

TITLE IX for The Foundation for Hispanic Education (TFHE)

Title IX of the Education Amendments of 1972 (“Title IX”) is a federal law that was passed to ensure students and staff, regardless of their sex, are treated equally and fairly. Title IX prohibits discrimination on the basis of sex, which includes sexual harassment, in any of the education programs or activities of the charter schools operated by The Foundation for Hispanic Education (“TFHE”). Specifically, Title IX provides 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.

Who is the Title IX Coordinator and Title IX Team for TFHE?

TFHE has designated the following individual as its Title IX Coordinator:

Erika Carvajal
Director of Human Resources
14271 Story Road, San Jose, CA 95127
Phone: (408) 585-5022 Ext. 1067
Email Address: ecarvajal@tfhe.org

TFHE has designated the following individual as its Title IX Investigator:

Erika Carvajal
Director of Human Resources
14271 Story Road, San Jose, CA 95127
Phone: (408) 585-5022 Ext. 1067
Email Address: ecarvajal@tfhe.org

TFHE has designated the following individual as its Title IX Decision-Maker:

Vu Long Trinh
Chief of Schools
14271 Story Road, San Jose, CA 95127
Phone: (408) 585-5022 Ext. 1002
Email Address: vtrinh@tfhe.org

TFHE has designated the following individual as its Title IX Appeals Officer:

Dr. Sherry Segura
Chief Executive Officer
14271 Story Road, San Jose, CA 95127
Phone: (408) 585-5022 Ext. 1039
Email Address: ssigura@tfhe.org

How may I file a complaint of discrimination under Title IX?

You may file a complaint of discrimination on the basis of sex, including sexual harassment, by contacting TFHE's Title IX Coordinator. A report of sexual harassment as defined under the Title IX regulations can be made to any TFHE official.

Otherwise, a discrimination complaint may be filed with the Office for Civil Rights:

San Francisco Office for Civil Rights
U.S. Department of Education
50 United Nations Plaza
Mail Box 1200, Room 1545
San Francisco, CA 94102
(415) 486-5555
ocr.sanfrancisco@ed.gov

[United States Department of Education Office for Civil Rights Complaint Form](#)

[United States Department of Education Office for Civil Rights Complaint Assessment System](#)

Is there a statute of limitations for filing an alleged incident of harassment or discrimination?

Consistent with TFHE's Uniform Complaint Procedures Policy ("UCP"), a complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation, or bullying occurred or the complainant first obtained knowledge of it. The time for filing may be extended by TFHE for good cause upon written request from the complainant.

A report or complaint regarding sexual harassment as defined under the Title IX regulations is not subject to the six-month timeline in the UCP.

How are discrimination complaints investigated?

Complaints of sexual harassment filed with TFHE are investigated in accordance with TFHE's Title IX Policy and Grievance Procedures. All other complaints of discrimination are investigated under the UCP.

For federal guidance on how complaints may be further pursued, please see the following link:

[United States Department of Education Office for Civil Rights](#)

Where can I get more information on the rights of a pupil and the public and the responsibilities of the public school under Title IX?

The following Internet resources are available to find more information regarding rights and responsibilities under Title IX:

[California Department of Education Office of Equal Opportunity](#)

[United States Department of Education Office for Civil Rights](#)

In addition, California law, like Title IX, prohibits discrimination on the basis of sex and affords individuals certain rights. You can access those rights here: [Rights Afforded Under Education Code Section 221.8](#). Specifically, you have the right to (when applicable):

1. Fair and equitable treatment and you shall not be discriminated against based on your sex.
2. Be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. Inquire of the athletic director of your school as to the athletic opportunities offered by the school.
4. Apply for athletic scholarships.
5. Receive equitable treatment and benefits in the provision of all of the following: (i) equipment and supplies; (ii) scheduling of games and practices; (iii) transportation and daily allowances; (iv) access to tutoring; (v) coaching; (vi) locker rooms; (vii) practice and competitive facilities; (viii) medical and training facilities and services; and (ix) publicity.
6. Have access to a gender equity coordinator to answer questions regarding gender equity laws.
7. Contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
8. File a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
9. Pursue civil remedies if you have been discriminated against.
10. Be protected against retaliation if you file a discrimination complaint.