

Title IX



Grievance Process

Training

Office of Strategic Planning and Support Services
Department of Student Services



Title IX – WHAT IS IT?

A comprehensive federal law that **prohibits discrimination based on sex** (including sexual and gender-based harassment and sexual violence) in any federally funded education programs and/or activities.



Title IX – WHAT IS IT?

This policy applies to **Sexual Harassment that occurs within the District's education programs and activities** and that is committed by a member of the School District community or a Third Party.

This policy **does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the District's education programs and activities.**



Key Term – Sexual Harassment

Sexual harassment is defined as conduct on the basis of sex that satisfies one (1) or more of the following:

- A school employee conditioning the provision of aid, benefits, or services on the individual's participation in unwelcome sexual conduct;
- Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it denies a person equal access to the education program or activity; or
- Sexual assault, as defined in the Clery Act, or dating violence, domestic violence or stalking, as defined in the Violence Against Women Act.



Roles and Responsibilities

- Complainant
- Respondent
- Title IX Coordinator
 - District (Director of Student Services)
 - School-Based (Assistant Principal)
- Investigator (can be the same person as Title IX Coordinator – Assistant Principal)
- Decision Maker(s) K-12 (Principal)
- Appeals Decision Maker (Assistant Superintendent of Strategic Planning & Support Services)
- Hearing Officer (**Post Secondary only** – Coordinated by Director of Student Services)

What if one of our administrators is out?

Secondary – An Assistant Principal will step in to fill the vacant role.

Elementary – The School Counselor will become the Title IX Coordinator and Investigator. The Admin will serve as the decision maker.

Key Term - Notice of Report

When the District has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

This means:

- The Title IX Coordinator knows directly or
- Official “with authority to take corrective action” knows directly



Title IX Manual

Title IX Sexual Harassment Manual

Procedures Related to Reports of
Sexual Harassment



Office of Strategic Planning & Support Services
Department of Student Services
2021-2022

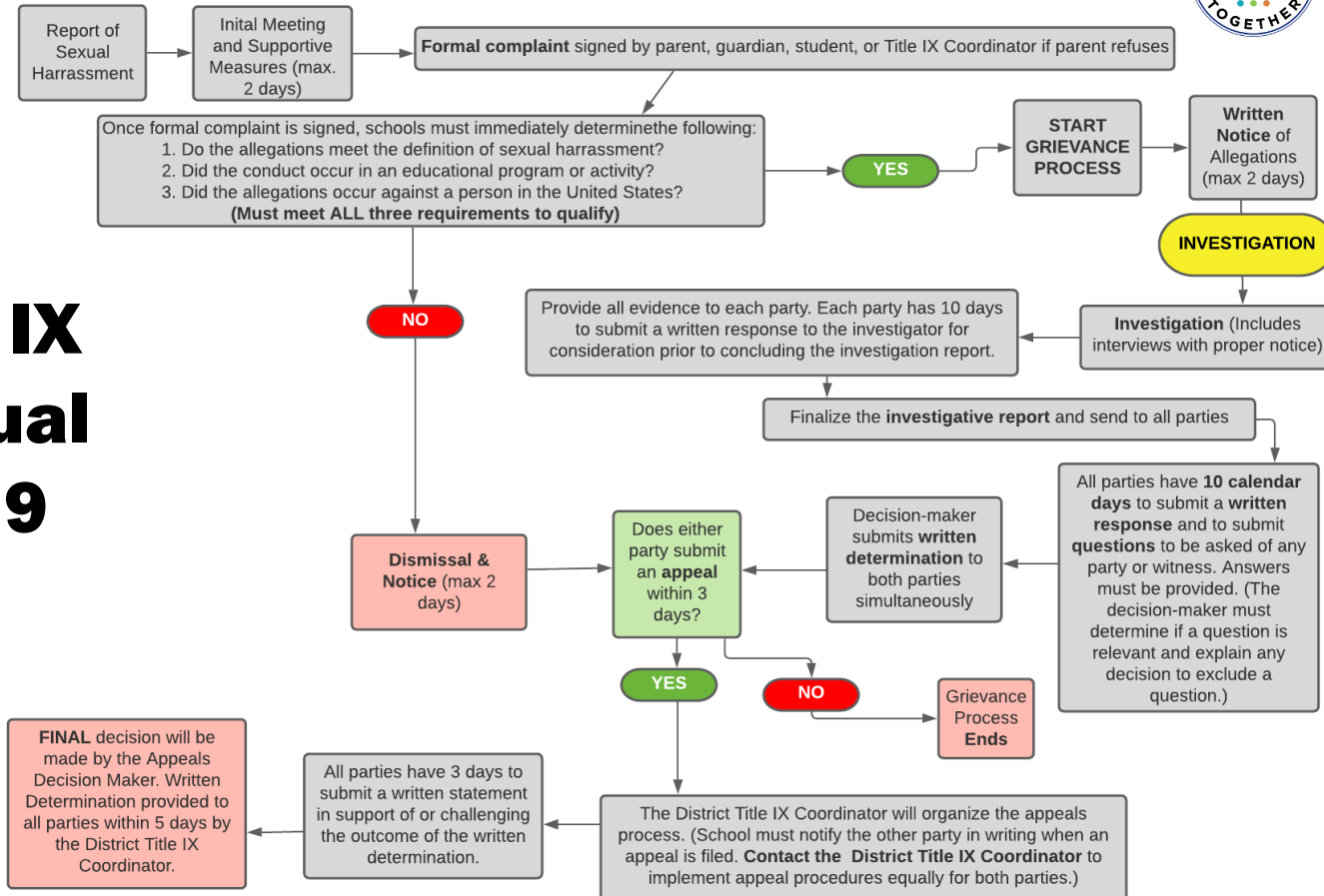
Revised 08/02/2021

Policy Number [2266](#)

- Detailed Instructions for Title IX Process
- Forms
- Definitions
- Contact Information
- Located in the Handbook Directory



