

13TH
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STOP SEXUAL ASSAULT IN SCHOOLS PRESENTS

Lessons from the Field: The Role of Title IX Staff in Shaping Positive K-12 and Higher Education School Climate & Culture



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SSAIS Board Chair



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Greetings from Stop Sexual Assault in Schools!

Let us introduce ourselves and why we are so excited to be here

- Heidi Goldstein
- Karen Truskowski

Why are you here – at this conference??

- New/Learning the role
- Need bigger impact in the role

Why this specific session??

- Let's hear from the room

A Few Housekeeping Items

- Interactive: be prepared to speak and share your thoughts and experiences
- Kindness: our highest value in this work and in the room
- Clarity: seek first to understand, then be understood
- Distractions: If you must take a call or text, please do so outside the room
- This presentation – and other SSAIS materials – available to you via the ATIXA [Event Lobby](#)



POP QUIZ: The Biggest Challenge for TIX Staff?

- Depends on ***your*** orientation:
 - » Age, sex, gender and sexual orientation biases are real - no one is immune
- Depends on the stakeholders and their influence:
 - » SPED, Student, Parent, Faculty, Administration, Alumni, Community activists
- Depends on your institution:
 - » Culture & values around sexual violence/harm affects reporting & occurrences
- Depends on your state of residence:
 - » State level non-discrimination protected classes range from 18 (CA) to zero (GA)
- Depends on the day of the week!
 - » Moms for Liberty et al in the courts to stay new US Dept of Ed Title IX regulations

Heidi's Biggest Challenge: Student Safety & Access

- The Fire Department as a metaphor for TIX work:
 - » Despite environmental mitigation & education, fires happen
 - » Ongoing investment required for resources, processes, collaboration and training to prevent and fight fires
 - » Fire department infrastructure is a given for public safety – defend or burn
- Title IX Staff are the stewards of student safety and access to educational resources – ***your advocacy and support are key.***
- Institutional investment in the TIX function is often insufficient, but...
- ...Infrastructure in the form of colleague collaborators is robust
- To protect students the best defense is broad collaboration



Karen's Biggest Challenge: Awareness

- Disbelief that bad behavior occurs with children of all ages
- School staff not knowing that they are Mandatory Reporters
- School staff not understanding what it means to be a mandatory reporter
- Disbelief when children report abuse
- Poor training on topics including gender, gender expression and LGBTQ discrimination



Berkeley Unified School District – A Title IX Nightmare

- At Berkeley (CA) Unified School District a recent \$13.5 million-dollar civil suit settlement was made with nine plaintiffs who were harassed and assaulted by a chemistry teacher over a 20-year period.



