

CMS Title IX Task Force Final Report and Recommendations

PREPARED BY



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CMS Title IX Task Force Recommendations

Background and overview

Charlotte-Mecklenburg Schools (CMS) has in place policies and procedures to ensure student, faculty, and staff protections and due process, in accordance with Title IX requirements. In response to concerning student accounts of sexual harassment and assault alleged to have occurred on school campuses, Superintendent Earnest Winston directed the formation of a Title IX Task Force. The purpose of the task force was for students to formulate recommendations about how CMS's Title IX policies, procedures, and practices might be implemented most effectively while remaining in compliance with the legal requirements of Title IX. Specifically, students were asked to review existing curricula, policies, and procedures with an eye toward recommendations that would strengthen their enforcement; remove any real and perceived barriers to reporting and addressing incidents of sexual harassment or assault; provide physical and emotional support to affected students; and identify preventive measures that may create a shift to a culture of deterrence across the district.

Task force formation and member selection

The task force comprised 16 members, including 11 students and five adults. Students were selected from among a total of 38 students nominated by each of the six CMS learning communities, Communities In Schools, and GenerationNation. All nominees were invited to complete a brief online student interest form. Of the 22 students who completed the interest form, 18 subsequently selected time slots for a brief interview with the task force co-facilitators and, from that group, 11 were selected.

Selection criteria included the following:

- Must be a high school junior or senior (11th or 12th grade)
- Student has demonstrable current or prior experience as a student leader, in student government, clubs and organizations, and/or as a student athlete
- Contributes to racial and gender diversity on the task force
- Student has no recent pattern of disciplinary infractions
- Student had no attendance issues prior to the onset of the pandemic

A list of the schools represented by students on the task force is included as Appendix A.

Adult members of the task force were invited as subject matter experts from the community and within CMS who possess knowledge about the realities of sexual harassment and sexual assault, safety, and due process based on their work at the frontline. Their contributions to the deliberations included implications for mental health, required supports, prevention, etc., from a best practices perspective. The adult task force members did not participate in the formulation of recommendations, but made sure students were informed about the practical implications of their recommendations, and whether they were aligned with best practices in the field and legal requirements. Adult members represented Safe Alliance; Pat's Place Child Advocacy Center; Perry Counseling, Healing, and Recovery; CMS Student Discipline and Behavior Support; and CMS Police. CMS's Title IX administrator served as co-facilitator of the task force. A complete roster of adult task force members is included in Appendix A.

Task force meeting format and focus of work, and process

From the outset and after much careful consideration, the decision was made to hold in-person meetings to preserve confidentiality of students' identities (as minors) and to create a safe environment in which students would feel comfortable speaking freely about their perspectives, observations, or experiences with Title IX training in CMS. Meetings were closed to the public and members of the news media, and non-task force members were not permitted to attend.

The task force met a total of six times over a 10-week period between September 22 and November 17, 2021. Meetings were held at the Children and Family Services Center in a conference room that was large enough to practice COVID-19 pandemic protocols.

The task force focused on one topic at each of the six sessions as follows:

September 22	Team formation and level-setting
September 29	Effectiveness of education, training, and ancillary materials
October 13	Barrier-free access to incident reporting
October 27	Due process for all involved
November 10	Student supports and retaliation prevention
November 17	Preventive measures and creating a school-based and district-wide culture of zero tolerance

In advance of each session, students received pre-work in the form of relevant readings regarding current practices, Title IX requirements, and/or best practices examples from other districts or advocacy organizations. At the beginning of each session, subject matter experts presented a summary overview of the session topic to provide context for students' deliberations.

The recommendations that follow were generated by the students. Recommendations that emerged from each session were summarized and distributed to the students for their review, editing, and approval before being incorporated into this final report. The final section of the report includes recommendations offered by the adult task force members, based on their experiences at the frontline, serving survivors of sexual harassment and assault.

Session summaries and recommendations

Topic 1: Effectiveness of Title IX educational content, training, and ancillary materials

In preparation for a session focused on CMS's current Title IX curriculum design and delivery for high school students, the task force members were provided links to the current Title IX PowerPoint training for grades nine through twelve. Students were asked to preview each of the four grade-level slide decks and take notes on content strengths and needed improvements. They were also asked to reflect on their own experiences with Title IX training in CMS high schools. For purposes of comparison, students were provided links to examples of Title IX curricula developed by another school district.

Before students began preparing their recommendations, they received contextual information from adult members of the task force. Stephanie McKinney, Director of Title IX Office and District Title IX Administrator, provided an overview of what the curricula are intended to accomplish and why they are delivered in the way that they are (i.e., by home room teachers, once per year at the beginning of the school year). A representative, of Pat's Place Child Advocacy Center shared research-based best practices in what does and does not work in Title IX education and training. Finally, a representative of Perry Counseling, Healing and Recovery provided an overview of trauma-informed curriculum design and delivery.

Over a two-hour period, students worked independently and then in small groups to craft a set of recommendations covering curriculum content and delivery mechanisms. The resultant recommendations follow, organized by the following themes: content and language, curriculum delivery, and student support.

Curriculum content and language

Across all grade levels, students found the curriculum to be too basic and outdated, poorly organized, insufficiently comprehensive and cohesive in content, not aligned with the realities of risks and exposure that students face, and generally not engaging. Their recommendations, in no particular order, follow.

1. **Expand and enhance content of training materials.** In general, training materials contain insufficient information about CMS's policies including more clear and specific information about how and to whom students report incidents of sexual harassment and assault, and students' rights. There is not enough information about the ensuing process after an incident is reported. Materials should also include correlated supporting data with source citations on the incidence of sexual harassment and assault.
2. **Standardize basic information in training materials across all grade levels.** Students found that materials across grade levels do not contain the same foundational information, presented in a consistent way. They recommend that basic information be standardized across all grade levels, and then built upon with specificity and sophistication of content and language with each successive grade level.
3. **Improve design and relatability of materials.** Students found the materials visually unappealing. An upgrade in clip art and graphics is in order, and students recommend that

the district replace them with better video sources, graphics, and animation, or produce its own materials and videos with student input and participation.

