



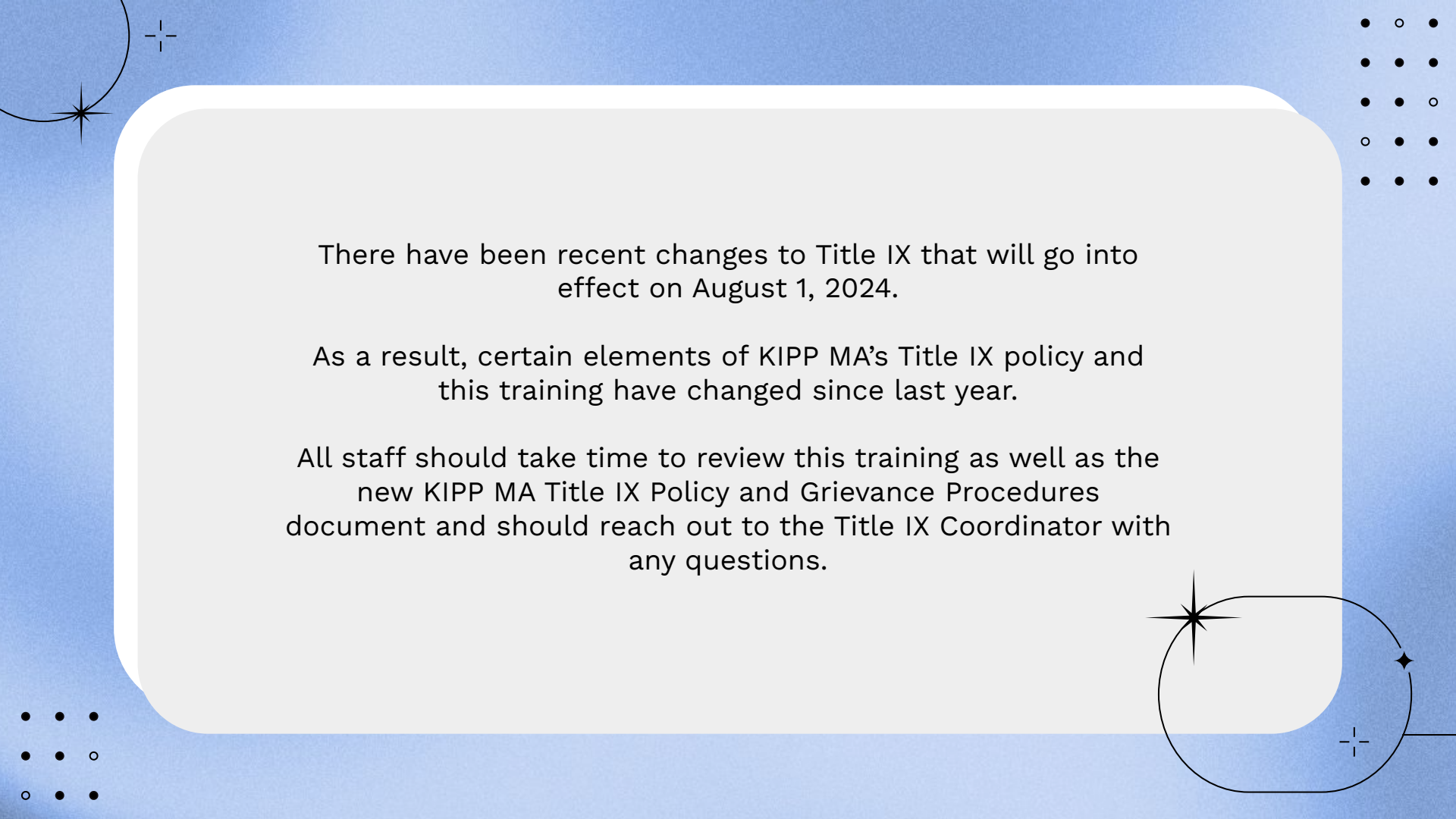
KIPP MA Title IX Annual Compliance Training



There have been recent changes to Title IX that will go into effect on August 1, 2024.

As a result, certain elements of KIPP MA's Title IX policy and this training have changed since last year.

All staff should take time to review this training as well as the new KIPP MA Title IX Policy and Grievance Procedures document and should reach out to the Title IX Coordinator with any questions.



Let's Look at a Scenario



Liane, a KIPP MA student, was allegedly sexually assaulted her freshman year. She never reported the incident because it happened during a school trip off campus. However she is bringing it up now in her sophomore year because the alleged perpetrator “Jaime” continues to joke about the incident within her friend group. She has increasingly become uncomfortable hanging out with her friends and has been skipping class and not completing her work as a result.

