



Pennsylvania Association of School Business Officials

Mailing Address:
P.O. Box 6993
Harrisburg, PA 17112-0993
Telephone 717-540-9551

www.pasbo.org

Office Location:
2608 Market Place
Harrisburg, PA 17110
FAX 717-540-1796

2014-2015 Workshop Series

TITLE IX COMPLIANCE OFFICER DUTIES

January 29, 2015 Webcast (9:30 – 11:00 AM)

Each LEA has to have one, but beyond completing the athletic information forms, what are the roles and responsibilities of the Title IX Compliance Officer? This webcast will explore the broader role of the Title IX Compliance Officer in the development, implementation, and monitoring of meaningful efforts to comply with all aspects of Title IX requirements. In broad terms, the Title IX Compliance Officer oversees monitoring of LEA policy, implements grievance procedures, provides training, and monitors other aspects of the LEA's Title IX compliance. The webcast will discuss duties including:

- Analysis of athletic data to direct policy and practice changes
- Notification and education of students and staff
- Implementation of grievance procedures, including notification, investigation and disposition of complaints
- Conducting and/or coordinating investigations of complaints received pursuant to Title IX

INTENDED AUDIENCE: Title IX Compliance Officers, Business Managers, HR Directors, Superintendents, Principals, Athletic Directors

SPEAKERS:

Peg Pennepacker, C.A.A., Director of Athletics, State College Area SD
Sandy Emerich, PRSBO, Director of Human Resources, Harrisburg SD

ANNOUNCEMENTS:

- All participants must sign-in on a Webcast Attendance Form for attendance/credit tracking. Forms are at the back of the handout packet. There are two forms – each attendee need complete only ONE form as follows:
 - HOST LEA FORM – use for all attendees from the same school/organization as the Host registrant.
 - GUEST FORM – use for all Guest attendees from a school/organization different than the Host registrant.Host sites are asked to collect and submit information on every participant at your site. For credit to be given, Attendance Forms must be returned to PASBO by February 5.
- If you are disconnected at any time during the program, please repeat the logon procedure to reconnect.
- You can submit a question at any time using the “Chat” function at the left side of your screen – type your question in the message box and click on “Enter” to send.
- Please track your CEU credits for PASBO Professional Registration. (*Professional Registration CEUs = 1*)
- Your evaluation of this program is important to us. The primary contact will receive an evaluation link via email. Please provide feedback to ensure that PASBO programs are meeting your needs.
- This program is being recorded to provide access to those not able to participate in the live program and serve as a review tool. Find information in your handout. Check out the PASBO Store at http://www.pasbo.org/store_home.asp for other webcast titles.

Thank you for your participation!



Pennsylvania Association of School Business Officials

TITLE IX COMPLIANCE OFFICER DUTIES

January 29, 2015 Webcast
(9:30 – 11:00 AM)

Listen to audio over your computer speakers
(If you prefer to listen by phone, you may dial-in using the
numbers at the top of your screen. Phone lines will be
available 10 minutes prior to the event start.)

PASBO

Smart Business + Informed Decisions = Great Schools



Presenters

- Peg Pennepacker, C.A.A., Director of Athletics, State College Area SD
- Sandy Emerich, PRSBO, Director of Human Resources, Harrisburg SD

PASBO

Smart Business + Informed Decisions = Great Schools



Disclaimer

The information provided in this webcast is
NOT a substitute for legal advice.

Participants are strongly encouraged to
seek the advice of their school district's
legal counsel.

PASBO

Smart Business + Informed Decisions = Great Schools

PUBLIC LAW 92-318 OF THE EDUCATION ACT OF 1972

Title IX of the 1972 Education Amendments states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."

The federal regulations for Title IX prohibit discrimination in: facilities; access to courses and other educational activities; career guidance and school guidance counselor services; student financial aid; student health and insurance benefits; scholastic (K-12), intercollegiate, club, or intramural athletics; physical education; student housing and facilities; decisions based on marital or parental status or pregnancy. Title IX also covers employment in education institutions and **sexual harassment**.

Discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery and sexual coercion.

Smart Business + Informed Decisions = Great Schools

Role of OCR & Title IX

- The Office for Civil Rights (OCR) is responsible for establishing the compliance standards to be applied in investigations and enforcement of Title IX including sexual harassment.
- OCR requires that once a school has notice of possible sexual harassment of a student, the school should take immediate and appropriate steps to investigate what occurred and take prompt and effective action to end the harassment, remedy the effects and prevent it from occurring again.

Smart Business + Informed Decisions = Great Schools

Designated Title IX Compliance Officer (Coordinator)

Title IX Regulations mandate that all institutions receiving **ANY** Federal financial assistance designate an employee to be responsible for the organization's enforcement of Title IX. This employee processes grievance complaints and ensures that the recipient institution is effectively implementing Title IX.

106.8 Designation of responsible employee and adoption of grievance procedures.

(a) Designation of responsible employee. Each recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to such recipient alleging its noncompliance with this part or alleging any actions which would be prohibited by this part. The recipient shall notify all its students and employees of the name, office address and telephone number of the employee or employees appointed pursuant to this paragraph.

(b) Complaint procedure of recipient. A recipient shall adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by this part.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

Smart Business + Informed Decisions = Great Schools

Who should be the Title IX Compliance Officer?

- Although there is no specific direction in the Title IX regulations as to how the employee “designation” is to be chosen it would be wise for school boards to adopt a written position or job description for the school district’s Title IX Compliance Officer.
- This job description should describe the person’s responsibilities, which would include:
 - ✓ Provide consultation and information regarding Title IX requirements to potential complainants
 - ✓ Implementation of the school’s Title IX policies and complaint procedures – disseminate the school’s Title IX policy to employees
 - ✓ Provide notification of the school’s nondiscrimination policy to parents and students
 - ✓ Keep abreast of changes to Title IX regulations and compliance standards
 - ✓ Report to administration and school board changes in the law, which would require revisions to the school’s Title IX policies or practices

Smart Business + Informed Decisions = Great Schools

Who should be the Title IX Compliance Officer? (continued)

- Often assigned to a school administrator.
- Some schools – teachers are not eligible.
- Could be the Section 504 coordinator.
- Appointing a district athletic director is usually not a recommended practice. The Title IX Compliance Officer would be responsible for handling allegations of sex discrimination against the athletic department.
- Regardless of who is designated, in many cases this person bears these responsibilities as a part-time addition to their regular job duties.

