitators
- “Appropriate School Officials” are individuals who have “notice” of sexual harassment: includes all school employees.
Definition of Sexual Harassment

• Sexual Harassment is conduct on the basis of sex that meets one of the following conditions:
  • An employee conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
  • 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 recipient’s education program or activity; or
  • Sexual assault, dating violence, domestic violence, or stalking as defined in federal law.
Key Response Elements

- Notify parents/guardians of reports (and option to file formal complaint).
- Supportive measures (available to all parties).
- Emergency removals (in very limited circumstances).
- Informal resolution options.
- Investigations of allegations (after specific written notice to the parties).
- Advisor of choice.
- Burden on school to gather and collect evidence.
- Parties have access to evidence and the investigation/report.
Key Response Elements

• Questioning by an independent decision-maker, and right to pose questions to other party and witnesses.
• Specific written determination letters.
• Required appeal.
• Very specific and robust training requirements:
  • Title IX Coordinators, investigators, decision-makers (incl. appeals), informal resolution facilitators.
• Impact on employee issues.
• Record-keeping requirements.
ATIXA’s Recommended Summer 2020 Action Plan

• Review and revise Title IX policies/procedures.
• Review and revise codes of conduct and handbooks (including employee).
• Identify who will fulfill various roles.
• Identify how you will complete mandatory training.
• Plan for community outreach to students, employees, parents/guardians, and others.
Upcoming Certification Training Opportunities with ATIXA

- K-12 Investigator
  - August 5-6
- Advanced Topics in K-12
  - August 3-4
- New OCR Regulations and Compliance
  - Fridays in July
  - July 22-23
Additional Resources


• Joining ATIXA is your BEST option to access R³ content. For more information about ATIXA membership, please visit https://atixa.org/r3-membership/
Questions?
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