4. **Update clarity, specificity, and age-appropriateness of materials.** Students experienced the language in the materials as “infantilizing” and “undermining”. They felt that it was too watered down, with oblique and nonspecific references to assault, which they believe undermines the purpose of training and the students’ ability to understand their rights. They recommended that language be revised and updated with specific terminology, clear definitions, and language that is consistent with what students actually see and experience.
5. **Incorporate more information about risks associated with the internet and social media.** The material should be updated to include sexual harassment associated with the internet and social media, including risks associated with “sexting”. This should include more information about online victim “grooming” and online predators.
6. **Make materials more gender-inclusive.** The language and content should be more gender inclusive and gender neutral, including males’ experience with sexual harassment and assault, and same-sex dating and partner scenarios.
7. **Incorporate information about the range of disciplinary consequences associated with Title IX infractions.** The content should include information about CMS’s policies regarding disciplinary consequences of engaging sexual harassment. Students believe that providing this information as part of training could possibly deter such behavior.
8. **Add information about peer pressure and sexual harassment.** The curriculum should incorporate age-appropriate materials on peer pressure as it relates to sexual harassment. Students explained that, by providing data about the relatively low number of students actually engaged in sexual harassment, students may be dissuaded from joining peers in this behavior.
9. **Provide sufficient advance notice of upcoming Title IX training to allow an opt-out period.** Out of consideration for the trauma-informed needs of students who are survivors of prior sexual harassment or assault, all students should receive advance notice of when training will be provided, prior to parent/guardian notification, to allow students time to opt out of training without having to go through their parents, or to allow them time to prepare mentally for possible “triggering”.
10. **Explicitly address issues of consent and dating violence.** Students found the material to be too nuanced and oblique around dating violence and consent. In particular, the topic of consent and what does and does not constitute consent was deemed to be insufficiently addressed. Students recommend that this content be more direct and specific at all high school grade levels to better equip students to recognize violations when they experience them.
11. **Replace “true/false” section with real-life examples.** Students found the “True/False” response section of the training to be ineffective at engaging students and recommended replacing it with relevant, real-life examples and survivor testimonies.

Finally, students recommended that Title IX training actually begin as early as middle school in an age-appropriate way. They offered the following recommendations for high school content improvements on a grade-specific basis.

Grade	Content
9 th	<ul style="list-style-type: none"> ● Make basic (foundational) content consistent across grades 9-12, with more of what is provided in 11th and 12th grades being introduced earlier in 9th and 10th grades ● Provide an actual sample of the Title IX Google form that is referenced in the training; cover students' rights, reporting process ● Introduce content on consent, sexting, younger/older student relationships ● Clip art and graphics overhaul
10 th	<ul style="list-style-type: none"> ● More on CMS policies, clearer language and definitions, open discussion about what constitutes rape ● Social Media – more content on risk associated with it, and more use of social media to deliver content
11 th	<ul style="list-style-type: none"> ● Same as 10th grade plus grievance policy, survivor testimonies ● Active review and open discussion with students ● More engaging, updated look and content, better organization
12 th	<ul style="list-style-type: none"> ● Same as 11th grade plus define consent, eliminate irrelevant content ● Active review and open discussion with students ● More engaging, updated look and content; better organization ● Content should be “real world”-focused, preparing young adults for life beyond high school and safety on college campuses

Curriculum Delivery

Conversations between students across the first and second sessions revealed wide disparities in whether and how they received Title IX training, from school to school and from grade level to grade level. It also became apparent that some teachers exercise discretion in eliminating parts of the curriculum with which they are uncomfortable. Students' recommendations for improved Title IX training delivery are as follows.

1. **Invest more in teacher training for consistent Title IX delivery.** CMS should invest in teacher training, as evidenced by the lack of consistency in delivery. Students reported that some teachers provide online links to materials and allow students to review the materials independently; other homeroom teachers treat that period as a study hall and do not cover the material at all.

2. **Increase frequency of training for reinforcement of concepts.** Students feel strongly that training should occur more than once a year, and that the training frequently gets short shrift or is completely lost in the massive amount of information that is shared at the beginning of each school year. Consistent with best practices, students recommended that CMS offer training and reinforcement of training materials in some format at least four times per year, with an emphasis during the month of April in observance of Sexual Assault Awareness Month.
3. **Increased and enhanced use of technology for content delivery.** Students offered many suggestions for more effective use of technology in generating students' interest and buy-in to Title IX training, and to actually deliver the training. In general, they recommended more accessible online reporting and information, as well as online feedback (training evaluation) and input/suggestion opportunities. They also recommended exploring the use of QR codes as a portal to access resources, to practice submitting reports during the training sessions, and even as a mechanism to submit incident reports anonymously.

Similarly, students stated that social media could be an effective, on-demand delivery mechanism to supplement the current classroom-based PowerPoint delivery.
4. **More dynamic and interactive delivery of training.** Students recommended that training be more dynamic and interactive, with active review of materials and interactive discussions in 11th and 12th grades.
5. **Expand training to "Title IX Safety Week".** Students expressed enthusiasm for instituting a "Title IX Safety Week" during homeroom period for three days early in the school year. This would include providing teal-colored swag with buttons for bookbags promoting safety against sexual harassment, teal rubber bracelets, information brochures for distribution, and professionally produced posters containing resource information for display around campuses. Student advocates and student organizations would take a more active and engaged role in promoting safety week among their peers.

Student support

While student support would be covered more thoroughly as a standalone topic at a subsequent session, students offered the following recommendations in the context of curriculum content and delivery.

1. **Establish Title IX student organizations.** As an extension of the Title IX Safety Week concept mentioned above, students recommended that student-involved Title IX campus organizations be formed to create cohorts of trained students who could serve as a peer resource about CMS policies, incident reporting processes, and students' rights. However, students acknowledged that clear parameters and limits would need to be defined for the scope of activities of peer resources, as adult members of the task force cautioned that under no circumstances could students field incident reports on behalf of other students.
2. **Make available after-hours and onsite mental health support.** Students identified the need for onsite mental health counselors as well as after-hours hotline resources that students can contact in crisis situations.

- 3. Center physical, mental, and emotional trauma in curriculum design and content.**
Students stressed the importance of curriculum content and delivery being designed in a way that is mindful of the physical, mental, and emotional trauma caused by sexual harassment and assault. They recommended that CMS provide the information, training, and resources to support students in addressing all of these dimensions of needs.

