

2025 TITLE IX Sexual Harassment



Title IX Sexual Harassment

Education Amendments of 1972

[ACA, Nondiscrimination, Equity, and Cultural Proficiency](#)

[ACF, Sexual Misconduct and Sexual Harassment of Students](#)

[ACI, Sexual Harassment of MCPS Employees](#)

[COMAR 13A.01.06](#)

No Person, in the United States, shall 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

1

What is it?

Designed to prevent discrimination by sex and sexual harassment in public schools and government funded institutions

2

What does it mean?

Schools are prohibited from restricting admission or participation in any educational program or activities “*based on sex*”. In terms of sports, all students must have equal opportunity for participation.

3

What are the consequences?

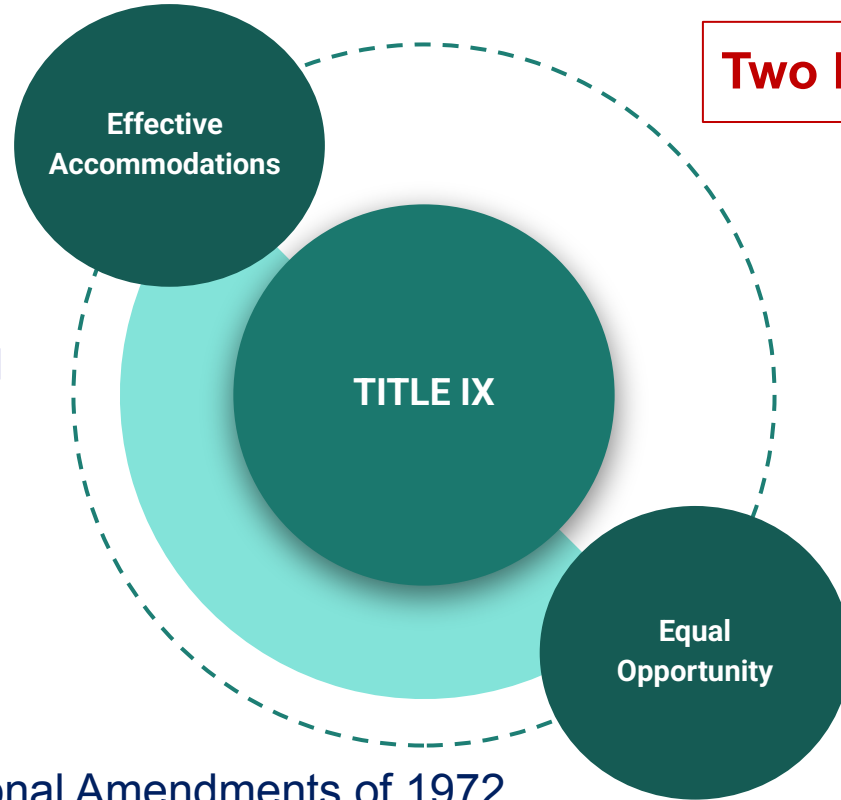
If a school is in violation of Title IX, a claim may be filed in court or with the Office of Civil Rights, which has the power to limit Federal funding to that school.

MONTGOMERY COUNTY PUBLIC SCHOOLS

Expanding Opportunity and Unleashing Potential

TITLE IX in Athletics

Two Main Components



Guiding Objectives:

- 1. Avoid use of federal funds to support discriminatory practices**
- 2. Provide effective protection against those practices**

TITLE IX of the Educational Amendments of 1972



**Effective
Accommodations**


1. **Substantial Proportionality**
 - a. Correct enrollment and participation ratio (2-3%) female enrollment to female participation.
 - b. Law does not require strict proportionality
 - c. Unduplicated and Duplicated (1 Athlete... 3 teams.... Counts as 3 opportunities)
 - d. As of first day of competition

3-Prong Test

2. **Program Expansion**
 - a. Historically AND Recent Practices
 - b. Recent Actions and Plans to Increase

NEED 1 of 3

3. **Full and Effective Accommodations**
 - a. A demonstrated interest in the sport/activity
 - b. Sufficient interest to field a viable team
 - c. Adequate number of competitors in the schools geographical area of competition
 - d. Student Voice (Surveys)
 - e. Review of non-interscholastic programs
 - f. Intramurals, clubs, PE courses, community programs
 - g. Legitimate documentation



