

**Student Welfare and Compliance
FY23 Training
for
MCPS Athletic Directors**

**** Title IX and LGBTQ+ / Transgender in Sports ****

2019 Doe v. Scott Bluff Public Schools, Nebraska

- ❖ Golf coach groomed and sexually abused student-athletes
- ❖ Coach found guilty, sentenced to 32 years
- ❖ \$2.75 million-dollar settlement



Child Abuse

2019 John Doe v. Hamilton County Department of Education, Tennessee

- ❖ Student athletes sodomized with pool cues
- ❖ One student suffered a ruptured colon and bladder
- ❖ 3 students charged with aggravated rape
- ❖ Culture of beatings was a team "Ritual"
- ❖ Coaches were aware of "excessive horseplay"
- ❖ Coaches indicted for failing to report

\$750,000 Settlement



Sexual Assault

2018 Six Centennial Cheerleaders, Georgia, removed after hazing incident that took place at student's residence



Hazing

2022 Maryland House Committee defeats transgender sports ban

- ❖ Bill would have prohibited transgender students from playing on sports teams aligning with their gender identity
- ❖ Under the bill, interscholastic/intermural sports teams would be required to be "expressly designated" by "biological sex"



Transgender Athletes

TITLE IX in Athletics

CULTURALLY RESPONSIVE ACTION PLAN

Following is a culturally responsive action plan for responding to incidents of hate, discrimination, and/or bias at athletic events and across the MCPS interscholastic athletics program. Protocols and procedures will align with [MCPS procedures](#) for addressing hate/bias incidents in schools, while accounting for the factors and setting at a practice or contest.

PREVENTATIVE MEASURES

Preventative measures play a key role in creating a safe and respectful environment across MCPS Athletics. Following are some preventative measures utilized in MCPS Athletics:

- Pre-game announcement played whenever possible
- Setting the tone at meetings – student-athletes, coaches, parents/guardians, boosters, officials
- Signage of expectations at events
- Professional development of game management personnel
- Positioning of game management staff and chaperones at events
- Student-led video that addresses fan behavior
- Reminders of “See Something, Say Something”
- Emphasize reporting and educate stakeholders of their responsibility
- QR codes posted around campus to allow for real-time reporting

IMMEDIATE RESPONSE TO INCIDENT

Process

1. Speak to each party involved (separately), provide a safe space, acknowledge the issue/feeling, gather as much information as possible (no judgment)
2. Secure contact information and provide AD contact information.

Pitfalls

1. Being dismissive or defensive
2. Individuals leaving event before investigation
3. Fear of retaliation – low reporting
4. People can be emotional – win or lose – along with suffering harm

INVESTIGATION

Process

1. Defer to the school administration, who will lead the investigation similar to other incidents of similar nature
2. Ensure the [MCPS investigation process](#) is followed
3. If police are needed, taking statements and

Pitfalls

1. “He said, She said,” perception of the communities
2. Implicit bias
3. Jumping to conclusions
4. Expecting finite evidence

TITLE IX in Athletics

Unpacking the NFHS Training - what does this mean for me?

Principle T9 Objectives:

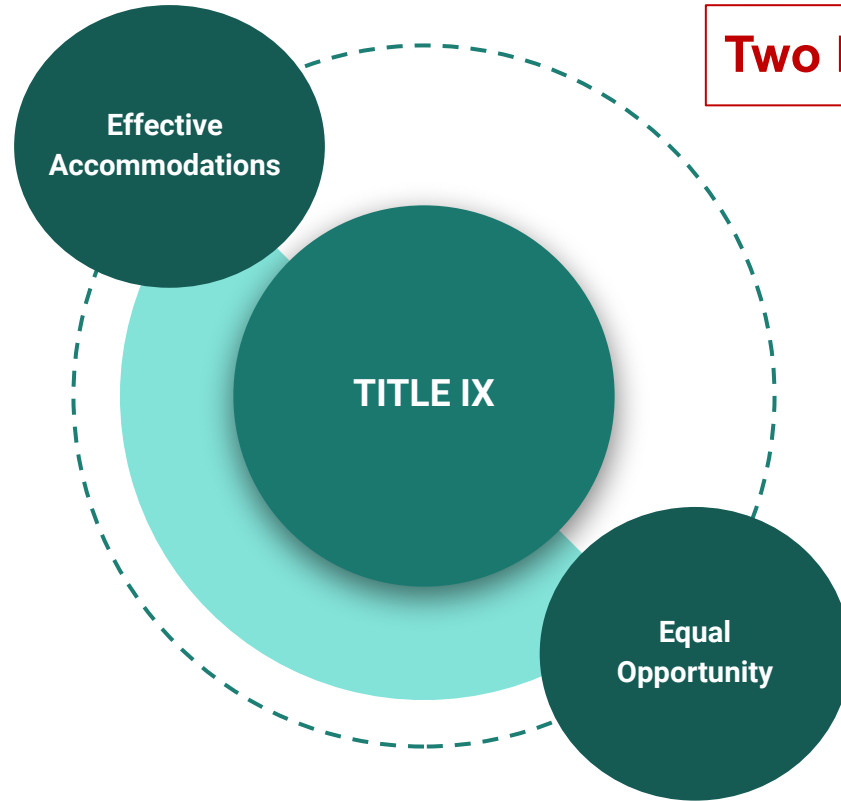
1. Avoid use of federal funds to support discriminatory practices
2. Provide effective protection against those practices



