



TITLE IX AT PPS

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Title IX Disciplinary Hearings: FAQ for Students and Families

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You learn you are being referred for a Title IX "hearing" due to an incident that may have disrupted school or created a hostile environment for another PPS student.

Below are answers to frequently asked questions regarding Title IX and discipline.

Why was I referred to a Title IX hearing?

We created the [Title IX leveled response framework](#) to effectively and efficiently offer educational tools that address student behavior that is sexually harassing, inappropriate, and/or boundary-crossing. These challenging behaviors affect the classroom and school climate and cause harm to individual students and the school community.

However, when proactive and preventative tools are unsuccessful in addressing escalating behavior and/or when a single incident rises to the level of severe (such as a sexual assault), a disciplinary (expulsion) hearing may be warranted. This does not mean you will be expelled - there are many options beyond expulsion; the goal is to ensure resources are available to students struggling to meet school expectations.

Where will the hearing occur?

Title IX hearings are conducted virtually using Google Meet so that you may attend from the best location for you, including at school.

What is a Hearings Officer (HO)?

The hearing officer is the final decision-maker and determines the following: 1) based on the evidence, whether the allegation is substantiated or not (see definitions below); 2) what (if any) consequences should be applied; and 3) what interventions,



educational support, or safety plans should be added to ensure safety at school.

In Title IX hearings, two hearings officers work collaboratively to reach a decision - this allows for diverse perspectives and reduces the potential of bias or conflict of interest in their decision-making.

Who else will attend?

Students are encouraged to bring their parent, guardian, or other trusted adult. This may be a school-based support person such as a therapist, school counselor, or school social worker. You may bring legal counsel but must notify the district in advance to allow time for the district to identify representation.

I have an IEP or a 504. Does that matter?

Yes. Students with an IEP or 504 are protected under the Individuals with Disabilities Education Act (IDEA). In matters that could lead to exclusionary discipline, a manifestation determination will occur before the hearing. This is a test conducted by a student's IEP or 504 team to determine whether the behavior leading to possible disciplinary action was directly and substantially related to the student's eligible disability or was caused by the school's failure to fully implement the IEP or 504 plan. A positive manifestation may result in no further exclusionary discipline; a negative manifestation allows discipline and/or an expulsion hearing to proceed.

What happens during a Title IX hearing?

The Hearing Officer (HO) is responsible for managing the live hearing. Hearings are recorded and used for appeal purposes. The following is an overview of what to expect.

1. Introduction of all participants (virtually).
2. Presentation of the investigative report by Title IX investigator.
3. The HO will ask the investigator to clarify facts or evidence needed to make an informed decision.
4. Next, the student has the opportunity to clarify the information presented by the investigator and/or respond to questions directly from the HO.
5. After the facts are understood, we move on to the impact statement. This is a written statement about how the behavior impacted their mental, physical, or emotional health and well-being. Impact statements offer a unique opportunity to practice empathy by better understanding the ways their behavior impacted another person.
6. The school administrator (usually a principal or vice principal) will share relevant information such as a student's academic record, attendance, or discipline history.
7. Conclusion and next steps - the HO has up to 24 hours to consider the totality of the

information and render their decision. HOs will call families to notify them; a formal letter will follow.

How does the Hearings Officer make their decision?

By weighing the information presented and applying a preponderance of evidence standard in other words, more likely than not to have occurred (or just over 50%).

What are the possible outcomes?

Based on the preponderance of evidence, one of the following is selected:

Substantiated	The information gathered supports a finding that it is <i>more likely than not</i> that the behavior DID occur.
Unsubstantiated	The information gathered supports a finding that it is <i>more likely than not</i> that the behavior DID NOT occur (i.e., sufficient information exists for the investigator to conclude that the alleged misconduct did not occur).
Not enough information to determine	The information gathered does not allow for the establishment of facts or supported conclusions necessary to render a finding either way.
Unfounded	The report was intentionally false, misleading and/or intended to cause another person harm.

Where can I learn more?

Review the [Student Rights and Responsibilities Handbook](#) and the following policies and procedures.

- [Student Conduct and Discipline Policy](#)
- [Student Conduct and Discipline](#)
- [Student Anti Harassment and Teen Dating Violence Policy](#)
- [Transgender, Nonbinary and Gender Expansive Students](#)
- [Harassment, Intimidation, Bullying and Cyberbullying Procedures and Prevention- Students](#)
- [Title IX Student to Student Sex-Based Discrimination and Harassment](#)