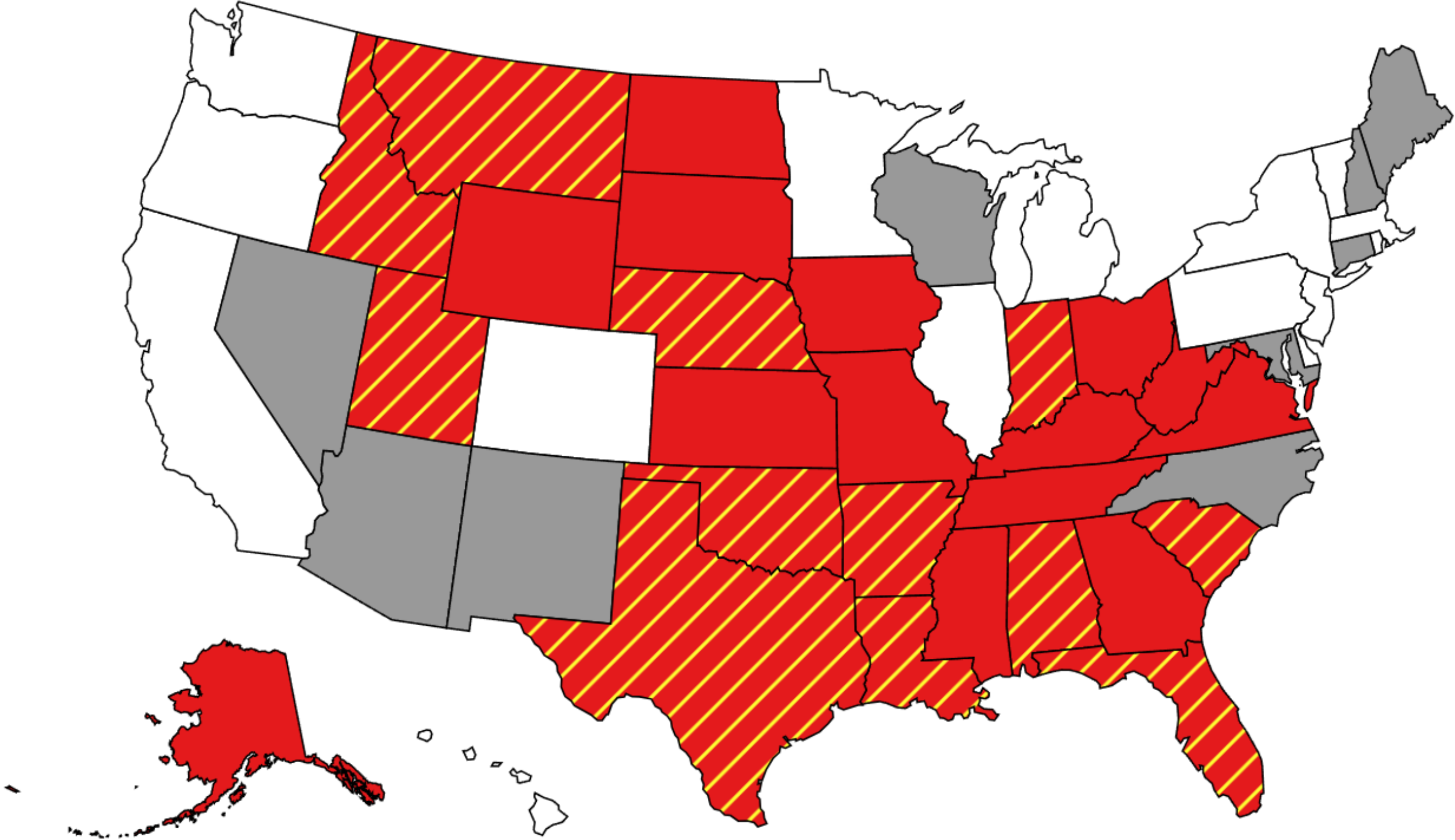
<https://www.ktvu.com/video/1525916>

Another Big Challenge: Title IX Implementation is in Chaos

- Revised Title IX regulations went into effect August 1, 2024
- AND: coordinated efforts to stay or delay implementation in many states (see the maps on the following slides) has led to massive confusion, disinformation & mis-implementation at public institutions
- SO: TIX Office must function as the point of expertise for their institutions to navigate a continually shifting landscape
- Is your institution on the list?
 - » August 28, 2024 [list of Higher Education Institutions](#)
 - » August 28, 2024 [list of K-12 schools](#)



Title IX Regulations Implementation at 8/28/24



■ No Action ■ Amicus Brief ■ Complete Injunction ■ Do Not Implement (DNI) Directive
■ Current or Pending Litigation ■ Litigation & DNI ■ Injunction and DNI



As if TIX Staff Didn't Already Have Enough to Do

- TIX office often has other responsibilities beyond incident triage, responding to and overseeing the processes to resolve incidents of sexual violence:
 - » “Compliance” reporting
 - » Professional Development “coverage” training
 - » Legal resource coordination for investigations or related legal actions
 - » Documentation and communications pertaining to incident resolution
- **How crazy is this:** The TIX office is the point of interface to claimants, respondents, and their supporters for a quasi-criminal adjudication process in which they participate only as witnesses



The Case for TIX as a Force for Institutional Culture

- Because it has the most direct, deepest, understanding of the issues that comprise sexual violence incidents at the institution, the TIX Office is uniquely positioned to influence policy and practice across typically siloed functions to shape institutional culture – in ways legislation cannot – to foster prevention and reduce the prevalence of incidents of sexual violence
- At all levels in K-12 and Higher Ed:
 - » Board, Administration, and Functional leadership
 - » Staff and Union
 - » Students



But First, Consider your Institution

- Student age and maturity matters: minor children v. age of consent adults (just barely) suggest different and differentiated approaches and collaborative partners in K-12 and Higher Ed environments
- Institutional size matters:
 - » smaller pond → bigger impact
 - » Strategic approach and resource application in a larger environment
- Institutional emphasis matters:
 - » public K-12 focus on proficiency metrics, graduation rate and FAPE
 - » Higher Ed focus influenced by non-regulated elements: reputational, revenue, influence, alumni, “side” business agendas



K-12 School Culture Dimensions

- Demographics: distributions by sex, race, ethnicity, gender spectrum identification for Students, for Staff, for Administration
- District History: fiscal stability; OCR or other civil lawsuits, reputation
- District philosophy: FAPE, discipline and student support continuums
- Special Education (SPED) demographics and penetration
- School organization: ES/MS/HS discrete or combined grades (K-8)
- School size: mega MS/HS structure v. multiple smaller schools
- School Board: demographic, professional and political affiliations
- Local/regional culture also dictates norms for tolerance, discipline and remediation of sexual violence

