

# Title IX Employee Training

Understanding Your  
Obligations to Report Student  
Sexual Harassment



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# THE LAW

- ❑ Title IX of the Education Amendments of 1972
  - ❑ Federal law
  - ❑ Prohibits discrimination based on sex by educational institutions who receive federal funding
- ❑ On sexual harassment of students:
  - ❑ Requires that schools take action to prevent sexual harassment from happening at school or at school activities or while otherwise under the school's control.

# TITLE IX COORDINATOR

- ❑ The District must designate at least one Title IX Coordinator to coordinate compliance with Title IX.
- ❑ Receives and assists with processing sexual harassment reports.
- ❑ Communications process for reporting sexual harassment.
- ❑ The Title IX Coordinators for Stamford ISD are the campus principals

# YOUR OBLIGATION

- ☐ Employees are required to report sexual harassment – or conduct that could constitute sexual harassment – to an administrator.
- ☐ Report should be made as soon as possible.
- ☐ The District is responsible for responding to sexual harassment even if the employee does NOT report it to an administrator.
- ☐ The District cannot take action if an appropriate administrator is not aware of the issue.

# SEXUAL HARASSMENT

- ❑ Conduct on the basis of sex that falls into one of the following categories.
  1. **Quid pro quo**
  2. **Hostile environment**
  3. Sexual assault
  4. Dating violence
  5. Domestic violence
  6. Stalking

# Quid Pro Quo Sexual Harassment

- ❑ An employee conditioning the favorable treatment on a student's participation in sexual conduct.
- ❑ This type of sexual harassment applies only to the actions of an employee.

# Hostile Environment Sexual Harassment

- ☐ Conduct based on sex that is so severe, pervasive and objectively offensive that it effectively denies a person equal access to school programs or activities.
- ☐ Conduct may be physical, verbal, non-verbal or any combination of the three.
- ☐ This can occur between students or between an employee and a student.

# “...based on sex”

What type of conduct may be “based on sex”?

☐ Conduct that is:

- ☐ Sexual in nature, including solicitation of sexual or romantic contact;
- ☐ Based on a person’s **sex or gender**;
- ☐ Based by a person’s **sexual orientation**;
- ☐ Based by a person’s **transgender** status;
- ☐ Based by a person’s **failure to conform to expectations** for their sex or gender;
- ☐ Not directed at a specific person but creates a hostile environment for others – such as jokes told about people of a certain sex or gender.





# When, what and who?

- ☐ **WHEN** do you have to report?
  - ☐ When you see, hear, or otherwise learn of conduct directed to or in the presence of a student that could be “based on sex.”
- ☐ **WHAT** do you need to report?
  - ☐ Report what you saw or heard.
- ☐ **WHEN** should you report?
  - ☐ Report as soon as possible and be prepared to provide specific details.
- ☐ **WHO** should you report it to?
  - ☐ Your supervisor, a campus administrator, the Title IX Coordinator



# WHY do you need to report?

- ❑ Once any employee has knowledge of “sexual harassment,” the district is considered to have knowledge and has an obligation to take action.
- ❑ The way to prevent sexual harassment is by addressing the smaller issues before they escalate into bigger issues.
- ❑ The district has a responsibility to protect students and to teach students about appropriate social interactions and respect for others.

# What will happen if you report?

- ☐ You will be asked to provide specific information regarding what you saw or heard.
- ☐ The district will conduct an investigation and determine if any policies or rules were violated.
- ☐ The district will take appropriate action to address any inappropriate conduct and ensure students are in a safe learning environment.

## Scenario 1:

**You witness this situation: A 6<sup>th</sup> grade boy is being teased on the bus for throwing “like a girl” and students are calling him “gay.”**



# Scenario 1

***A 6<sup>th</sup> grade boy is being teased on the bus for throwing “like a girl” and students are calling him “gay.”***

- ☐ Do you intervene and address the behavior? How?
- ☐ Do you report it?
- ☐ Why or why not?
- ☐ Who should you report to?
- ☐ When?

## Scenario 2:

**A student reports to you that: While on an overnight trip with the debate team a fellow debate student sneaks into the student's hotel room and gets into the bed with the student.**



# Scenario 2

***While on an overnight trip with the debate team a fellow debate student sneaks into the student's hotel room and gets into the bed with the student.***

- ☐ Do you report it?
- ☐ Why or why not?

## Scenario 3:

**You overhear students talking: The students – who are not athletes – claim that members of the baseball team initiate freshmen players by giving them swats with a wooden paddle. This is a tradition that has gone on for years.**





# Scenario 3

*The students – who are not athletes – claim that members of the baseball team initiate freshmen players by giving them swats with a wooden paddle. This is a tradition that has gone on for years.*

- ☐ Do you report it?
- ☐ Why or why not?

## Scenario 4:

**A coworker tells you: She saw a female high school student riding in the car with a male coach on the weekend.**



# Scenario 4

*She saw a female high school student riding in the car with a male coach on the weekend.*

- ☐ Should your coworker report it?
- ☐ Should **you** report it?
- ☐ Why or why not?

# REMEMBER

- ❑ If you aren't sure – **REPORT!**
- ❑ Failure to report may result in disciplinary action.



The information in this presentation was prepared by Walsh Gallegos Treviño Russo & Kyle P.C. It is intended to be used for general information only and is not to be considered specific legal advice. If specific legal advice is sought, consult an attorney.