Equal
Opportunity

**Comparable Treatment in
Athletic Program**

“Laundry List” 11 Categories

1. Equipment and supplies
2. Scheduling of games/practice times
3. Travel and Per Diem Allowance
4. Tutoring
5. Coaching
6. Locker Rooms, Practice/Game facilities
7. Medical and training facilities
8. Housing and Dining Facilities and Services
9. Publicity
10. Support Services
11. Recruitment of student athletes

“TITLE IX SEXUAL HARASSMENT”

**The Title IX
“Big 5”**

OR

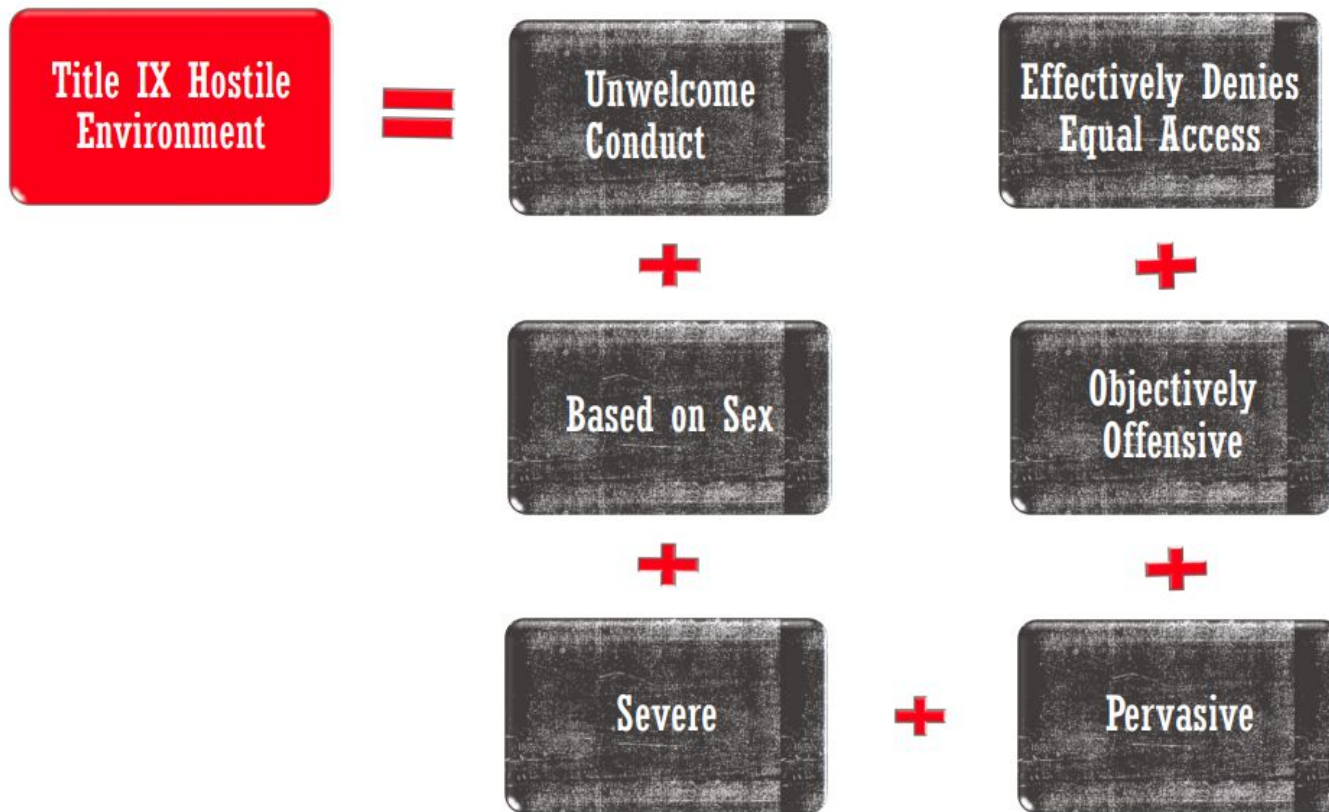
**Title IX “Hostile
Environment”**

TITLE IX “BIG 5”