Would this be considered a KIPP MA Title IX case?

Yes

It is a Title IX case concerning KIPP MA and should be reported to the Title IX Coordinator.

No

It is not a Title IX case and does not need to be reported.

Yes

Correct

This is a Title IX case that should be investigated by KIPP MA

What is Title IX?

Title IX of the Education Amendments of 1972 (“Title IX”) prohibits sex discrimination (including discrimination on the bases of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity) in any education program or activity operated by a school receiving federal financial assistance. This prohibition extends to conduct that may occur outside of a school’s education program or activity but which is nevertheless subject to the school’s disciplinary authority.

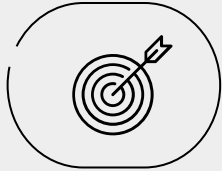
KIPP MA does not and will not discriminate on the basis of sex in its education programs and activities. KIPP MA’s nondiscrimination policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities and to third parties.

Responsibility

We are trying to build a safe and healthy school. As members of staff at KIPP MA, we are equipping ourselves with the knowledge to provide a safe and healthy school for students, guardians, and staff. Understanding how we can respond to Title IX cases is a step in the correct direction.

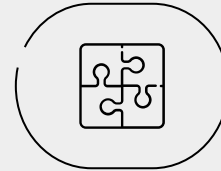
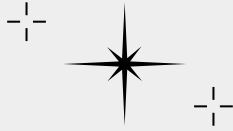


OBJECTIVES



OUR AIM

Create a safe, secure, and healthy school



THE GOAL

Learn about the Title IX process and how you fit within it

Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

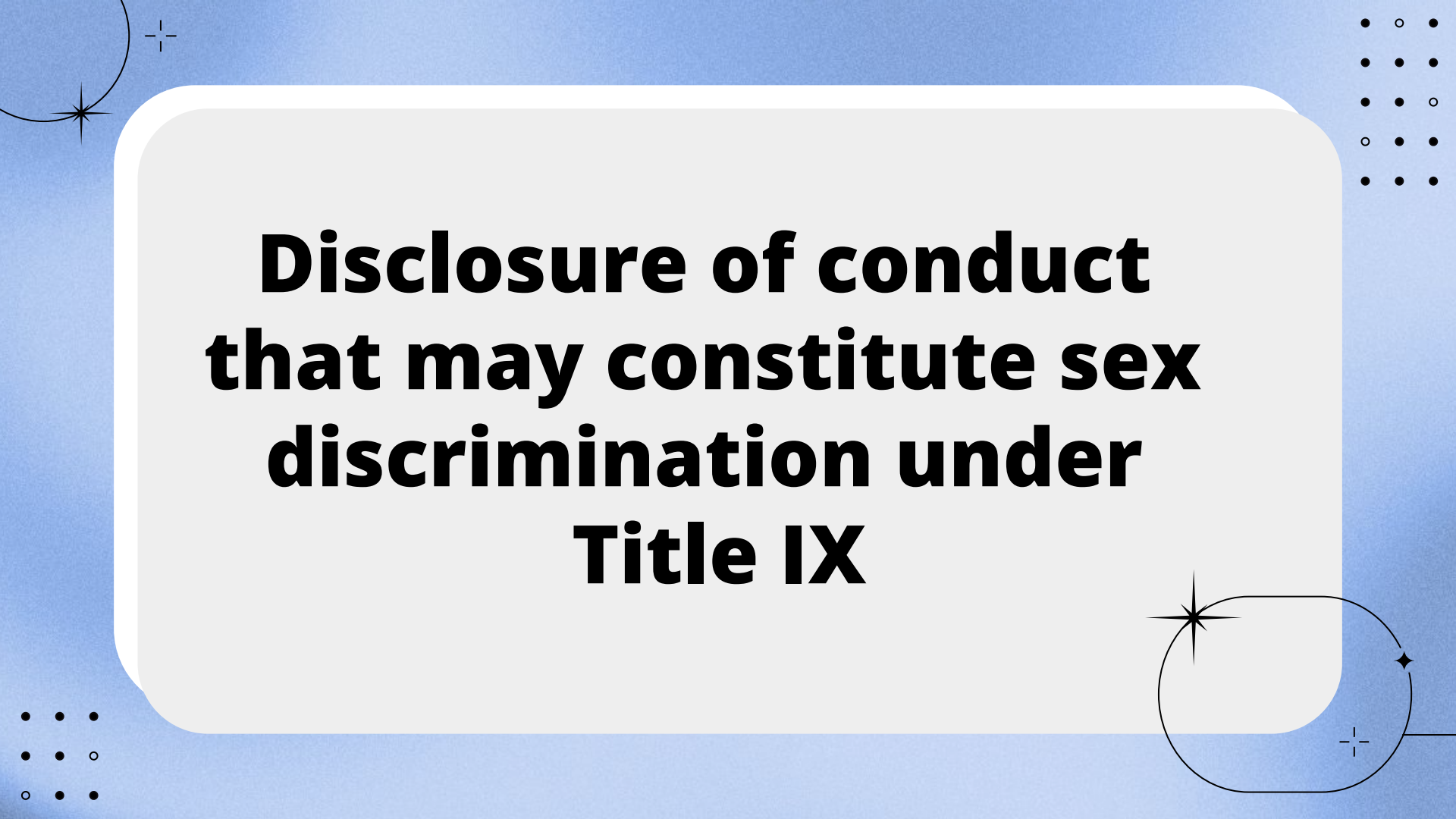
05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations



