

Compliance and Equity Training

Fall 2023

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Agenda

- Legal updates
 - Title IX
 - Title VII
- Reasonable Suspicion
- Your role as a Mandatory Reporter
- Boundaries
- Signs of Misconduct

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.

- Title IX of the Education Amendments of 1972

Stalking

Retaliation

Harassment

Discrimination

Dating Violence

Domestic Violence

Sexual Misconduct

Sexual Harassment

- Quid Pro Quo
- Sexual Assault
- Hostile Environment – unwelcome conduct so severe **AND** pervasive **AND** objectively offensive that it denies a reasonable person equal access to an educational program of activity

MD Senate
Bill 450

Harassment includes:

Unwelcome and offensive conduct, which need not be **severe OR pervasive** when the conduct is based on a protected class.

Sexual Harassment:

Conduct which need not be **severe OR pervasive** that consists of unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature.

End of Session Report

**WE PASSED
THE HEAR OUR
VOICES ACT**

HB16

- **Hear Our Voices Act – July 2023**
- Requires
 - Who serves as the Title IX Coordinator
 - Process for filing a complaint
 - Support measures in place/how to access

- Broaden definition
- All sex-based discrimination
- Expanded Protections LGBTQI+
- *Reasonable accommodations for pregnant students
- Regulations on Students' Eligibility for Athletic Teams

COMING SOON

Updated Title IX Regulations

Title VII of the Civil Rights Act (Title VII)

15 or more employees

Prohibits discrimination based on a protected class

Race	Color	Religion	National Origin	Sex
skin color, hair texture, facial features associated with race	skin color complexion	religious beliefs any aspect of religious practices or observances	birthplace, ancestry, culture, accent, or linguistic characteristics	gender, pregnancy, sexual harassment

TODAY MY ADMIN
POPPED INTO MY CLASSROOM
TO CHECK IN WITH ME.
NOT MY STUDENTS
NOT MY TEACHING
JUST ME.
IT WAS UNEXPECTED.
IT MEANT EVERYTHING.

TEACHER TO THE CORE

Discrimination/Harassment/Bias

- Shortcut menu – familiar v. unfamiliar
- Belonging Matters
- Tips:
 - Before discounting – ASK
 - Avoid interrupting
 - Learn the correct pronunciation of names
 - Monitor non-verbal behavior

Things to remember!

- Marijuana laws
- Employee handbook – Professional Conduct
- Confidentiality and Privacy

Does Title IX Require

- Employees use a student's preferred names and pronouns?
- What about students?
- What if there is a religious objection?
- Students allowed to participate on athletic teams and use intimate facilities that match their gender identity?

Things to Consider

01

Mid-year
rollout

02

Political year

03

Athletics -
Analysis

04

Court of public
opinion



Identifying Reportable Behaviors

- Unwelcomed sexual experience over the weekend
- Questions about someone's sexual experience, activity, orientation
- Continued unwelcomed flirting/Requests for sexual encounters
- Using a racial slur/race to describe a student/employee/community member
- Offensive remarks about a religious belief
- Comments that an employee is "behind the times"
- Using incorrect pronouns



Mandatory Reporter

- Mandated by law to report
- No burden of proof
 - Suspects or reason to believe
 - Observed
- You cannot guarantee confidentiality, but you can...
 - ✓ Maintain privacy
 - ✓ Refer to resources

Responding to a Disclosure

- Ensure immediate safety
 - Physical
 - Medical
 - Mental Health
- Be transparent – Obligated to report
- Report to CPS and/or Staff Relations





Interim Support Measures

Case by case

Supportive measures, offered equally to both parties, are non-disciplinary measures, including:

- Counseling
- Modification to work/class schedules/deadlines
- No contact between parties
- Changes in work or school locations