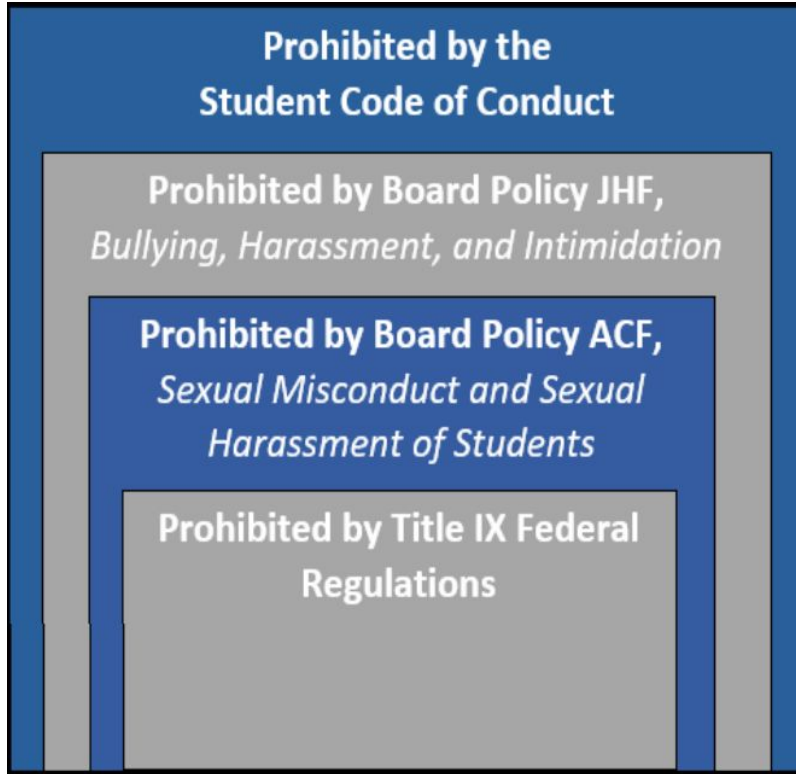
- Employee Quid Pro Quo
- Sexual Assault**
- Domestic Violence**
- Dating Violence**
- Stalking**



** as defined in the federal higher education laws, the Clery Act and the Violence Against Women Act



Student Sexual Misconduct and Sexual Harassment



Sexual Misconduct and Sexual Harassment are subsets of bullying, harassment, and intimidation [Policy JHF] and are governed by additional regulations, policies, and laws, including Title IX of the Educational Amendments of 1972. [Policy ACF]

Sexual Misconduct defined

Under MCPS Policy ACF, **sexual misconduct** is defined as **unwelcome verbal, written or physical behavior directed at an individual, or against a particular group, because of actual or perceived sex, sexual orientation, gender identity, gender expression..**
that takes place under any of the following circumstances:

What is Sexual Misconduct?

- **When submission to or rejection of such conduct is made (explicitly or implicitly):**
 - **A term or condition of;**
 - **Used as a basis for, or as a factor in decisions affecting;**
 - **Has the purpose or effect of creating an intimidating, hostile, or offensive environment for;**
 - **Unreasonably interferes with; or**
 - **Is sufficiently severe or pervasive that it alters the terms, conditions, or privileges of**

... an individual's education, or ability to participate in a MCPS activity or program.

[Misconduct can happen on school grounds, sporting events, off-campus or online]

Sexual Harassment defined

Under MCPS Policy ACF and Title IX of the Educational Amendments of 1972, conduct considered **sexual harassment** is considered if a MCPS student experiences one or more of the following:

What is Sexual Harassment?

▪ Conduct meets one or more of the following conditions:

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to MCPS educational programs or activities; or
- The federal definitions of “Sexual Assault”, “Dating Violence”, “Domestic Violence”, or “Stalking”;
- A MCPS employee conditioning the provision of an aid, benefit, or service of MCPS contingent on an individual’s participation in unwelcome sexual conduct “Quid Pro Quo”; or
- Under circumstances in which MCPS have substantial control over both the harasser and the context in which the harassment occurred.