Smart Business + Informed Decisions = Great Schools

Dissemination of Policy

The school district's policy of nondiscrimination must be prominently included in each student handbook, bulletin, catalog, booklet, announcement, brochure, student application form or other publication distributed to students, potential students, parents, and any other persons benefiting from the school district's activities and programs.

The name and contact information (office address, telephone number, fax number, email address) of the Title IX Coordinator must also be included in this announcement. This information should also be made available on the institution's web site.

Smart Business + Informed Decisions = Great Schools

District's Responsibilities to Address Sexual Harassment and Sexual Violence

- Respond promptly and effectively. If a school knows or reasonably should know about sexual harassment/violence that creates a hostile environment, immediate action must take place.
- Action must be taken if the school is reasonable aware and must investigate and take steps to resolve.
- A criminal investigation into allegations of sexual harassment/violence does not relieve the school of its duty under Title IX.

Smart Business + Informed Decisions = Great Schools

Monitoring Compliance

The Title IX Compliance officer is responsible for monitoring the overall implementation of Title IX for the school district and coordinating the institution's compliance with Title IX in all areas covered by the regulations. The overall responsibility is the prevention of sex discrimination, including sexual harassment. Major monitoring duties include, but are not limited to, the following:

- ◆ Admissions: Admissions and Recruitment

Smart Business + Informed Decisions = Great Schools

Monitoring Compliance - continued

- ◆ Education Programs and Activities: Housing, Comparable Facilities, Access to Course Offerings, Access to Schools operated by the School District, Counseling and Related Materials, participation in extra-curricular activities, Financial Assistance, Employment Assistance, Health Services and Insurance, Marital/Parental Status, Athletics and Physical Education.
- ◆ Employment in Education Programs and Activities: Employment Criteria, Recruitment, Compensation, Job Classification, Fringe Benefits, Marital or Parental Status, Advertising, Pre-employment Activities. Make sure that job descriptions are free of components that can be construed as discrimination.
- ◆ Sexual Harassment

Smart Business + Informed Decisions = Great Schools

Monitoring Compliance - continued

◆ Other areas of consideration include:

- Developing a committee to assist in meeting Title IX obligations is highly recommended.
- Arranging to have a Title IX/Equity coordinator in each school building enables better monitoring of Title IX in individual schools leaving the District Title IX Coordinator to take care of the district as a whole.
- Participating in the development and implementation of the school system's sexual harassment policy. Be aware of new needs which may dictate changes or revisions in existing policies or practices.
- Assisting faculty, counselors and administrators in complying with Title IX, and when a need arises, planning remedial actions.
- Making the Title IX Coordinator known in the community by disseminating civil rights information or by speaking at parent-teacher group meetings, social or professional organization meetings, and other community functions and by providing contact and other information on the institutions' web-site.

Smart Business + Informed Decisions = Great Schools

Monitoring Compliance - continued

◆ Other areas of consideration include: (continued)

- Serving as a resource to the local superintendent of schools on Title IX/Gender issues, and submitting annual reports on Title IX compliance activities to the district superintendent.
- Monitoring and evaluating the district's Title IX compliance efforts and making recommendations for any appropriate changes.
- Providing updated information to schools on Title IX implementation and issues.
- Maintaining contact with the state education agency Title IX coordinator and with the federal regional assistance center.
- Identifying and disseminating information about Title IX educational resources (organizations, individuals, print, Internet, and audio-visual)

Smart Business + Informed Decisions = Great Schools

Grievance Procedures

Adoption and publication of procedures providing prompt and equitable resolution of complaints is critical. Nondiscrimination policy notices and their attendant Grievance Procedures must be made public and disseminated throughout the educational community. Develop Title IX grievance procedures for students and teachers in cooperation with local student services and human resources staff; give public notice of the procedures and the name and contact information of the school system Title IX coordinator.

Have copies of the grievance procedure and any related forms available in schools and libraries for students, parents or school personnel alleging sexual harassment or discrimination. Assist them in filing their grievance and oversee the step-by-step procedure to be sure that time frames are met. Assist administrative personnel who need a better understanding of the grievance based on Title IX. Keep records of all grievances filed.

Smart Business + Informed Decisions = Great Schools

Grievance Procedures - continued

In carrying out this responsibility, the Title IX compliance officer may actually investigate any complaint filed under the institution's grievance procedures. If the Title IX compliance officer does not conduct the investigation of complaints, she/he should receive information about any grievance filed and the resolution. This will allow the institution to identify any patterns, and repeat offenders that may be missed when grievances are handled by several individuals. This is particularly critical given the "Pass the Trash" and Mandated Reporting requirements.

The compliance officer should receive sufficient information throughout the process so that she/he can provide guidance or information to ensure that the institution carries out its responsibilities under Title IX. The Title IX compliance officer should also be sufficiently knowledgeable about the requirements of the regulations to advise the institution about policies and practices, which may violate Title IX.

Smart Business + Informed Decisions = Great Schools

Core Responsibilities of the Title IX Compliance Officer

- Develop a working knowledge of the federal Title IX (of the Education Amendments of 1972) law and its implementation regulations.
- Be informed about state laws, regulations and policies on all equity issues, including bullying and harassment and child abuse laws.
- Be knowledgeable of federal and state laws (ADA, Section 504, IDEA) prohibiting discrimination against all protected classes.
- Be sure female and male students participating in work-based learning programs are guaranteed equal treatment by their employers.

Smart Business + Informed Decisions = Great Schools

Core Responsibilities of the Title IX Compliance Officer (continued)

- Coordinate with other staff and document an internal self-evaluation of practices and policies with respect to treatment of female and male students.
- Provide program development, including in-service training, to eliminate sex discrimination in the district. Consider conducting a school-wide in-service program on sexual harassment.
- Attend state and national conferences specifically for Title IX coordinators and/or on gender equity issues, and share the information with administrators, staff and faculty.
- Provide updated resources on Title IX and gender equity to the district.
- Keep all relevant records.