Topic 2: Barrier-free access to incident reporting

The Title IX Task Force was charged with identifying barriers to reporting incidents of sexual harassment and assault, and making recommendations that ensure every student has unimpeded access to reporting mechanisms. Students were asked to address real and perceived barriers to reporting. Real barriers include any systemic, structural, and/or procedural components that make it difficult to file a complaint. Perceived barriers to reporting result from lack of information or misinformation, fears about the consequences of reporting, power dynamics, and lack of trust. Perceived barriers can prevent students from reporting regardless of how well designed and accessible the reporting system and processes actually are.

In advance of the session, the task force was sent links to the Title IX web pages that provide an overview of the reporting process. They were asked to reenact the process of filing a complaint in order to test how accessible and easily navigable the instructions and the actual reporting system are. Students were also provided a link to an example of an online reporting form from another school district for comparison.

At the beginning of the session, Stephanie McKinney provided an overview of where students should go to find the identity of the Title IX representative within their own schools, where and how to find information about filing a report online, and where to find hard copies of the complaint forms in the Code of Student Conduct and in the Parent - Student Handbook.

Students were asked to brainstorm lists of real barriers to reporting, based on their experiences with navigating the webpage and Ms. McKinney's overview, and possible perceptual barriers. They were then asked to work in small groups to generate recommendations to address both types of barriers to filing complaints. The task force recommendations for eliminating real barriers to reporting and addressing perceptual barriers follow.

Recommendations for addressing real barriers

- 1. Create a separate website exclusively for all things pertaining to CMS Title IX.**
Students found accessing the reporting page clunky and the information required to actually file a complaint was somewhat buried. At the very least, students recommend that direct links to the incident and bullying reporting forms be added to the CMS Title IX web page and to the home page of every high school's website.

By creating a separate but connected website exclusively for all related Title IX information (i.e., compliance requirements, students' rights, infraction consequences, trained school liaison information, online and downloadable reporting forms, answers to frequently asked questions, next steps and timeline, appeals processes, etc.), the time required to find

needed information will be decreased. Students suggested that the website be designed to feel like a safe space for students.

2. **Translate documents into additional languages.** The fact that all Title IX documents are provided only in English provides a structural barrier in a school district that is now 29 percent Hispanic/Latino. Documents should be provided in other languages as well.
3. **Enhance search engine terminology for CMS Title IX searches.** Search terms should more easily direct students to Title IX information and reporting forms without having to wade through preliminary web pages.
4. **Provide clear information about “next steps” and whom to contact for follow-up and questions.** Once complaint forms are submitted, the reporting system should automatically generate a receipt confirmation screen with information about next steps in the process, what to expect, and whom to contact for additional information. As currently designed, students must follow up online with an incident reporting number to learn the status of their complaint. The post-submission response screen should also contain information about clinical and counseling resources—within and outside of CMS—that students can access for support and assistance.
5. **Include review of Title IX forms as part of all student, teacher, and staff training.** The students reported having never seen any of the Title IX forms prior to serving on the Task Force. They recommended that all CMS high school students and personnel become familiarized with the forms as part of annual Title IX training.
6. **Include Title IX training in teachers’ summer professional development.** With only a few exceptions, students reported that most teachers do not take Title IX training seriously. As evidence, they cited some teachers’ failure to teach the entire curriculum, teachers directing students to complete the training on their own, or not covering the Title IX content at all during the designated homeroom session. Students suggested that the proposed teachers’ summer Title IX training should include student feedback on their experiences with the training as well as their firsthand experiences with being sexually harassed and bullied in the interest of teachers becoming authentically invested in the quality of Title IX training that students receive.

Furthermore, students recommended that the training be redesigned to adopt a more student-centered approach; that teaching the curriculum in its entirety be mandatory (not just selected topics with which teachers feel comfortable); and that staff from CMS’s central Title IX office be present for all teacher and staff training. Additionally, students suggested that subject matter experts from outside of the school district introduce trauma-informed training to the current faculty and staff Title IX training curriculum.

7. **Post resources and information about Title IX throughout school campuses.** Students felt strongly that, in order to increase awareness about where, how, and to whom students have the option to report complaints, information should be posted in high-traffic, high-visibility locations throughout school campuses. This includes common areas, restroom stalls, and the cafeteria.

Finally, it is worth noting that many of the recommendations offered in the “Content and Delivery” section of this report will also serve to address some of the barriers to access by correcting lack of information or misinformation.

Recommendations for addressing perceived barriers to reporting

By far, the students’ discussion of perceived barriers to reporting was predominant. The conversation centered on a pervasive culture of mistrust of school-based administration by students, with only a few exceptions among students who attend smaller, more intimate high schools. Among the factors that students identified as contributing to mistrust are:

- Students’ lack of familiarity with administration; no relationship formation between administration and students
- Inability to get access to school counselors when there is a problem (long waiting lists)
- Red tape to get to a trusted adult (asked to give a reason for requested appointment)
- Displays of favoritism by administrators and teachers for certain students
- Lack of respect in the way that administrators speak to and interact with students
- No evidence of administrators’ ability to problem-solve
- Lack of overt, public support for survivors of sexual harassment by administrators
- Us-versus-them climate that exists in some high schools
- General lack of visibility of administration during the school day contributes to the disconnect between students and administrators. Students feel that administrators do not make the effort to forge meaningful relationships with students.
- General lack of professionalism on display among some administrators

Aside from perceptions about leadership, students identified other culture and climate issues as perceived barriers to incident reporting. They include fear of retaliation; fear that nothing will happen; fear of being judged by administrators, peers, and their parents; and fear of harassment on social media.

In no priority order, the following recommendations were offered by students to address trust and school culture and climate issues.

1. **Emphasize culture of trust in teacher training.** Revise Title IX teacher and staff training curriculum to emphasize the importance of establishing a schoolwide culture of trust with students.
2. **Host more joint events and activities between students and administration** in each school community to help bridge the chasm that currently exists.
3. **Create better feedback mechanisms from students to teachers and administrators,** such as providing open-ended responses on the year-end student evaluations.