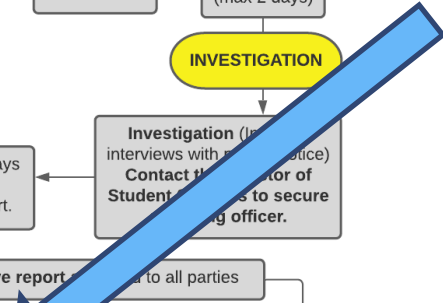
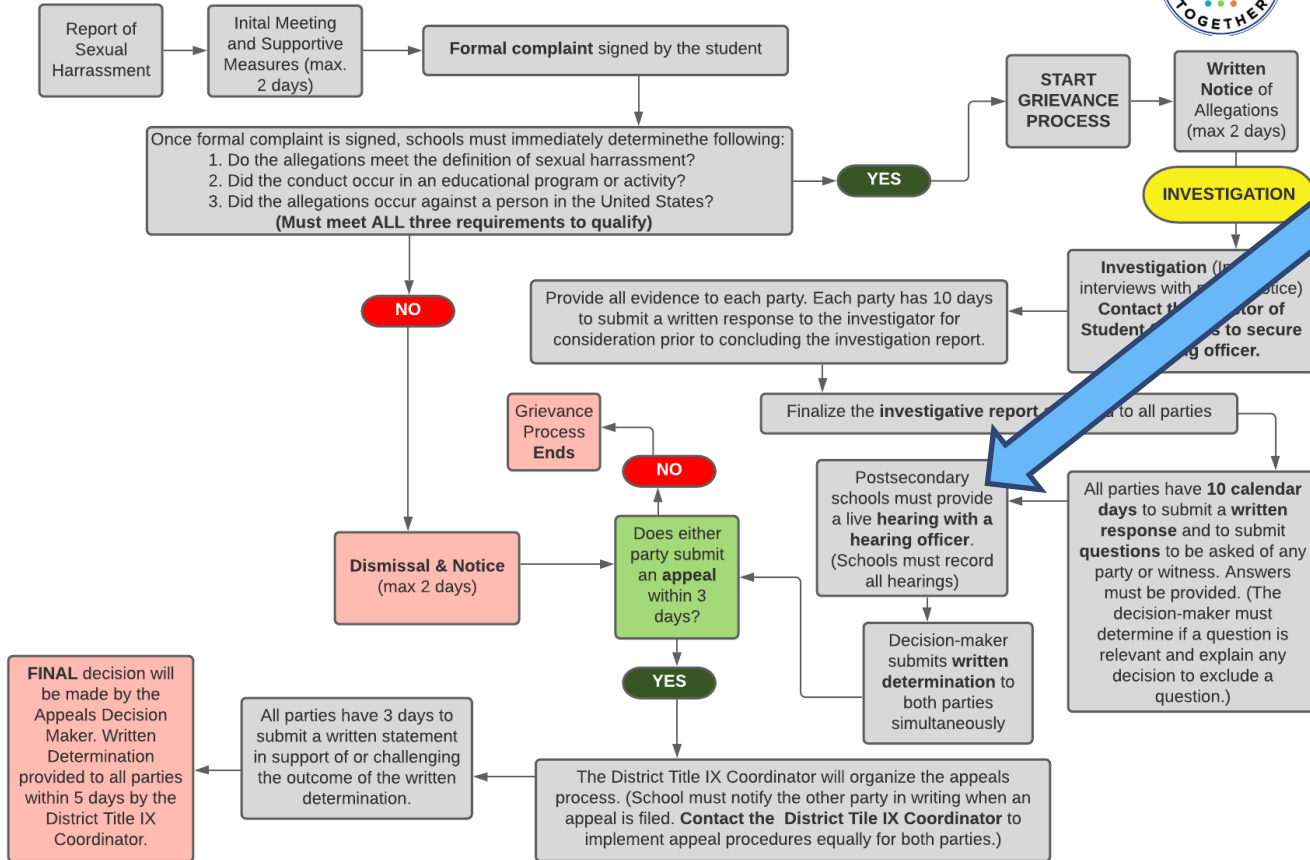
DEPARTMENT OF STUDENT SERVICES TITLE IX PROCESS FOR K - 12 STUDENTS



Title IX Manual Pg. 9



DEPARTMENT OF STUDENT SERVICES TITLE IX PROCESS FOR POSTSECONDARY STUDENTS



The difference for Post Secondary Schools is the hearing.

Remember the hearing is mandatory and must be recorded.



*All days unless otherwise noted are business days



School District of Indian River County

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Title IX Manual Pg. 24

School-based Title IX Coordinator Information

<u>School-based Title IX Coordinator Name:</u>	<u>Incident Date:</u>
<u>School:</u>	<u>Date Notified of Incident:</u>
<u>Phone #:</u>	<u>Email:</u>

Title IX School-based Coordinator and Investigator Checklist

Conflict of Interest Check		
<input type="checkbox"/>	The school-based Title IX Coordinator is not the same person as the decision-maker or appeals-decision maker.	
<input type="checkbox"/>	The school-based Title IX Coordinator has no conflicts of interest or bias for or against any complainant or respondent.	
Response to Knowledge of Sexual Harassment		
<input type="checkbox"/> or <input type="checkbox"/> n/a	If the alleged sexual harassment constituted a crime, the conduct was immediately reported to the School Resource Officer.	Date reported:
<input type="checkbox"/> or <input type="checkbox"/> n/a	If the alleged sexual harassment constituted child abuse, the conduct was immediately reported to the Florida Department of Children and Families.	Date reported:



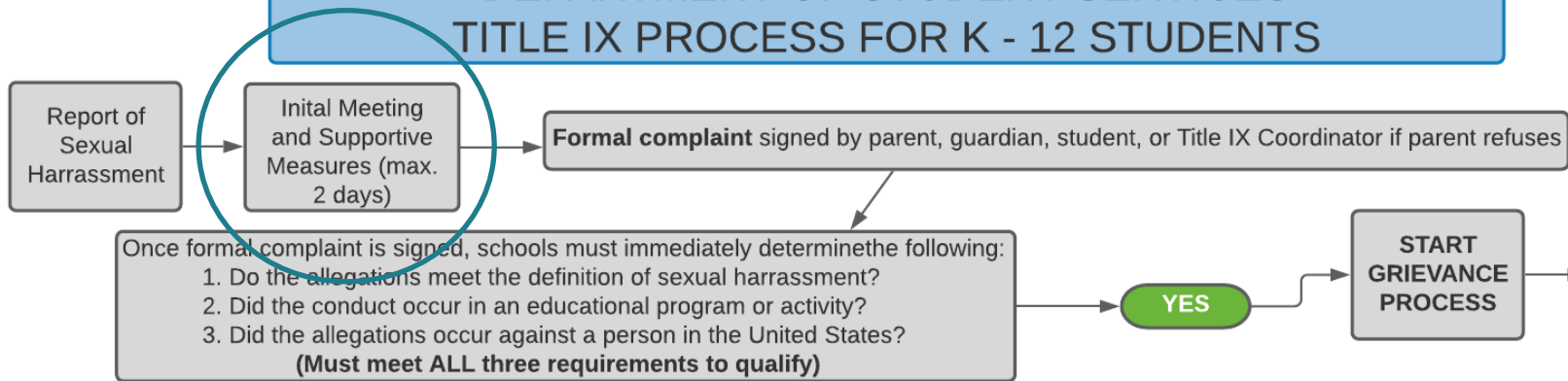
DEPARTMENT OF STUDENT SERVICES TITLE IX PROCESS FOR K - 12 STUDENTS



Note: If the report involves an allegation of sexual harassment by an adult notify the Director of Human Resources.