The screenshot shows the NFHS Learning Center interface. At the top, there is a dark blue header with the NFHS logo on the left, and the text "NFHS.org" and "NFHSLearn.com" on the right. Below the header, the words "LEARNING CENTER" are displayed in large, bold, white capital letters. A dark blue navigation bar contains a white left-pointing arrow followed by the text "Back to Courses". Below this, there is a circular icon with a white background, a blue border, and the Roman numeral "IX" in the center. To the right of the icon, the text "Recommended for: Coach, Administrator" is shown in white. Below the icon and recommendation text, the words "Title IX" are written in a large, bold, white font. Underneath "Title IX", the text "Elective Course" is displayed in a smaller white font.

TITLE IX of the Educational Amendments of 1972

Two Main Components





**Effective
Accommodations**

1. **Substantial Proportionality**
 - a. Correct enrollment and participation ratio (2-3%) female enrollment to female participation.
 - b. Law does not require strict proportionality
 - c. Unduplicated and Duplicated (1 Athlete... 3 teams.... Counts as 3 opportunities)
 - d. as of first day of competition

3-Prong Test

2. **Program Expansion**
 - a. Historically AND Recent Practices
 - b. Recent Actions and Plans to Increase

NEED 1 of 3

3. **Full and Effective Accommodations**
 - a. A demonstrated interest in the sport/activity
 - b. Sufficient interest to field a viable team
 - c. Adequate number of competitors in the schools geographical area of competition
 - d. Student Voice (Surveys)
 - e. Review of non-interscholastic programs
 - f. Intramurals, clubs, PE courses, community programs
 - g. Legitimate documentation



Equal
Opportunity

**Comparable Treatment in
Athletic Program**

“Laundry List” 11 Categories

1. Equipment and supplies
2. Scheduling of games/practice times
3. Travel and Per Diem Allowance
4. Tutoring
5. Coaching
6. Locker Rooms, Practice/Game facilities
7. Medical and training facilities
8. Housing and Dining Facilities and Services
9. Publicity
10. Support Services
11. Recruitment of student athletes



Monitoring the Money

Funding Considerations

1. **School Funds** - administration is given flexibility to make good decisions while maintaining the **TWO Main Components** of Title IX
2. **Booster Club Funding**
 - a. Title IX does not prohibiting funding - does require equal opportunity for male and female distribution
 - b. **Booster Club Funding** is considered school funding under Title IX and school is responsible for equitable distribution of **ALL** sports/programs
 - c. Schools should have an oversight plan for all booster funding

TITLE IX in Athletics

Mr. Gregory S. Edmundson

Title IX Coordinator

TitleIX@mcpsmd.org

240-740-3215

Click here to file Title IX Discrimination
Formal Complaint

Title IX Coordinator should be made available to students, staff and parents and is responsible for:

- 1. Preventing sexual harassment and discrimination**
- 2. Monitoring implementation of Title IX and coordinating compliance**
- 3. Being knowledgeable of federal laws and regulations**
- 4. Being current with research and legal decisions, state laws and equity issues, including bullying, harassment, hazing, and child abuse**
- 5. Advising school programs, including athletics**
- 6. Supporting Athletics with Title IX audits**
- 7. Ensuring appropriate training to all deputy Title IX coordinators**