4. **Be intentional about increasing students' familiarity with school administrators.** At the beginning of each school year, administrators should introduce themselves, either live via closed-circuit tv or through an introductory video. Students reported that they have little familiarity with who their school administrators are.
5. **More personal, humanizing, and relevant weekly communications from administrators.** Students suggested that administrators provide weekly notifications to students of community-based opportunities, scholarships, clubs, events, etc. They feel that this level of interaction would be more personal and humanizing, and would connect with students around things that are important to them.
6. **Use Google form to connect students with opportunities of interest.** Related to the preceding recommendation, students suggested creating a Google form through which students could register their interests and trigger email distribution of their names and interest to the appropriate outlet for follow up.
7. **Create a safe space for reporting incidents.** Students would like for schools to identify a safe space within each school where students can report inappropriate behavior on the part of teachers, including behavior other than sexual harassment or assault.
8. **Institute annual listening sessions between students and administrators.** Students recommended that each school-based administrator engage a diverse group of students for an annual listening session. They suggested that the student selection process might mirror the process for the Title IX Task Force, with the Central Office interviewing and selecting the student focus groups for each school to avoid any appearance of favoritism.
9. **Expand use of CANVAS to include Title IX training and resource materials.** To more fully optimize CANVAS as a resource clearinghouse, students suggested that information about scholarships, Title IX policies and resources, and community leadership and other opportunities might be posted there since CANVAS is consistently accessed by students.

Topic 3: Due process for all students involved in incidents of sexual harassment or assault

Session 4 of the task force was devoted to level-setting task force members' understanding of due process for Title IX sexual harassment and assault complaints, and identifying opportunities to increase accessibility to, and understanding of Title IX due process policies and protocols for CMS. Task force members were asked to preview relevant pages within the Rights and Responsibility Handbook for CMS Students.

At the beginning of the session, Reginald Coles, Director of Student Discipline and Behavior Support for Charlotte-Mecklenburg Schools, provided a detailed, stepwise overview of the process governing due process for complainants, and protections and appeals built into the process for both complainants and respondents. Additionally, Stephanie McKinney, CMS Title IX Administrator, and CMS Police Chief Lisa Mangum explained when (under what circumstances) and how CMS and Charlotte-Mecklenburg Police Department coordinate the investigation of sexual assault allegations separately and collaboratively.

Students were invited to ask questions about due process, after which they were asked to brainstorm recommendations for making due process information more accessible to students.

Recommendations for due process

The students' recommendations fell into two categories: actions needed to increase all students' access to due process information, and recommendations to increase teacher and administrative accountability for providing more comprehensive Title IX training to students, including due process.

Recommendations for increasing access to due process information

1. **Use CANVAS to build out Title IX course modules, including one for due process.** Similar to the student orientation course that has been created in CANVAS, students recommended creating Title IX topic-specific modules, including a module covering due process. They suggested that all Title IX modules remain available throughout the school year, and that completion of the modules be mandatory.
2. **Expand Title IX training content to include more due process specifics and details.** Students acknowledged that due process information shared during the task force meeting was their first exposure to it. They recommended that Title IX curriculum content for high school students be expanded to include a written, stepwise guide for the grievance process and severity of consequences for various levels of offenses.
3. **Prepare more concise, readily accessible, and easily digestible information about due process.** Throughout the session, students asked very insightful and detailed questions about due process, disciplinary consequences for various infractions, appeals processes, and where to find supporting information. They stated that the volume of information was overwhelming and that it would be more helpful to have all relevant due process information summarized concisely in one document.

Students expressed a desire and willingness to provide input to the development of this and other training materials, including informing curriculum developers about what students need to know, potential use of various social media platforms to deliver content, and recommended frequency of curricula updates.

4. **Provide students repeated reminders of due process throughout the year.** Students reiterated recommendations from prior task force sessions that more frequent training and repetitive reminders about Title IX are necessary to reinforce learning and for students to fully grasp key information, especially their due process rights.
5. **Mandatory Title IX student assemblies with Central Office Title IX representatives and School Resource Officers.** Students believe that they would receive more comprehensive and accurate Title IX information if representatives of the Central Office Title IX staff led student assemblies in conjunction with each school's SRO. Students would like for the format to include time for open questions and answers between students and the presenters.
6. **All schools should also clearly communicate and prominently display the identity of the appointed Title IX coordinator** so that students know to whom due process

questions should be directed. Most of the students on the task force indicated that they did not know who their schools' Title IX coordinators were before participation on the task force.

7. **Create a website and booklet specific to Title IX.** Expanding on the previous recommendations pertaining to Title IX curriculum, students would like for CMS to create a website that is dedicated to Title IX resource information for students. The site should be accessible through a link from CMS's home page and the home page of each high school, and should include a summary booklet (virtual and printable) that summarizes all things due process. Digestible infographics should be designed in support of this effort to communicate more effectively through the Charlotte-Mecklenburg Schools account and social media. Students would like for "Title IX Day" during homeroom to be spent covering the contents of these recommended materials.
8. **Reconcile discrepancies between available Title IX and due process policy information on Charlotte-Mecklenburg Schools and CMS Board websites.** Some students observed that Title IX policy information available on the two sites is not identical. In fact, the only reference to harassment of a sexual nature on the CMS Board website occurs under the "Harassment of Students by Employees" section; there is no mention of Title IX nor of sexual harassment under the "Bullying Prevention" section. Students would like to see consistency in communication across these platforms as well as Instagram, Twitter, Facebook and all other relevant social media platforms used for communication by CMS and the CMS board.
9. **Revisit in-school and out-of-school suspension consequences.** Students observed that suspensions, as currently enforced, are neither rehabilitative nor restorative for Title IX infractions for which consequences are administered within CMS (non-criminal offenses). They recommended that consequences be tailored to meet students' needs and the circumstances surrounding the infractions.

Mr. Coles and Ms. McKinney clarified that students found culpable for offenses are, in fact, offered a variety of interventions including Sexual Harassment is Preventable (SHIP), counseling, and Problematic Sexual Behavior interventions.

Recommendations for increased teacher/administrative accountability for providing Title IX training content

1. **Institute a process for ensuring school-based accountability for teaching a more comprehensive Title IX curriculum.** Students reiterated a previous recommendation that teachers' professional development include training on how to educate students more effectively about Title IX rights and due process.
2. **Provide a district-level student feedback mechanism.** Students would like for CMS administration to create a district-level and school-based mechanism for students to provide feedback regarding the comprehensiveness and effectiveness of school-based training. This might include anonymous feedback mechanisms as well as opportunities for open discussion between students and school administrators and with central office administrators.