Interim Emergency Removal Of Employees

- Factors to Consider
- Possible Directives to Employees
- Equipment/ID/Keys

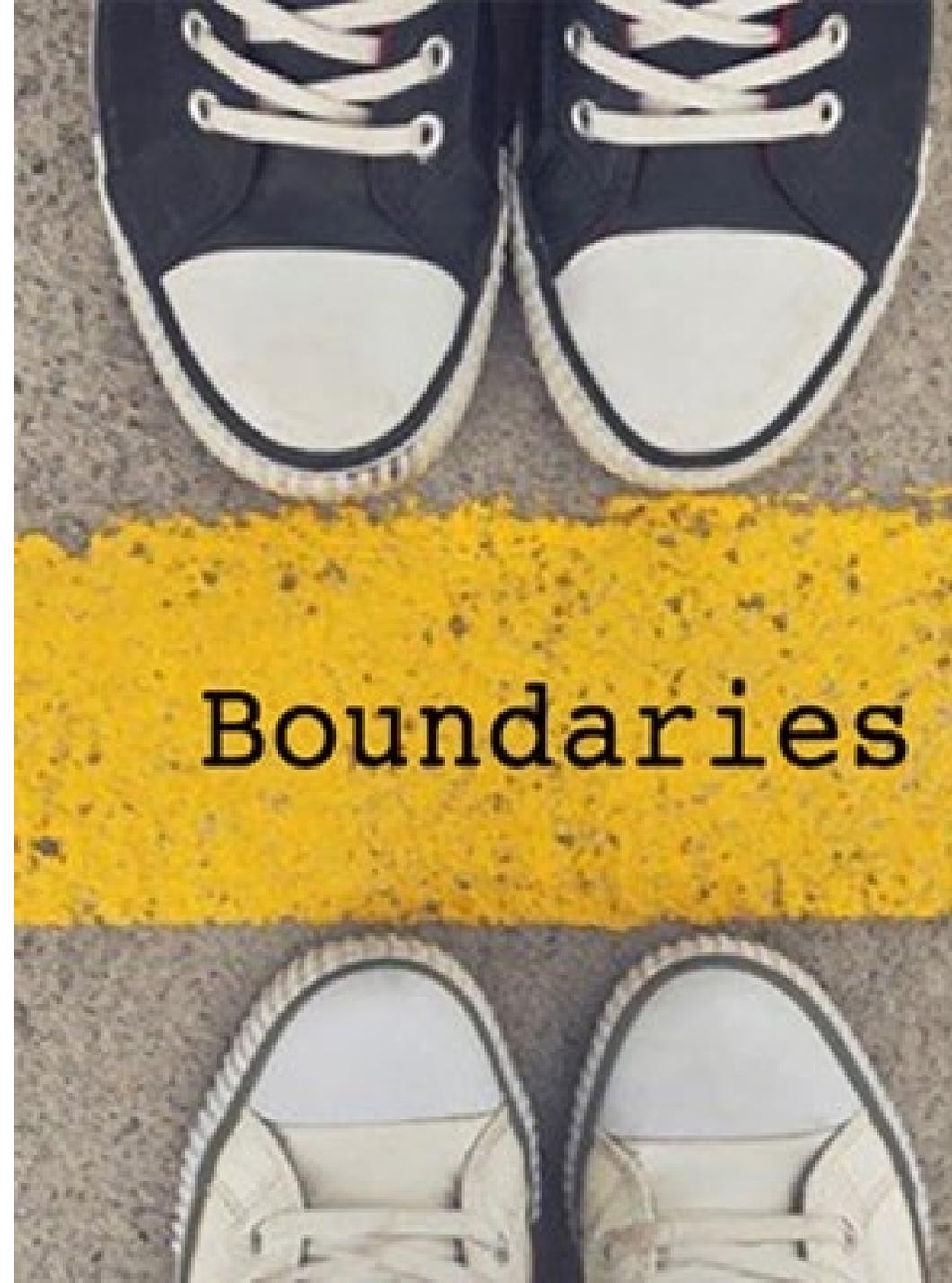


Mediation



Professional Boundaries

- Boundaries are limits that define a relationship
- Be aware of applicable policies and procedures for professional conduct, communication, and transporting students



Signs of Sexual Misconduct

- Overly affectionate behavior
- Non-educational related contact
- Inappropriate behavior/touching
- Reports feeling upset, embarrassed, anxious, unsafe, dirty
- Avoidance - complaints about stomachaches and headaches

The Six Stages of Sexual Grooming

- **Stage 1:** Targeting a Victim.
- **Stage 2:** Gaining Trust.
- **Stage 3:** Filling a Need.
- **Stage 4:** Isolating the Child.
- **Stage 5:** Sexual Contact.
- **Stage 6:** Maintaining Control.

Questions? Concerns? Feedback?

