



Association of
Title IX Administrators

Protecting Gender Diversity in Education

An ATIXA Best Practices Workshop

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Any advice or opinion provided during this training, either privately or to the entire group, is **never** to be construed as legal advice or an assurance of compliance. Always consult with your legal counsel to ensure you are receiving advice that considers existing case law in your jurisdiction, any applicable state or local laws, and evolving federal guidance.

Content Advisory

The content and discussion in this course will necessarily engage with sex- and gender-based harassment, discrimination, violence, and associated sensitive topics that can evoke strong emotional responses.

ATIXA faculty members may offer examples that emulate the language and vocabulary that Title IX practitioners may encounter in their roles including slang, profanity, and other graphic or offensive language. It is not used gratuitously, and no offense is intended.

Introduction



The primary focus of this workshop is to assist practitioners in understanding and navigating complex challenges related to gender identity and expression in educational environments.



Gender identity and expression impact many aspects of an institution or school's program and in some areas of the country are affected by conflicting federal and state legal mandates.



Our goal is to provide practitioners with practical skills and best practices to comply with relevant federal laws, regulations, and court decisions to support individuals across the gender spectrum.

2024 Title IX Regulations Litigation

- The 2024 Title IX Regulations are subject to legal challenges across the country
 - Generally, the recent lawsuits are targeting the gender identity provisions and the hostile environment definition
- Opponents of the Regulations are seeking **injunctions** to delay or halt implementation of all or some of the Regulations
 - **Injunction:** A court order requiring an individual or entity to either perform or stop performing a specific action
- Types of injunctions (all of which are temporary, for now):
 - A **complete injunction** prohibits the Department of Education (ED) from enforcing the 2024 Regulation in its entirety
 - A **partial injunction** prohibits ED from enforcing specified provisions of the 2024 Regulations

2024 Title IX Regulations Litigation

- If a court orders an injunction, that decision may be appealed to a higher court
 - Otherwise, the injunction stays in effect until a trial occurs
- ATIXA anticipates that any injunction decision will be appealed, and some already have been
- If the 2024 Regulations are not enforceable in some or all states as a result of injunctions, schools, districts, and institutions in those states will continue to follow the **2020 Regulations**
- **Note:** Some states also have “Do Not Implement” directives from state officials
 - Independent from any federal lawsuits or injunctions
 - Places Title IX administrators in the middle between state and federal obligations
- Implementation will be unsettled for the foreseeable future
 - Consult legal counsel to determine implementation plans and backup plans
- Track developments on ATIXA’s Regulations website, www.atixa.org/regs

Introduction and Terminology

Title IX and Equity

- Title IX is a sex and gender equity law
 - Courts have long protected individuals from LGBTQIA+ discrimination under Title IX
 - Protections against discrimination on the basis of sex stereotypes and sex characteristics
 - Those protections, as well as those under the Equal Protection Clause (for public institutions), are likely to remain in place regardless of injunctions
 - Only one federal appellate court (the Eleventh Circuit) has declined to follow this view
- Equity refers to the understanding that not all individuals have access to the same resources and opportunities
 - Equity focuses on providing support and resources to reduce disparities in access to education programs
 - Title IX seeks to remedy the inequities created by sex-based harassment and sex discrimination

Essential Compliance Elements

The requirements to **Stop, Prevent,** and **Remedy** guide Title IX Coordinators in their equity and compliance work

1

STOP discriminatory conduct

2

PREVENT recurrence, on both individual and institutional levels

3

REMEDY the effects of discrimination, for both Complainant and community

Key Terms

Sex

Chromosomes, hormones, reproductive organs, and genitalia

Gender

Attitudes, feelings, and behaviors that a given culture associates with biological sex

Gender Identity

Internal sense of gender

Gender Expression

Outward expression of gender, often through clothing, behavior, mannerisms, speech patterns, and activities

Sexual Orientation

Sexual or romantic attraction, existing on a continuum (e.g., gay, lesbian, bisexual, heterosexual, asexual)

Transgender

A person whose sense of identity and gender does not correspond with their sex assigned at birth

Key Terms

Cisgender

Gender identity consistent with the sex assigned at birth

Gender Fluid

One's sense of not having a fixed gender

Gender Variant

Behavior or appearance varying from cultural or social expectations

Nonbinary

A gender identity that does not fit within the binary

Queer

Sex or gender identity not corresponding to established norms

Intersex

Born with genital and/or reproductive anatomy outside typical definitions of male/female