Supporting Students with Gender Identity

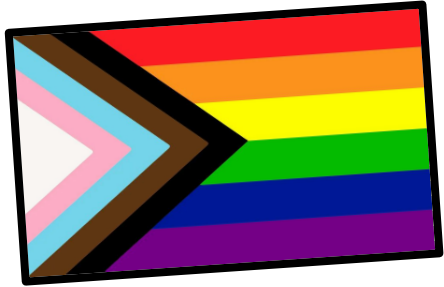
Common Language and Structures

How can we make our athletics more affirming for LGBTQ+ folks?



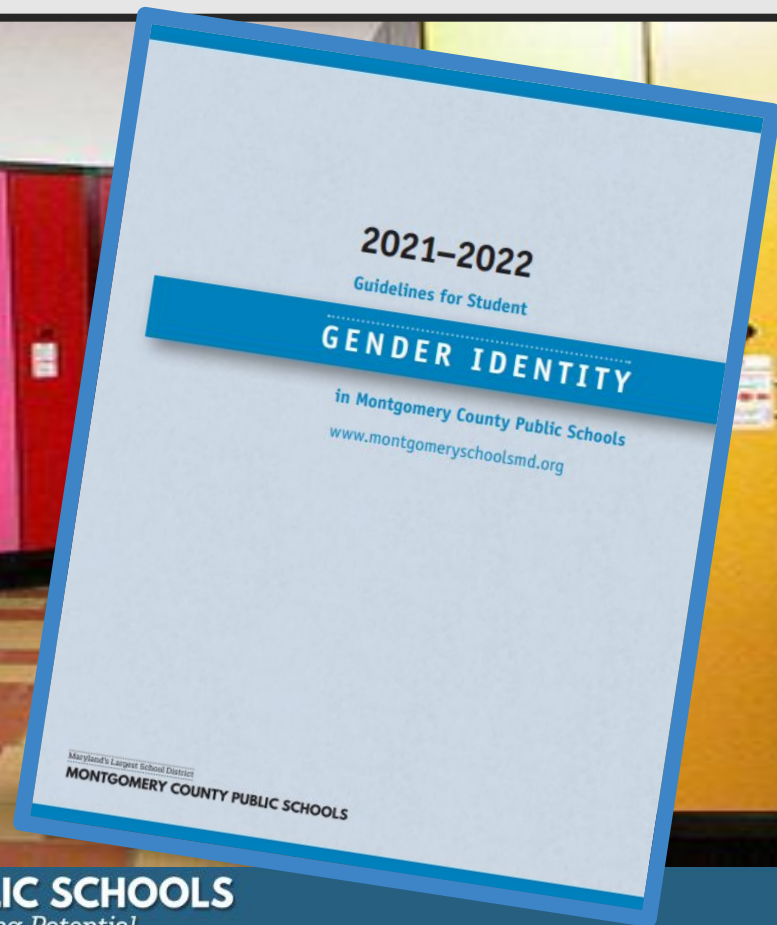
- Engage in Self-Assessment
- Use inclusive language
 - Instead of guys, ladies, gentleman, boys, girls, etc.
 - Try cougars, swimmers, athletes, wrestlers, etc.
- Normalize sharing pronouns
 - Introductions
 - Email signature
- Increase representation & visibility
 - Professional Athletes Who Identify as LGBTQ+
 - Signage and posters
- Address harmful comments
 - Sample responses
- Continue learning
 - Transgender Inclusion in Sport Resources
 - GLSEN: Changing the Game

Reviewing MCPS Form 560-80



MONTGOMERY COUNTY PUBLIC SCHOOLS
Expanding Opportunity and Unleashing Potential

Supporting **ALL** students, so **EVERYONE** feels safe, accepted, and valued



MONTGOMERY COUNTY PUBLIC SCHOOLS
Expanding Opportunity and Unleashing Potential

Supporting Student Gender Identity

- Counselor and the student submit **MCPS Form 560-80, Supporting Student Gender Identity**
- Student can choose to have their **identified name/gender** on their **Zoom Account** and **Unofficial Records** (ie., report cards, rosters, certificates, yearbook)
- Official documents, reported MSDE require a **LEGAL NAME** change (ie., transcripts, diploma, IEP, 504)

Intake Form: Supporting Student Gender Identity

Office of Student and Family Support and Engagement
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland 20850
See MCPS Guidelines for Student Gender Identity

Instructions: The school administrator, counselor, or psychologist should complete this form with the student. Parents/guardians may be involved if the student states that they are aware of and supportive of the student's gender identity. This form should be kept in a secure, confidential location. See distribution information on Page 2. **This form is not to be kept in the student's cumulative or confidential folders.** All plans should be evaluated on an ongoing basis and revised as needed.

