# Title IX – Sex-Based Discrimination is Prohibited

## What is Title IX?

Title IX of the Education Amendments of 1972 ("Title IX") is a federal law that prohibits sex-based discrimination in all educational programs and activities, including athletic programs. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity operated by the district. Title IX protects all participants in the district's educational programs and activities, including students, parents, employees, and job applicants. The district does not discriminate on the basis of sex. Discrimination on the basis of sex can include sexual harassment and sexual violence.

In addition to Title IX, the California Education Code prohibits discrimination on the basis of sex in schools. (California Education Code §§ 220-221.1.) Other state and federal laws also prohibit discrimination and ensure equality in education. Please refer to Board Policies 5145.3 Nondiscrimination/Harassment and 1312.3 Uniform Complaint Procedures and Administrative Regulations 1312.3 Uniform Complaint Procedures for more information on the district's anti-discrimination policies.

Title IX information provided here applies to every school site and to all District programs and activities.

## What are my rights under Title IX?

You have the following rights under Title IX, to the extent applicable at the district:

- You have the right to fair and equitable treatment, and you shall not be discriminated against based on your sex.
- You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- You have the right to inquire of the athletic director of your school or appropriate District personnel as to the athletic opportunities offered by the school.
- You have the right to apply for athletic scholarships if the district offers any.
- You have the right to receive equitable treatment and benefits in the provision of all of the following related to athletics, if any are provided by the district:
    - Equipment and supplies
    - Scheduling of games and practices
    - Transportation and daily allowances
    - Access to tutoring
    - Coaching
    - Locker rooms
    - Practice and competitive facilities
    - Medical and training facilities and services
    - Publicity.

- You have the right to have access to a sex/gender equity coordinator, referred to as the Title IX Coordinator, to answer questions regarding sex/gender equity laws.
- You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on sex/gender equity laws.
- The district has a responsibility to respond promptly and effectively to sex-based discrimination, including sexual harassment and sexual violence.
- If the District knows or reasonably should know about sex discrimination, it must take action to eliminate the sex discrimination, prevent its recurrence, and address its effects.
- The district must resolve complaints of sex discrimination promptly and equitably. Information on filing a complaint alleging sex-based discrimination is below, including contact information for the District's Title IX Coordinator.

For more information specific to anti-discrimination in District employment, please contact the Title IX Coordinator.

Learn more about your rights under Title IX:

- Visit the website of the United States Department of Education Office for Civil Rights at http://www2.ed.gov/about/offices/list/ocr/index.html and the webpage on sex discrimination at http://www2.ed.gov/policy/rights/guid/ocr/sex.html.
- Review United States Department of Education Office for Civil Rights, Know Your Rights documents:
    - Title IX prohibits sexual harassment and sexual violence: https://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.pdf.
    - Title IX requires the District to address sexual violence: https://www2.ed.gov/about/offices/list/ocr/docs/know-rights-201404-title-ix.pdf.
    - Title IX prohibits discrimination against pregnant or parenting individuals: http://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.pdf.
- Visit the website of the California Department of Education Office of Equal Opportunity at http://www.cde.ca.gov/re/di/eo/ and the webpage on Gender Equity/Title IX at http://www.cde.ca.gov/re/di/eo/genequitytitleix.asp.

Review related District policies and regulations:

- Board Policy 5145.3
- Board Policy 1312.3

## Who is the Title IX Coordinator?

The district has a Title IX Coordinator who oversees the district's compliance with Title IX requirements and promotes sex equity in the District's programs. Contact the District's Title IX Coordinator:

Dana Pedersen, Title IX Coordinator
Twin Hills Union School District
700 Watertrough Rd.
Sebastopol, CA 95472
Telephone: 707-823-0871
Email: dpedersen@Twinhillsusd.org

## How do I file a complaint of sex discrimination?

A student, parent, guardian, employee, individual, or organization may file a written complaint alleging discrimination, harassment, intimidation, and/or bullying on the basis of a protected characteristic under the District's Uniform Complaint Procedure by sending a complaint to:

Superintendent Dana Pedersen
Twin Hills Union School District
700 Watertrough Rd.
Sebastopol, CA 95462
Telephone: 707-823-0871
Email: dpedersen@twinhillsusd.org

The Uniform Complaint Procedure is available at the District Office by request, and on the district website. If you need assistance putting your complaint in writing, please contact Barbara Bickford, Superintendent at 707-823-0871. You may file a complaint anonymously, but the District's ability to investigate and respond may be limited by a lack of information.

