

An aerial photograph of a meeting taking place around a light blue rectangular table. Six people are seated around the table, engaged in discussion. The participants include a woman in a tan blazer, a man in a dark blue suit, an older man in a tan jacket and glasses, a woman in a grey blazer, a man in a white shirt and tie, and a man in a dark suit. The table is equipped with various items: a laptop, a calculator, a smartphone, a pen, a notebook, and several glasses of water. The background is a plain, light-colored floor.

# FRANCISTUTTLE

TECHNOLOGY CENTER

# Title IX

**“No person in the United States shall, on the basis of sex, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”**

Title IX of the Educational Amendments of 1972  
Implementing Regulations at:  
20 U.S.C § 1681 & 34 C.F.R. Part 106

# Non-Discrimination

**Francis Tuttle is in compliance with Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Americans with Disabilities Act, and other federal and state laws and regulations and shall not discriminate with regard to race, color, religion, sexual orientation, gender/gender identity, national origin, age, marital status, veteran status, or disability. This policy is followed in the operation of its education programs and activities, recruitment, admissions, employment practices and other educational services.**

# Liability...

**Educational institutions face liability where:**

The institution is **deliberately indifferent** to known acts of sexual harassment that are so **severe, pervasive and objectionably offensive** that it deprives the student of access to educational opportunities or benefits provided by the school; or

# Liability...

**The institution allows disparities in benefits, treatment, services, or opportunities that are substantial enough to deny equality of an education program.**

# Legal Standards...

**Preponderance of Evidence** - Weight not quantity

**Equity** – Fair under the circumstances

**Hostile Environment** – 2 types of harassment;

# Harassment...

**Quid pro quo** – occurs when submission to unwelcome sexual advances is made a condition of employment or educational benefits.

# Harassment...

**Hostile environment** – occurs when unwelcome sexual or other conduct, directed toward an individual because of his or her gender, creates a hostile or abusive employment or educational environment that unreasonably interferes with the individual's work or academic performance.



# Harassment Defined...

**The determination of what constitutes sexual harassment depends upon the specific facts and the context in which the conduct occurs, but sexual harassment generally includes any repeated, unwanted: (1) verbal behavioral sexual advance; (2) sexually explicit or derogatory remarks, pictures, jokes, cartoons, or other non-verbal matter; and/or (3) statements made in the workplace or classroom that are sexually offensive or objectionable.**

# Examples...

## Verbal

- Sexual innuendoes or other sexually suggestive comments
- Sexually explicit questions, jokes or anecdotes
- Sexual slurs
- Graphic comments about an individual's clothing, body or sexual activities
- E-mail circulation or sexual materials or harassing messages
- Graffiti
- Repeated unsolicited propositions for dates and/or sexual intercourse
- Initiating and/or spreading rumors about a person's sex life
- Sexually suggestive or insulting sounds

# Examples...

## Nonverbal

- Lewd gestures
- Indecent exposure
- Display of sexually suggestive objects or pictures in the workplace or classroom without a job-related or educational purpose

## Physical

- Patting, pinching or intentional brushing against the body in a sexual manner
- Impeding or blocking movement
- Invading a person's body space, standing closer than appropriate or necessary for the work or activity being done
- Attempted or actual kissing or sexual touching

# Investigation Process...

**See Flowchart**

# Sanctions...

## Handout

# Our Goal...

**A prompt & equitable resolution of student and employee discrimination complaints.**

1. End the harassment.
2. Remedy the effects
3. Prevent the recurrence

# Our Approach...

|                               |                               |                       |                      |
|-------------------------------|-------------------------------|-----------------------|----------------------|
| <b>Thorough</b>               | <b>Reliable</b>               | <b>Impartial</b>      | <b>Investigation</b> |
| <b>Prompt</b>                 | <b>Effective</b>              | <b>Equitable</b>      | <b>Process</b>       |
| <b>End<br/>Discrimination</b> | <b>Prevent<br/>Recurrence</b> | <b>Remedy Effects</b> | <b>Remedies</b>      |

# Responsible Employee

- **Has the authority to take action to redress sexual harassment/violence;**
- **Has been given the duty of reporting incidents.**
- **Or whom a student could reasonably believe has the authority or duty.**



# Responsible Employee Must Report:

To the Title IX Coordinator or other school designee all relevant details about the alleged sexual assault/violence that the student or other person has shared. Names of the alleged perpetrator if known, student who experienced harassment, or other students involved, all relevant facts (date, time, location)

# Mention vs Notice

**Does Mention = Notice?**

**Notice** = The report of an incident or environment of sex discrimination **WITH THE EXPECTATION** of institutional response/resources/support/remedies.

# Intent vs Impact

According to the law, actual intent is irrelevant; what *is* relevant is the impact the behavior has on the recipient. Courts have found that a hostile environment exists if the victim/complainant believes the environment to be abusive and a reasonable person would find it to be an abusive environment.

# Retaliation

Francis Tuttle policy and federal law prohibit retaliation against individuals for reporting behavior that they believe to be sexual harassment or participating in an investigation of sexual harassment. Retaliation against any faculty, staff or student for reporting or providing information about sexual harassment is strictly prohibited and can subject the offender to disciplinary action independent of the merits of the sexual harassment allegation.

# Grievance Procedure

## Handout

# District Equity Coordinators

**Shari Parish, Human Resource Director**

**405.717.4284**

**sparish@francistuttle.edu**

**Jaared Scott, Assistant Superintendent of Instruction**

**405.717.4256**

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# FRANCISTUTTLE

## TECHNOLOGY CENTER

### OUR MISSION

*"We prepare our customers for success  
in the workplace."*

### OUR VISION

*"To be the first choice for programs and services  
in career and technology education."*