

## Title IX- Prohibition of Sex Discrimination

### *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. State law also prohibits discrimination based on gender (sex), gender expression, gender identity, and sexual orientation.

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

### *What are my rights under Title IX?*

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

- 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.
- You have the right to receive equitable treatment and benefits in the provision of all of the following:
  - 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; and
  - 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.
- You have the right to file a confidential discrimination complaint with the United States Department of Education Office for Civil Rights or the California 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.
- You have the right to pursue civil remedies if you have been discriminated against.
- You have the right to be protected against retaliation if you file a discrimination complaint.

(California Education Code § 221.8.)

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.html>.
  - 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>.

## ***What are the District's responsibilities?***

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.

## ***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:

Mr. Daryl Bell  
Assistant Superintendent Human Resources  
45006 30th Street East  
Lancaster, California 95353  
Telephone: (661)952-1200  
[dbell@eastsideusd.org](mailto:dbell@eastsideusd.org)

*Alternate Title IX Coordinator*  
Ms. Margo Deal  
Director, Special Education and Student Services  
45006 30th Street East  
Lancaster, California 95353  
Telephone: (661)952-1200  
[mdeal@eastsideusd.org](mailto:mdeal@eastsideusd.org)

## *How do I file a complaint about sex discrimination?*

A student, parent, guardian, employee, individual, or organization may file a written complaint under Title IX, alleging discrimination, harassment, intimidation, and/or bullying on the basis of a protected characteristic under the District's Uniform Complaint Procedures, Board Policy and Administrative Regulation No. 1312.3 by sending a complaint to:

Mr. Daryl Bell  
Assistant Superintendent Human Resources  
45006 30th Street East  
Lancaster, California 95353  
Telephone: (661)952-1200  
[dbell@eastsideusd.org](mailto:dbell@eastsideusd.org)

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The Uniform Complaint Procedures are available at each school office and the District Office. If you need assistance putting your complaint in writing, please contact the school principal or David Howard, the District's Title IX Coordinator. 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 <http://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](mailto:ocr.sanfrancisco@ed.gov)

For information about how to file other types of complaints and the procedures for those complaints, please contact the Eastside Union School District Office at (661) 952-1200.

## *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 Procedures will be investigated and a decision made within sixty calendar days of the District's receipt, unless the complainant agrees to an extension. The compliance officer may informally discuss the possibility of mediation with the parties to the complaint. If the parties do not agree to mediation or mediation does not resolve the complaint, the compliance officer will proceed with an investigation of the complaint. The compliance officer or designee will 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.

Complaints that are not filed under the District's Uniform Complaint Procedures will be investigated and decided pursuant to the applicable procedure.

## *What happens when the investigation is complete?*

Within 30 days of receipt of the complaint, the compliance officer will prepare and send a final written decision to the complainant and respondent. If the compliance officer finds that a complaint has merit, the District will take appropriate corrective action.

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 Board's decision must be within 60 calendar days of the District's receipt of the complaint (unless this deadline is extended by mutual agreement).

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 Office for Civil Rights contact information, see the section above on “How do I file a complaint of sex discrimination?” To obtain a copy of the Office for Civil Rights complaint form, visit <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

## *How do I get more information?*

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

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