Smart Business + Informed Decisions = Great Schools

Dear Colleague Letter: April 4, 2011

- More detailed than the 2001 DCL
- OCR stated specifically that they view sexual violence as a form of sexual harassment and therefore a form of gender discrimination covered by Title IX
- “Notice” equals a duty to immediate Title IX based prompt and effective action to eliminate harassment, prevent its recurrence, and remedy its effects

Smart Business + Informed Decisions = Great Schools

Significant U.S.S.C. Cases

Franklin v. Gwinnett Public Schools (1992)

Gebser v. Lago Vista Independent School District (1998)

Davis v. Monroe County B.O.E. (1999)

Fitzgerald v. Barnstable School Committee (2009)

Jackson v. Birmingham B.O.E. (2005)

Ollier v. Sweetwater (2014) – U. S. Court of Appeals, Ninth Circuit

Regarding Sexual Harassment:
Knowledge + Deliberate Indifference =
Strict Liability

Smart Business + Informed Decisions = Great Schools

Act 82: Disclosure of Interscholastic Athletics Opportunities

- Reporting athletic information relative to Title IX
- It is NOT a Title IX audit – schools are merely reporting information
- Act 82 does not require working towards Title IX compliance; however, making this information available to the public may highlight areas of concern for those who comprehend the data
- The school's Title IX Compliance Officer needs to have a working knowledge of the Title IX compliance framework as it relates to athletics

Smart Business + Informed Decisions = Great Schools

Components of the Title IX Compliance Framework (for Athletics)

COMPONENT I: Participation Opportunities - requires that girls and boys be provided equal opportunities to participate in sports. (3-prong test – substantial proportionality, history and continuing practice of program expansion, full and effective accommodation of interests and abilities)

COMPONENT II: Scholarships: colleges only

COMPONENT III: Other Benefits and Opportunities: requires equal treatment in the provision of 11 areas. (equipment/supplies, scheduling, travel/daily allowance, tutoring, coaching, facilities, locker rooms, medical/ training services/facilities, publicity, recruitment, support services.)

Smart Business + Informed Decisions = Great Schools

Act 82 and the Title IX Compliance Framework

COMPONENT I: Participation Opportunities

- Total # of students in the school by gender
- # of participants by gender for each team
- # of teams by gender and level
- Seasons when teams competed
- When the team was established, eliminated, demoted or reinstated

Smart Business + Informed Decisions = Great Schools

Act 82 and Title IX Compliance Framework

COMPONENT III: Other Benefits & Opportunities

- Expenditures for travel, uniforms, equipment & supplies, coaches' information, facilities, athletic trainers
- # of coaches for each team/compensation of coaches
- # of games scheduled per sport
- **Outside resources including booster club contributions**

Smart Business + Informed Decisions = Great Schools

Outside resources, including booster clubs

Under Title IX, all benefits received by student-athletes as a result of the funds provided by outside resources, including booster clubs, are viewed as benefits provided by the school. If accepting support from an outside resource creates a disparity in the programs, the school district is responsible to correct the disparity.

Smart Business + Informed Decisions = Great Schools

Outside resources, including booster clubs

Guidelines and Policies

- Schools should have in place a process of tracking all non-school contributions and purchases that support the school's athletic teams.
- Schools should have a Board Policy governing and guiding school district booster clubs.
- Outside resource contributions should be carefully monitored and guided by the school district.

Smart Business + Informed Decisions = Great Schools

Reporting Laws Across the Country

- Pennsylvania is one of six states that has reporting (athletics) legislation – Georgia, New Mexico, Kentucky, California and Florida.
- Federal legislation has been introduced on a yearly basis since 2007 to require all school districts to report athletic information on a yearly basis similarly to what colleges have done since 1994. (EADA)
- There has been proposals to include this information as part of the *Civil Rights Data Collection* or part of the reauthorization of the *Elementary and Secondary Education Act*.

Smart Business + Informed Decisions = Great Schools

Title IX Emerging Issues

- Students with Disabilities – Jan. 25, 2013 DCL students with disabilities be granted equal opportunity to participate alongside their peers in school athletics programs, club sports, intramural sports and physical education courses.
- Pregnant Students – June 25, 2007 DCL affirms the application of the pregnancy-related portions of the Regulations to athletics departments, and summarizes a school's obligations to pregnant student-athletes
- Transgender Students – school districts will need to develop policies and procedures in order to accommodate these students

Smart Business + Informed Decisions = Great Schools



Summary

- By law, all schools must appoint a Title Compliance Officer (Coordinator).
- This person must have knowledge of Title IX law and its application.
- Title IX is more than sports. Title IX covers all program areas of a school receiving federal financial assistance including sexual harassment.
- Schools should be proactive and assess or audit their programs.

PASBO

Smart Business + Informed Decisions = Great Schools



For More Information or Assistance

Additional information can be obtained at:
ocr@ed.gov.

- There are many websites that are useful in learning about the law and its application – National Women’s Law Center; AAUW; Women’s Sports Foundation; National School Boards Association, ATIXA...
- For training on Title IX’s application in your athletic programs – Holly Farnesse, PSADA Professional Development Chair. Jaberwok54@comcast.net
610-622-7000 xt. 2372 www.psada.org

PASBO

Smart Business + Informed Decisions = Great Schools



Thank-you!

Thank you for attending today's
webcast!

Contact Information:

Peg Pennepacker, C.A.A.

plp12@scasd.org 814-231-1143 o

Sandy Emerich

Semerich@hbgsd.us

PASBO

Smart Business + Informed Decisions = Great Schools



Time for Questions



- Send text questions using the “Chat” function at the left side of your screen.
- Type message in box and click “Enter” to send.

PASBO

Smart Business + Informed Decisions = Great Schools



PASBO

REMINDER: Webcast host sites are asked to have every participant sign-in on an Attendance Form and return to the PASBO Office for attendance and credit purposes.

