



BACK TO SCHOOL **FREE WEBINAR**



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Agenda & Goals

- Broad Overview
- Starting the Academic Year
- Leading with Compassion



Overview



The House of Title IX



Title VI & Title VII



Connections



Compliance + Compassion



Intro & Overview

- Current State of Title IX--and Title VI
- Impact on YOU, your team, your students, your employees

What is Happening?!

2025

**Executive
Orders**



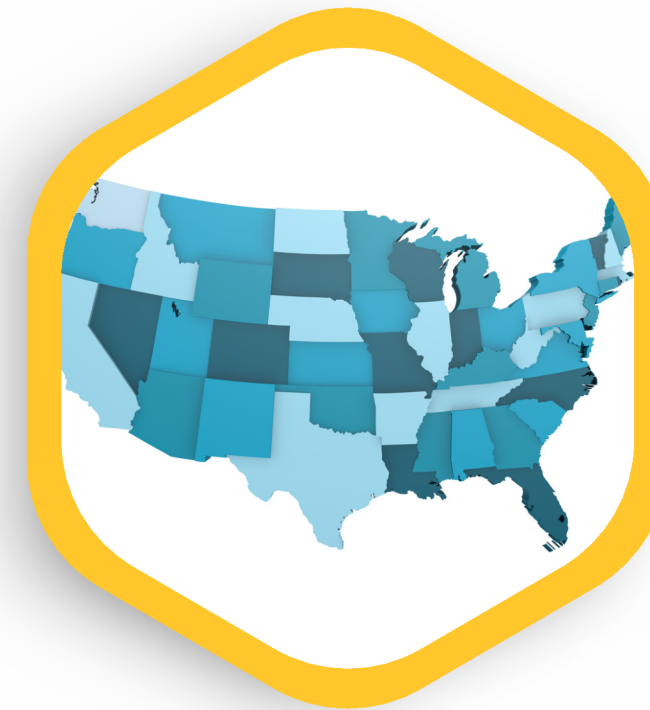
Litigation



**Supreme
Court**



**State
Laws**



**Administrative
Action**



Impact



Office for Civil Rights



Staffing

- 7 of 12 regional offices closed
- Mass layoffs (304 of 512 employees terminated)



