

TITLE IX, SEX-BASED ~~DUAL~~ DISCRIMINATION, SEXUAL HARASSMENT ~~ASSAULT~~

1 Loudoun County Public Schools (LCPS) is committed to maintaining an  
 2 equitable, safe, and inclusive learning environment for students free from all forms of  
 3 harassment and discrimination

4 A. Title IX and Sex-based ~~ual~~ Discrimination and Sexual Harassment

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 6 1. Title IX of the Education Amendments Act of 1972 is a federal law that  
 7 states: "No person in the United States shall, on the basis of sex, be excluded from  
 8 participation in, be denied the benefits of, or be subjected to discrimination under any  
 9 education program or activity receiving Federal financial assistance." The U.S.  
 10 Department of Education has published implementing regulations that include, but are  
 11 not limited to, the need for the designation of a Title IX Coordinator and for a specific  
 12 complaint and grievance procedure meeting federal requirements regarding sexual  
 13 harassment. Loudoun County Public Schools will establish regulations that address  
 14 grievance procedures for ~~addressing allegations that violate~~ Title IX, ~~sexual~~  
 15 ~~discrimination-claims.~~

16  
 17 2. Sex-based discrimination includes, but is not limited to discrimination in  
 18 programs, athletics, extra-curricular activities, facilities, course offerings, and funding.

19  
 20 3. Sexual harassment means conduct on the basis of sex that satisfies one  
 21 or more of the following:

- 22  
 23 a. The provision of aid, benefit, or service for a student on an  
 24 individual's participation in unwelcome sexual conduct;  
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 26 b. Unwelcome conduct determined by a reasonable person to be so  
 27 severe, pervasive, and objectively offensive that it effectively denies  
 28 a person equal access to LCPS's education program or activity; ~~or-~~  
 29  
 30 1. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v)  
 31 2. "Dating violence" as defined in 34 U.S.C. 12291(a)(10)  
 32 3. "Domestic violence" as defined in 34 U.S.C. 12291(a)(8)  
 33 4. "Stalking" as defined in 34 U.S.C. 12291(a)(30)

34  
 35 B. Title IX Coordinator. LCPS Superintendent will appoint a ~~Division~~ Title IX  
 36 Coordinator ~~to address student Title IX complaints. The Title IX Coordinator will to~~  
 37 oversee the regulations and administration of ~~this initiative~~ the Title IX program. Notice  
 38 of the Title IX Coordinator contact information shall be provided through the Student  
 39 Rights and Responsibilities Handbook, the Employee Handbook, and the LCPS

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40 Webpage. The name, title, office address, email address, and telephone number shall  
41 also be provided in Regulation 8035-10-3.  
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43

44 The Title IX Coordinator is responsible for ensuring that once any school or  
45 division employee has actual notice of sex discrimination, sexual harassment, or  
46 sexual misconduct as defined by the Title IX Regulations and this policy, the  
47 division takes immediate and appropriate steps to investigate what occurred and  
48 takes prompt and effective action to stop the discrimination or harassment,  
49 prevent the recurrence, and remedy the effects. Actual notice is considered to  
50 have been provided when a division employee has knowledge of an allegation of  
51 sex discrimination sexual harassment. The Title IX Coordinator will work with  
52 school division employees who have been trained in their respective Title IX roles  
53 to ensure Title IX complaints are addressed in accordance with this policy and  
54 accompanying regulation.  
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57 The Superintendent shall issue ~~implementing~~ regulations for this policy, which  
58 outline ~~and shall establish~~ Title IX compliance in the following areas:

- 59 1. Ensuring the school division meets the training requirements for the Title IX  
60 Coordinator, investigators, the decision-maker, ~~appeal reviewer, and any~~  
61 ~~person designated to facilitate an informal resolution process~~ informal  
62 resolution facilitators.  
63 2. Creating a prompt and equitable grievance process that outlines:  
64 a. how to file ~~, the filing of a~~ formal Title IX complaint;  
65 b. the determination process (i.e., whether a formal Title IX complaint is  
66 accepted or dismissed) and the criteria used in the determination;  
67 c. the process for offering supportive measures to the complainant;  
68 d. the rights of the complainant and respondent during an investigation;  
69 e. ~~, the complaint review process, the~~ investigation of the complaint; ~~;~~  
70 f. the decision-making process; and  
71 g. the process for appeal. ~~and dismissal process, a prompt and equitable~~  
72 ~~grievance process concluding in a written determination of~~  
73 ~~responsibility,~~  
74 3. ~~Making~~ Developing ~~available a list available of~~ available supportive measures  
75 and creating a process by which those measures are offered to complainants;  
76 and  
77 4. Developing a list of possible remedies and/or disciplinary sanctions and  
78 creating a process by which those remedies and actions are carried out,  
79 ~~remedies and supportive measures.~~

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80 5. , and an explanation of the appeal process and recordkeeping requirements  
81 as is required by federal regulations.  
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83 ~~The Title IX Coordinator is responsible for ensuring that once any school or~~  
84 ~~division employee has actual notice of sexual harassment or sexual misconduct,~~  
85 ~~the division takes immediate and appropriate steps to investigate what occurred~~  
86 ~~and take prompt and effective action to stop the harassment, prevent the~~  
87 ~~recurrence, and remedy the effects. Actual notice has been provided when a~~  
88 ~~division employee has knowledge of an allegation of sexual harassment.~~  
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90 ~~B. Sexual Assault. If an LCPS employee receives an alleged sexual assault~~  
91 ~~notification, they must either report directly to law enforcement or to a school~~  
92 ~~administrator. If reported to the school administration, the receiving administrator must~~  
93 ~~report the allegation immediately to law enforcement.~~  
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95 ~~C. Mediation. LCPS may, at its discretion, choose to offer and facilitate informal~~  
96 ~~resolution options such as mediation, so long as both parties give voluntary, informed,~~  
97 ~~written consent to attempt informal resolution. At any time prior to agreeing to a~~  
98 ~~resolution, any party has the right to withdraw from the informal resolution process and~~  
99 ~~resume the grievance process with respect to the formal complaint. Any person who~~  
100 ~~facilitates an informal resolution must be well-trained. Mediation may not be used to~~  
101 ~~resolve formal Title IX complaints, allegations of sexual harassment, or alleged sexual~~  
102 ~~assaults.~~  
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105 [Former Policy 8-6]  
106 Adopted: 2/9/99  
107 Revised: 5/10/11, 6/26/12  
108 Current Revision:

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110 \_\_\_\_\_

111 Legal References: Code of Virginia [§ 22.1-279.3:1](#)