Online or Digital Sexual Harassment under the 2020 Title IX Regulations:

A Resource for Students, Families, and Educators

U.S. Department of Educaton
Office for Civil Rights

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Schools[1] play an important role in keeping students safe from sex discrimination, including sexual harassment, under Title IX of the Education Amendments of 1972 (Title IX).[2] This resource highlights that Title IX requires a school to address sexual harassment in its education program or activity, including harassment that occurs online or using technology.

I. Under Title IX, what is sexual harassment and what is a school's obligation to address it?

Under the 2020 Title IX regulations, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

a. **Quid pro quo harassment:** A school employee conditioning the provision of a school-related aid, benefit, or service on an individual's participation in unwelcome sexual conduct;

b. **Hostile environment harassment:** Unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity. Such conduct can be carried out by school staff, a student, or another person; and

c. **Specific offenses:** Sexual assault, dating violence, domestic violence, or stalking as defined in the 2020 Title IX regulations.

Harassment can be carried out by school staff, a student, or another person. It can occur in-person or online, including through email, texts or messages, apps, or other technologies. Depending upon facts and circumstances, some examples may include, but are not limited to:

- Unwelcome conduct on social media platforms, such as sexually demeaning or discriminatory slurs or threats of sexual violence;

- Nonconsensual texting, posting, or otherwise sharing naked or intimate images of a person—whether real, altered, or created through artificial intelligence (AI) technologies; or

- Stalking using technology, including sending multiple unwanted text messages, creating fake social media accounts, or using apps to work around a blocked number.

Title IX requires a school to address sexual harassment that occurs in its education program or activity in the United States. This includes, but is not limited to, conduct that:

- Occurs in locations, at events, or under circumstances in which the school exercised substantial control over both the alleged harasser and the context in which the sexual harassment occurs—including conduct that occurs off-campus under certain circumstances;

- Occurs in a building owned or controlled by a student organization that is officially recognized by a college;

- Occurs in school-related, off-campus settings such as field trips, online classes, and athletic programs;

- Takes place via school-sponsored electronic devices, computers, and internet networks; or

- Takes place on digital platforms operated by, or used in the operations of, the school, including AI technologies.

II. What is a school's responsibility under Title IX for responding to online or digital sexual harassment?

A school is not required to monitor the online activity of its students, staff, or other persons outside of its education program or activity. However, Title IX requires a school to address sexual harassment in its education program or activity regardless of the method by which the harassment is carried out, or whether the school knows who the alleged harasser is. Under the 2020 Title IX regulations, a school with actual knowledge of sexual harassment or allegations of sexual harassment—including online or digital sexual harassment—in its education program or activity must respond promptly in a manner that is not clearly unreasonable in light of the known circumstances.

Under the 2020 Title IX regulations, a school's response to sexual harassment, including online or digital sexual harassment, must include these steps:

1. The school must offer appropriate supportive measures to any student who experienced sexual harassment. Supportive measures may include, but are not limited to:

    - Counseling;
    - Extension of deadlines or other course-related adjustments;
    - Modifications of work or class schedules;
    - Campus escort services;
    - Restrictions on contact between the parties;
    - Changes in work or housing locations;
    - Leaves of absence;
    - Increased security and monitoring of certain areas of the campus; and
    - Other similar measures.

2. The school must explain how the student can file a formal complaint.

3. If the student files a formal complaint, the school must investigate using a grievance process that complies with Title IX regulations. The school must complete this process before it can discipline or take other actions that are not supportive measures against an alleged harasser.[3]