3. **Create school-based Title IX student ambassadors.** As suggested during a prior task force session, students reiterated a recommendation that a cohort of school-based Title IX student ambassadors be created to provide peer-to-peer basic information about Title IX. The ambassadors could also provide feedback to school administrators about gaps in students' knowledge and understanding of Title IX.
4. **School-based Title IX training performance audits.** Students suggested that Central Office Title IX staff conduct random check-ins to observe Title IX training in process at CMS high schools.

Finally, adult members of the task force shared an observation about students' reaction to the due process materials that were presented. The student task force members are among the brightest, most engaged and civically active in the district around a host of issues, including sexual harassment and assault prevention. Yet, none were aware of any of the facts pertaining to due process rights, requirements, and procedures. This lack of exposure to a core component of Title IX policies underscores the need for a more effective approach to Title IX education in CMS high schools.

Topic 4: Student supports and retaliation prevention

The fifth task force session focused on supports for students—both complainants and respondents—who are parties to incidents of sexual harassment or assault, and on CMS policies and practices intended to prevent retaliation against students by CMS staff or by fellow students. It is noteworthy that this session occurred in the midst of widespread media coverage of the suspension of a student who filed a sexual assault complaint, so there was heightened awareness among students about the importance and implications of this particular topic.

Stephanie McKinney provided a summary of Title IX requirements regarding student support as well as an overview of CMS's current practices relative to school-based support and out-of-school referrals. She also shared policies prohibiting retaliation against students by any CMS employees, and anti-bullying policies that are intended to encompass student-initiated retaliation.

The task force's subject matter experts from Perry Counseling, Healing and Recovery; Pat's Place; and Safe Alliance shared information with students about best practices in supporting student survivors of sexual harassment or assault. They explained the continuum of services provided by Pat's Place and Safe Alliance, by age range and by medical versus nonmedical services offered, and described how each organization collaborates with law enforcement and CMS.

Task Force Recommendations

Many of the students' recommendations focused on the selection, training, and experience of school-based Title IX liaisons. They felt that the competence and judgement of those individuals would make the difference in whether and how reported incidents result in the most appropriate support and handling of involved students.

General recommendations

1. **Reform the role of school-based Title IX Liaisons by establishing qualifying criteria.** While it is the expectation of CMS's Title IX Administrator that school-based Title IX

Liaisons will complete all online and in person training modules, it is left to the principal at each to ensure that staff complete the training. In reality, not all liaisons complete all of the required training modules. In addition to completing all modules, students recommended that all school-based liaisons possess the following qualifications.

- Trauma-informed
- Empathetic
- Unbiased
- Student-centered
- Demonstrate mastery of training materials, by passing all modules and possibly through scenario-based assessments
- Able to demonstrate judgement and a common-sense approach to incident management

- 2. Allow high school students to nominate staff for the Title IX Liaison positions.** Students stated that they have the best sense of which school staff engender trust among students. They would like to have the opportunity to nominate faculty, staff, or administrators based on their approachability, their ability to connect with students, and the existence of a trusting relationship with students. While students acknowledged that the liaison selection is ultimately at the discretion of the principal, they would like for the selection process to be transparent, including justification for the ultimate selection, based on an explicit set of criteria or qualifications.
- 3. Mandatory, comprehensive, eight-hour training for all liaisons.** At a minimum, all school-based liaisons should be required to complete all modules. The completion of the training by all required staff should be documented by each school's administrator, for which the administrator should be accountable to the superintendent. Liaisons should also receive periodic training reinforcement.
- 4. Expanded Title IX Central Office team and better understanding and communication of their role in supporting school-based liaisons.** It was reported that some school-based liaisons, particularly those who are undertrained, do not fully understand when/under what circumstances to access the Central Title IX team. Students recommended that the Central team should be expanded to build capacity for them to have a more visible presence on a regular basis within high schools, in support of the liaisons.
- 5. Regular, periodic updates to Title IX policies and practices, including student support.** Students suggested that CMS's Title IX policies and practices could benefit from regularly scheduled reviews and revisions. Students could play an important role in helping to make them relevant, and suggesting ways to make use of social media as a more effective training and communications tool.
- 6. Hire a social media staffer.** Students observed that CMS's communications are not timely and do not optimize use of social media, particularly in updating students and the general public about the status of sexual assault allegations and investigations. This has created a perception among students and the general public of obfuscation. They feel that

CMS could respond in a way that is more proactive, reassuring, acknowledges confidentiality issues, and explains that an investigation is in progress.

Students recommended that a communications staff member proficient in use of social media could expedite fact-based messaging in a more proactive way. As previously mentioned, they feel that it would support more effective student Title IX training and ongoing access to resources.

Recommendations for student support

- 1. Create a safe and comfortable “incident reporting room” in each school.** A task force member from Hough High School described the school’s “Zen Room” which serves as a decompression space for students. Task force members suggested that, if a similar space existed in all high schools, it might serve as a place where Title IX complainants might feel more at ease reporting incidents to administrators.
- 2. Improved communication about the identity of school-based liaisons.** In the interest of providing a ready resource to all students and expediting students’ ability to report incidents, when necessary, students recommended that the identity of school-based liaisons be communicated more effectively, including use of social media platforms most used by students.
- 3. Clearer communication of available support resources.** Students were unaware of the school-based and community-based resources available to students involved in sexual harassment and assault incidents – for both complainants and respondents. They recommended more effective communication about resources as part of training, again using social media, as soon as students report incidents. Students acknowledged that every situation is different and that responses to student support needs and retaliation prevention must be adjusted accordingly. Students also reiterated a previous recommendation about the use of bathroom stall doors and other common spaces to advertise available resources.

Recommendations for retaliation prevention

- 1. Evaluate the effectiveness of retaliation prevention measures.** In conjunction with reviewing and updating policies and practices relative to retaliation prevention, students recommended that the district assess the effectiveness of its preventive measures.
- 2. Accommodate anonymous bystander reporting of retaliation.** Students would like for there to be a mechanism created by which teachers, students, and any other bystanders can anonymously report observed retaliation. They believe that this might increase the likelihood that students will report instances of their fellow students retaliating, and minimize their fears of becoming victims of retaliation themselves, by fellow students and/or by teachers or administrators.
- 3. Include information about “no contact” protocols and retaliation prevention in students’ Title IX training.** Student task force members were not aware of the existence of “no contact” options and other protective measures and believe that this information should figure more prominently in Title IX training.