Key Terms

- **Misgendering:** referring to a nonbinary, transgender, or transitioning person by a binary sex assignment, or pronouns that do not match their gender identity or expression, or that are not their chosen pronoun(s)
- **Deadnaming:** use of the birth or other former name of any of the above individuals without their consent when the individual has identified a different name or pronoun
- **Mispronouncing:** using pronouns (usually intentionally) that do not match someone's gender identity or expression, or that are not their chosen pronoun(s)

Legal and Regulatory Frameworks

Title IX

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”

20 U.S.C. § 1681 & 34 C.F.R. Part 106 (1972)



Bostock and Its Progeny

Bostock v. Clayton County, Georgia

590 U.S. 644 (2020)

- U.S. Supreme Court Title VII employment law case from June 2020
- Held that Title VII’s prohibition on discrimination “because of sex” covers discrimination on the basis of **gender identity** and **sexual orientation**
- “Today, we must decide whether an employer can fire someone simply for being homosexual or transgender. The answer is **clear**. An employer who fires an individual for being homosexual or transgender fires that person for traits or actions it would not have questioned in members of a different sex. Sex plays a necessary and undisguisable role in the decision; exactly what Title VII forbids.”

***Bostock* and Title IX**

- U.S. Department of Education's Office for Civil Rights relied upon *Bostock* as a legal foundation for the 2024 Title IX Regulations
- Federal appeals courts have extended *Bostock's* analysis to Title IX in a few contexts:
 - Fourth, Sixth, Seventh, and Ninth Circuits
 - In contrast, the Eleventh Circuit reached the opposite conclusion in a bathroom access case
 - So far, all lower courts ruling on regulation injunctions have declined to extend *Bostock*
- Relevant topics include:
 - Bathroom and locker room access
 - Name/diploma changes
 - Access to single-sex or traditionally gendered activities
 - Sexual and homophobic bullying and retaliation

2024 Title IX Regulations

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Title IX: Scope

Sex-Based Discrimination

- Inequitable Treatment
 - Sex Characteristics
 - Sex Stereotypes
 - Pregnancy or Related Conditions
 - Sexual Orientation
 - Gender Identity
- Exclusion from Participation

Sex-Based Harassment

- Quid Pro Quo
- Hostile Environment Harassment
- Dating Violence
- Domestic Violence
- Stalking
- Sexual Assault
 - Rape
 - Sodomy*
 - Sexual Assault with an Object*
 - Fondling
 - Incest
 - Statutory Rape

Retaliation

*ATIXA recommends removing these behaviors from policy, as they are covered by the Rape definition and are inconsistent with the Clery Act

Retroactivity

- The 2024 Regulations apply **only** to sex discrimination alleged to have occurred **on or after** August 1, 2024
 - For conduct alleged to have occurred prior to August 1, 2024, the 2020 Regulations apply
- Recipients will need to maintain/update policies, procedures, and training that are compliant with the **2020** Regulations and **2024** Regulations
 - If your institution is not fully compliant with 2020, now is the time



***De Minimis* Harm**

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***De Minimis* Harm**

- In the limited circumstances where Title IX permits different treatment or separation based on sex, the 2024 Regulations state that an institution **must not** implement differential treatment by means that subjects a person to **more than *de minimis* harm**
- Adopting a policy or practice preventing someone from participating in a program/activity **consistent with their gender identity** violates the *de minimis* harm provision
- Notable exceptions:
 - Religious exemptions
 - Fraternities and sororities
 - Housing
 - Athletics

De Minimis Harm and Documentation

- To confirm gender identity, a district or institution may rely upon:
 - Consistent assertion of gender identity
 - Written confirmation from the student, parent, counselor, coach, or teacher
- May **not** require:
 - Invasive medical inquiries
 - Burdensome documentation requirements
 - Amended birth certificate



Perceived Status

- Includes discrimination based on a **perceived** status, whether the perception is accurate or not
 - Consistent with Title VII
- Perceived:
 - Sex
 - Sex Characteristics
 - Sexual Orientation
 - Gender Identity
 - Pregnancy status