Please note there are two different forms:

- HOST LEA FORM – use for all attendees from the same school/organization as the Host registrant.
- GUEST FORM – use for all Guest attendees from a school/organization different than the host registrant.

Forms must be received by [February 5](#).

Thank you for your participation!

Smart Business + Informed Decisions = Great Schools



PASBO

Join us at these upcoming workshops:

- **Applications in Data Management*** - February Online Course (Course launch February 2)
- **Transporting Students with Behavioral Needs** - February 10/Webcast
- **Auditorium and Performing Arts Safety** - February 11/Webcast
- **Commonwealth Budget Seminar*** - March 19/Mars; March 20/Grantville; March 24/Webcast
- **Elements of School Law*** – March 26/Harrisburg
- **Cooperative Purchasing Legalities*** - March 31/Webcast

For info, visit www.pasbo.org/workshops

Smart Business + Informed Decisions = Great Schools

TITLE IX RESOURCES

The following listings include a variety (though not all) of online links to organizations and resources that provide information about the scope and implementation of Title IX and related gender equity in education issues. Many of the web sites allow for specific searching on Title IX.

ORGANIZATIONS

American Association of University Women (AAUW) <http://www.aauw.org>

The American Association of University Women is a national membership organization that promotes education and equity for all women and girls. It focuses on research on women and education, helping recipients of sex discrimination in higher education, and federal policies impacting women. In addition to promoting educational equity for women and girls, AAUW also conducts research on sexual harassment, sex discrimination in higher education and STEM.

American Association for the Advancement of Science <http://www.aaas.org>

AAAS international initiatives include efforts to increase and promote the role of women in science. Domestic activities include reports for STEM educators on Title IX and other legal responsibilities.

American Civil Liberties Union, Women's Rights Project

<http://www.aclu.org/wrp>

The American Civil Liberties Union, Women's Rights Project works to secure gender equality and ensure that all women and girls are able to lead lives of dignity, free from violence and discrimination. The ACLU addresses gender-based discrimination and inequalities including education, employment, housing, and health, as well as issues of race, class, income, and immigration status. The Women's Rights Project Campaign, *Teach Kids not Sex Stereotypes* and related litigation are helping public schools decide to end sex discriminatory sex segregation.

American Council for Coeducational Schooling (ACCES)

www.coedschools.org or <http://lives.clas.asu.edu/acces/>

The American Council for Coeducational Schooling members are experts who work with educators, families, and communities to promote and improve coeducation from preschool through higher education. They share research based information on the advantages of coeducational schooling for students and teachers and on why single-sex schooling is harmful.

American Educational Research Association, Special Interest Group: Research on Women and Education <http://www.rwesig.net>

Research on Women and Education is a membership group within AERA. It focuses on research related to women and girls in education at the intersection of race, class, and gender through AERA meeting sessions, newsletters, and annual Fall conferences.

American Federation of Teachers (AFT) <http://www.aft.org/>

AFT is an organization affiliated with the AFL-CIO that represents 1.5 million teachers, school support staff, higher education faculty and staff, and state and municipal employees. AFT's Human Rights and Community Relations division addresses Title IX and gender equity issues.

Association for Gender Equity Leadership in Education (AGELE)

<http://www.agele.org>

AGELE is a membership organization, previously known as the National Coalition for Sex Equity in Education (NCSEE). It provides leadership in the identification and infusion of gender equity in all educational programs and processes and within parallel equity concerns such as disability, race, national origin, and sexual orientation.

Association for American Colleges and Universities <http://www.aacu.org>

A key focus of AACU since 1971 has been initiatives to advance diversity and equity in higher education through the Program on the Status and Education of Women and newsletter "On Campus with Women" <http://www.aacu.org/ocww> and publications such as *A Measure of Equity: Women's Progress in Higher Education*.

American Psychological Association, Division 35: Society for the Psychology of Women

<http://www.apa.org/about/division/div35.aspx>

The Society for the Psychology of Women provides a base for women and men interested in the teaching, research, or practice of the psychology of women. It recognizes the diversity of women's experience (e.g. ethnicity, culture, language, socioeconomic status, age, and sexual orientation), and applies its scholarship to transforming the knowledge base of psychology.

Association for Women in Science (AWIS) <http://www.awis.org>

AWIS has individual, institutional, and corporate members who work with their chapters to advance policy to benefit women and girls in science, technology, engineering and mathematics. It produces publications such as *AWIS in Action* and scholarly reports to influence public policies.

Association of Title IX Administrators (ATIXA) www.atixa.org

ATIXA is a professional association for school and college Title IX Coordinators and administrators who are interested in serving their districts and campuses more effectively. Its members are encouraged to participate in ATIXA courses to certify Title IX coordinators and to share information and best practices.

Business and Professional Women's Foundation

<http://www.bpwfoundation.org>

Business and Professional Women's Foundation conducts research and provides information about working women to create successful workplaces that embrace and practice diversity, equity, and work-life balance. Research topics include non-traditional jobs, women veterans, young careerists, use of internet, and using education to influence equity laws and policies such as Title IX and Title VII.

California Women’s Law Center <http://www.cwlc.org>

The California Women’s Law Center headquartered in Los Angeles works to ensure, through systematic change, that life opportunities for women and girls are free from unjust social, economic and political constraints.

Center for Women Policy Studies <http://www.centerwomenpolicy.org>

This center focuses on influencing public policy to improve women’s lives. It also sponsors papers on women and girls with disabilities.

Civil Rights Division, U.S. Department of Justice <http://www.justice.gov/crt/>

The Civil Rights Division of the U.S. Department of Justice was created following the ratification of the Civil Rights Act of 1957, and works to uphold the civil and constitutional rights of all Americans. The Division enforces federal statutes prohibiting discrimination on the basis of race, color, sex, disability, religion, familial status, and national origin and provides a leadership and coordination role across government agencies.

Equal Rights Advocates <http://www.equalrights.org>

San Francisco based Equal Rights Advocates is a nonprofit legal organization to protect and expand economic and educational rights for women and girls and to end gender discrimination.

