

NEW DEVELOPMENTS IN TITLE IX



The Department of Education recently promulgated new regulations regarding

Title IX, which states that “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.”

On August 11, JSH attorneys [Gordon Lewis](#) and [David Potts](#) presented a webinar for the Arizona Schools Risk Retention Trust examining these new regulations.

They discussed:

- How sexual harassment is defined
- When colleges are obligated to respond to reports of sexual harassment
- The separation of the roles of Title IX Coordinator, Investigator and Decision Maker
- Procedural changes to how Title IX complaints are investigated and resolved
- Key takeaways schools should consider before the new regulations take effect on August 14

The Arizona School Risk Retention Trust, Inc. (the Trust), is a non-profit corporation that provides Arizona public school districts and community colleges with property and liability coverages and related services. The Trust was established in 1986 under A.R.S. § 11-952.01(A). It operates as a risk retention pool funded and governed by its members, and backed by the best reinsurance companies in the world. the-trust.org

[Gordon Lewis](#) has more than 25 years of experience representing public and private employers on a broad range of employment issues, policies and practices. He defends employers against claims involving wrongful discharge, racial discrimination, sexual discrimination and harassment (including harassment based on sexual orientation), age discrimination, disability discrimination, Civil Rights violations, Family and Medical Leave Act claims, and wage and hour issues. Gordon also represents public employers in due process termination hearings, and assists public employers in resolving claims relating to privacy rights, free speech, open meetings, public records, and employee due process. He has drafted and reviewed employment agreements, and has created policies for employers regarding sexual harassment, drug testing, medical leave and other employment issues.

[David Potts](#) joined Jones, Skelton & Hochuli in 2013 and works in the firm's government liability and employment group. David represents public employers, private employers, and non-profit organizations on a broad range of employment issues, and has advised employers on Earned Paid Sick Time claims, employee leave rights, and a wide variety of discrimination claims. David has defended employers on discrimination claims before the EEOC and claims filed in state and federal court.