Hostile Environment Harassment

Sex-Based Harassment

- Subset of sex discrimination
- Includes (the “Big Six” offenses):
 - Quid Pro Quo (QPQ)
 - **Hostile Environment Harassment**
 - Sexual Assault
 - Dating Violence
 - Domestic Violence
 - Stalking



Hostile Environment Harassment

- Definition:
 - Unwelcome sex-based conduct that
 - Based on the totality of the circumstances
 - Is subjectively and objectively offensive **AND**
 - Is so severe **OR** pervasive
 - That it **limits or denies** a person's ability to participate in or benefit from the Recipient's education program or activity

Remember: If the discriminatory conduct also has harassing elements, evaluate whether the actions are discriminatory **and** whether a hostile environment may exist

Hostile Environment Harassment

- Definition provides factors for evaluating whether a hostile environment exists
 - Complainant's ability to access the education program or activity
 - Type, frequency, and duration of the conduct
 - Parties' ages, roles, and previous interactions
 - Location and context of the conduct
 - Institutional control over the Respondent
- These are **factors**, not requirements
 - There could be other factors to consider, too

Practical Application

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Pronouns and Chosen Names

- General rule:
 - Allow students or employees to use chosen names and pronouns
 - An individual's refusal to use names/pronouns could rise to the level of sex-based harassment if it is severe or pervasive, but case law on this is still evolving
 - Communication among offices and across technology is important
- Practical issues that may present:
 - Privacy concerns
 - Misgendering or deadnaming issues
 - Conflict with religious freedom, academic freedom, or First Amendment
 - Technology/recordkeeping systems and pre-programmed gender fields

Bathrooms/Locker Rooms

The 2024 Regulations **require** districts and institutions to adopt inclusive practices

- Recall the *de minimis* provision
- May still maintain sex-separate facilities like bathrooms or locker rooms
- Must permit transgender, transitioning, intersex, non-binary, or gender-variant individuals to **participate** in the education program and **access** facilities **consistent** with their gender identity/expression

Bathroom Cases

Seminal bathroom cases under Title IX over the past decade

- 4th Circuit (MD, NC, SC, VA, WV)
 - *Grimm v. Gloucester County School Bd.* (2020)
- 6th Circuit (KY, OH, MI, TN)
 - *Dodds v. U.S. Department of Education* (2016)
- 7th Circuit (IL, IN, WI)
 - *Whitaker v. Kenosha Unified School Dist.* (2017)
- 11th Circuit (AL, FL, GA) [outcome did not support bathroom access]
 - *Adams v. School Bd. Of St. Johns County* (2022)

Bathroom Policy Best Practices

- Develop a protocol to respond to complaints about trans individuals using or being excluded from bathrooms/locker rooms
- Become involved with capital improvement projects to build or renovate bathrooms, locker rooms, etc. to enhance privacy
 - Including providing all-gender single restroom spaces, which serve the needs of anyone needing additional privacy
- Collaborate directly with impacted individuals to design solutions

***De Minimis* Harm & Housing**

- Sex-separated housing is an exception to the *de minimis* harm provision
 - However, the 2024 Regulations **caution** against carrying out a sex-separated housing policy that rises to the level of sex-based harassment
- Best practices
 - Collaborate with students to design solutions
 - Consider gender-neutral options or single occupancy
- Nothing in the regulations prohibits permitting students from participating in housing according to their gender identity
 - State law may require this, but the 2024 Title IX regulations do not

Athletics

- State law may impact athletic participation, usually at the K-12 level
 - This is an emerging area of litigation, but most decisions tend to side against state laws that are based only upon sex assigned at birth
 - Equal Protection claims
 - Title IX claims
 - Check with legal counsel for state-specific information
- ATIXA recommends that districts and institutions permit athletic participation consistent with gender identity in most situations
 - Consider the goal of athletic participation when developing policy
 - High level competition vs. socio-emotional learning, teamwork, etc.
 - Exclusive policies should be limited to high-level competition or those sports with significant injury concern

Athletics: Proposed Title IX Regulations

If a Recipient adopts or applies sex-related criteria that would limit or deny a student's eligibility to participate on a male or female team consistent with their gender identity, such criteria must, for each sport, level of competition, and grade or education level:

- (i) **be substantially related** to the achievement of an **important educational objective**, and
- (ii) **minimize the harms** to students whose opportunity to participate on a male or female team consistent with their gender identity would be limited or denied

The proposed rule **effectively** prohibits categorical bans based on gender identity that apply broadly to entire groups of student-athletes

Update: This rule is not expected until Spring 2025, at the earliest.