[Factors are evaluated from both the subjective and objective viewpoints, considering not only the effect that the conduct actually had on the person, but also the impact it would likely have had on a reasonable person in the same situation.]

What Happens

EVERYONE is Protected from Sexual Harassment

Inappropriate student conduct addressed in the MCPS Student Code of Conduct

Bullying, harassment, and intimidation prohibited by Board policy and state law

Sexual harassment prohibited by Title IX



When sexual harassment is alleged, MCPS will act in the following ways:

Report and Implement a Safety and Supportive Measures Plan

Investigate the incident and determine if harassment occurred

- Prevent its recurrence
- Remedy its effects
- Provide Support Services for both the victim/offender
- Ensure students & families know how to report subsequent incidents

Depending on the severity of the offense, appropriate disciplinary action will be taken per the Student Code of Conduct

Reporting Forms:

Maryland's Largest School District
MONTGOMERY COUNTY PUBLIC SCHOOLS

MONTGOMERY COUNTY PUBLIC SCHOOLS
OFFICIAL FORM
 CLEAR FORM

0422-23 EGPS
 August 2024
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Title IX Discrimination Formal Complaint

Title IX of the Education Amendments of 1972 (20 U.S.C. 1681) is a federal law that prohibits discrimination based on sex of individuals in educational institutions that receive federal financial assistance. When a formal complaint has been filed, the Title IX Coordinator will ensure MCPS responds to the complainant. Information about the district's Title IX grievance process will be provided to the Complainant and Respondent.

- COMPLAINANT:** An individual who is alleged to be the victim of sexual harassment.
- RESPONDENT:** An individual who is alleged to be the perpetrator of sexual harassment.
- FORMAL COMPLAINT:** A document filed by a Complainant (or parent/guardian) and/or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the school district investigate the allegation.

Written complaints should be mailed to the address provided below or emailed to TitleIX@mcpsmd.org

In your correspondence, please include:

- The complainant's name, address, and telephone number where the complainant should be reached during business hours;
- Information about the person(s) injured by the alleged sexual harassment;
- The name and location of the MCPS school/office where the alleged sexual harassment occurred; and
- A description of the alleged sexual harassment in sufficient detail to enable MCPS to understand what occurred and when the incident happened.

MCPS Title IX Coordinator: Gregory S. Edmundson
 Director, Student Welfare and Compliance
 Districtwide Title IX Coordinator
 15 West Gude Drive, Suite 200
 Rockville, Maryland 20850
 240-740-3215

COMPLAINANT PERSONAL INFORMATION (Please Print)

Name _____
 Email _____
 Home Address _____
 City _____ State _____ Zip Code _____
 Phone Numbers: Cell _____ Work _____
 Student ID _____ School/Campus _____
 Employee ID _____ Job Title _____
 Employee's School/Office Location _____

TYPE OF COMPLAINT

Formal Complaint Form
Title IX Complaint Form

Maryland's Largest School District
MONTGOMERY COUNTY PUBLIC SCHOOLS

MONTGOMERY COUNTY PUBLIC SCHOOLS
OFFICIAL FORM
 CLEAR FORM

MCPS Form 230-35
 August 2022
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Bullying, Harassment, or Intimidation Reporting Form

Office of District Operations—Student Welfare and Compliance
 MONTGOMERY COUNTY PUBLIC SCHOOLS • Rockville, Maryland 20850

This form is to be maintained confidentially in accordance with the Safe Schools Reporting Act of 2005, Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g. See Montgomery County Board Policy ACA, Nondiscrimination, Equity, and Cultural Proficiency; Board Policy JHF, Bullying, Harassment, or Intimidation; and MCPS Regulation JHF-BA, Student Bullying, Harassment, or Intimidation; for additional information and definitions.