DEPARTMENT OF STUDENT SERVICES TITLE IX PROCESS FOR K - 12 STUDENTS



Note: If the report involves an allegation of sexual harrassment by an adult notify the Director of Human Resources.



Title IX – Key Term – Supportive Measures

Supportive Measures

Supportive measures involve non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent.

Supportive measures must be offered to the Complainant after a report of Sexual Harassment is made and regardless of whether a Formal Complaint is filed, and to both the Complainant and the Respondent after a Formal Complaint is filed.

Supportive Measures may include:

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- mutual restrictions of contact between the parties
- changes in work locations
- leaves of absence





Title IX Manual Pg. 29

Initial Meeting REPORT INFORMATION

Date of Report: _____

Name of Reporter: _____

School/Department: _____

Email: _____

Phone: _____

Name of person(s) involved:

INITIAL MEETING DETAILS

Date of Meeting: _____

Meeting Participants: _____

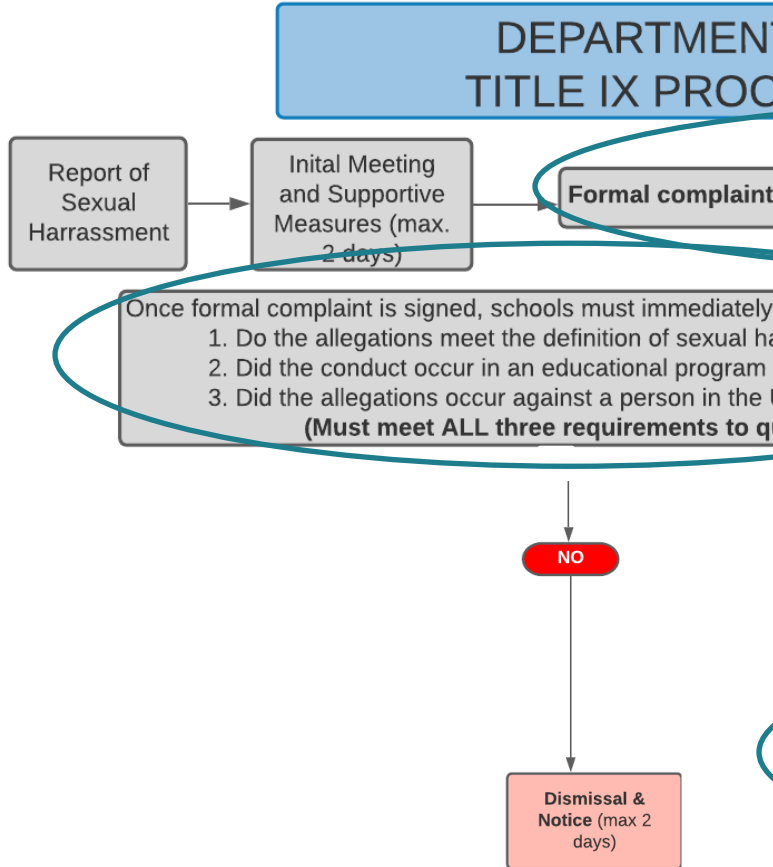
Available Supportive Measures:





Notice of Dismissal of Title IX Complaint

Title IX Manual Pg. 45



Date of Dismissal: _____

Name of parties involved: _____

Complainant: _____

Respondent: _____

Date of Complaint: _____

Reason for Dismissal:

- Alleged conduct falls outside of the scope of Title IX
- Complainant wishes to withdraw the complaint
- Respondent is no longer enrolled or employed by School District of Indian River County Schools
- The specific circumstances prevent the school from gathering sufficient evidence to reach a determination

Name of Title IX Coordinator: _____

Signature: _____ Date: _____

Please be advised that you have two (2) school days from the date of this dismissal to request an appeal. Failure to request an appeal in a timely manner constitutes a waiver of your right to an appeal.

Appeal requests must be made in writing and sent to the Decision Maker assigned in this case:

Name: _____

Email: _____





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Written Notice of Title IX Complaint

Please be advised a Title IX Complaint has been filed. The Respondent is presumed not responsible for the alleged conduct. A determination regarding responsibility is made at the conclusion of the grievance process (see below). Parties have the right to an advisor of their choice, who may be (but not required to be) an attorney. In accordance with the grievance process, the parties may inspect and review evidence. Knowingly making false statements or submitting false information at any point is a violation of School Board Policy and the Code of Student Conduct.

Name of parties involved:

Complainant: _____

Respondent: _____

Date of Complaint: _____

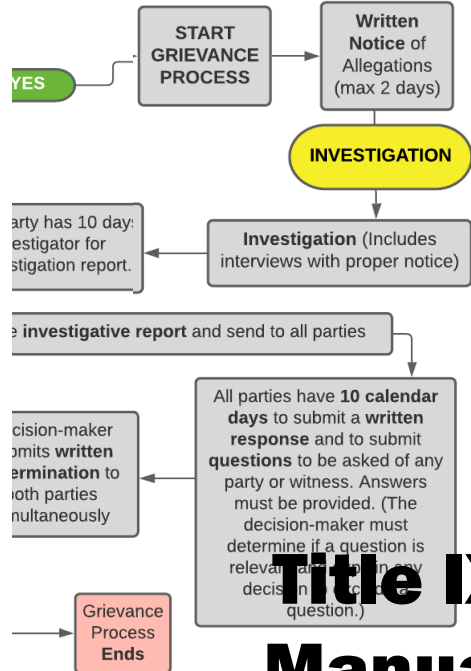
Conduct allegedly constituting sexual harassment:

Date and location of the alleged incident:

