

From: Chris Parker
Sent: Mon, 17 May 2021 14:59:02 -0400
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing (suggestions for Title IX guidance and enforcement)

To whom it may concern:

2 suggestions for Title IX guidance and enforcement:

1. Separate public schools (PK-12) from high education. Issues applicable to public schools are not necessarily applicable to higher ed and vice versa. On one end you are dealing with students of varying ages, grade levels, abilities, maturity level, developmental level etc. On the other hand, you are dealing with legal adults on the higher ed side. Rules and regulations differ when dealing with PK-12 students as compared to college students so it only makes sense to differentiate between the two groups when developing policies to address sexual harassment.

2. When it comes to investigating Title IX complaints on the public school side, keep in mind that public schools do not have the staffing that colleges have to devote to investigations. Public schools have a Title IX Coordinator but that is only part of their job. They typically have a number of other duties and responsibilities. Public schools do not have a Title IX department that can handle multiple complaints and investigations that take a minimum of 90 days to finish an investigation. On the public school side, treat Title IX complaints like we do all other violations of school rules and policies. For example, once the school receives a complaint, there is an investigative process that the school goes through as they would for any other violation. If there is evidence to support the complaint, there is a due process hearing at which point an evidentiary panel (or hearing officer) listens to the case, determines if the student is guilty of sexual harassment, and if found guilty determines an appropriate consequence for the student that has committed the harassment. You can also add that if a student has committed an act of sexual harassment that there is also a process to implement supportive measures for the victim of said harassment. The ultimate goal should be that if sexual harassment has taken place and if there is evidence to support such a finding that the process is handled in a judicious manner that protects the rights of all involved and seeks to stop the harassment and prevent it from reoccurring. Our goals as educators is to provide a safe environment where all students have the opportunity to participate in the daily program regardless of sex and/or sexual orientation.

Thank you for your time.

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Chris Parker
Director of Student Services/Title IX Coordinator
Whitfield County School System
706-876-3910