You may also file a discrimination complaint with the U.S. Department of Education Office for Civil Rights. For more information, visit Superintendent Danahttp://www2.ed.gov/about/offices/list/ocr/complaintintro.html. The electronic complaint form for the Office for Civil Rights is available online at https://ocrcas.ed.gov/. Contact the Office for Civil Rights at:

San Francisco Office
Office for Civil Rights
U.S. Department of Education
50 United Nations Plaza
San Francisco, CA 94102
Telephone: (415) 486-5555
Fax: (415) 486-5570; TDD: (800) 877-8339
Email: ocr.sanfrancisco@ed.gov

For information about how to file other types of complaints and the procedures for those complaints, please contact the District Office at 707-823-0871.

## When must a complaint be filed?

A complaint alleging unlawful discrimination or retaliation must be filed no later than six months from the date the discrimination or retaliation occurred, or six months from when the complainant first learned of the unlawful discrimination. The Superintendent or designee may extend this timeline by up to ninety days for good cause, upon written request by the complainant setting forth the reasons for the extension.

## How will a complaint be investigated?

Complaints filed under the District's Uniform Complaint Procedure will be investigated and a decision made within sixty calendar days of the district's receipt, unless the complainant agrees to an extension. The district's compliance officer or designee may interview alleged victims, alleged offenders, and relevant witnesses. The compliance officer may review available records, statements, or notes related to the complaint, including evidence or information received from the parties during the investigation. The compliance officer may visit reasonably accessible locations where discrimination is alleged to have occurred. As appropriate, the district's compliance officer periodically will inform the parties of the status of the investigation. The complainant will be notified when a decision is made.
Complaints that are not filed under the District's Uniform Complaint Procedure will be investigated and decided pursuant to the applicable procedure.

## What happens when the investigation is complete?

For complaints filed under the Uniform Complaint Procedure, the compliance officer will prepare and send a final written decision to the complainant and respondent, if any, within sixty (60) calendar days of the district's receipt of the complaint (unless this deadline is extended by mutual agreement).

If the complainant or respondent is not satisfied with the decision, either the complainant or respondent may, within five business days, file the complaint in writing with the Board. The Board may consider the matter at a Board meeting or decide not to hear the complaint, in which case the compliance officer's decision shall be final.]

The complainant or respondent may appeal the district's decision within fifteen calendar days to the California Department of Education. The appeal must specify the reason for the appeal and whether the district's facts are incorrect and/or the law is misapplied. The appeal must include a copy of the original complaint to the district and a copy of the district's decision. For more information, visit the California

Department of Education's webpage on Uniform Complaint Procedures: http://www.cde.ca.gov/re/cp/uc/index.asp.

For complaints alleging unlawful discrimination based on state law, the complainant may pursue available civil law remedies, including seeking assistance from mediation centers or public/private interest attorneys, sixty calendar days after filing an appeal with the California Department of Education. (California Education Code § 262.3.) Note that this sixty-day moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (California Education Code § 262.3.)

Complaints may also be filed with the United States Department of Education, Office for Civil Rights, within 180 days of the alleged discrimination. For contact information, see the section above on "How do I file a complaint of sex discrimination?" For more information, visit http://www2.ed.gov/about/offices/list/ocr/complaintintro.html.

If the compliance officer finds that a complaint has merit, the district will take appropriate corrective action.

## How do I get more information?

For more information regarding Title IX and sex equity in education or in District employment, please contact the District's Title IX Coordinator.