SERVICES FOR STUDENTS



or Title IX Coordinator if parent refuses

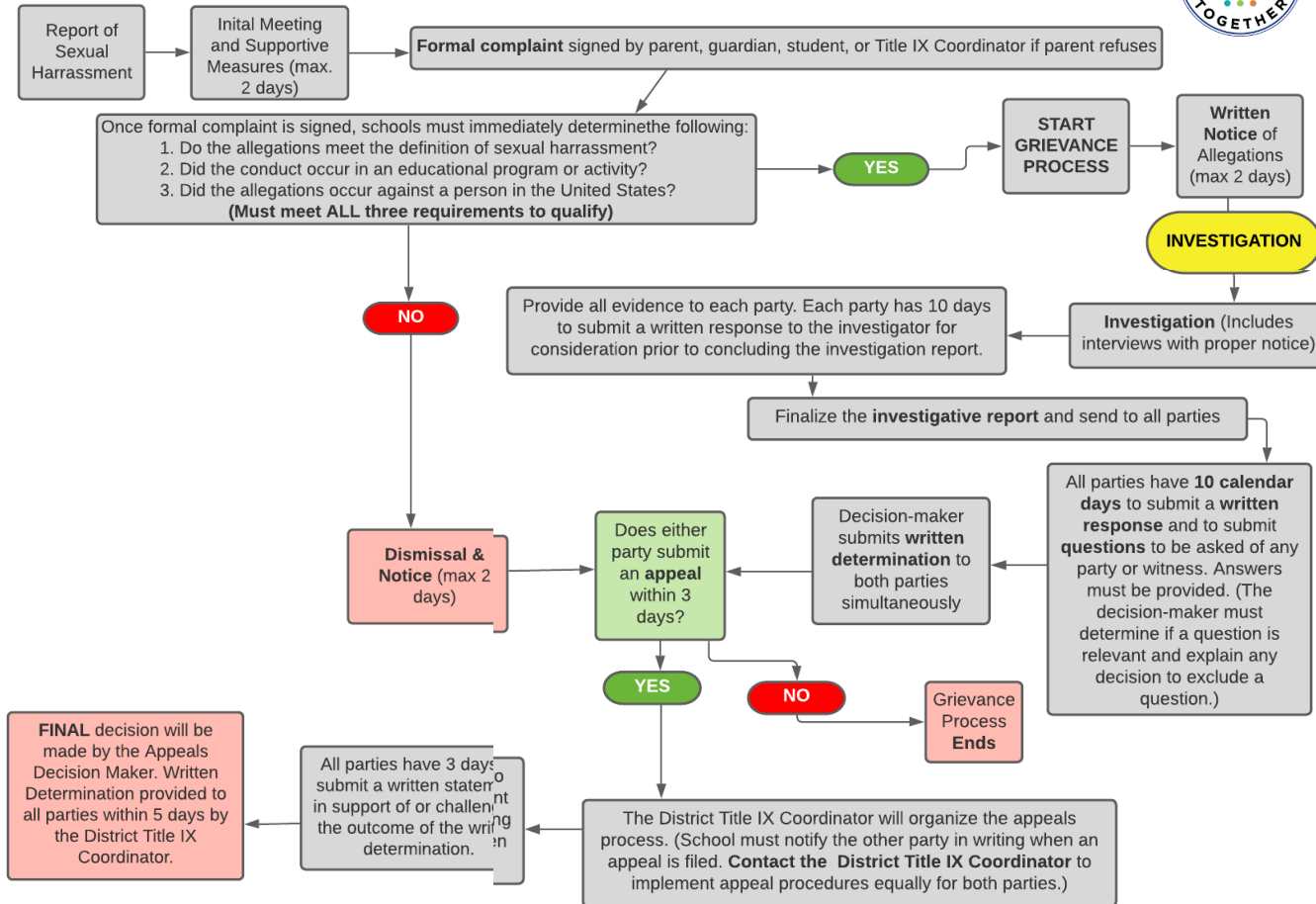


Title IX Manual Pg. 24

or will organize the appeals other party in writing when a district Title IX Coordinator to s equally for both parties.)



DEPARTMENT OF STUDENT SERVICES TITLE IX PROCESS FOR K - 12 STUDENTS



*All days unless otherwise noted are business days

12/14/2020





Written Notice of Title IX Investigative Interview

Date of Notice: _____

Name of Witness: _____

Date of Interview: _____

Time of Interview: _____

Location of Interview: _____

Participants: _____

Purpose of Interview: _____

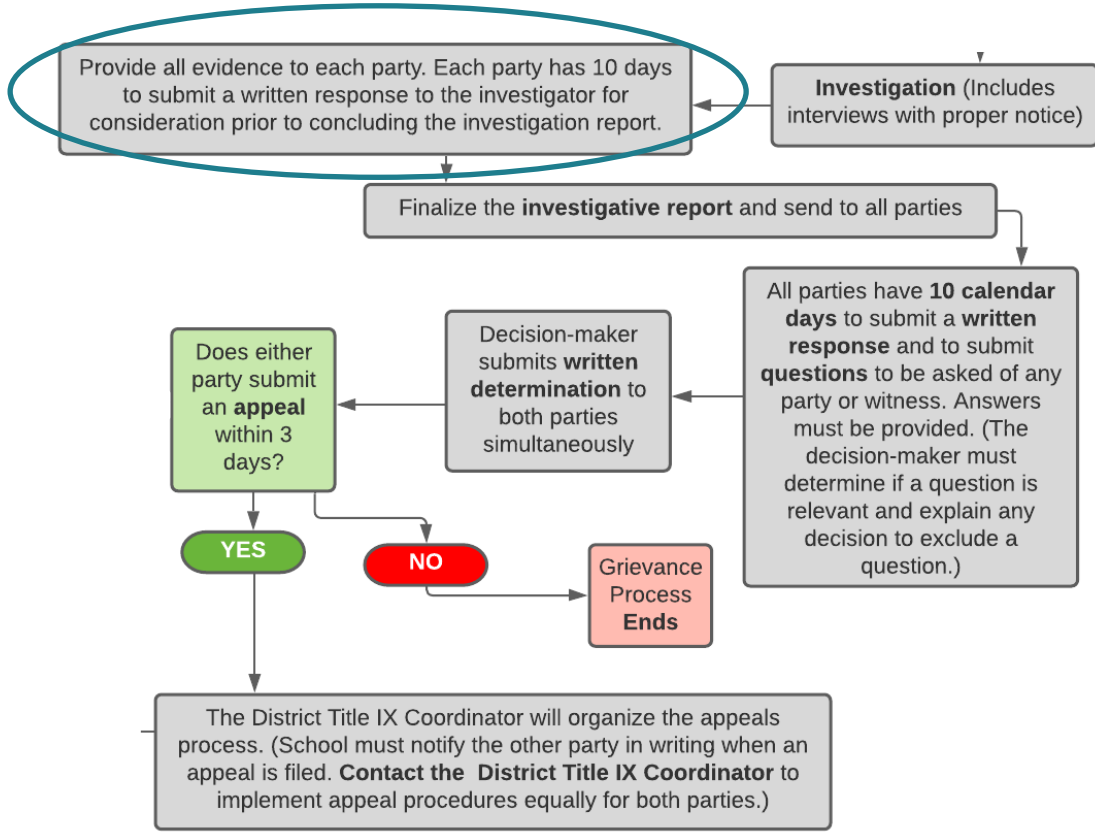
Name of Title IX Coordinator: _____

Signature: _____

Date: _____

**Title IX
Manual
Pg. 33**





Key Term - Evidence

Evidence gathered must be relevant/ pertinent to the issue presented (investigator must take an impartial stance)