Today's date: ____/____/____ School _____ School System **MONTGOMERY COUNTY PUBLIC SCHOOLS**

DIRECTIONS

The Bullying, Harassment or Intimidation Reporting Form should be used to report alleged incidents of bullying, harassment, or intimidation that occurred during the current school year on school property, at a school-sponsored activity or event off school property, on a school bus, on the way to and/or from school, or through personal mobile device on or off school property. School staff will address incidents that occur at school or have a connection or nexus back to the school setting that create a risk of harm to other students while they are at school or interfere with the educational environment.

If you are a student, the parent/guardian or a family member of a student, a school staff member, or a bystander and wish to report an incident of alleged bullying, cyberbullying, harassment, or intimidation, please complete this form and return it to the school principal. You may contact the school for additional information or assistance at any time. (Bullying, cyberbullying, harassment, and intimidation definitions are provided below.)

DEFINITIONS

BULLYING—is unwanted, demeaning behavior among students that involves a real or perceived power imbalance. The behavior is repeated, or is highly likely to be repeated, over time. In order to be considered bullying, the behavior must be intentional and include 1) An imbalance of power (students who bully use their physical, emotional, social, or academic power to control, exclude, or harm others) and 2) Repetition (bullying behaviors happen more than once or are highly likely to be repeated based on evidence gathered).

CYBERBULLYING—is bullying transmitted by means of personal mobile devices through electronic communication that allows individuals to view or share content. Cyberbullying includes sending, posting, or sharing personal or private information about someone causing embarrassment or humiliation.

HARASSMENT—includes actual or perceived negative actions that offend, ridicule, or demean another student with regard to race, ethnicity, national origin, immigration status, family/parental or marital status, sex, sexual orientation, gender identity, gender expression, religion, ancestry, physical attributes, socioeconomic status, physical or mental ability, or disability.

INTIMIDATION—is any communication or action directed against another student that threatens or induces a sense of fear and/or inferiority. Retaliation may be considered a form of intimidation.

PERSON REPORTING INCIDENT (Please print all information)

Name _____
 Telephone _____ Email _____

Check the appropriate box:
 Student Parent/guardian/caregiver of a student Close adult relative of a student School staff Bystander

1. COMPLAINANT(S); PERSON(S) ALLEGED TO BE THE VICTIM

Name _____ Age _____ School (if known) _____ Days absent as a result of the incident (if known) _____

Student Complaints
MCPS Form 230-35

Maryland's Largest School District
MONTGOMERY COUNTY PUBLIC SCHOOLS

MONTGOMERY COUNTY PUBLIC SCHOOLS
OFFICIAL FORM
 CLEAR FORM

MCPS Form 230-39
 August 2024
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Discrimination, Harassment, and Workplace Bully Complaint

Office of Human Resources and Development (OHRD)
 MONTGOMERY COUNTY PUBLIC SCHOOLS
 Rockville, Maryland 20850

INSTRUCTIONS

Employees are encouraged to use the electronic or PDF version of this form when making a complaint of discrimination, harassment, or workplace bullying under MCPS Regulations ACA-RA: Nondiscrimination, Equity, and Cultural Proficiency and/or ACA-RA: Workplace Bullying. The electronic version of this form is found online: www2.montgomeryschoolsmd.org/departments/forms/detail.aspx?formID=5711&formNumber=230-39&catID=1&subCatID=78. Forms can be emailed to DCI@mcpsmd.org.

Employees should complete all sections of this form. Be specific as possible when discussing the incident(s). Include the date(s), description(s), the name(s) of the person(s) involved, and the name(s) of those who may have witnessed the incident(s). In addition to this form, you are permitted to attach additional materials, which may assist in the investigation process.

Questions about complaints of discrimination, harassment, or workplace bullying may be directed to the Department of Compliance and Investigations (DCI) at 240-740-2888.

EMPLOYEE INFORMATION

Name: Last _____ First _____ MI _____
 Today's Date: ____/____/____ Employee ID# _____ Preferred Phone: _____
 Work Location: _____ Email: _____

Name of Offending Person(s) _____

Complaint Type Discrimination Harassment Workplace Bullying

Complaint of Discrimination/Harassment Only: Select basis.