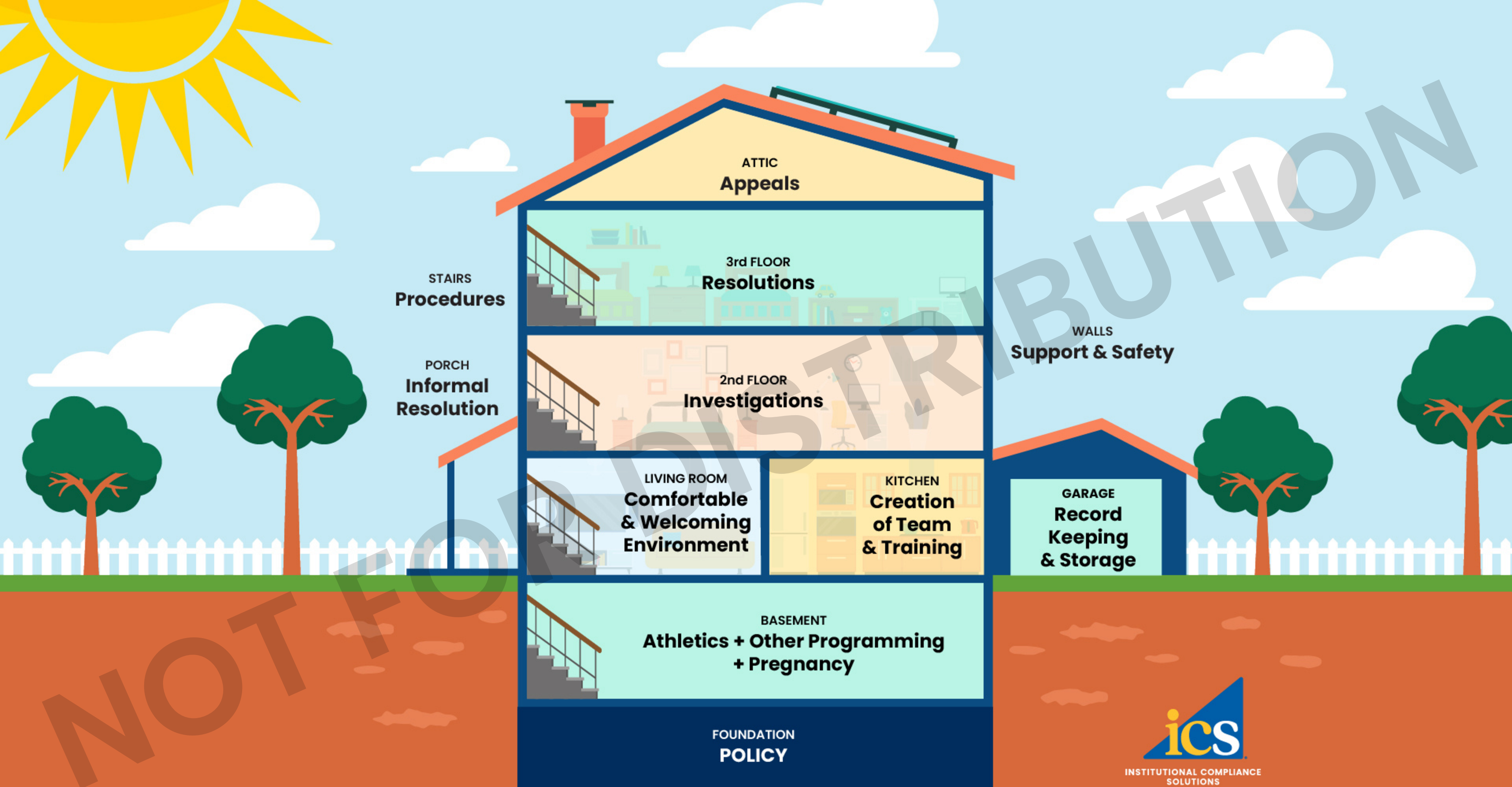
Investigations

- Case processing manual
- Special Investigations Team (SIT)
- Directed investigations
- Determinations prior to completed investigations



Focus

- Transgender athletics
- Athletics Equity
- Antisemitism
- "DEI"