**Disclosure of conduct
that may constitute sex
discrimination under
Title IX**

Definitions

Sex discrimination, or discrimination on the basis of sex, includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Examples:

- Misgendering: the act of using the wrong pronouns when talking to or about someone
- Deadnaming: the act of referring to a transgender or non-binary person by a name they used prior to transitioning
- Not accepting an individual to a sports team, class, etc. based on their actual, assumed, or perceived gender

Definitions

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex that falls within one or more of the following categories:

- quid pro quo harassment (e.g., when an employee of KIPP MA conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct);
- hostile environment harassment (e.g., unwelcome sex-based conduct that is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from KIPP MA's education program or activity); or
- sexual assault, dating violence, domestic violence, or stalking, each as defined in the KIPP MA Title IX Policy and Grievance Procedures document.

Learning of Sex Discrimination: What to ask

If a person discloses information to you about conduct that may constitute sex discrimination, you should report that information to the Title IX Coordinator promptly.

In order to accurately report the incident, please ask the disclosing person for:

- Information needed to identify the **Complainant** (the person alleged to have been subjected to conduct that could constitute sex discrimination), such as the Complainant's name, grade, teacher, etc.
- Information needed to identify the **Respondent** (the person alleged to have perpetrated the sex discrimination), if available
- Details about the alleged conduct

**This is not a formal investigation. Your role is to gather preliminary information about conduct that may constitute sex discrimination and then report it to the Title IX Coordinator.*



NEW: You can submit a complaint online via the Title IX Case Reporting Form

Let's Check Back In with Liane



Liane chose to disclose to you that she is feeling uncomfortable around Jaime.

In your initial conversation with Liane, what questions should you ask? What information should you collect?

Let's Check Back In with Liane



What questions should you ask?/What information should you collect?

- Conduct: What conduct occurred that may constitute sex discrimination?
- Identities: What are the first and last names of the Complainant and the Respondent?
- Date: When did this happen?
- Location: Where did this happen?
- Additional details: Was anyone else present? Was anyone else involved or a witness?

Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations

Duty to Respond

KIPP MA is required to respond promptly and effectively when it has knowledge of conduct that may constitute sex discrimination in its education program or activity.

KIPP MA is understood to have that knowledge when any non-confidential employee has information about conduct that reasonably may constitute sex discrimination.

To ensure the appropriate flow of information and to comply with Title IX, all KIPP MA employees who are not confidential employees must notify the Title IX Coordinator when they have information about conduct that reasonably may constitute sex discrimination under Title IX.

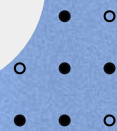
Some KIPP MA employees, such as school nurses and school counselors, are considered “confidential employees” who are not required to report sex discrimination disclosures to the Title IX Coordinator. This is different than the requirements to report abuse and neglect to the Department of Children and Families or to appropriate school personnel as a mandated reporter under MA law. More information about the responsibilities of confidential employees, and who at KIPP MA is a confidential employee, is available in a separate training.



Sharing Information

Information concerning allegations of sex discrimination or sex-based harassment under Title IX should be kept confidential and shared only with the Title IX Coordinator in person or through the assigned Title IX email, phone number, or online reporting form.

The Title IX Coordinator might have some clarifying questions for you. You do not have to know all the answers.