Evidence must be shared- either through mail or electronic format- before completion of report

Both parties have the right to “inspect and review and respond” to any evidence obtained during the investigation that is directly related





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Notice of Title IX Investigation Evidence

Attached is the evidence related to the evidence gathered during the investigation into the allegations in the Complaint. Parties have the opportunity to submit a response to all evidence for the investigator to consider before concluding the Investigative Report. Written responses must be submitted to the Title IX Coordinator within ten (10) days of this notice.

Title IX Manual Pg. 35

Date of Notice: _____

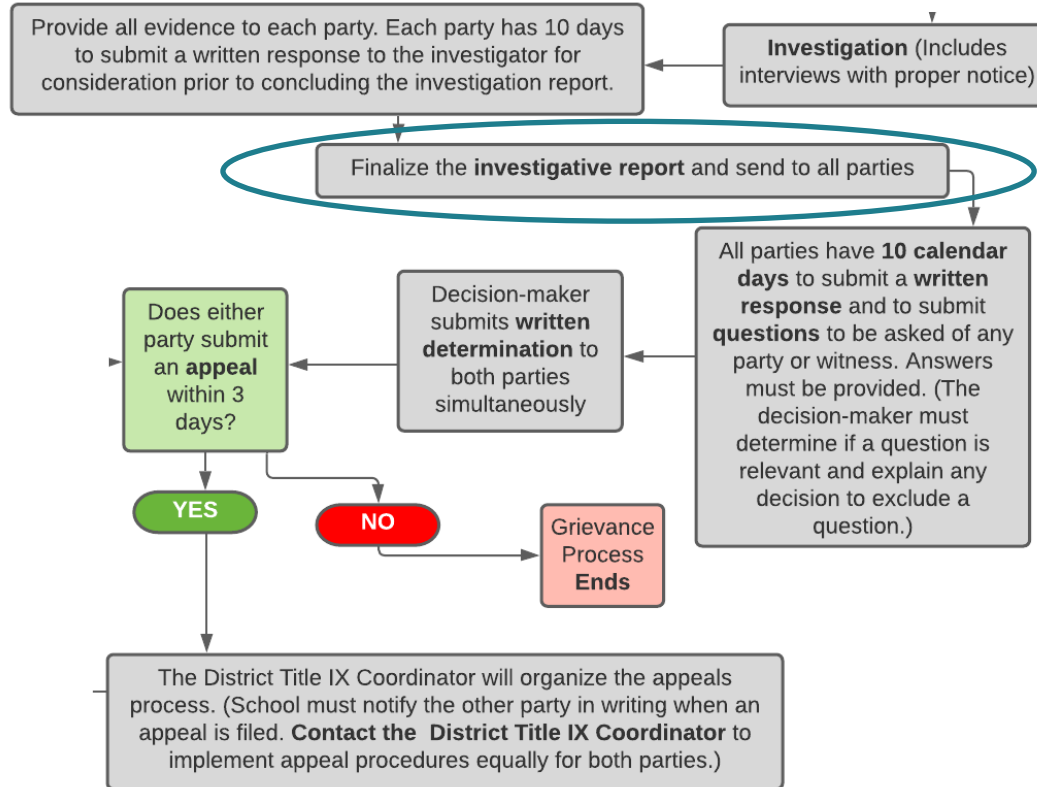
List of Evidence Provided: _____

Name of Title IX Coordinator : _____

Signature: _____

Date: _____







Title IX Investigative Report

Date of Report: _____

Name of parties Involved:

Complainant: _____

Respondent: _____

Date of Complaint: _____

Conduct allegedly constituting sexual harassment:

Date and location of the alleged incident:

Summary of Evidence:

Summary of Evidence (cont).

**Title IX
Manual
Pg. 36**



Key Term – Final Report

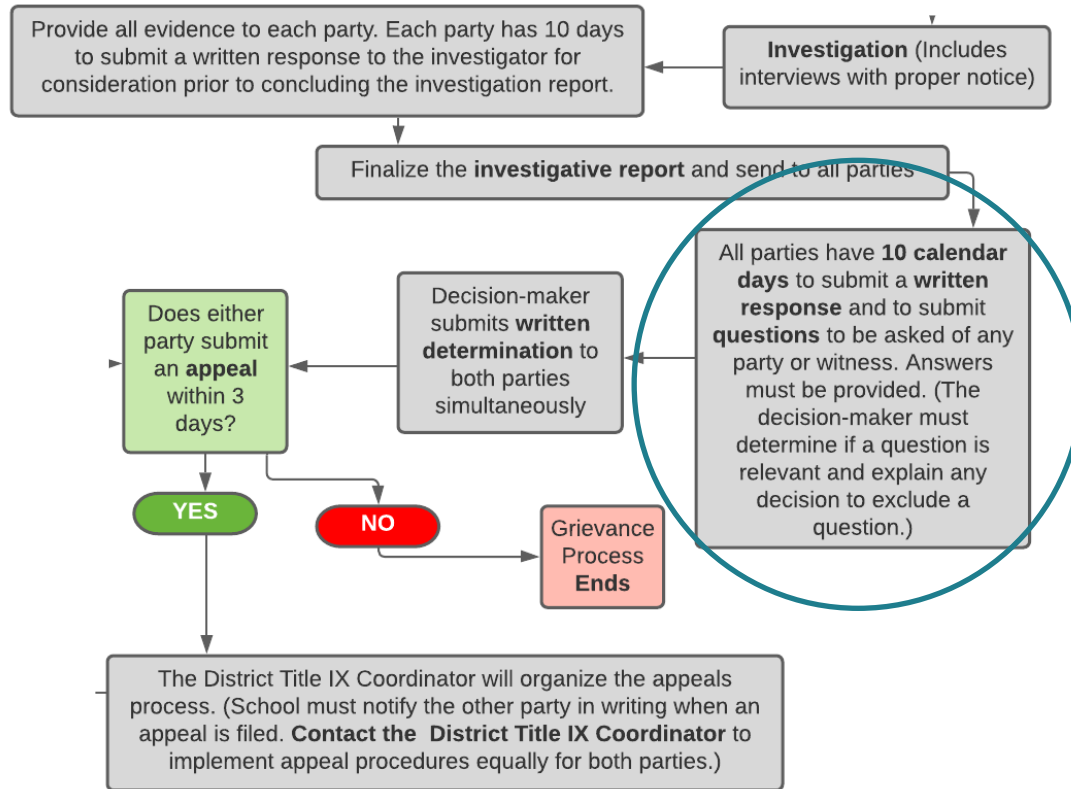
Send Final Report to all parties and the decision-maker