Other Topics

- Dress codes
 - The *de minimis* harm provisions applies to dress or appearance codes
- Parental rights in K-12
 - **Nothing** in the 2024 Regulations:
 - Disturbs parental rights, including the *de minimis* harm provision
 - Requires withholding of information about a child from parents
 - Requires sharing information with parents
 - Ongoing litigation about parental entitlement to gender identity information
 - Note: Anything in a K-12 student's education record would be subject to inspection by parents/guardians under FERPA

First Amendment

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First Amendment Primer

First Amendment intersects with Title IX and gender diversity at public districts and institutions

- Freedom of religion
- Freedom of speech
 - Freedom of expression
 - Academic freedom (higher education)
 - One person's free expression = another person's allegations of discrimination or harassment on the basis of gender identity
 - Not an "either/or"
 - Preamble: "There is no inherent conflict between one student's right to be free from sex discrimination and another student's right to freedom of expression"

Hostile Environment Harassment

- Districts and institutions should **not** construe this definition or act in a way that conflicts with the First Amendment
 - A statement such as “I do not agree with transgenderism” alone is likely **not** enough to create a hostile environment that overcomes First Amendment protections
 - Likewise, one or a few instances of misgendering or deadnaming would likely **not** be enough to meet the threshold, though intent and context will matter
- Some forms of harassing speech are not protected by the First Amendment
 - Repeated misgendering or deadnaming done in a demeaning or taunting way
 - Teasing, name calling, and crude sexual gestures disparaging a student’s perceived lack of masculinity
 - The more the conduct is targeted and intended for personal harm, the less likely it will be protected

Hostile Environment Harassment

- Districts and institutions have useful tools, apart from discipline, to remedy a hostile environment, which may be helpful in situations where First Amendment protections present challenges
 - Supportive measures and remedies are useful in these situations
 - Informal Resolution
- Consult with legal counsel

Ensure that non-discrimination policies and hostile environment standards are content-neutral and viewpoint-neutral, as written and as applied

Additional Takeaways

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Handling Objections

Addressing Objections

- Soft skills and remedies are often more effective to resolve disputes/objections than discipline
 - Keep focus on human costs/harm/well-being rather than on rights
 - Collaborate to identify sources of conflict or discomfort
 - Identify any common ground
 - Seek solutions to ease or mitigate conflict, while upholding the law
 - Engage in an iterative process
 - Be confident in using policy if needed, but not necessarily as a first resort
- Supportive measures
- Informal Resolution (no complaint required under 2024 Regulations)
- Appeal to values of district or institution
 - Or religious values, if district or institution is faith-based
- Privacy considerations

Addressing Objections

- Establish protocols for responding to objections to gender identity policies
 - Responding to religious or free speech challenges – or just general bad behavior
- Anticipate and be prepared to weather pain points during policy development process
 - Failing to have a policy applicable to these issues makes enforcement more challenging
 - May be able to gain buy-in through the policy development process
- Establish information sharing practices
 - Balance privacy and confidentiality with senior administrative officials' or public relations' need to know
- State laws may have some impact on addressing objections, too

Addressing Objections: K-12

- There may already be board policies or protocols regarding parental objections
- Objections from board members should be addressed by the superintendent
- Protection of Pupil Rights Amendment (PPRA)
 - Parental consent prior to surveys or instruction on certain topics, including sex or sex behaviors
- Parents rights re: information



Applicable Case Law

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Meriwether v. Hartop

992 F.3d 492 (6th Cir. 2021)

Facts

- Case against Shawnee State University (SSU)
- In 2016, SSU instructed faculty to refer to students by their “preferred pronouns”
 - Meriwether said his religious beliefs prevented him from complying
 - SSU advised Meriwether to eliminate use of sex-based pronouns
- Meriwether was told to comply or be in violation of school policy
 - He would comply if he could put a syllabus disclaimer that he was compelled to comply
 - Proposal was rejected
- SSU investigated and found Meriwether responsible for creating a hostile environment
 - He was given a formal, documented warning
- Meriwether filed a lawsuit under the First Amendment

6th circuit: KY, OH, MI, TN

Meriwether v. Hartop

992 F.3d 492 (6th Cir. 2021)

Decision

- The Court held that the First Amendment protects the academic speech of university professors
 - “The First Amendment protects the right to speak freely and right to refrain from speaking...and the government may not compel affirmance of a belief with which the speaker disagrees”
- Citing *Tinker*: “Government officials violate the First Amendment whenever they try to prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion”
 - The First Amendment does not permit law to cast “a pall of orthodoxy over the classroom”
- The professor is prohibited from creating a hostile environment, but the hostile environment analysis is impacted by free speech rights, religious freedom, and/or academic freedom
 - A balancing test

Kluge v. Brownsburg Comm. Sch. Corp.