Topic 5: Preventive measures and creating a schoolwide and districtwide culture that deters Title IX infractions

In advance of the final task force session, students were provided links to online resources that address practices intended to prevent sexual harassment and assault in secondary schools, and information about creating school and district cultures that are a deterrent to Title IX infractions. Students worked in four teams to prepare recommendations in the following categories:

- School-based preventive measures
- Districtwide preventive measures
- Deterrent school-based culture
- Deterrent district-level culture

Initially, students were asked to offer recommendations that would create a “zero-tolerance” culture in schools and the district as a whole. However, a discussion about the historical implications of this language and the potential for unintended consequences led to consensus among students to use substitute language (“deterrent” culture).

However, the definitions and clarifications that students shared about what “zero tolerance” is and is not provide important context for their recommendations.

A zero-tolerance policy is...

In terms of Title IX, a zero-tolerance policy is characterized by its absolute accountability for all sexual harassment allegations. It requires that each case presented be taken seriously and individually. It allows no tolerance for any sexual misconduct.

Zero tolerance should not mean...

- *Treating all sexual harassment cases the same. Sexual harassment cases fall on a continuum and should be evaluated on a case-by-case basis.*
- *Offering only punitive solutions to sexual harassment. Punitive solutions place all the blame on individuals and fail to target wider harmful cultures within the school.*

Zero tolerance should mean...

- *Having trauma informed perspectives on each case*
 - *Treating each case individually, and establishing a deep understanding of both the complainant and respondent sides*
- *Introducing zero-tolerance belief into the school culture*
 - *Giving teachers clear professional development training that enforces zero tolerance*
 - *Opening dialogue between staff and students about zero tolerance*

Students were asked to reflect on their own experiences with positive school culture and identify those factors that contributed to it. They listed the following factors as critical to a positive school

culture. By extension, these factors must be actualized for schools to institute cultures that successfully discourage or prevent Title IX infractions from occurring.

- A charismatic leader who has a strong presence in the school and successfully creates a sense of place
- Use of unifying language when describing the school community
- Inclusivity among teachers
- Demonstrations of genuine and authentic caring
- A sense of intimacy within the school community
- Close communication with students
- Schools celebrate students' successes publicly
- Being aware of, and available for the needs of students; accommodating students' needs and interests
- Administration creates space for open conversations
- School leaders who look like, and are role models for students
- Participation and caring among students and staff
- Demonstrated enthusiasm among school leaders and faculty
- Creative use of music, media (morning announcements), and other strategies as a school unifier

When asked how these circumstances came about in schools where they experienced a positive culture, they cited the choice of school leader, positive reinforcement for the success factors described above, student-teacher connections, staff camaraderie and chemistry, and the longevity and familiarity of teaching staff.

In presenting their recommendations, students acknowledged that, if recommendations from prior sessions were fully implemented, they would likely have a deterrent and culture-change effect. This resulted in some reiteration of prior recommendations, and so we have summarized students' recommendations for all topic areas in the table in Appendix B to illustrate areas of overlap.

New recommendations that emerged during this session are summarized below. School-based prevention and deterrence recommendations have been consolidated, as have districtwide preventive and deterrence recommendations.

Recommendations for school-based prevention and deterrence measures

- 1. Make students aware of the positive outcomes of reporting.** The most commonly cited reasons for students' failure to report incidents are fear of retribution, the belief that there will be no consequences, and concerns about getting fellow students in trouble. Task force members suggested that, as part of Title IX education, students be reminded of the positive outcomes associated with reporting, such as creating a safer school environment and changing the school culture.
- 2. Assure students of preventive measures against retaliation.** This must go beyond verbal reassurances of policies and practices that are in place to supporting actions that demonstrate a real commitment.
- 3. Title IX school liaisons should host interactive activities about school policies related to Title IX.** Engaging students in dynamic discussions would reinforce Title IX

training and help students understand real-life applications of consequences as a deterrent. These discussions should include community advocates, speakers, and programs and should include school staff.

- 4. Address the existence of school cultures that do not deter sexual harassment and assault.** Some students believe that teacher behavior contributes to a culture tolerant of sexual assault through jokes that they share or Title IX materials that are not taken seriously. They recommended that a heightened awareness of contributing behaviors be incorporated into teacher training.
- 5. Change impersonal, procedural approach to sexual violence in schools.** Students feel that the training on, and handling of sexual harassment and assault is treated as a perfunctory, checklist item. They suggested that updated content, and better and more frequent training for teachers and students will improve this culture of indifference.

Recommendations for districtwide prevention and deterrence measures

- 1. Reverse the “taboo conversation” culture regarding sex education, sexual harassment, and sexual assault.** From students’ perspectives, sexual harassment is treated as an inappropriate topic across the district. The topic is avoided by teachers, administration, and parents. Opening up public discussions among administration, teachers, and students would help students to feel like their voices are heard and respected.
- 2. Implement research-based, evidence-informed programs to sustainably change school culture.** Students involved with preventing sexual violence suggested introducing programming like [“Bringing in the Bystander”](#) and [Green Dot etc.](#) to adopt a scenario-based approach to informing teachers and students and about prevention strategies and the role of bystanders.

Adult task force members’ recommendations

Finally, adult task force members were invited to share recommendations based on their expertise and experiences on the frontlines, both working with CMS and serving survivors of sexual harassment and assault. Many of the recommendations that follow align with those of students.

1. The school system and criminal justice system need better coordination and cooperation with one another when both are involved in a school-based, Title IX-related incident. This would prevent retraumatization and/or compounded or complicated traumatization for those involved while preserving the complainant’s / plaintiff’s legal rights by preventing a school investigation from contaminating the criminal investigation process. The adults acknowledged that this has been exacerbated, if not caused, by recent changes to Title IX law and federal requirements, and that it is already under discussion within CMS.
2. Students who come forward about an incident, possibly with the intent to file a report, need to be heard and taken seriously. Statistically, there will be very few instances of blatantly false reporting, but this needs to be determined via thorough investigation of the claims being made. When investigating incidents involving adolescents and teens, those involved

in the investigation process should remember that they are dealing with adolescent minds, and that incidents that warrant a Title IX investigation often involve a lot of “gray area.” A thorough understanding of adolescent thought patterns and behaviors is part of a trauma-informed approach.