INSTITUTIONAL COMPLIANCE
SOLUTIONS

COMPLIANCE CUL-DE-SAC

TITLE VI



TITLE IX



ADA



TITLE VII



IDEA



2025 Resolved OCR Matters

*Note--updated 7-18-25

65 resolutions

K-12: 49

Higher Education: 15

Other Institutions: 1



● Disability

- Vast majority involve allegations of discrimination based on disability

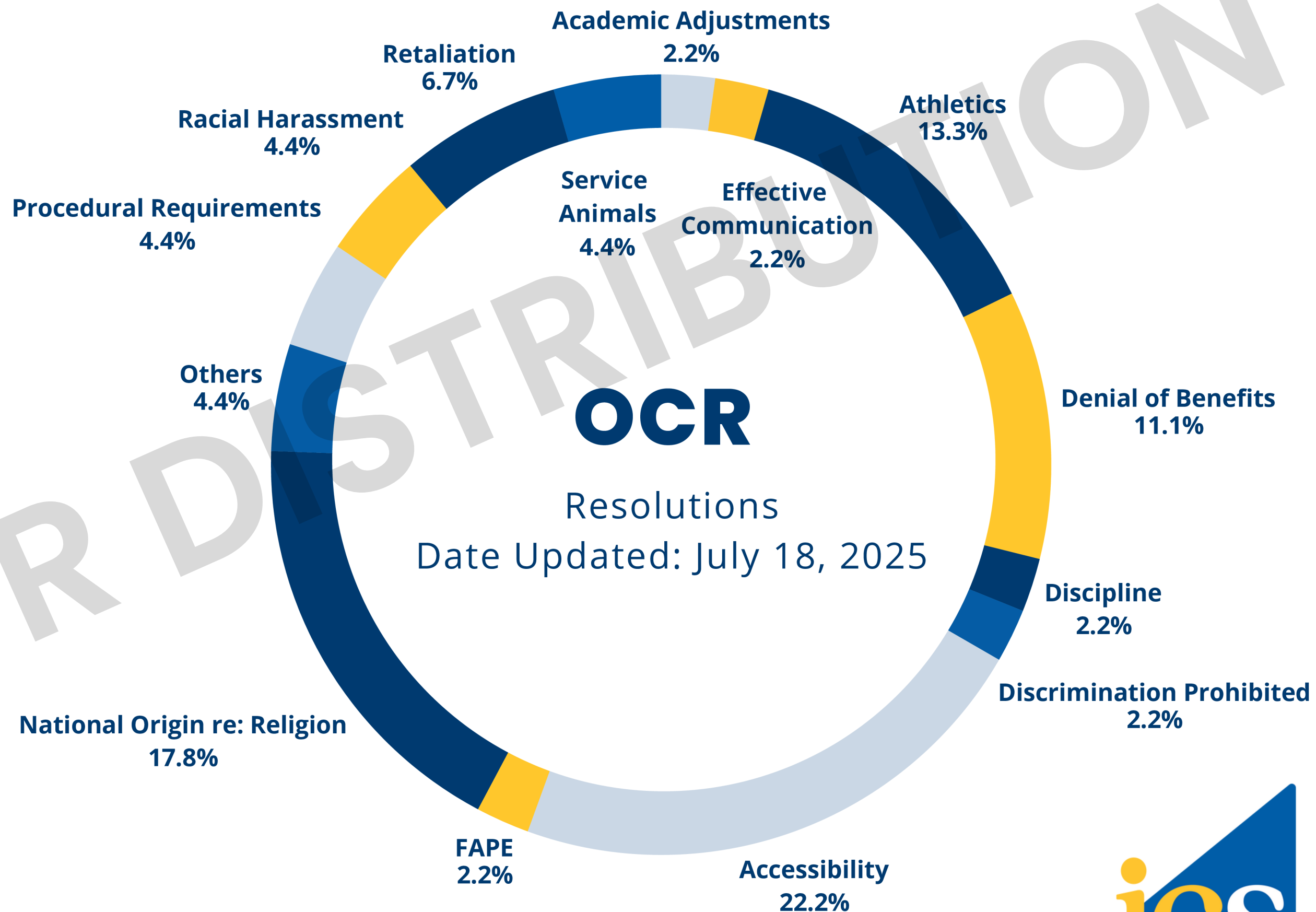
● Title VI

- 12 Higher Ed involve Title VI

● Title IX

- 6 Sex Discrimination (all involve athletics)
- None involve Title IX Sexual Harassment

Academic Adjustments: 1
Accessibility: 10
Athletics: 6
Denial of Benefits: 5
Discipline: 1
Discrimination Prohibited: 1
Effective Communication: 1
FAPE: 1
National Origin re: Religion: 8
Others: 2
Procedural Requirements: 2
Racial Harassment: 2
Retaliation: 3
Service Animal: 2



DEI Takeaways



- DEI programs...make sure they are consistent and aligned with governing federal and state antidiscrimination laws
- The DCL on DEI itself does not state any new obligations or prohibitions—only re-stating existing legal requirements
- Identify, Review, and Evaluate all DEI programs with counsel to ensure compliance with Title VI and applicable state laws—conduct civil rights compliance audits
- Prepare to demonstrate in a case of a complaint/investigation that DEI programs do not discriminate or grant preferences in manner that violates Title VI or other governing federal and state laws

The House of Title IX

- Current state & FOCUS of Title IX--
- Impact on YOU, your team, your students, your employees





**TITLE IX
COORDINATOR**

Composition is Key

- The composition of the team SHOULD be different at each school
- There is not one RIGHT way to create a team