64 F. 4th 861 (7th Cir. 2023)

- To support its trans students, Brownsburg, a public school, adopted a Name Policy requiring its high school teachers to call students by their names identified in the student database
- Kluge, a teacher, objected to the policy for religious reasons
 - School approved an accommodation so Kluge could address students by their last names
- The accommodation negatively impacted the learning environment
 - The school withdrew the accommodation and told Kluge to comply
 - Kluge resigned
- Kluge sued under Title VII for failure to accommodate
- A court concluded that the school was unable to accommodate Kluge without imposing an undue hardship on the school's business of educating all students
 - Accommodations are contextual, balanced against other considerations

7th circuit: WI, IL, IN

Best Practices & Recommendations

Best Practices and Recommendations

- Expand opportunities for Informal Resolution
- Ensure related policies are consistent when they overlap with gender identity concerns
 - Conduct policies, such as disruption, harassment, or bullying policies
- Consider whether gender-based labeling/identification or separation is necessary for spaces, groups, forms, etc.
- Train and educate, including toward priority populations based on reporting trends or previously identified areas in need of improvement
 - Teachers/faculty/coaches
 - Counselors
 - Staff in student-facing or parent-facing roles

Best Practices and Recommendations

- Remedies vs. sanctions
 - Remedies are available even when sanctions may not be
 - Helpful to navigate Title IX complaints implicating the First Amendment or the institution as a Respondent
- Senior leadership or Board notification/ approval of policies and response plans
- Establish ad hoc support team of key colleagues to collaborate on challenges



Final Considerations

- Discuss risk strategy with legal counsel, senior leaders/Board
 - Section 1983 lawsuits targeting administrators individually
- Clarify policy intersections and roadmap complaints
 - Retaliation, de minimis harm, sex discrimination
- Distinctions between public and private universities and schools
 - Geographical considerations with federal court cases

Activity: Case Studies

Case Study 1: Samantha

- A male instructor has been intentionally and repeatedly misgendering a student
- Samantha is a trans female, but the instructor insists on using Samantha's name given at birth when calling on her in class, and always calls the student "Mr.," both in class and in one-on-one conversations
- Samantha has clarified her identity with the instructor, who politely but firmly informed the student that they do not recognize chosen pronouns and will not use them
- Last week, another student spoke out in class, telling the instructor that he needed to call Samantha by her chosen name

Case Study 1: Samantha

- The instructor was dismissive and told the student that in his classroom, he can call anyone anything he wants, and that he will not be dictated to by “woke” students who think they’re the gender police
- Samantha was embarrassed, and has now sought out the Title IX office, and told the TIXC that she wishes to file a complaint

What should the Title IX Coordinator do?

Case Study 2: Samantha, Part 2

- Samantha comes to the office that manages course assignments and student information to make sure her name is listed correctly for her courses
- She's concerned because she changed her name to reflect her identity in the student information system but is unsure whether the office has accurately carried over the change to her course assignments
- It turns out that the office administrator erred, and her birth-assigned name has already been provided to all her teachers
- Samantha approaches the Title IX office about this, feeling like she is in an impossible position

Case Study 2: Part 2

- If she does not correct her name with her teachers, they'll be deadnaming her for the remainder of the school year
- But, if she does correct her name with them, it's possible she'll be outing herself to them as trans and she does not want to do that, if possible, because she fears they may discriminate against her

**As a Title IX team member,
how would you assist Samantha and help her resolve the problem?**

Case Study 3: June and Randee

- June walks into the Title IX office, very upset
- Her colleague, Randee, is now using the women's restroom in their hallway
- Randee is a trans woman, and June refuses to use the restroom along with "someone who has a penis"
- June feels unsafe and thinks anyone with a penis should be required to use the men's restroom
- June files a complaint that she's being deprived of the ability to safely use the women's restroom in her hallway, which is discrimination on the basis of her sex

How should the Title IX office respond?

Case Study 4: Barry

- Barry is a nonbinary student who complains that they failed a world history class
- The main graded assignment was a paper, and Barry's submission was an exploration of gender in the Bible
- Barry's paper "explores agender characters in the Bible" and "delves into mistranslations of scripture that are misused to support a Biblical belief in the immutability of sex"
- Their instructor, Sonia Dolittle, fails them on the paper and for the class because of the "false historical arguments" Barry made in their writing

Case Study 4: Barry

- Barry files a Title IX complaint arguing that the F grade is rooted in Dolittle's discriminatory beliefs

What should the Title IX office do?

Case Study 5: Simpson & Tau Iota Xi

- Simpson rushed Tau Iota Xi, a male fraternity, and was initiated
- In late April, the fraternity discovered that Simpson is a trans male
- On that basis, the fraternity reversed its decision to admit Simpson and expelled him from the chapter
- The Dean of Fraternity and Sorority Life has filed a complaint against Tau Iota Xi for violating the university's non-discrimination policy
- Tau Iota Xi explained that it has the right by charter to admit only males
- The Dean has countered that Simpson is a male, and that the charter does not require that members be assigned male at birth

Case Study 5: Simpson & Tau Iota Xi

- The fraternity executive board explained that they don't have a choice, as Tau Iota Xi national headquarters staff told them they must expel Simpson
- Simpson responds that he was not born female, but intersex, and had gender affirmation surgery

Did Tau Iota Xi discriminate against Simpson on the basis of sex?

What should the Title IX office do?

Case Study 6: Jana & Selene

- Jana and Selene are both track athletes
- They file a complaint with the Title IX office that they are being discriminated against on the basis of sex for forcing them to compete against two trans females, one of whom is a teammate, and the other of whom is enrolled at a competitor school/institution
- Both Jana and Selene have not won a race since these two trans females joined their respective teams, though they won frequently prior to competing against the trans athletes

Case Study 6: Jana & Selene

- Jana and Selene both show clear statistical proof that their times are the fastest female times in the league, eclipsed only by the times of the two trans females
- No other cisgender female has beaten either of the trans females all season
- The trans females are compliant with the league requirements for participation

How should the Title IX office analyze and address this complaint?

Case Study 7: Professor Petersen

- Professor Petersen is a linguist, a public intellectual, and a noted cultural conservative with a very broad following on social media
- His views on trans rights are well-known, often written about (by himself and others), and not inclusive
- Petersen's employer, looking to find creative ways to ensure the use of inclusive language, enacts a civility code (adopted by the Faculty Senate) that requires all employees to avoid name-calling and to honor the use of "nicknames" whenever requested
- The code is neutral and does not mention sex

Case Study 7: Professor Petersen

- Petersen is incensed by the adoption of this policy, and writes about it with condemnation in his blog, on X (formerly known as Twitter), and on other social media outlets, calling it a speech code
- The Faculty Senate president tells Petersen that they enacted the civility code with him in mind, primarily because of his outspoken online anti-trans rhetoric
- Petersen approaches the Title IX office with a complaint that the code is retaliatory against him specifically, for his exercise of free speech rights to be openly anti-trans

Roadmap how your office would address this complaint, if at all.

Case Study 7: Mr. Petersen (K-12 version)

- Mr. Petersen is an English teacher who is very involved in local conservative groups and has a very broad following on social media
- His views on trans rights are well-known, often written about (by himself and others), and not inclusive
- Petersen's district's school board, looking to find creative ways to ensure the use of inclusive language, enacts a board-level policy on civility that requires individuals to avoid name-calling and to honor the use of "nicknames" whenever requested
- The policy is neutral and does not mention sex

Case Study 7: Mr. Petersen (K-12 version)

- Petersen is incensed by the adoption of this policy, and writes about it with condemnation in his blog, on X (formerly known as Twitter), and on other social media outlets, calling it a speech code
- The superintendent tells Petersen that the Board enacted the policy with him in mind, primarily because of his outspoken online anti-trans rhetoric
- Petersen approaches the Title IX Coordinator with a complaint that the board policy is retaliatory against him specifically, for his exercise of free speech rights to be openly anti-trans

Roadmap how you would address this complaint, if at all.



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Questions?

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