Equity Assistance Centers, Funded by the U.S. Dept. of Education 2011-2014

<http://www2.ed.gov/programs/equitycenters/contacts.html>

Contact the Civil Rights Act Title IV Equity Assistance Center serving your state. These centers provide technical assistance, training, and resources on education equity issues related to gender, race, and national origin to state departments of education, local educational agencies, and schools upon request.

- Region I: The New England Equity Assistance Center at Brown University (NEEAC) (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) <http://neeac.alliance.brown.edu/>
- Region II: The Equity Assistance Center, Touro College, Lander Center for Education Research (New Jersey, New York, Puerto Rico, and the Virgin Islands) <http://www.touro.edu/EDGRAD/EAC/index.asp>
- Region III: The Mid-Atlantic Equity Center (MAC) at the Mid-Atlantic Equity Consortium, Inc. (Delaware, D.C., Maryland, Pennsylvania, Virginia, and West Virginia) <http://www.maec.org>
- Region IV: Southeastern Equity Assistance Center (SEAC) (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee) <http://www.southeastequity.org/>
- Region V: Great Lakes Equity Center at Indiana University (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin) <http://glec.education.iupui.edu>
- Region VI: South Central Collaborative for Equity Intercultural Development Research Association (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas) http://www.idra.org/South_Central_Collaborative_for_Equity/
- Region VII: Midwest Equity Assistance Center (Iowa, Kansas, Missouri, & Nebraska) <http://www.meac.org>

- Region VIII: Metropolitan State College of Denver Equity Assistance Center (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming) <http://www.mscd.edu/eac/>
- Region IX: WestEd Equity Assistance Center (Arizona, California, and Nevada) <http://www.wested.org/cs/eac/print/docs/eac/home.htm/>
- Region X: Education Northwest Equity Assistance Center (Alaska, American Samoa, Federated States of Micronesia, Guam, Hawaii, Idaho, Northern Mariana Islands, Oregon, Republic of the Marshall Islands, Republic of Palau, and Washington) <http://educationnorthwest.org/equity-program>

Feminist Majority Foundation <http://www.feminist.org/education>

An organization committed to achieving political, economic, and social equality for girls and boys, women and men. The education equality program provides information about Title IX and current legislation and research concerning gender equity issues in education. It also has a list of state Title IX Coordinators and information on risks related to sex segregation in public schools.

Gay, Lesbian & Straight Education Network <http://www.glsen.org>

GLSEN focuses on ensuring safe schools for all students regardless of sexual orientation or gender identity expression and on developing school climates where difference is valued. It conducts research and assists Gay-Straight Alliances (student clubs) in improving school climates.

Gender Diversities & Technology Institute <http://www2.edc.org/GDI/>

The Gender, Diversities and Technology Institute at the Education Development Center (EDC) is a learning exchange focusing on gender-healthy education and schools; technology and gender; the elimination of gendered violence.

Girl Scouts of the USA <http://www.girlscouts.org>

Girl Scouts include 3.2 million girls and adult members. Programs focus on meeting girls changing needs and empowerment. There is a complementary Girl Scout Research Institute.

Girls Inc. <http://www.girlsinc.org>

Girls Inc. is a nonprofit organization operating a network of local Girls Inc. affiliates serving 125,000 girls age 6-18 annually in the U.S. and Canada. It uses research based programs to help girls be strong, smart and bold.

Institute for Women's Policy Research <http://iwpr.org>

IWPR conducts rigorous research and disseminates findings to address needs of women and strengthen families, communities, and society.

Legal Momentum <http://legalmomentum.org>

Legal Momentum focuses on ensuring economic and personal security for women and girls by among other goals, promoting gender equity and challenging gender bias.

Legal Voice <http://legalvoice.org>

Founded as the Northwest Women’s Law Center, Legal Voice is an active legal voice for all women and girls in the Northwest. It focuses on pursuing justice for women through litigation, legislative and policy advocacy, and education tools to help people understand their rights and the legal system.

Mexican American Legal Defense and Educational Fund

<http://www.maldef.org>

MALDEF is often described as the “law firm” of the Latino community. It promotes social change through advocacy, community education and litigation in areas of education, employment, immigrant rights and political access.

Myra Sadker Foundation <http://www.sadker.org>

The Myra Sadker Foundation is a non-profit organization to promote equity in and beyond schools. It has an annual competition for small grants for dissertation and teacher research to advance gender equality in education.

National Alliance for Partnerships in Education (NAPE)

<http://www.napequity.org>

NAPE is a consortium of state and local agencies, organizations, and businesses that have joined forces to provide national leadership for equity in education and workforce development. It focuses on promoting more gender equity in non-traditional careers and in STEM.

National Association for Girls & Women in Sport

<http://www.aahperd.org/nagws>

The National Association for Girls and Women in Sport advocates equal funding, quality and respect for girls’ and women’s sports. It is part of the American Alliance for Health, Physical Education, Recreation and Dance.

National Association for Multicultural Education (NAME)

<http://www.Nameorg.org>

NAME is a volunteer organization of educators and researchers who advocate for social justice through multicultural education. NAME has local chapters to assist in networking advocates at all levels of education, publishes a journal, newsletter, and blogs, hosts a list serve, and issues position statements to support education equity and social justice.

National Association of Collegiate Women Athletics Administrators

<http://www.nacwaa.org>

The over 1,600 members work to enhance the opportunities for women athletics administrators and to promote positive attitudes toward women in sports.

National Center for Lesbian Rights <http://www.nclrights.org>

Since 1977, the National Center for Lesbian Rights has used litigation, public policy advocacy, and public education to advance civil and human rights of LGBT people.

National Coalition for Women and Girls in Education (NCWGE)

<http://www.ncwge.org>

A coalition of more than 40 organizations dedicated to improving educational opportunities for girls and women. The coalition advocates for the development of equitable education policies, addresses relevant federal education legislation, and produces publications on current Title IX and gender equity topics.