Collaborative



Flexible



Committed



Kind

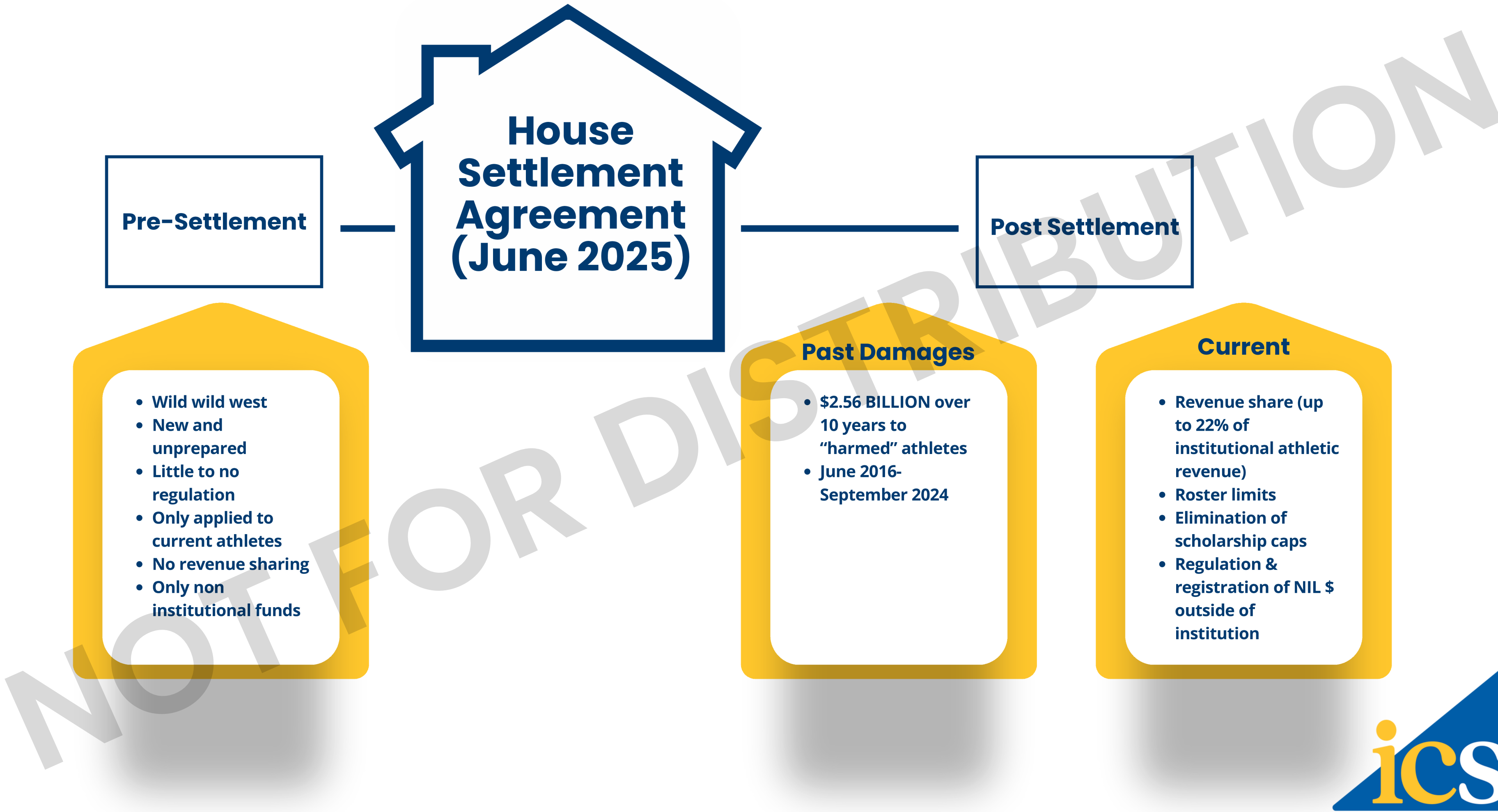


Dynamic

Athletics

- **Spotlight**
- **Litigation**
- **Expedited**





House Settlement Agreement (June 2025)