Report to Title IX Coordinator

Preferred:

[Online reporting form](#)

Alternative:

**Kate Kiley
title9@kippma.org
or 781-824-0998**

Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations




**Title IX
Coordinator will
contact
Complainant**



Contacting Complainant

After receiving information that sex discrimination may have occurred, the Title IX Coordinator will contact the Complainant and shall offer and coordinate supportive measures for Complainant, notify Complainant of KIPP MA's Title IX grievance procedures and how to file a complaint, and notify Complainant of the informal resolution process.



Supportive Measures

Supportive measures are non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, without fee or charge to a party (i.e., Complainant or Respondent), and without unreasonably burdening the other party, before or after the filing of a formal complaint or where no formal complaint has been filed.

Such measures are designed to restore or preserve a party's access to KIPP MA's education program or activity or to provide support to a party through KIPP MA's Title IX grievance procedures or informal resolution process.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Examples of Supportive Measures

- counseling
- extensions of deadlines and other course-related adjustments
- campus escort services
- increased security and monitoring of certain areas of the campus
- restrictions on contact applied to one or more parties
- leaves of absence
- changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative
- training and education programs related to sex-based harassment

Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations



**If a complaint
meets Title IX
criteria, an
investigation
occurs**

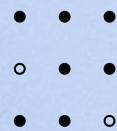
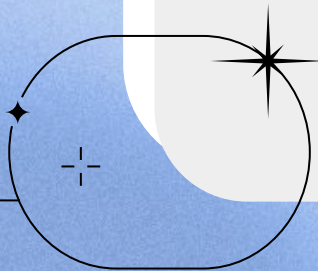
Investigative Process

What?	Who?
Oral or Written Complaint	From Complainant or Title IX Coordinator, as appropriate. If a complaint is made by Complainant, Title IX Coordinator will determine whether it meets Title IX criteria to be opened for investigation.
Oral or Written Notice of Allegations	From Title IX Coordinator to parties whose identities are known.
Informal Resolution/ Mediation	May be offered to both parties by Title IX Coordinator as an alternative to formal grievance procedures. Both parties must give voluntary consent. Not an option if complaint alleges conduct by an employee against a student.
Investigation	Investigator gathers evidence, including through conducting interviews. Parties may present relevant evidence and witnesses.
Access to Evidence	Investigator will provide each party with access to relevant evidence gathered or a description of the evidence. Parties have 5 days to submit written response.
Optional Live Hearing	KIPP MA may, but need not, provide for a live hearing, during which relevant questions may be asked by Decisionmaker or a party's advisor, but never by a party personally.



Timeframe

Investigations into allegations of sex discrimination will be completed within a reasonably prompt timeframe. The timeframe may be temporarily delayed or extended for good cause with written notice to the parties of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.



Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations



**If a complaint
does not meet
Title IX criteria,
it is dismissed**

Dismissal

A complaint of alleged sex discrimination may be dismissed for any of the following reasons:

- KIPP MA is unable to identify the Respondent after taking reasonable steps to do so;
- the Respondent is not participating in KIPP MA's education program or activity and is not employed by KIPP MA;
- the Complainant voluntarily withdraws any or all of the allegations in the complaint; or
- KIPP MA determines the conduct alleged in the complaint does not constitute sex discrimination, even if proved

KIPP MA will send to the parties written notice of any dismissal.

Different Types of Cases

Bullying

KIPP MA is committed to proactively implementing strategies to prevent bullying and promptly and effectively address bullying if it occurs. Refer to <https://kippma.org/public-information/> for more information on the KIPP MA bullying policy.

Employee Concerns

For situations related to employee concerns, contact your manager, HR, or refer to the staff handbook for further guidance on how to address the concern.

Student Discipline

Refer to your school's student handbook for more information on how your school addresses these situations. They can be found at <https://kippma.org/public-information/> .

Other Civil Rights-Based Complaints

KIPP MA does not discriminate in its programs, activities, facilities, employment, or educational opportunities on the basis of any Protected Characteristic. Email hr@kippma.org if you have experienced discrimination at KIPP MA.

Not Sure?

Certain conduct may overlap between different categories, such as bullying and Title IX. Always reach out to HR and the Managing Director of Compliance when unsure of what a case falls under.

Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations

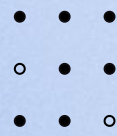
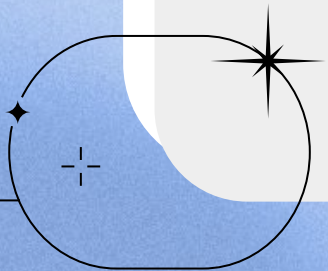


**Decisionmaker will
review information
gathered and determine
whether Title IX was
violated**



Who is the Decisionmaker?

