

May 18, 2020

As schools plan and prepare for implementation of the new Title IX Rule, which becomes effective on August 14, 2020, schools may find it necessary to post new information on their websites. OCR will not enforce the new Title IX Rule until the new Rule has become effective, and provides this information to assist schools in preparing to comply the new Title IX Rule.

The new Title IX Rule specifically requires schools to post on their websites:

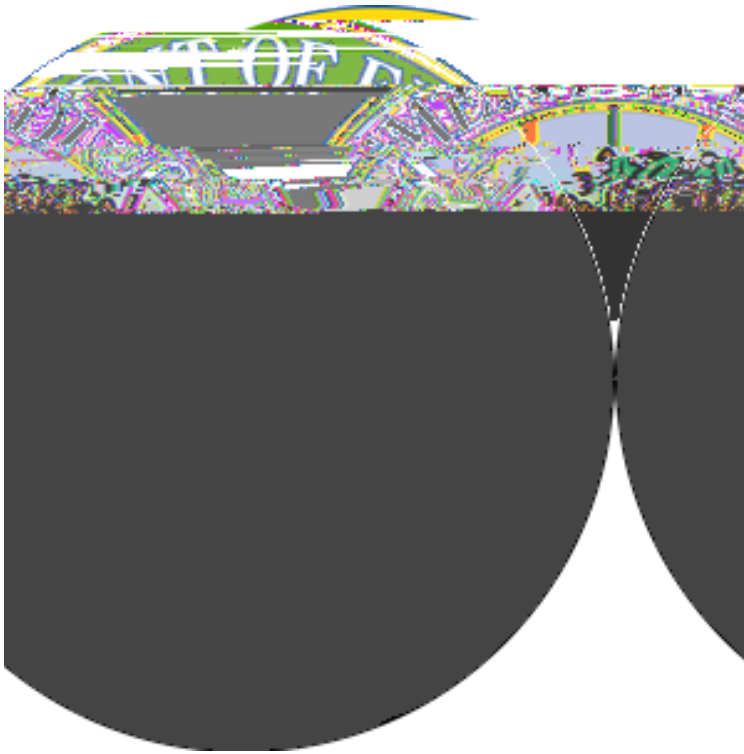
1. The *contact information* for the school's Title IX Coordinator(s);
2. The school's *non-discrimination policy*; and
3. *Training materials* used to train the school's Title IX personnel.

Information about each of these requirements can be found in the unofficial version of the Title IX Rule posted by the Department, and the Department's commentary about the Rule, which can be viewed [here](#).

- Section 106.8(a) requires schools to designate and authorize at least one employee as a Title IX Coordinator and to notify students, employees, applicants, parents and guardians, and others of the Title IX Coordinator's contact information. That information must include the name or title

- These requirements are intended to ensure that a school's entire educational community understands how to contact the Title IX Coordinator to report sex discrimination, including sexual harassment. Section 106.8(a) expressly states that reports can be made at any time, including during non-business hours, by using the Title IX Coordinator's listed telephone number or e-mail address, "or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report."
- The Title IX Rule requires schools' Title IX personnel to be unbiased and free from conflicts of interest.
- Title IX personnel include the Title IX Coordinator, any investigator, any decision-maker, and any person who facilitates an informal resolution (such as mediation).
- Schools must ensure that Title IX personnel receive training as follows:
 - On Title IX's definition of "sexual harassment"
 - On the scope of the school's education program or activity
 - On how to conduct an investigation and grievance process
 - On how to serve impartially, including by avoiding prejudgment of the facts at issue
 - On how to avoid conflicts of interest and bias
 - Decision-makers must receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant
 - Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence
- All materials used to train Title IX personnel:
 - Must not rely on sex stereotypes,
 - Must promote impartial investigations and adjudications of formal complaints of sexual harassment,
 - Must be maintained by the school for at least 7 years,
 - Must be publicly available on the school's website; if the school does not maintain a website the school must make the training materials available upon request for inspection by members of the public.
- Under the Title IX Rule, students, employees, the Department, and the public will be able to examine a school's training materials, providing a necessary safeguard to improve the impartiality, reliability, and legitimacy of Title IX proceedings. This requirement will improve the overall transparency and integrity of a school's Title IX policies and procedures.

18 de mayo de 2020



A medida que las escuelas planean y se preparan para la implementación de la nueva Regla del Título IX, que entra en vigor el 14 de agosto de 2020, las escuelas podrían considerar necesario publicar la nueva información en sus sitios web. OCR no hará cumplir la nueva Regla del Título IX hasta que la nueva Regla requiera que las escuelas estén en contacto del Coordinador del Título IX en el sitio web de la escuela.

- De manera similar, la § 106.8(b)(1) requiere que las escuelas les notifiquen a estudiantes, empleados, aspirantes, padres de familia y tutores legales, así como a otros, que la escuela no discrimina basándose en el sexo y que el Título IX requiere que la escuela no discrimine. Esta