Impartial Tone

**Cannot have any
conflict of interest**

**All parties are presumed
innocent until final
determination**







Title IX Manual Pg. 38

Pre-Determination Questions

Name of parties involved:

Complainant: _____

Respondent: _____

Date question submitted: _____

Question submitted by (check one): ___ Complainant ___ Respondent

Question directed to (name): _____

Question: _____

Upon review, the question is deemed relevant. The response to this question must be provided to the Decision Maker by _____ (two (2) school days).

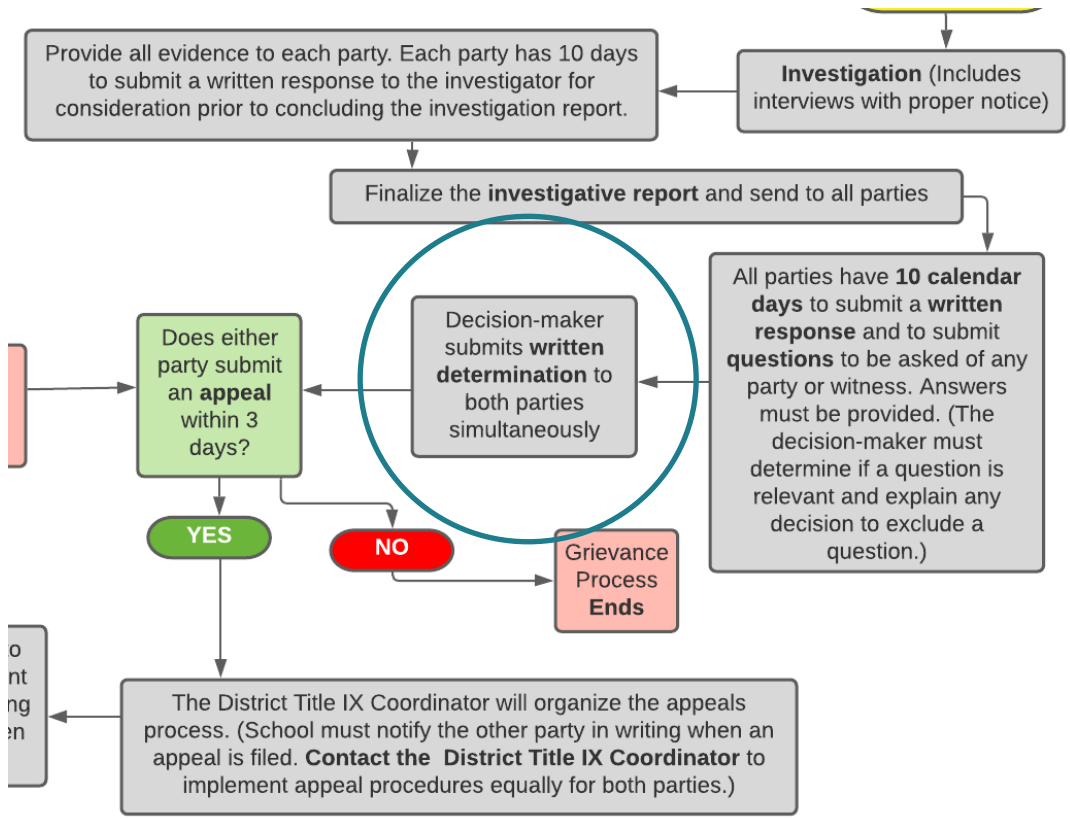
Upon review, the question is not relevant. The question was excluded because:

Name of Decision Maker: _____

Signature: _____

Date: _____





Key Term – Decision Maker Determination

Due Process in Decision :

- Must be appropriately impartial and fair (in findings and sanctions)
- Decision should be based on fundamental fair policy or rule
- Decision must have a rational and reasonable conclusion based upon the evidence
- Clear written determination to be issued to both parties and include violations



Key Term – Written Determination

Must Include :

Description of procedural steps taken in the process

Statement of rationale for the result and should include supporting facts and application of policy to such

Sanctions imposed on Respondent

Any remedies provided to the Complainant to restore or preserve access to the educational program or activity

Information on procedures for an appeal (if applicable)





Title IX Manual

Pg. 39 - 42

Decision-Maker Information

<u>Decision-Maker Name:</u>	<u>Incident Date:</u>
<u>Phone #:</u>	<u>Email:</u>
<u>School-based Title IX Coordinator:</u>	<u>School:</u>

Title IX Decision-Maker Checklist

Conflict of Interest Check

<input type="checkbox"/>	The decision-maker was not the same person as the investigator or school-based Title IX Coordinator.	
<input type="checkbox"/>	The decision-maker had no conflicts of interest or bias for or against any complainant or respondent.	

K-12 Questions

<input type="checkbox"/>	Received K-12 questions from school-based Title IX Coordinator.	Date received
<input type="checkbox"/>	Determined relevance of questions and explained any decision to exclude any question as not relevant.	

Determination Regarding Responsibility

<input type="checkbox"/>	The written investigative report and all attachments were received from the school-based Title IX Coordinator.	Date received
<input type="checkbox"/>	The preponderance of the evidence standard was used to reach a determination.	