Natural Allies to TIX in the K-12 Environment

- “It” Teachers – the ones to whom students naturally gravitate
- School staff responsible for climate and student culture: Deans, Student Affairs, intervention/mental health counselors
- Athletic Directors (sometimes...getting traction with new NCAA representation requirements)
- Student leaders (MS/HS)
- Institutional Ombudsman
- Local service providers for mental health, after school and other non-core academic programs
- Local non-profits with focus on youth well-being: Girls Inc. Talented Tenth, Youth in Government, YMCA



Legal Considerations – K-12 Environment

- Private schools are unaware of their obligations under Title IX...or in denial of their obligations
- Selective protection of certain protected classes over others
- Athlete entitlement embedded in the culture
- Failure to use good old common sense in dealing with incidents of sexual violence and discrimination

Higher Ed School Culture Dimensions

- Demographics: distributions by sex, race, ethnicity, gender spectrum identification, **wealth** for Students, for Staff, for Administration
- History: fiscal stability; OCR or other civil lawsuits, reputation
- Philosophy: quality reputation for academics, athletics, industry leadership and political influence
- Investment Priorities: academics, research, athletics, student life
- Alumni Dynamics: influence on school policies, programs and investments
- Governance: demographic, professional and political affiliations
- Local/regional culture also dictates norms for tolerance, discipline and remediation of sexual violence

Natural Allies to TIX in the Higher Ed Environment

- Student Affairs Staff
 - » Residential & Greek Life
 - » Recreational sports, activities boards, new student orientation
 - » Affinity groups & Clubs
- Athletics Staff: NCAA requirements have their attention
- Campus Leaders: Administration, Faculty, staff, student activists
- Student Government committees: programs, conduct, judiciary
- Student Services: transportation, health center
- Faculty/Staff Governance: advisory boards, faculty senate
- Local non-profits with focus on young adult well being

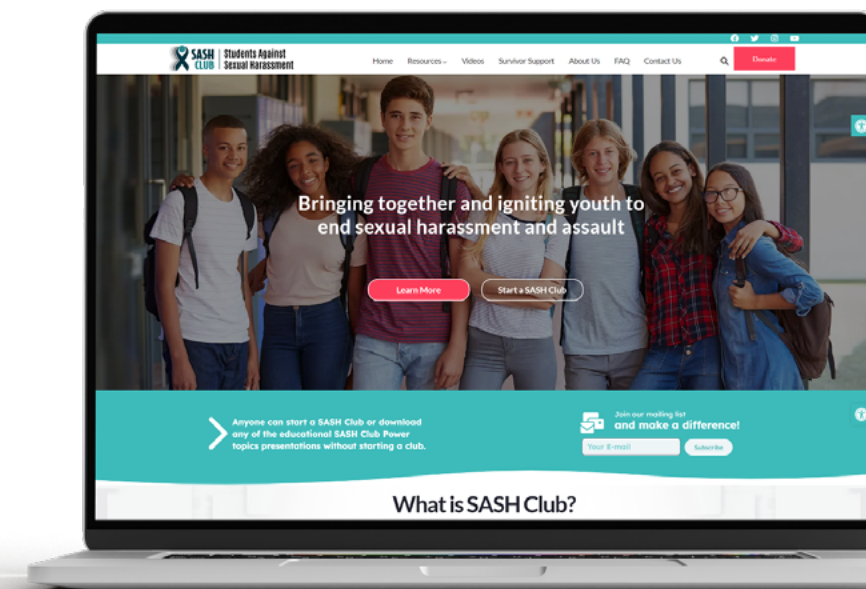


Legal Considerations – Higher Ed Environment

- Athlete entitlement embedded in the culture
- Refusal to provide accommodations -- during and after investigations
- Lengthy timeframes for investigations
- Failure to use good old common sense in dealing with incidents of sexual violence and discrimination
- Egos get in the way of process, progress, and justice

Selected Resources for Improved Climate/Culture

- State Level - State or County Department of Education Technical Assistance Offices
- Federal level - Office for Civil Rights under the US Department of Education:
<https://www2.ed.gov/about/offices/list/ocr/index.html>
- Culture Programs:
 - » GreenDot (Campus culture/climate): <https://alteristic.org/green-dot/>
 - » Coaching Boys to Men (Athletics) <https://coachescorner.org/>
 - » That's Not Cool (bystander intervention) <https://www.futureswithoutviolence.org/children-youth-teens/thats-not-cool/>
 - » GET: The Project (Gender Equity Training): <https://thereproject.org/education/get/>
 - » Students Against Sexual Harassment (SASH) Club (student self-education): <https://sashclub.org/>
project of Stop Sexual Assault in Schools



