



**DATE:** January 8, 2024

**TO:** Board of Education

**FROM:** Mrs. Kerstin Kramer, Superintendent Chief Learning Officer

**SUBJECT:** Adopt Proposed New Administrative Regulations and Exhibits  
4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based  
Harassment Complaint Procedures

**PRESENTED BY:** Mike Shepherd, Executive Director of Human Resources

---

### **ACTION REQUESTED**

Adopt the proposed new Administrative Regulations and Exhibits 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

### **BACKGROUND INFORMATION**

Regulation updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which make extensive and significant changes to the title IX grievance procedures including that they (1) require a district with knowledge of alleged conduct, which occurs in a district program or activity on or after August 1, 2024, that reasonably may constitute sex discrimination under Title IX, including sex-based harassment, to follow Title IX grievance procedures when investigating and resolving a complaint based on the alleged conduct, (2) require district's to follow "basic requirements" when implementing the Title IX grievance procedures, (3) modify the definition of a "complaint" and who may bring a complaint, (4) modify the Title IX Coordinator's responsibilities related to the initiation of a complaint when the alleged victim chooses to not bring a complaint, (5) modify the requirements related to the offering and coordination of supportive measures, (6) expand the requirements related to the dismissal of complaints, including the appeal of dismissals, (7) expand the requirements related to the informal resolution process, (8) amend requirements related to notice of allegations when a formal investigation is initiated by the district, (9) expand requirements related to the investigation procedures, (10) modify requirements related to the written decision, (11) alter the process for the appeal of the decision, (12) provide for extension of timelines, and (13) amend requirements for remedies, disciplinary actions, and record-keeping.

Additionally, regulation updated to delete material defining sex-based harassment as the definitions for sex discrimination and sex-based harassment are contained within Administrative Regulation 4119.11 – Sex Discrimination and Sex-Based Harassment, and to delete material in regard to reporting of sex-based harassment as such material is contained within other related policies. Regulation also updated to add a section on Consolidation of Complaints, and material related to record-keeping requirements for complaints containing allegations of childhood sexual assault.

Exhibit updated to reflect NEW FEDERAL REGULATIONS (89 Fed. Reg. 33474) which amend the Title IX notice of nondiscrimination on the basis of sex.

**RESOURCES REQUIRED:** N/A

**PREPARED BY:** Tichelle Criswell, Administrative Assistant, for Mike Shepherd,  
Executive Director of Human Resources

Attachments: Proposed AR and Exhibits 4119.12/4219.12/4319.12