Age Gender Identity National Origin Religion
 Color Genetic Information Sex, Sexual Orientation, Pregnancy Retaliation
 Disability Marital Status Race Veteran Status

When did the Incident(s) occur? (Include all dates if there are multiple instances) _____

Where did the incident(s) occur? (Include specific location information) _____

Describe what happened (events, impact, and outcome). (Attach any additional pages or documentation as needed)

Staff Complaints
MCPS Form 230-39

School-Based Student Investigations

FY25 Student-Student Sexual Misconduct RESPONDING PROCEDURES

Sexual misconduct is prohibited under MCPS Board Policy ACF. All Allegations of sexual misconduct must be investigated and documented. Incidents of sexual misconduct may be categorized as sexual harassment under Title IX of the Educational Amendments of 1972.

Sexual Misconduct under MCPS Board Policy ACF: Unwelcome verbal, written, electronic, or physical behavior directed at an individual, or against a particular group, because of actual or perceived sex, sexual orientation, gender identity, gender expression.

Sexual Harassment under Title IX Federal Regulations

- A student experiences unwelcome sexual conduct:
- Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively DENIES or LIMITS a person's equal access to an MCPS educational program or activity;
 - The federal definitions of "Sexual Assault";
 - A MCPS employee conditioning the provision of or participation in unwelcome sexual conduct; or
 - Under circumstances in which MCPS has substantial control over both the harasser and the context in which the harassment occurred.

STEPS FOR ALLEGATIONS

1. REPORT staff at []
2. COORDINATE with []
3. []
4. []

Prohibited by the Student Code of Conduct

Prohibited by Board Policy JWF, Bullying, Harassment, and Intimidation

Prohibited by Board Policy ACF, Sexual Misconduct and Sexual Harassment of Students

Prohibited by Title IX Federal Regulations

MONTGOMERY COUNTY PUBLIC SCHOOLS

MCPS Supportive Measures Plan

Montgomery County Public Schools provides a safe and secure learning environment that is free from bullying, harassment (including sexual harassment) and intimidation. Students who have been the alleged targets of such behavior may need supportive measures to ensure their emotional and physical safety is secure during investigations and/or after discipline has been imposed on the aggressor. This safety plan highlights key issues for you to consider to assist in providing supportive measures to complainants (alleged victims). It is also strongly encouraged that supportive measures be provided to respondents (alleged offenders) as appropriate. It is understood that each situation is different and that additional considerations may be included. The plan includes two components: the actions school staff will engage in and the expected actions of the student(s) involved. This plan has a definite start and a proposed end date. It is meant to cover the entire school day, from the time a student boards a bus in the morning until they depart the bus at the end of the day. The complainant needs to be safe during before-school and after-school activities, and protected from any new bullying/harassment by others in retaliation for reporting or in response to disciplinary actions. The plan designates a Primary Staff Contact for the complainant. This person is someone with whom the student feels most comfortable. It is the intent of this plan to be implemented in a way which is minimally intrusive and not unreasonably burdensome.

STUDENT INFORMATION

School Name -- Choose One --
Student's Name --
Student Number: _____ Bus Route Number _____ Grade Level _____
Primary Staff Contact: _____
Plan Start Date: _____ Proposed End Date: _____ Secondary Staff Contact: _____

STAFF SUPPORTS

- Staff who work with the student will be informed of this safety plan and will make every effort to implement it successfully within the school.
- Staff who witness or are otherwise made aware of any harassing, intimidating or bullying behavior directed toward the student will intervene immediately and will report such behavior to administration.
- Staff/security will be visible in the hallways to monitor students during passing times.
- Additional supports in place:

SCHOOL SUPPORTS

- Student schedule was changed on _____
- Classroom/bench room seat assignments changed.
- Student will be dropped off in the main office during arrival, where they will wait until just after the bell rings to go to class to ensure there is no hallway contact.
- Student will be excused 5 minutes early, at the end of each class/dismissal to ensure there is not hallway contact.
- Trained friends/student escorts.
- Bus Route changes, seat assignments, after school activity/team travel.