A decisionmaker will be assigned to determine a Respondent's final responsibility or lack thereof for violating Title IX. The decisionmaker must not have a conflict of interest or bias against Complainants or Respondents generally or an individual Complainant or Respondent.

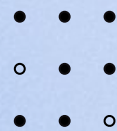
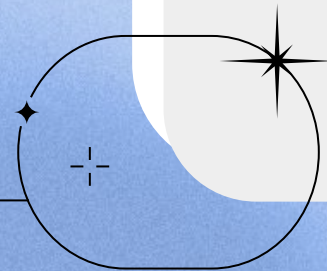




Making the Decision

Following an investigation or live hearing, the Decisionmaker will evaluate the information gathered and, using a preponderance of the evidence standard, determine whether Respondent's alleged conduct violated KIPP MA's Title IX Policy. A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred.

The Decisionmaker will issue a written determination regarding Respondent's responsibility and, if the Decisionmaker determines that Respondent engaged in conduct in violation of KIPP MA's Title IX Policy, the written determination will include disciplinary sanctions for Respondent and remedies for Complainant, as appropriate.



Let's Check Back In with Liane



The Title IX Coordinator determined that Liane's case should be investigated and an Investigator completed a full investigation in the weeks that followed your report.

Your role as the reporter is done and the Decisionmaker's written determination has been shared with Liane and Jaime. You most likely will not receive an update about the investigation or the outcome.

In the event that supportive measures are in place during your class, a member of the leadership team will connect with you about upholding the supportive measures. In most cases, this is the only information that will be shared with you, as the investigation is confidential.

Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations



**Parties may
appeal the
decision within 5
days after the
decision is made**

Appeal Process

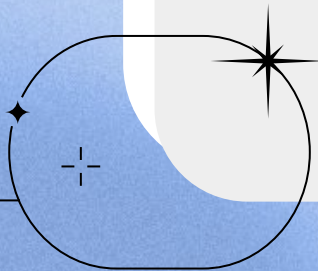
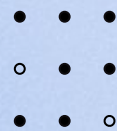
Any party may appeal a written determination regarding responsibility, or the dismissal of a complaint, to KIPP MA Executive Director Rhonda “Nikki” Barnes within 5 calendar days of issuance of the written determination or dismissal on the following bases:

- (A) procedural irregularity that would change the outcome of the matter;
- (B) new evidence that would change the outcome and that was not reasonably available at the time the determination regarding responsibility or dismissal was made; and
- (C) the Title IX Coordinator, investigator, or Decisionmaker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.



External Grievance Procedure

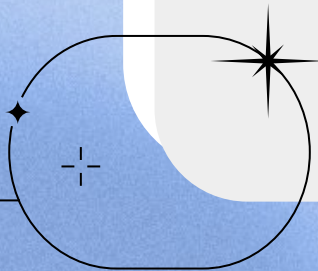
At any point in the process, any student, guardian, or employee may also file a complaint of discrimination or harassment with an appropriate state or federal agency, such as:

- U.S. Department of Education's Office for Civil Rights
 - Massachusetts Commission Against Discrimination
 - U.S. Equal Employment Opportunity Commission
- 
- 

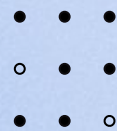


Retaliation Prohibited

Retaliation against an individual, including all parties and witnesses, for the purpose of interfering with any right or privilege secured by Title IX or because the individual has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, disciplinary hearing, or informal resolution is strictly prohibited. Intimidation, threats, coercion, or discrimination against any person by KIPP MA, a student, or an employee or other person authorized by KIPP MA to provide aid, benefit, or service under KIPP MA's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.



Complaints alleging retaliation may be filed with the Title IX Coordinator and will follow the grievance procedures described in this training and the KIPP MA Title IX Policy and Grievance Procedures document.



Title IX Procedure

01

Disclosure of conduct that may constitute sex discrimination under Title IX

02

Report to Title IX Coordinator

03

Title IX Coordinator will contact Complainant

**04
a**

If a complaint meets Title IX criteria, an investigation occurs

**04
b**

If a complaint does not meet Title IX criteria, it is dismissed

05

Decisionmaker will review information gathered and determine whether Title IX was violated

06

Parties may appeal the determination (or dismissal) within 5 days

Staff completes Title IX training and is prepared to respond to Title IX allegations



**Staff completes
Title IX training
and is prepared to
respond to Title IX
allegations**



Questions?

For any questions about the information contained in this training or about KIPP MA's Title IX Policy and Grievance Procedures, please contact the Title IX Coordinator.