STUDENT INFORMATION

Student Name in MCPS Student Information System (Last, First, MI): _____
School _____ Grade _____
What is your identified name? _____ MCPS ID # _____
What is your identified gender? Male Female X (unspecified/non-binary) Other _____
What pronouns do you use to identify yourself in school? _____

SUPPORT/SAFETY FOR STUDENT

Is parent/guardian aware of your gender identity? Yes No
Support Level: (None) 1 2 3 4 5 6 7 8 9 10 (High)
If support level is low what considerations must be accounted for in implementing this plan? _____

PRIVACY COPY
Plan ID

Distribution:
Copy 1 School Confidential Folder
Copy 2 Student Welfare and Compliance
SWC@mcpsmd.org
via pony CESC Room 55, in marked confidential envelope

To prevent outing a student to their parent(s)/guardian(s), students should be aware that changes made in Synergy will be visible in the Parent Vue, report cards, and all unofficial documents

MCPS Form 560-80, *Supporting Student Gender Identity*

- ❖ Supports student **participation that is consistent with their asserted gender identity**
- ❖ Identifies the student's **chosen name** and **gender identity**
- ❖ Identifies the student's **level of support at home**
- ❖ Identifies to **whom information may be disclosed**
- ❖ Identifies the student's plan for **bathroom/locker room use**
- ❖ Identifies student's plan for **sports/extracurricular activities**
- ❖ Identifies **“go to staff ”** for the student
- ❖ Identifies how the student will **seek help in the event they feel unsafe**



STUDENT WELFARE AND COMPLIANCE

[FY22 Districtwide Compliance Training Information HERE](#)

[REPORT SUSPECTED CHILD ABUSE OR NEGLECT](#)

[REPORT BULLYING, HARASSMENT OR INTIMIDATION](#)

Maintaining a lawful, positive, safe, and healthy climate and culture

[Volunteers and Contractors Online Compliance Training](#)

[Family Violence During COVID-19 Health Crisis](#)

Quick Reference Guides

- [FY22 QUICK REFERENCE: Child Abuse and Neglect Reporting](#)
- [FY22 QUICK REFERENCE: Student Sexual Misconduct](#)
- [FY22 QUICK REFERENCE: Hate-Bias Incident Procedures](#)
- [FY22 Hate-Bias Responding Procedures](#)
- [FY22 QUICK REFERENCE: Gang-Related Activity Reporting](#)
- [FY22 QUICK REFERENCE: Weapons Reporting Procedures](#)
- [FY22 QUICK REFERENCE: Student Gender Identity](#)
- [FY22 Student Gender Identity Guidelines / Form 560-80](#)
- [FY22 QUICK REFERENCE: Student Bullying](#)
- [BULLYING: What is it and how do we prevent it?](#)
- [Report BULLYING Here](#)

Supports during COVID-19

- [COVID-19 Maintaining Student Welfare Guidelines](#)
- [COVID-19 Welfare Check Protocols](#)
- [Child Abuse Infographic](#)
- [Serious Incident Protocols-SWC](#)
- [Neglect and Unattended Children Guidelines English / Spanish](#)
- [Student Well-Being Team \(SWT\) Protocols](#)

Information/FAQ's

[MCPS Nondiscrimination Statement](#)

[Title IX Discrimination Formal Complaint](#)

Support for a student who may be the target of sexual harassment or sexual assault by force or threat of force can be [found here](#)

Support for a student who may need a Safety and Supportive Measures Plan can be [found here](#)

Support for a student who may be the target of bullying, harassment (including sexual harassment), and/or intimidation can be [found here](#)

QUESTIONS?

Student Welfare and Compliance
240-740-3215

SWC@mcpsmd.org
TITLEIX@mcpsmd.org