National Collegiate Athletic Association (NCAA) – Gender Initiatives Program

<http://www.ncaa.org>

NCAA is a voluntary organization through which the nation's colleges and universities govern their athletics programs. NCAA principles state that "every NCAA school must establish and maintain an environment that values cultural diversity and gender equity among its student-athletes and athletics department staff and comply with federal and state laws regarding gender equity."

National Council for Research on Women <http://www.ncrw.org>

The NCRW is a network of 120 leading research, policy, and advocacy centers dedicated to improving the lives of women and girls. The organization collaborates with business, academic, nonprofit and philanthropic organizations to provide effective policies, inclusive practices, and transformative change, nationally and globally.

National Council of Negro Women <http://www.ncnw.org>

NCNW was founded in 1935 as an organization to represent the concerns of Black Women. It works with 39 affiliate organizations and over 240 sections to use research, and advocacy and health, education and economic empowerment services and programs in the US and Africa.

National Council of Women's Organizations

<http://www.womensorganizations.org>

The NCWO is a non-partisan network of over 240 organizations representing over 12 million women. It also has individual members. It focuses on issues impacting women such as increasing equality in education, economics, health challenges, international development, and more.

National Education Association (NEA) <http://www.nea.org>

NEA's 2.7 million members work at all levels of education, from pre-school to university graduate programs. NEA's human and civil rights division addresses Title IX and gender equity issues.

National Organization for Women (NOW)

http://www.now.org/issues/title_ix/index.html

The largest organization of feminist activists in the United States with over 500,000 members in all 50 states working to promote equality and justice in our society through equity in education.

National Women's History Project (NWHP) <http://www.hwphp.org>

NWHP sets a spotlight on the accomplishments of multicultural American women throughout history to provide relevant historical role models.

National Women's Law Center (NWLC) <http://www.nwlc.org>

The NWLC is a non-profit organization that works to expand the possibilities for women and their families in schools, at work, and in other aspects of their lives. The Center works extensively on Title IX issues and has numerous reports and guides to decrease sex discrimination in education.

National Women's Studies Association <http://www.nwsa.org>

NWSA supports and promotes feminist education and research and works to end racism and all forms of oppression via its national and regional conferences, research on women's studies programs, and other activities to help its members learn from and support each other's work.

Office for Civil Rights (OCR) in the U.S. Department of Education

<http://www2.ed.gov/about/offices/list/ocr/index.html>

The Office of Civil Rights in the U.S. Department of Education regulates and enforces laws prohibiting discrimination in programs and activities receiving federal financial assistance, including Title IX. OCR also has 12 regional offices which help with enforcement and provide technical assistance. For civil rights data see <http://www.ocrdata.ed.gov> (Other agencies also have civil rights offices.)

Society of Women Engineers (SWE) <http://www.swe.org>

SWE provides women engineers with a network to voice their ideas for achieving the full potential of women in the engineering industry.

U.S. Student Association <http://www.usstudents.org>

The U.S. Student Association is a student-led organization that advocates for everyone to have a right to post-secondary education on local, state, and national levels and encourages diverse communities to help create social change.

White House Council on Women and Girls

<http://www.whitehouse.gov/administration/eop/cwg>

The White House Council on Women and Girls was established by President Obama in 2009 to make sure that women and girls receive the legislation and programs they need to advance gender equality.

Wider Opportunities for Women <http://www.wowonline.org>

WOW creates economic independence for low income women. WOW engages in public education and advocacy to advance legislation and administrative reforms and also provides training mainly in the D.C. area.

Women’s Bureau, U.S. Department of Labor <http://www.dol.gov/wb/>

The Women’s Bureau works with others in the U.S. Department of Labor to ensure the welfare of wage-earning women, widen their opportunities in the workforce, and protect their working conditions. It also provides research and leadership to improve conditions for working women.

Women’s Law Project <http://womenslawproject.org>

The Women’s Law Project based in Pennsylvania focuses on protecting and promoting the equality of women in all areas including employment, education, insurance, athletics, and reproductive justice.

Women’s Research and Education Institute <http://www.wrei.org>

WREI provides non-partisan, reliable data and political analyses about women’s issues in the United States as they work with the Congressional Caucus on Women’s Issues and place interns in Congressional offices.

Women’s Sports Foundation <http://www.womenssportsfoundation.org/>

The Women’s Sports Foundation is a national non-profit organization that works to increase opportunities for girls and women in sports to promote full implementation of Title IX in athletics. Advocacy Hotline is 800-227-3988 or advocacy@womenssportsfoundation.org

Women Thrive Worldwide <http://www.womenthrive.org>

Women Thrive Worldwide works with impoverished women to create economic, educational, and healthcare equality nationally and globally.

YWCA <http://www.ywca.org>

The YWCA represents 2 million women, girls and their families in the United States and 25 million women worldwide. It provides child care, rape crisis intervention, domestic violence assistance and shelters, job training, career counseling, entrepreneurial training for teens, and fitness training. It develops women leadership, fosters diversity and brings about change through advocacy to eliminate racism and empower women and protect universal rights to all.

GENERAL TITLE IX INFORMATION

Title IX Defined <http://www.feminist.org/education/titleix.asp>

This webpage has information on history, impact and key government documents relating to protections against sex discrimination.

Title IX Action Networks in the States <http://www.titleixaction.net>

This prototype website is designed to provide Title IX resources for each state. It is initially developed for West Virginia and contains a variety of Title IX resources useful for all states.

Title IX Info for Parents and Community Members <http://www.titleix.info/>

Bernice Sandler – “The Godmother of Title IX” <http://www.bernicessandler.com/>
Dr. Bernice Sandler’s website outlines strategies for organizations and individuals to improve equality for women in education and the workplace.

OTHER KEY RESOURCES ON EQUITY IN ATHLETICS AND SCIENCE

Equity in Athletics Data Analysis Cutting Tool Website

<http://ope.ed.gov/athletics/>

Required by the Equity in Athletics Disclosure Act and its 1999 Regulations, this website managed by the Office of Postsecondary Education in the U.S. Department of Education provides required information on participation and support for women and men in college athletics.

