



IS THIS A POSSIBLE TITLE IX ISSUE?

- Does the allegation include sex-based actions (e.g., sex-based verbal or written communications; sex-based drawings or pictures; sexually inappropriate videos; sexual assault; etc.) that were committed in a context over which the district has substantial control?
 - On campus or during an online class
 - Off campus location owned or controlled by the school district
 - Off campus but a school-sponsored event

- If yes, determine whether the allegation might constitute one of the following:
 - *Quid pro quo*: An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct.

 - *Hostile environment on the basis of sex*
 - Unwelcome conduct determined by a reasonable person to be so:
 - **Severe** (sexual contact, touching in inappropriate places, public sexual shaming/objectification, or repeated incidents of less severe conduct), *or*
 - **Pervasive** (pattern or practice, widespread, occurring in public spaces), *and*
 - **Objectively offensive** (age and relationship of the parties, number of people involved, severity, humiliation, intimidation, abuse, etc.)
 - that it denies a person equal access to the district's education program or activity.
 - "Sexual assault", "dating violence", "domestic violence", or "stalking."

- If no, pursue under a different element of the student code of conduct (i.e., disrespect, inappropriate words or actions, bullying, threats, etc.).