3. Rather than attempt to adopt an unrealistic “zero tolerance” approach to prevention and deterrence, which could result in selective and biased enforcement, adult task force members believe it may ultimately serve students and our society overall to take an approach that mental health professionals refer to as “corrective experience” in disciplining certain behaviors. They suggested that many of the school-based incidents that relate to or fall under Title IX could and should be looked at as learning opportunities for young minds still being shaped not only by their personal experiences and observations, but also by their perceptions of how their behaviors are received. Every disciplinary action taken contributes to that child’s perception of themselves—their inherent value as a person and how they will be perceived and treated by others—more than their perception of what is right and wrong. A “corrective experience” is one of compassion along with firm guidance and appropriate consequences when needed; a reaction that sends the message that their behavior was wrong and unacceptable, not that they are inherently flawed as a person. A corrective experience provides an opportunity to strengthen their internal barometer for what is right and wrong and how to practice empathy, which includes practicing empathy and forgiveness towards themselves.

This is not intended to suggest that problematic behavior, especially sexual misconduct, should be excused, minimized, overlooked, or otherwise lacking an adequate response. The “corrective experience” approach should not be actuated in such a way that allows the culture to continue, prevents any complainants from feeling safe in their school setting, or deters any student from filing such reports or speaking up when they feel unsafe or uncomfortable.

4. Adult task force members recommend that, going forward, CMS undertake a complete overhaul of the content, design, and delivery of the prevention-focused Title IX curriculum. This would entail having a team of Title IX educators/subject matter experts re-create and implement this curriculum, rather than asking teachers and administrators to wear yet another hat, as has been the approach. Asking individual schools and their staff to manage this in addition to all their other responsibilities seems to have led to abbreviation and minimization at best, and sometimes total elimination of the Title IX curriculum. This should include an overall expansion of the curriculum content, guided by a cohort of professionals in mental health, public safety, and education with student input for relevance in content and delivery.
5. CMS should mandate evidence-based, child abuse prevention curriculum in all elementary schools to increase awareness of abuse and enhance the protective capacities of students, caregivers, and school personnel. Pat’s Place Child Advocacy Center has purchased the license and provides such a curriculum for schools. The program, MBF Child Safety Matters®, is a comprehensive, evidence-based prevention education program for elementary school students in grades K-5. The program teaches students and adults how to prevent, recognize, and respond appropriately to the four types

of child abuse (physical, emotional, sexual, neglect), bullying, cyberbullying, and digital dangers. The curriculum aligns with national curriculum standards. PPCAC provides this program free of charge to elementary schools.

6. Utilize the expertise of Present Age Ministries, a local nonprofit who provides anti-trafficking services to youth 12-18 in Mecklenburg County, to fulfill the mandate to each sex trafficking prevention. They have offered to provide this curriculum to any school who requests training free of charge.

Title IX Investigations - The student-led committee did not review or provide recommendations regarding the investigative process. However, recent reporting has revealed that when Title IX allegations are criminal in nature, the CMS Title IX investigative process is inherently problematic and incongruent with local community standards and national best practice approaches, which are designed to protect the integrity of criminal investigations and minimize trauma to children. Current CMS Title IX investigative protocols contradict best practice standards for interviewing victims of sexual abuse/assault and jeopardize criminal investigations of alleged sexual assault.

Recommendations

7. While Title IX legislation does not permit a criminal investigation to substitute for an administrative investigation, a collaborative investigation would benefit both parties. Title IX staff should work alongside law enforcement in their investigation and utilize information learned during this process to inform the Title IX investigation. While the district cannot wait for the conclusion of a criminal investigation to act under Title IX, the district is permitted to delay for a period during the law enforcement/criminal investigation.
8. The district should seek a Memorandum of Understanding (MOU) with local law enforcement regarding concurrent criminal and Title IX investigations. This practice is recommended by the United States Department of Education Office for Civil Rights (OCR). No such MOU exists between CMS and law enforcement partners.
9. Title IX personnel should ensure that parents are aware that their child should be interviewed by a trained forensic interviewer at PPCAC where specialized recommendations can be made for safety planning, follow up care, and advocacy support.
10. CMS should utilize a collaborative approach to enhance supportive measures. Specialized services may provide better outcomes for complainants and respondents.
11. Pat's Place Child Advocacy Center supports Superintendent Winston's recent decision to employ Title IX investigators who lead investigations at schools for allegations rising to a criminal nature. Feedback obtained from school administrators indicated that they feel ill-equipped to lead an investigation that is criminal in nature, as they understand the impact their actions may have on a criminal case.

APPENDIX A

Facilitators

Rosalyn Allison-Jacobs ROI Impact Consulting*, Facilitator
Stephanie McKinney Director of Title IX Office and District Title IX Administrator

CMS Title IX Task Force student representation

Learning Communities

Schools

Central 2	Myers Park High School
Northeast	North Mecklenburg High School
Northeast	Charlotte Engineering Early College
Central 2	Hawthorne Academy of Health and Sciences
Northwest	William A. Hough High School
Northeast	Harding University High School
Southwest	Olympic High School
Southeast	Providence High School
Southeast	Butler High School
Northeast	Cato Middle College High School
Central 1	Garinger High School

Adult Task Force representation

Organization

Perry Counseling, Healing, and Recovery
Pat's Place Child Advocacy Center
Safe Alliance
CMS Police
CMS Student Discipline and Behavior Support

*Rosalyn Allison-Jacobs is owner and Principal Consultant of ROI Impact Consulting. She is an organization development and change management consultant with public, nonprofit, and philanthropic sector organizations. ROI Impact Consulting performs systems-level assessments, analyses, evaluations, and redesigns using Appreciative Inquiry as a foundational philosophy.