Fairer Science <http://www.fairerscience.org/>

Sponsored by Campbell-Kibler Associates, and initially funded by the National Science foundation, Research on Gender in Science and Engineering Program, this website contains lists of resources, presentations, and media tools, as well as a blog.

National Aeronautics and Space Administration (NASA)

http://odeo.hq.nasa.gov/compliance_program.html

http://odeo.hq.nasa.gov/documents/71900_HI-RES.8-4-09.pfd

Promising Practices for Science, Technology, Engineering and Math (2009), *Title IX & STEM: A Guide for Conducting Title IX Self-Evaluations in Science, Technology, Engineering and Mathematics Programs* (2012)

http://odeo.hq.nasa.gov/documents/TITLE_IX_STEM_Self-Evaluation.pdf

National Science Foundation Title IX Information

<http://www.nsf.gov/od/odi/titleix.jsp>

Research on Gender in Science and Engineering

http://www.nsf.gov/funding/pgm_summ.jsp?pims_id=5475

LEGAL RESOURCES

FedLaw <http://www.thecre.com/fedlaw/default.htm>

FedLaw provides access to legal resources and information, including civil rights and equal opportunity legislation.

Legal Information Institute – Supreme Court Decisions

<http://www.law.cornell.edu/supct/>

The Legal Information Institute offers Supreme Court opinions issued since May 1990.

Title IX Blog <http://titleix-blogspot.com/>

Blogs from a professor of law and a women’s studies expert on Title IX legal developments and scholarship.

Know Your Rights: Title IX Prohibits Sexual Harassment¹ and Sexual Violence Where You Go to School

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §1681 *et seq.*, is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities (hereinafter “schools”) receiving any Federal funds must comply with Title IX. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion.

Below is additional information regarding the specific requirements of Title IX as they pertain to sexual harassment and sexual violence.

What are a school’s responsibilities to address sexual harassment and sexual violence?

- A school has a responsibility to respond promptly and effectively. If a school knows or reasonably should know about sexual harassment or sexual violence that creates a hostile environment, the school must take immediate action to eliminate the sexual harassment or sexual violence, prevent its recurrence, and address its effects.
- Even if a student or his or her parent does not want to file a complaint or does not request that the school take any action on the student’s behalf, if a school knows or reasonably should know about possible sexual harassment or sexual violence, it must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation.
- A criminal investigation into allegations of sexual harassment or sexual violence does not relieve the school of its duty under Title IX to resolve complaints promptly and equitably.

What procedures must a school have in place to prevent sexual harassment and sexual violence and resolve complaints?

- **Every School Must Have And Distribute A Policy Against Sex Discrimination**
 - Title IX requires that each school publish a policy that it does not discriminate on the basis of sex in its education programs and activities. This notice must be widely distributed and available on an on-going basis.
 - The policy must state that inquiries concerning Title IX may be referred to the school’s Title IX coordinator or to OCR.
- **Every School Must Have A Title IX Coordinator**
 - Every school must designate at least one employee who is responsible for coordinating the school’s compliance with Title IX. This person is sometimes referred to as the Title IX coordinator. Schools must notify all students and employees of the name or title and contact information of the Title IX coordinator.
 - The coordinator’s responsibilities include overseeing all complaints of sex discrimination and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

¹ Use of the term “sexual harassment” throughout this document includes sexual violence unless otherwise noted.

- **Every School Must Have And Make Known Procedures For Students To File Complaints Of Sex Discrimination.**

- Title IX requires schools to adopt and publish grievance procedures for students to file complaints of sex discrimination, including complaints of sexual harassment or sexual violence. Schools can use general disciplinary procedures to address complaints of sex discrimination. But all procedures must provide for prompt and equitable resolution of sex discrimination complaints.
- Every complainant has the right to present his or her case. This includes the right to adequate, reliable, and impartial investigation of complaints, the right to have an equal opportunity to present witnesses and other evidence, and the right to the same appeal processes, for both parties.
- Every complainant has the right to be notified of the time frame within which: (a) the school will conduct a full investigation of the complaint; (b) the parties will be notified of the outcome of the complaint; and (c) the parties may file an appeal, if applicable.
- Every complainant has the right for the complaint to be decided using a preponderance of the evidence standard (*i.e.*, it is more likely than not that sexual harassment or violence occurred).
- Every complainant has the right to be notified, in writing, of the outcome of the complaint. Even though federal privacy laws limit disclosure of certain information in disciplinary proceedings:
 - Schools must disclose to the complainant information about the sanction imposed on the perpetrator *when the sanction directly relates to the harassed student*. This includes an order that the harasser stay away from the harassed student, or that the harasser is prohibited from attending school for a period of time, or transferred to other classes or another residence hall.
 - Additionally, the Clery Act (20 U.S.C. §1092(f)), which only applies to postsecondary institutions, requires that both parties be informed of the outcome, including sanction information, of any institutional proceeding alleging a sex offense. Therefore, colleges and universities may not require a complainant to abide by a non-disclosure agreement, in writing or otherwise.
- The grievance procedures may include voluntary informal methods (e.g., mediation) for resolving some types of sexual harassment complaints. However, the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process. In cases involving allegations of sexual assault, mediation is not appropriate.

If you want to learn more about your rights, or if you believe that a school district, college, or university is violating Federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at (800) 421-3481 or ocr@ed.gov. If you wish to fill out a complaint form online, you may do so at: <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

Title IX Compliance Checklist

Title IX Coordinator

The Title IX coordinator must be identified. By law, an educational institution must publicly post the name of the designated Title IX coordinator so that students, parents and staff are aware of that individual. The consequences of non-compliance can be serious and include the possibility of losing federal funding for educational programs.

