

## STUDENT & EMPLOYEE TITLE IX RIGHTS

Under California Education Code section 221.8:

- 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
  - (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.

### FILING A COMPLAINT

If you feel you were discriminated against in violation of Title IX, please contact the **Title IX Coordinator, Scott Mikal-Heine**. It is the coordinator's primary responsibility to ensure Twin Ridges Elementary School District complies with the requirements of Title IX.

You may also file a complaint of discrimination with the US Department of Education Office for Civil Rights ("OCR").

### **How do I file a complaint of discrimination with the US Department of Education Office for Civil Rights ("OCR")?**

You may contact an OCR [enforcement office](#) to obtain a complaint form or you may file a discrimination complaint by using the [on-line complaint form](#).

### **What do I need to include in my complaint?**

You should let us know which school, college or other institution you are complaining about, the person(s) who has been discriminated against, when the discrimination occurred, and you should sign and date the letter and let us know how we can reach you by phone and letter so that we can contact you. If filing on-line, you will still need to provide an original signature by mail, which may be done by printing and mailing a "Consent Form" linked from the bottom of the on-line complaint form.

### **How soon after the discrimination do I need to file?**

You need to file your complaint within 180 calendar days after the discrimination. There are certain limited circumstances that allow our agency to grant a waiver. If you need more information about your situation, contact the OCR [enforcement office](#) responsible for the state in which the institution is located.

### **How promptly will OCR respond to my complaint?**

OCR will promptly acknowledge receiving your complaint and will contact you by letter or telephone to let you know whether we will proceed further with your complaint.

### **What is OCR's role during the complaint process?**

OCR's role is to be a neutral fact-finder and to promptly resolve complaints. OCR has a variety of options for resolving complaints, including facilitated resolutions and investigations. OCR does not act as an advocate for either party during the process.

### **What if I am already pursuing my complaint within the school district or college or with another agency?**

OCR does not handle cases that are being addressed by another agency or within a school's or college's formal grievance procedure if OCR anticipates that the agency you filed with will provide you with a resolution process comparable to OCR's. Once the other complaint process is completed, you have 60 days to refile your complaint with OCR. OCR's first step will be to determine whether to defer to the result reached in the other process.

### **Do I have to file an OCR complaint before I can file a claim in court?**

The regulations under Title VI, Title IX, Section 504 and Title II do not require you to file with OCR prior to filing a claim under these laws in Federal court. The regulations under the Age Discrimination Act, however, allow you to file a claim in Federal court under that law only after: 1) 180 days have elapsed since you filed the complaint with OCR and OCR has made no finding, or 2) OCR issues a finding in favor of the recipient. If this

occurs, OCR will promptly notify you and remind you of your right to file in court. If you are considering filing in court, bear in mind that OCR does not represent complaining parties or provide advice regarding court filings. You would need to use the services of your own attorney. Also, if you proceed with your claim in a court, OCR will not continue to pursue your OCR complaint.

FOR MORE INFORMATION:

US Department of Education Office for Civil Rights complaint form:

<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

The OCR office for California is located at:

San Francisco Office

Office for Civil Rights

U.S. Department of Education

50 United Nations Plaza

Mail Box 1200, Room 1545

San Francisco, CA 94102

Telephone: 415-486-5555

FAX: 415-486-5570; TDD: 800-877-8339

Email: [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov)

California Department of Education, Equal Opportunity & Access:

<https://www.cde.ca.gov/re/di/eo/index.asp>

U.S. Department of Education, Office for Civil Rights, *Title IX Resource Guide* (Apr. 2015).

<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf>