



TITLE IX AT PPS

Keeping school communities safe for all.

SAFE. PROTECTED. RESPECTED.

Receiving this **Notice of Reporting Party Rights & Resources** means the district intends to investigate an incident that occurred at school where you were harmed by another student. The district will respond to all complaints but not all complaints will result in a finding or disciplinary action.

We understand that coming forward can be challenging, and we are committed to ensuring that your rights are protected and that you receive appropriate support throughout this process.

Title IX of the Educational Amendments of 1972 ensures that every student can access their public education in an environment free from bias, harassment, or discrimination (of any kind). While the text of the law has not changed since it was passed in 1972, the interpretation of the law has changed significantly in the decades since.

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 education program or activity receiving Federal financial assistance.

The most recent substantive changes occurred in 2020 and remain in place today.¹ Under Title IX, the following are considered forms of sexual harassment and are prohibited in all PPS schools, programs, and school-sponsored activities: 1) sexual harassment including engaging in unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a student equal access to a school's education program or activity; 2) sexual assault; 3) dating violence; or 4) stalking or cyberstalking.

School-Based Title IX Coordinators

School-based Coordinators (SBCs) are the first level of intervention when gender-based harassment or discrimination occurs. As a learning organization, our goal is to ensure students understand what is expected at school and how this may differ from other environments they frequent outside of school (work, church, home, etc.). When students struggle to adhere to these expectations, our job is to teach them the lagging skills needed to be successful. In some cases, the response may be educational, providing students with specific opportunities for learning, growth, and accountability. In others, such as a single severe incident of harm at school (ex: sexual assault), a formal investigation may be required. For more on the role of the school-based coordinator, check out the [FAQ](#).

Policies and terminology

The reporting party, also called the *Complainant* (you), is the person who was harmed by an incident or behavior prohibited under Title IX, or a policy in the [PPS Student Rights & Responsibilities](#) and/or other PPS policies including [1.80.020-P Nondiscrimination/Anti-Harassment](#) and [4.30.072-AD Title IX Student to Student Sex-Based Discrimination and Harassment](#). The responding party, also called the *Respondent*, is the person who harmed you by their behavior.

¹ The 2024 Title IX regulations, passed in 2024, must be implemented by August 1, 2024. For more on the significance of these changes, visit the [U.S. Department of Education](#).

Contextual and mitigating factors

The district will always consider contextual and mitigating factors when determining the appropriate response. For all Title IX matters, school-based coordinators are directed to intervene early with appropriate psychoeducational interventions and resources that demonstrate and teach PPS students about the expectations of school and how to be a positive member of the school community. When a student is unable to meet the expectations of school, we consider the following factors:

- Student's prior conduct. Is this the first time the student engaged in this behavior? If not, it may be persistent. Is the behavior developmentally appropriate or is there concern about exposure to pornography or child abuse? Take into account the student's age, health, ability, etc.
- Is there an immediate and imminent risk to student safety?
- What (if any) cultural or linguistic factors may have played a role?
- Who was harmed by this behavior (impact)? Did the behavior have the effect of denying someone their right to an education even for a short time?
- Is the student willing to be accountable, apologize, and/or participate in some form of restoration?
- How many students or other members of the school community were impacted (how pervasive)?
- What supportive measures can be immediately offered to those impacted by what happened? This may be academic accommodations, referral to counseling, class change, etc.
- What are appropriate interventions or supplemental educational activities that can address this behavior?
- Based on preliminary info gathered, if there a concern that a child is being abused by an adult, we will make an immediate call to the DHS Child Abuse Hotline.

School-based investigations

A school-based investigation is not the same type of investigation that police or a law enforcement agency would conduct. Schools can't send anyone to jail so the standard of proof required differs. Unlike in criminal cases, where the standard is "beyond a reasonable doubt," school discipline only needs to meet the "preponderance of the evidence" standard, meaning it is "more likely than not." In school investigations, evidence is collected and reviewed. Questions are asked to determine the facts, and credibility assessments are made when perspectives differ significantly. A report or complaint made in "good faith," will not lead to adverse disciplinary action against a complainant.²

Leveled interventions

In 2022, PPS introduced [Title IX Leveled Responses & School Supports](#), a comprehensive system that offers a range of interventions to address challenging student behaviors. This innovative approach not only promotes a positive school climate but also creates transformative opportunities for students to develop their social-emotional skills. The underlying philosophy is that when we intervene early, we prevent a lot of harm that might otherwise occur - and as a learning organization, our primary role is to educate children. We fundamentally believe that when children are offered opportunities for learning by caring, trusted adults at school, they will naturally want to be positive and productive members of their school community. The district office supports this critically important work happening in our PPS schools by offering them a leveled, progressive framework that includes criteria for the level of response required and resources/interventions at every level. For Levels 1-3, the designated School-Based Coordinator manages and tracks the information (see [FAQ SBCs](#)). At Level 4, the district office must be notified and the Compliance Manager will coordinate the response/investigation with the SBC.

² Reports found to be intentionally false or intended to retaliate or harm may result in disciplinary action or a finding of *unfounded*.

School-based (exclusionary) discipline

The most significant consequence a school can apply is suspension or expulsion for up to a year. Expulsion is extremely rare and is reserved for the most serious and dangerous behaviors. If the report has information about a possible crime, the school administrator can talk to or refer the matter to the local police at the same time as the school's investigation.

PPS values related to discipline:

1. School personnel and parents/caregivers are responsible for encouraging students' appropriate behavior.
2. School personnel are expected to use a continuum of positive behavior interventions, strategies, and supports to teach, encourage, and reinforce appropriate behaviors conducive to a learning environment.
3. School personnel are expected to intervene early and start the discipline process at the lowest possible level reasonably calculated to change the student's behavior and minimize loss of instructional time.

Safety and support at school

The priority of Title IX policy and response is student safety. Once you let PPS know what happened, we will take immediate steps to ensure both parties (if applicable) are safe and protected from further harm. This may include a request that the parties cease communication using a *No Contact Order* or *Stay Away Agreement* and/or the implementation of safety or supportive measures in your school. Remember - you do not have to go through this alone. Please visit the [Student/Family Title IX website](#) for a full list of resources.

The following are examples of “interim safety or supportive measures” that may be available during an investigation (and beyond when appropriate). Discuss these with your SBC.

- ☐ Referral to counseling or school-based mental health provider
- ☐ Referral to school-based health clinic
- ☐ Implementation of a No Trespass Order
- ☐ Academic accommodations such as extensions on class assignments or short-term postponement of tests/exams
- ☐ Changes to your class schedule (note: we cannot forcibly remove another student from a class without due process. However, we may be able to work with families who wish to voluntarily request a schedule change).
- ☐ Escorts provided to/from class, during passing time, to/from the school bus, etc. by a Campus Security Agent (CSA). Only available in middle/high school.
- ☐ Restrictions on contact between the parties (No Contact Agreement or Stay Away Plan)
- ☐ Leave of absence from school
- ☐ School-based safety or support plan (short-term or long-term)
- ☐ Monitoring of certain areas of campus
- ☐ Other reasonable academic accommodation

As the complainant, you have the right to:

1. Attend District schools and activities free from harassment or discrimination;

2. To be treated with respect and compassion throughout the investigation;
3. Provide additional information or evidence related to your complaint.
4. Be informed of the progress of the investigation and any relevant updates.
5. Have a support person present during any meetings or interviews related to the complaint.
6. Protection against retaliation for filing a complaint or participating in the investigation process.
7. To have an advisor of your choice throughout the process. This can be a parent, guardian, counselor, advocate, attorney, or another trusted adult whose role is to provide support;
8. To appeal the outcome based on information not previously available or a procedural or due process violation such as conflict of interest or investigator bias.

Retaliation or intimidation

Once a report is made, under the law, it is strictly prohibited to retaliate, intimidate, harass, or threaten the individual who reported the matter (in this case - you). This includes:

- Threatening to harm, spread rumors or other misinformation about the named student
- Intimidating or harassing behavior towards the named student
- Threats, coercion, or intimidation on your behalf by a third-party (such as another PPS student) toward the named student

Any actions perceived as retaliatory should be immediately reported to the Title IX Compliance Manager or your SBC.

Other remedies

The school district's internal procedures do not prevent the right of any individual to simultaneously report or pursue other administrative, civil, or criminal remedies outside of a school-based investigation. These remedies are not provided by the school or district but may be available through other entities. Students also have the right to file a complaint online with the [Oregon Department of Education's Office of Civil Rights](#).

Title IX compliance

The Title IX Manager is responsible for tracking, reporting, and responding to Title IX reports for Portland Public Schools in collaboration with school-based administrators and coordinators. If you have any questions or concerns at any time during the investigation, please do not hesitate to contact the Title IX Manager listed below. We are here to assist you and provide any necessary assistance.



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