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Where do we post our new Title IX grievance procedures and training materials?

In case you have been preoccupied with COVID-19 and school reopening plans and missed it, the U.S. Department of Education issued new regulations pertaining to Title IX for the first time in 45 years. The new regulations were published on May 6, 2020, and take effect Friday, August 14, 2020. These new regulations significantly affect the handling of sexual harassment reports.

The new regulations require that school districts prominently display on their websites their nondiscrimination policy, including the Title IX Coordinator's contact information (office address, telephone number, and email address) so that there will be clear, accessible channels for any person to report sexual harassment. For districts that subscribe to TASB Policy Service, the current Title IX Coordinator's information should be included in FFH(EXHIBIT) and DIA(EXHIBIT). This notice should also be included in the Student Handbook and Employee Handbook. The District's nondiscrimination policy must also specify that any person may report sexual harassment using the contact information for the Title IX Coordinator.

Each district must have a special grievance process to handle reports of sexual harassment and an extensive process for investigating formal complaints, which are complaints signed by the person alleged to have been the victim of conduct that might be sexual harassment or signed by the Title IX Coordinator and requesting an investigation. School officials involved in the sexual harassment grievance process will include the Title IX Coordinator, investigator(s), decision-maker(s), and facilitator(s) of informal resolution efforts in school districts that choose to provide voluntary resolution options. All of these individuals must receive training about the grievance process, treating all parties equitably, conflicts of interest/bias, standards of evidence, and other issues. All materials used to train these individuals must be posted to the district's website so that a school district's approach to training Title IX personnel may be transparently viewed by the educational community and the public.

The U.S. Department of Education did not prescribe the specific location on a school district's website where these training materials must be published. Due to the wide variety of organization of district websites, there is no single, perfect location. A district's website manager should consider the following when deciding what and where to post:

What to post:

- Notice of non-discrimination policy

- Title IX Coordinator's contact information
- Links to FFH(LLEGAL), (LOCAL), (EXHIBIT) and (REGULATIONS), DIA(LLEGAL), (LOCAL), (EXHIBIT), and (REGULATIONS, if any).
- All training materials used to train the Title IX Coordinator, investigators, decision makers, facilitators. Permission to post copyrighted materials should be obtained from the owner of the copyright, but the failure to obtain permission does not relieve a school district of the requirement to post training materials.

Where to post:

- Non-discrimination policy and Title IX Coordinator's contact information must be prominently displayed.
- There is no requirement that the materials be on the homepage or linked to the homepage.
- There is no requirement to have a section of the website dedicated to Title IX requirements, but districts may want to consider having a dedicated page given the amount of information required to be published.
- Title IX could be added as an option on a drop- down menu in the following areas: Departments, Students, Employees, Community, Public Info, Required Notices.
- There is no requirement that Title IX information be located on multiple pages of a district's website.