Written Determination

Written Determination of Title IX Complaint

Date of Written Determination: _____

Name of parties involved: _____

Complainant: _____

Respondent: _____

Date of Complaint: _____

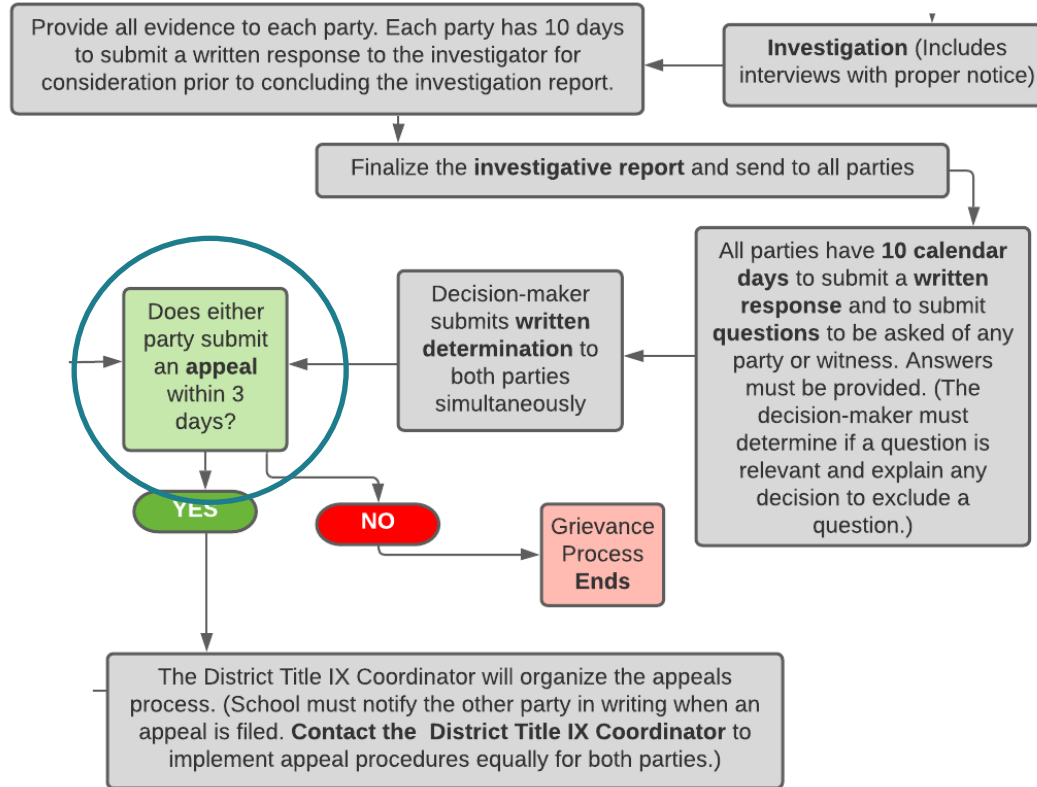
Date of Investigative Report: _____

Conduct allegedly constituting sexual harassment:

Date and location of the alleged incident:

Description of the procedural steps taken from receipt of the formal complaint through the written determination (including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence):





Title IX Manual Pg. 43 & 44



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Request for Appeal for Title IX Written Determination

Date of Request: _____

Request made on behalf of (check one):

____ Complainant: _____

____ Respondent: _____

Reason for Appeal (must check one):

____ Procedural issues affected the outcome

____ New evidence that was not reasonably available at the time the written determination or dismissal was made becomes available that could affect the outcome

____ There was a conflict of interest or bias by the school-based Title IX Coordinator, investigator, or decision-maker, against any complainant or respondent that affected the outcome.

Completed forms must be submitted to the Decision Maker within two (2) school days of the issuance of the Written Determination.

Signature: _____
(If minor, signature of parent/guardian)

Date: _____

Print Name: _____

If parent/guardian, print name of student: _____

Notice of Right to Appeal

Parties have the right to appeal this written determination. A complete Request for Appeal form (attached) must be sent to the Decision Maker within two (2) school days of the issuance of this written determination. Appeals may only take place for the following reasons:

- Procedural issues affected the outcome;
- New evidence that was not reasonably available at the time the written determination or dismissal was made becomes available that could affect the outcome; or
- There was a conflict of interest or bias by the school-based Title IX Coordinator, investigator, or decision-maker, against any complainant or respondent that affected the outcome.

Failure to submit a request for appeal constitutes a waiver of the right. This determination will become file if no appeal is filed by _____.