III. What can students and families do if they experience online or digital sexual harassment?

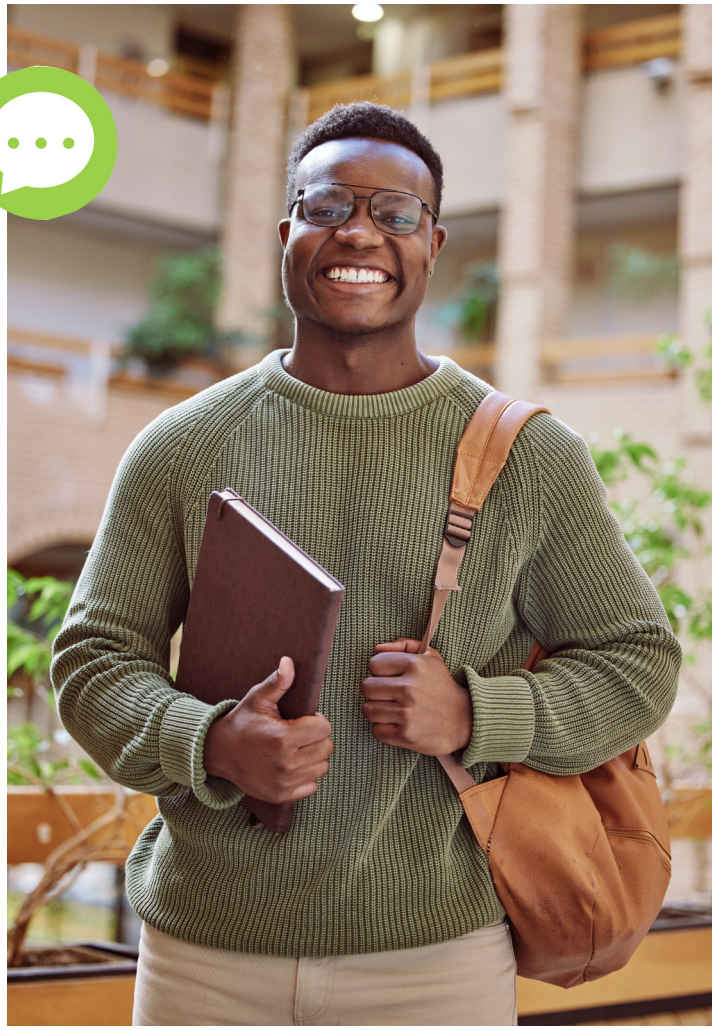
If you believe that you or another person has been treated differently, denied an educational opportunity, harassed, bullied, or retaliated against based on sex—including through online or digital sexual harassment—here are some steps you can take:

a. Tell the Title IX Coordinator, a teacher, or a school administrator such as a principal or dean of students. Your school must include contact information for its Title IX Coordinator on its website and in its handbooks.

b. File a formal complaint using the school's Title IX grievance procedures. Your school must publish Title IX grievance procedures and provide information about these procedures to students and other members of the school community. You may be able to find this information on your school's website or in school handbooks. Keep records of your complaint, any relevant information, and the responses you receive.

c. If you believe that your school discriminated against you on the basis of sex or failed to respond appropriately to possible sex discrimination, you may file a complaint (in English or another language) with the Office for Civil Rights (OCR) of the U.S. Department of Education. You can file with OCR regardless of whether you also filed a complaint of sex discrimination with your school.

IV. For questions about this or other OCR resources



If you have questions about this or other OCR resources, contact OCR at 1-800-421-3481, OCR@ed.gov, or the regional OCR office that serves your state or territory. You can find contact information for the regional OCR offices here: https://ocrcas.ed.gov/contact-ocr.

To request no-cost language access services or resources from OCR, which may include oral technical assistance or written translation of a publicly available OCR document, contact us at 1-800-421-3481 (TDD: 1-800-877-8339) or OCR@ed.gov.

If you would like more information about the Department's interpretation or translation services, please call 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-437-0833) or email Ed.Language.Assistance@ed.gov.

To request this resource or other OCR documents in alternate formats such as Braille or large print, please contact the Department at 202-260-0852 or om_eeos@ed.gov.

The contents of this resource do not have the force and effect of law and do not bind the public or create new legal standards. This document is designed to highlight existing legal requirements. All enforcement determinations made by OCR are based on the particular factual circumstances presented in each individual case.

Endnotes

1 Within this resource, "school(s)" or "college(s)" is used generally to refer to elementary, secondary, and postsecondary educational institutions that are recipients of federal financial assistance from the Department.

2 The Department's Title IX regulations were amended in 2020 (2020 Notice of Final Rule; 2020 Title IX regulations) and again in 2024 (2024 Notice of Final Rule; 2024 Title IX regulations). On January 9, 2025, a federal district court issued a decision vacating the 2024 Final Rule. Consistent with the court's order, the 2024 Title IX regulations are not effective in any jurisdiction.

3 Note that nothing in Title IX or its implementing regulations requires a school to restrict any rights that would otherwise be protected from government action by the First Amendment of the U.S. Constitution. 34 CFR 106.6(d)(1).