Pre-Settlement

Post Settlement

- Wild wild west
- New and unprepared
- Little to no regulation
- Only applied to current athletes
- No revenue sharing
- Only non institutional funds

Past Damages

- \$2.56 BILLION over 10 years to “harmed” athletes
- June 2016-September 2024

Current

- Revenue share (up to 22% of institutional athletic revenue)
- Roster limits
- Elimination of scholarship caps
- Regulation & registration of NIL \$ outside of institution



NIL & House Impact on Title IX



● House Court

- Refused to weigh in on whether payments under the settlement had to comply with Title IX
- Settlement currently under appeal
 - June 11, 2025: 8 female athletes claimed the “back pay” damages portion violates Title IX
 - Currently
 - 90% to male football and basketball athletes
 - 5% to women’s basketball
 - 5% to “other” athletes
 - ONLY “back pay” paused during appeal

● Roster Limits

- Evaluate whether roster compositions violate equity under Title IX
- Some athletes “grandfathered” in

● Elimination of Scholarship Caps

- Scholarship distribution still needs to be equitable

● Training & Resources

- Training and resources re: NIL opportunities needs to be provided equitably

Why It Matters...



**Focus of the
Current
Administration**



**Heightened
Awareness &
Spotlight**



**Easy Target &
Significant
Impact**

Title IX & Athletics



Title IX Athletics 3 Prong Test



1.

Substantial Proportionality

- Athletes vs. Enrollment
- Less than 5%--- ish



2.

History of Expansion

- 3-5 years
- Improving current opportunities
- Unavailable if in process of eliminating female sports



3.

Interests and Abilities

- Fully and effectively accommodating interests and abilities
- Has school "maxed out" its offerings
- Surveys & evaluations

How to Prepare...



**Crunch the
Numbers**



**Evaluate
Opportunities**



**Survey the
Students**

Athletics (Bucket 2)

Benefits, Opportunities, & Treatment

- Equipment & supplies
- Game & practice times
- Travel & per diem
- Coaching & coaches compensation
- Academic tutoring
- Locker rooms
- Practice facilities

- Competitive facilities
- Medical & training facilities
- Housing and/or dining services
- Publicity
- Supportive services
- Recruitment (if applicable)
- Other

How to Prepare...



**Visit the
Facilities**



**Compare the
Schedules**



**Review the
Budgets**



The OTHER Houses~

- Title VI
- Title VII
- Disability
 - ADA
 - 504
 - IDEA



Title VI

Enforced by OCR

Understanding Discrimination Under Title VI



Title VI of the 1964 Civil Rights Act says, "No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

42 U.S.C. § 2000d



Protected Under Title VI?

Programs and activities that receive education funds must operate in a non-discriminatory manner which include:

Admissions

Recruitment

Financial Aid

Academic Programs

Physical Education

Athletics

Housing

Counseling and Guidance

Vocational Education

Student Treatment and Services

Discipline

Classroom Assignment

Grading

Recreation



Title VII

Enforced by EEOC

Title VII Prohibits Employment Discrimination based on:

GENDER
IDENTITY

MENTAL OR
PHYSICAL
DISABILITY

AGE

COLOR

SEXUAL
ORIENTATION

RELIGION

PREGNANCY

NATIONAL
ORIGIN

SEX

RACE

IMMIGRATION
STATUS

VETERAN
STATUS



ADA

- Enforced by DOJ

IDEA

- Enforced by DOE/OCR

Section 504

- Enforced by OCR

Discrimination Based on Disability



Section 504

Section 504 of the Rehabilitation Act of 1973 prohibits any school district receiving federal financial assistance from discriminating against disabled children.

Requires Free
Appropriate Public
Education



Title II

Title II of the Americans with Disabilities Act of 1990 expands these protections and prohibits all school districts, whether they receive federal funding or not, from discriminating against disabled children.



Accommodations

The ADA requires the provision of reasonable effective accommodations for eligible faculty, staff, students, and visitors across an institution's programs, activities, and services.



**YOU'VE
GOT THIS!**



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INSTITUTIONAL COMPLIANCE
SOLUTIONS

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