Monitoring

The Title IX Coordinator should:

- Ensure that all procedural requirements are met
- Review the Title IX grievance procedure
- Receive and resolve complaints regarding Title IX violations
- Monitor scheduling for equality in classes and extracurriculars
- Review school policies
- Check class enrollments for inappropriate gender ratios
- Ensure that testing, practices and materials are non-discriminatory
- Review employment policies for exclusionary statements and/or discrimination
- Review employment practices for exclusionary statements and/or discrimination
 - i.e. recruiting, hiring, firing, assignment, promotion, tenure, layoff, etc.
- Review application for gender-related items such as marital status
- Review fringe benefits for exclusionary statements and/or discrimination
- Ensure that sex is not used as an employment criteria unless it is a bona fide occupational qualification
 - Example: male model for a clothing manufacturer

Assessment

Questions to consider:

- Have there been identified instances of sex discrimination?
- What efforts has the district taken to remedy sex discrimination in the classroom and in the workplace?
- Are their grievance procedures for sex discrimination in place? Are they readily available to students and staff?
- Do you have a Title IX coordinator? Do students, staff and parents know who they are and how to contact them?
- Do you inform staff, students and parents about Title IX? How?

Assessment Areas

- Environment – Displays in buildings, greetings, school decoration
- Curriculum – All components of a school's programs and activities
- Extracurricular Activities/Athletics – Includes clubs, athletics, field trips, student organizations, etc.
- Behavior Management – Definition of appropriate and inappropriate student behavior
- Role Models – Are you providing appropriate role models in the buildings
- Administrative Oversight – Is administration aware of Title IX and does it comply
- Employment Practices – Are they appropriate and do they focus on maintaining a diverse staff with non-discriminatory practices



PASBO
P.O. Box 6993
Harrisburg, PA 17112
(717) 540-9551
Fax (717) 540-1796
www.pasbo.org

TITLE IX COMPLIANCE OFFICER DUTIES

Webcast Recording Order Form

Each LEA has to have one, but beyond completing the athletic information forms, what are the roles and responsibilities of the Title IX Compliance Officer? This webcast will explore the broader role of the Title IX Compliance Officer in the development, implementation, and monitoring of meaningful efforts to comply with all aspects of Title IX requirements. In broad terms, the Title IX Compliance Officer oversees monitoring of LEA policy, implements grievance procedures, provides training, and monitors other aspects of the LEA's Title IX compliance. The webcast will discuss duties including:

- Analysis of athletic data to direct policy and practice changes
- Notification and education of students and staff
- Implementation of grievance procedures, including notification, investigation and disposition of complaints
- Conducting and/or coordinating investigations of complaints received pursuant to Title IX

A recording of the webcast program will be available for download approximately two weeks after program date. Whether you use it as a review or share it with fellow employees unable to attend the live webcast, the information is at your fingertips!

Fill out and send your order form to PASBO today!

Name: _____ Title: _____

School Entity/Employer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Ext. _____ Fax: _____

Email: _____

If you are tax exempt, enter your tax ID here: _____

(If tax ID is not provided, add 6% sales tax to your order below)

Attendee Early Bird Discount Offer – February 12 deadline!

Webcast Attendee by February 12*

(*Available to paid webcast attendees only)

Online Access @ \$10
Plus sales tax if applicable \$ _____

Total Amount Due \$ _____

Non-Attendee or after February 12

PASBO Member Online Access @ \$40
Non-member Online Access @ \$65
Plus sales tax if applicable \$ _____

Total Amount Due \$ _____

METHOD OF PAYMENT (Select one – Payment required with order)

Check Made Payable to PASBO

Credit Card

Account Number: _____ Expiration: _____

Cardholder's Name: _____

Signature: _____

Check out other available webcast recordings at http://www.pasbo.org/store_home.asp



PASBO Webcast Attendance Form HOST LEA ATTENDEES

*Use this form to submit the names of all attendees from the same School/Organization as the Host registrant.
There is **NOT** a fee for additional attendees from the same LEA. CPE Credit is not available for this program.
Attendance Form(s) must be submitted to PASBO within 7 days following program.*

WEBCAST HOST SITE INFORMATION:

Webcast Date: 1/29/15 Webcast Title: Title IX Compliance Officer Duties

Host Registrant: _____ Host Site (School/organization): _____

*You must be listed and sign below (including the Host registrant if watching the program) to be counted as attending.
If you are requesting PASBO CEU, you must check the appropriate column and provide your email address.*

By signing below, I certify that I participated in the entire live webcast presentation.

PRINT NAME	TITLE	SIGNATURE	EMAIL (Required for Credit)	CEU Credit

Please return this form by ONE of the following methods no later than 7 days following the program date:
 Mail to PASBO, PO Box 6993, Harrisburg, PA 17112
 Scan and email to krogers@pasbo.org
 Fax to 717-540-1796 (Cover sheet is not required)



PASBO Webcast Attendance Form
GUEST ATTENDANCE FORM
If your LEA is the host webcast site, do not use this form!
Report your attendance on the Host Attendees Form only.

Use this form to submit the names of all Guest attendees from a School/Organization different than the Host registrant. Host site should collect forms and return to PASBO within 7 days following program.

WEBCAST HOST SITE INFORMATION:

Webcast Date: 1/29/15 Webcast Title: Title IX Compliance Officer Duties

Host Site (Name of school entity/organization): _____

Name of Host Primary Registrant: _____

GUEST PARTICIPANT INFORMATION: (One Guest per form)

Attendee Name: _____ Title: _____

School Entity: _____

I am a PASBO member and contact information is on file *(You do not need to complete the contact information section)*

Employer : _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Fax: (_____) _____

Email: _____

I am requesting the following credit: ***(No credit can be given unless this form is signed & returned to PASBO)***

CEU Credit for PASBO Professional Registration. *(CEU credits will be uploaded to your CEU history. You can view your history at <http://www.pasbo.org/ceuhistory.asp>)*

(CPE Credit is not available for this program)

I certify that I participated in the entire live webcast presentation.

Participant's Signature _____ Date _____

Please return this form by ONE of the following methods no later than 7 days following the program date:

Mail to PASBO, PO Box 6993, Harrisburg, PA 17112

Scan and email to krogers@pasbo.org

Fax to 717-540-1796 *(Cover sheet is not required)*

(Credit is available for participation in the live program only)

<u>Webcast Fees (Paid one time per LEA):</u>	<u>Member</u>		<u>Non-Member</u>	
	HOST	GUEST	HOST	GUEST
Webcast	\$80	\$65	\$120	\$95