Selected Resources for Improved Climate/Culture

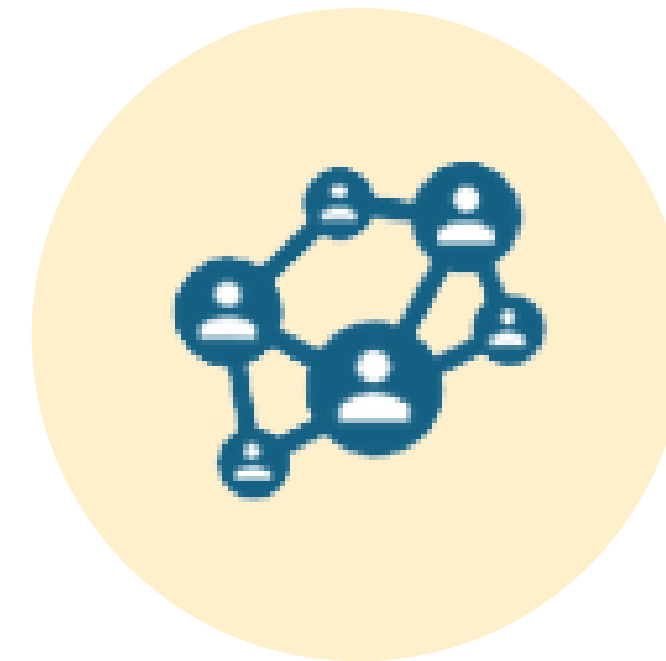
- National Not for Profit Agencies:
 - » WestEd: <https://www.wested.org/>
 - » Alliance for Girls: <https://www.alliance4girls.org/>
 - » Stop Sexual Assault in Schools: <https://stopsexualassaultinschools.org/>



Call To Action – Culture Change Starts With YOU



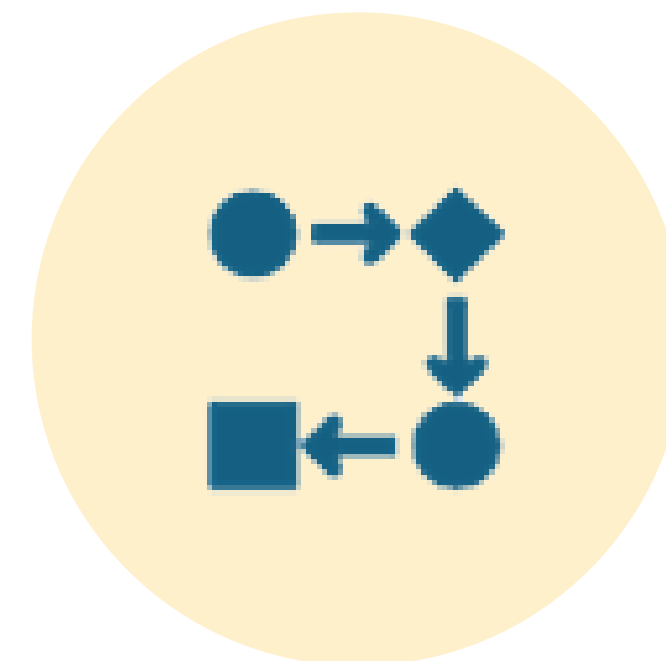
Get Informed: understand your institution's status with respect to implementation of the new Title IX rules; keep your stakeholders informed



Reach Out: Identify 5 colleagues/functions with whom you/your office can collaborate to cross-leverage resources that will keep students safe, protect their access to educational resources and <Karen's biggest challenge>



Make a Plan: Draw up a 100-day Plan with a few key objectives for each collaborative initiative and strategies to achieve them. Meet regularly with your collaborators to refine ideas



Execute: Work your plan. Make it a priority to do something every day to make progress

Thank you!! Want to Talk More?

- Contact Heidi Goldstein, Board Chair, Stop Sexual Assault in Schools at:
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- Contact Karen Truskowski, Board Vice-Chair, Stop Sexual Assault in Schools at:
karen@temperancelegalgroup.com | 844.534.2560 (24 hours)
- Contact Esther Warkov, Executive Director or Joel Levin, Programs Director, Stop Sexual Assault in Schools at:
 - » esther@stopsexualassaultinschools.org
 - » joel@stopsexualassaultinschools.org