CMS Title IX Task Force Recommendations with Overlap Identified, by Topic Area

RECOMMENDATIONS	Effectiveness of content and delivery	Barrier-free access	Due process	Student support & retaliation prevention	Prevention & culture of deterrence
EFFECTIVENESS OF CONTENT AND DELIVERY					
1. Expand and enhance content of training materials, including improved design and relatability of materials.	✓				
2. Standardize basic information in training materials across all grade levels.	✓				
3. Update clarity, specificity, and age-appropriateness of materials including consent, dating violence, due process, consequences, Erin's Law, and sex trafficking.	✓	✓	✓		✓
4. Incorporate more information about risks associated with the internet and social media.	✓				✓
5. Make materials more gender-inclusive.	✓				
6. Push curriculum reform past unreasonable opposition.	✓				✓
7. Add information about the impact of peer pressure on sexual harassment.	✓			✓	✓
8. Provide sufficient advanced notice of upcoming Title IX training to allow student opt-out period.	✓			✓	

RECOMMENDATIONS	Effectiveness of content and delivery	Barrier-free access	Due process	Student support & retaliation prevention	Prevention & culture of deterrence
9. Explicitly address issues of consent and dating violence.	✓				✓
10. Replace “true/false” section with real-life examples.	✓				
11. Invest more in teacher training for consistent Title IX delivery, including 2-way dialogues with speakers and advocates.	✓				✓
12. Increase frequency of training for reinforcement of concepts.	✓	✓	✓	✓	✓
13. Increased and enhanced use of technology and social media for content delivery.	✓	✓			
14. More dynamic and interactive delivery of training.	✓				
15. Expand training to “Title IX Safety Week”.	✓				✓
16. Establish Title IX student organizations.	✓				✓
17. Make available after-hours and onsite mental health support.	✓			✓	
18. Include community nonprofits like Safe Alliance and Pat’s Place in training	✓			✓	

RECOMMENDATIONS	Effectiveness of content and delivery	Barrier-free access	Due process	Student support & retaliation prevention	Prevention & culture of deterrence
19. Center physical, mental, and emotional trauma in curriculum design and content.	✓			✓	
BARRIER-FREE ACCESS TO INCIDENT REPORTING					
20. Create a separate website exclusively for all things CMS Title IX with one centralized link on each school's homepage. This should include a concise FAQ printable booklet.	✓	✓	✓		✓
21. Translate documents into additional languages.	✓	✓			
22. Enhance search engine terminology for CMS Title IX searches.		✓			
23. Provide clear information about “next steps” and whom to contact for follow-up and questions.	✓	✓			
24. Include review of Title IX forms as part of all student, teacher, and staff training.	✓	✓			
25. Include Title IX training in teachers’ summer professional development.		✓			
26. Post resources and information about Title IX throughout school campuses.	✓	✓			✓
27. Emphasize culture of trust in teacher training.	✓	✓			✓
28. Host more joint events and activities between students and administration in each school.		✓			✓

RECOMMENDATIONS	Effectiveness of content and delivery	Barrier-free access	Due process	Student support & retaliation prevention	Prevention & culture of deterrence
29. Create better feedback mechanisms from students to teachers and administrators.		✓			✓
30. Be intentional about increasing students' familiarity with school administrators.		✓			✓
31. More personal, humanizing, and relevant weekly communications from administrators.		✓			✓
32. Use Google form to connect students with opportunities of interest.		✓			
33. Create a safe space for reporting incidents.		✓		✓	✓
34. Institute annual listening sessions and sexual violence town halls between students and administrators.		✓		✓	✓
35. Expand use of CANVAS to include Title IX training modules and resource materials, including due process details.	✓	✓			
DUE PROCESS					
36. Prepare more concise, readily accessible, and easily digestible information about due process with student input.	✓		✓		✓
37. Provide students repeated reminders of due process throughout the year.			✓		✓

RECOMMENDATIONS	Effectiveness of content and delivery	Barrier-free access	Due process	Student support & retaliation prevention	Prevention & culture of deterrence
38. Mandatory Title IX student assemblies with Central Office Title IX representatives and School Resource Officers.	✓		✓		
39. Reconcile discrepancies between available Title IX and due process policy information on Charlotte-Mecklenburg Schools and CMS Board websites.			✓		
40. Revisit in-school and out-of-school suspension consequences.			✓		
41. Institute a process for ensuring school-based accountability for teaching a more comprehensive Title IX curriculum.			✓		
42. Provide a district-level student feedback mechanism.			✓		
43. Create school-based Title IX student ambassadors.			✓	✓	✓
44. Conduct school-based Title IX training performance audits.	✓		✓		
STUDENT SUPPORT AND RETALIATION PREVENTION					
45. Reform the role of school-based Title IX Liaisons by establishing qualifying criteria.				✓	✓
46. Allow high school students to nominate staff for the Title IX Liaison positions.				✓	✓

RECOMMENDATIONS	Effectiveness of content and delivery	Barrier-free access	Due process	Student support & retaliation prevention	Prevention & culture of deterrence
47. Mandatory, comprehensive, eight-hour training for all liaisons.				✓	
48. Better understanding and communication of the role of the central CMS Title IX staff in supporting school-based liaisons.		✓	✓	✓	
49. Regular, periodic updates to Title IX policies and practices, including student support.			✓	✓	
50. Hire social media staffer.	✓	✓		✓	
51. Create a safe and comfortable “incident reporting room” in each school.		✓		✓	
52. Improved communication about the identity of school-based liaisons.		✓		✓	
53. Clearer communication of available support resources.	✓			✓	
54. Evaluate the effectiveness of retaliation prevention measures.			✓	✓	
55. Accommodate anonymous bystander reporting of retaliation.				✓	✓
56. Include information about “no contact” protocols and retaliation prevention in students’ Title IX training.	✓		✓	✓	

RECOMMENDATIONS	Effectiveness of content and delivery	Barrier-free access	Due process	Student support & retaliation prevention	Prevention & culture of deterrence
PREVENTIVE MEASURES & CULTURE OF DETERRENCE					
57. Make students aware of the positive outcomes of reporting.	✓			✓	✓
58. Assure students of preventive measures against retaliation.				✓	✓
59. Title IX school liaisons should host interactive activities about school policies related to Title IX.	✓			✓	✓
60. Address the existence of school cultures that do not deter sexual harassment and assault.				✓	✓
61. Change impersonal, procedural approach to sexual violence in schools.			✓	✓	✓
62. Reverse the “taboo conversation” culture regarding sex education, sexual harassment, and sexual assault.	✓	✓			✓
63. Implement research-based, evidence-informed programs to sustainably change school culture.					✓