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Attorneys at Law

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LEGAL ALERT

New Requirements and Procedures for Investigating Reports of Sexual Harassment Under Title IX

Title IX regulations have previously required schools to have a non-discrimination policy and to notify its students of the policy, have a grievance process that provides for the “prompt and equitable” resolution of sex discrimination complaints, and to designate at least one employee to serve as a Title IX Coordinator to handle complaints of sex discrimination. However, Title IX regulations have never specifically created procedures and requirements to address sexual harassment or assault, including the nature of the due process protections in Title IX grievance processes related to sexual harassment.

The new final Title IX rule replaces the prior Office for Civil Rights non-regulatory guidance. This new, final rule complied with the administrative requirement of Notice and Comment period, and thus these requirements have the force of law. All schools are required to follow them. The policy, procedure and training requirements under the new Rule are fairly extensive. If you have not yet addressed these changes, we have prepared a summary of these requirements and can provide at your request. Please feel free to contact either Scott Uhler, at sfuhler@ktjlaw.com or Mallory Milluzzi, at mamilluzzi@ktjlaw.com.

U.S. DEPARTMENT OF EDUCATION FINAL RULE UNDER TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 34 CFR 106 (Effective Date: August 14, 2020)

For any questions or comments you might have regarding this newsletter, please feel free to contact:

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