- ❑ Know the policies, use the [Quick Guides](#): outlines steps
- ❑ Student incidents complete [MCPS BULLYING REPORTING FORM 230-35](#)
- ❑ Inform Administration
- ❑ POLICE are called for allegations involving rape or sexual assault by force (or threat of force)
IF MCPD takes the case, you must immediately implement a safety plan to ensure both students have full access to school programming and activities, while not having interactions or access to each other
- ❑ Serious Incidents are reported to OSSI
- ❑ Student investigations complete [MCPS FORM 230-36](#)
- ❑ Staff investigations consult with DCI (DCI@MCPSMD.ORG)

School Investigations:

230-36 Bullying Investigation Form

- Be prompt, thorough, and impartial
- Know the policy and have the QUICK REFERENCE GUIDE
- Have an investigation plan, who to interview, what to ask, logistics
- Gather the facts/statement from the alleged victim(s):
who/what/where/when/why?
- Gather potential evidence: security cameras, emails, texts, notes, etc.
- Witnesses interview/statements, include all potential evidence
- Alleged offender(s) interview/statement, include all potential evidence

[Investigative Interview Questions](#)



Depending on the outcome, disciplinary action will be taken per the [Student Code of Conduct](#)



WAYS TO REPORT HATE-BIAS, BULLYING, HARASSMENT, AND HAZING INCIDENTS

Montgomery County
Police Department
(MCPD) **301-279-8000**

Victim Assistance
and Sexual Assault
240-777-4357

Lighthouse Hotline
877-268-8620
reports@lighthouse-services.com

MCPS FORM 230-35,
Bullying Harassment,
or Intimidation Reporting Form

TITLE IX COMPLAINT FORM
(MCPS Website)

Crisis Center
TEXT OR CALL 988

MCPS SCHOOL STAFF/
ADMINISTRATOR

TITLE IX COORDINATOR
TitleIX@mcpsmd.org

MCPS FORM 226-5,
Hate-Bias Incident Reporting Form

CALL 911 FOR ANY INCIDENTS OF IMMINENT DANGER



VISIT OUR WEBSITE
Student Welfare
and Compliance Unit



***ANONYMOUS** reports
will be investigated

****Anonymous reports will be investigated
For Emergency Service Call 9-1-1***

MONTGOMERY COUNTY PUBLIC SCHOOLS

Expanding Opportunity and Unleashing Potential

Options for Anonymously Reporting Student or Staff allegations of Misconduct, Sexual Harassment or Bullying (Including Workplace Bullying)

LightHouse Hotline

MCPS employees are encouraged to speak freely with their supervisors, even with regard to concerns they may have about their workplace. In certain cases, however, they may feel it is not appropriate to discuss their concerns with their supervisor. Lighthouse Services provides a place where they can report concerns anonymously.

Employees can make a report anonymously 24 hours a day, 7 days a week. Reports can be received in more than 140 languages, including Spanish.

Toll free telephone number:

877-268-8620

Email address:

reports@lighthouse-services.com

The Montgomery County Office of the Inspector General

The Montgomery County Office of the Inspector General (OIG) is an independent office of county government that conducts investigations and proactive audits and evaluations to increase transparency and accountability in publicly funded programs and agencies including Montgomery County Public Schools and the Board of Education.

Anyone may contact the office to make a report or raise a concern. Under County law, it is illegal to retaliate against employees and contractors for making a report to the OIG.

Hotline phone number: 240-777-7644

Email address:

IG@montgomerycountymd.gov

Maryland Center for Safe Schools

Safe Schools Maryland is an ANONYMOUS and FREE reporting system available to students, teachers, school staff members, parents, and the general public to report any school or student safety concerns, including mental health concerns. Safe Schools Maryland is Maryland's only official anonymous reporting system. Safe Schools Maryland operates 24 hours a day, seven days a week, and 365 days a year.

Safe Schools Phone Line: 833-632-7233

Web: safeschoolsmd.org

QUESTIONS?

Student Welfare and Compliance
240-740-3215

SWC@mcpsmd.org
TITLEIX@mcpsmd.org

<https://www2.montgomeryschoolsmd.org/compliance/>



Scan & Save Site
Resources/Quick Guides

MONTGOMERY COUNTY PUBLIC SCHOOLS

Expanding Opportunity and Unleashing Potential