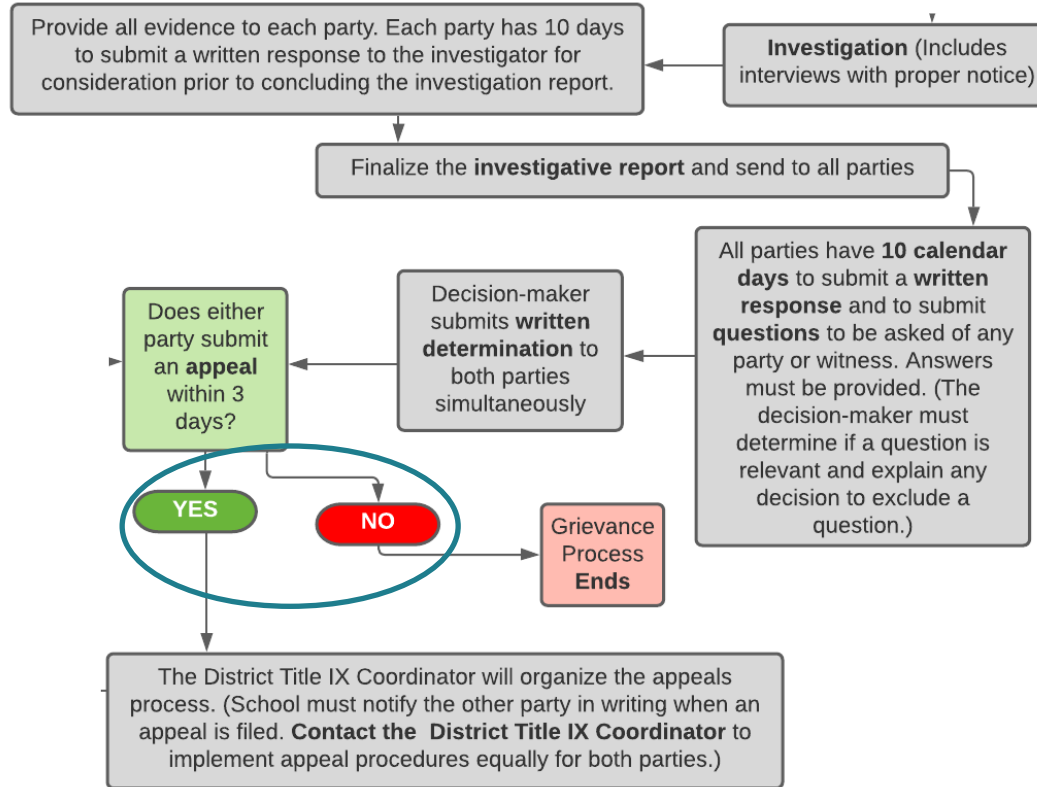
Name of Decision Maker: _____

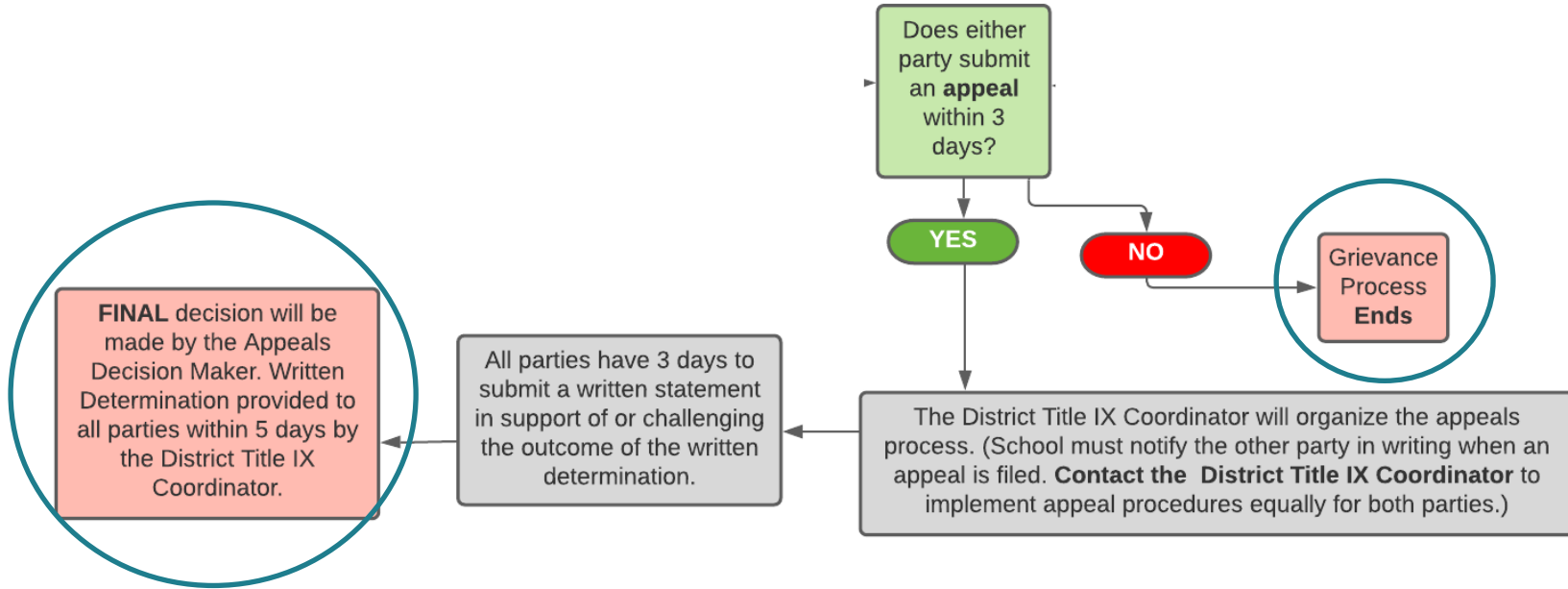
Email: _____

Phone: _____

Signature: _____ Date: _____







Title IX Resources

Title IX Sexual Harassment Manual

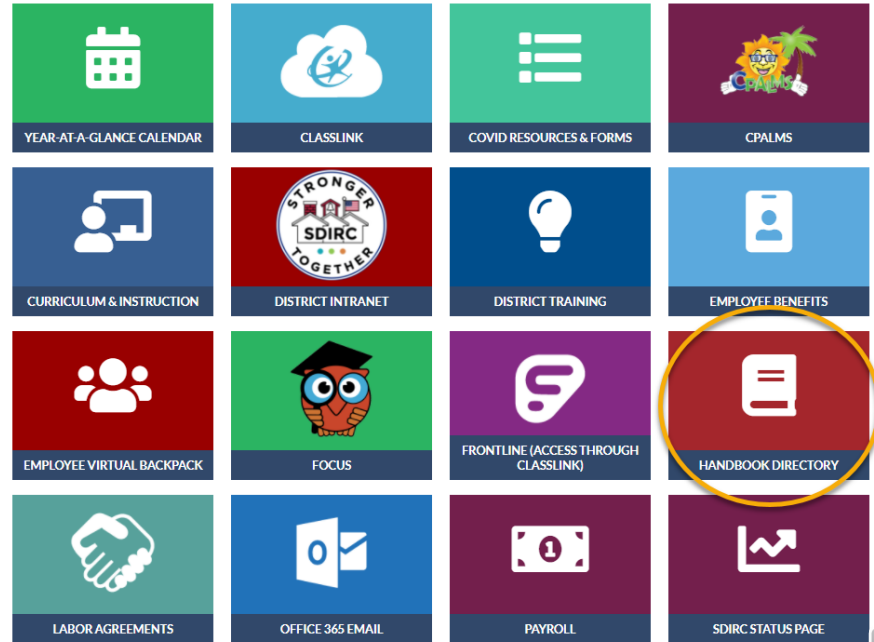
Procedures Related to Reports of
Sexual Harassment



Office of Strategic Planning & Support Services
Department of Student Services
2021-2022

Revised 08/02/2021

Policy Number [2266](#)



Title IX Resources

Board Agenda and Policies Home Search User Main Governing Board Library

FEATURED MEETINGS POLICIES LIBRARY

Search Active Policies

Book: Policy Manual



po2260
NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

po2260.01
SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

po2260.02
RACIAL EQUITY POLICY

po2261
TITLE I SERVICES

po2261.01
PARENT PARTICIPATION IN TITLE I PROGRAMS

po2261.02
TITLE I - PARENTS' RIGHT TO KNOW

po2261.03
ANNUAL REPORT REQUIREMENTS

po2262
SCHOOL AGE CHILD CARE

po2266
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES

po2270
RELIGION IN THE CURRICULUM

po2271
ARTICULATION AND ACCESS TO FLORIDA COLLEGE SYSTEM INSTITUTIONS

po2280
PHYSICAL EDUCATION

Book Policy Manual
Section 2000 Program
Title NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES
Code po2266
Status Active
Adopted January 12, 2021
Last Revised June 8, 2021

2266 – NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES

Introduction

The School Board does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the District has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs and activities.

Coverage

This policy applies to Sexual Harassment that occurs within the District's education programs and activities and that is committed by a member of the School District community or a Third Party.

I Want To

Find my Bus or School

Apply for a Job

Add Student or Register for Focus Account

See School Profiles

SDIRC Financial Transparency

Project ReEnvision 2025

Visit BoardDocs

Digital Language Web

Traducir el sitio web

Tradui sit web la



Questions?

