

TITLE IX, per SB 1375

WHAT IS TITLE IX?

Title IX of the Education Amendment of 1972 (“Title IX”) is a federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities that receive federal financial assistance.

Title IX Coordinator for Envision Education:

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Important Information concerning your rights and responsibilities:

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

[Office for Civil Rights of the U.S. Department of Education](#)

In addition, please review the list of rights specified in Section 221.8, based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendment of 1972 (20 U.S.C. Sec 1681 et seq.):

(a) You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.

(b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.

(c) You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.

(d) You have the right to apply for athletic scholarships.

(e) You have the right to receive equitable treatment and benefits in the provision of all of the following:

1. Equipment and supplies.
2. Scheduling of games and practices.
3. Transportation and daily allowances.
4. Access to tutoring.
5. Coaching.
6. Locker rooms.
7. Practice and competitive facilities.
8. Medical and training facilities and services.
9. Publicity.

(f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.

(g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.

(h) You have the right to 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.

(i) You have the right to pursue civil remedies if you have been discriminated against.

(j) You have the right to be protected against retaliation if you file a discrimination complaint.

How do I file a complaint under Title IX?

A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. Please see additional information below concerning statute of limitations.

Envision Education (“EE”) shall use the following procedures (derived from EE’s uniform complaint procedures policy) when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color or mental or physical disability in any program or activity that receives or benefits from federal and/or state financial assistance. The Title IX coordinator shall maintain a record of each complaint and subsequent related actions.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual may file a written complaint of alleged noncompliance of Title IX by Envision Education. A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying.

The complaint shall be presented to the Title IX coordinator, who shall maintain a log of complaints received, providing each with a code number and date stamp. If a complainant is unable to put a

complaint in writing due to conditions such as a disability or illiteracy, Envision Education staff shall assist him/her in the filing of the complaint.

Step 2: Mediation

Within three (3) days of receiving the complaint, the Title IX coordinator may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the Title IX coordinator shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the Title IX coordinator shall proceed with his/her investigation of the complaint. The use of mediation shall not extend Envision Education's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

The Title IX coordinator is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally. The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide Envision Education's Title IX coordinator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Envision Education's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Step 4: Response

Unless extended by written agreement with the complainant, the Title IX coordinator shall prepare and send to the complainant a written report of Envision Education's investigation and decision, as described in Step #5 below, within sixty (60) days of Envision Education's receipt of the complaint.

Step 5: Final Written Decision

Envision Education's decision shall be in writing and sent to the complainant. Envision Education's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on evidence gathered.
2. The conclusion(s) of law.
3. Disposition of the complaint.
4. Rationale for such disposition.
5. Corrective actions, if any are warranted.
6. Notice of the complainant's right to appeal Envision Education's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
7. For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
8. For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of Envision Education's expectations. The report shall not give any further information as to the nature of the disciplinary action.

How may I pursue my complaint further?

The complainant may further pursue the complaint by contacting California's Department of Education's [Office for Equal Opportunity](#) at 916-445-9174 or via email at oeoinfo@cde.ca.gov. The complainant may also contact the [Office for Civil Rights of the U.S. Department of Education](#) ("OCR") at 800-421-3481 or via email at OCR@ed.gov. The form to file the complaint with the OCR can be found [here](#).

Statute of limitations and information on how a complaint may be filed following the statute of limitations.

The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination.

The time for filing may be extended for up to 90 days by the Title IX Coordinator for good cause upon written request by the complainant setting forth reasons for the requested extension.

Additional Resources:

[Taking Legal Action Title IX](#)

[Sex Equity in Education Act](#)