



Title IX Educational Equity

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Title IX of the Education Acts of 1972 prohibits sex discrimination in the following areas:

Sex-Based Harassment/Sexual Harassment (including Sexual Violence)

- unwelcome conduct of a sexual nature
- sexual violence
- gender-based harassment

Recruitment, Admissions, and Counseling

- recruitment materials
- admission forms
- class or career selection materials
- admission of students
- counseling services
- brochures
- materials

Financial Assistance

- procedures and practices for awarding financial assistance to students

Athletics

- requires nondiscriminatory participation based on student interests and abilities
- equal opportunities (equipment, supplies, training facilities, recruitment, support services, etc.)
- financial assistance

Marital or Family Status, Pregnant or Parenting Students

- different treatment on the basis of sex based on parental, family, or marital status
- exclusion in educational programs, or activities based on pregnancy, childbirth, false pregnancy
- lactating students must be provided reasonable accommodations

Discipline

- imposing consequences based on sex, gender identity
- failing to conform to stereotypical binary expectations, etc.

Schools, Classes, and Extracurricular Activities

- providing education programs or activities separately on the basis of sex
- requiring or refusing participation by students on the basis of sex

NOTE: The following are exceptions:

1. contact sports in physical education
2. classes or portions of classes...that deal primarily with human sexuality
3. non-vocational classes and extracurricular activities within a coeducational...school if certain criteria are met.

Employment

- employment
- recruitment
- hiring
- promotion
- compensation
- grants of leave
- benefits consideration or selection for employment
- based on pregnancy or marital status

Retaliation

- against anyone who has reported, investigated, or filed a complaint under Title IX

Your Rights Under Title IX

Pursuant to [Education Code 221.8](#) you have the right to:

1. fair and equitable treatment and you shall not be discriminated against based on your sex.
2. be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. inquire of the athletic director or your school as to the athletic opportunities offered by the school.
4. apply for athletic scholarships.
5. receive equitable treatment and benefits in the provision of all of the following:
 - equipment and supplies
 - scheduling of games and practices
 - transportation and allowances
 - access to tutoring
 - coaching

- locker rooms
 - practice and competitive facilities
 - medical and training facilities and services
 - publicity
6. have access to gender equity coordinator to answer questions regarding equity.
 7. contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
 8. file a confidential discrimination complaint with the United States Office for 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.
 9. pursue remedies if you have been discriminated against.
 10. be protected against retaliation if you file a discrimination complaint.

Notice of Student Nondiscrimination/Notice of Nondiscrimination

Butte County Office of Education (BCOE) is committed to making the schools free from unlawful discrimination and providing equal opportunities for all individuals in education. BCOE prohibits discriminatory practices whose purpose or effect has a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment. BCOE promotes programs that ensure that discriminatory practices are eliminated in all activities. Any student who engages in discrimination of another student or anyone from BCOE may be subject to disciplinary action up to and including expulsion.

Any employee who permits or engages in discrimination may be subject to disciplinary action up to and including dismissal. A student or parent/guardian who believes that discrimination has occurred may contact the principal for immediate resolution at the site. A student or parent/guardian is not required to attempt resolution through the school site before contacting BCOE Title IX Coordinator.

Filing a Report or Informal Complaint of Discrimination, Harassment, Intimidation, or Bullying Based on Sex

Any student who feels that he/she has been subjected to discrimination or harassment should immediately contact the Title IX Coordinator, the principal, or any other staff member. Any student or school employee who observes an incident of discrimination or harassment should report the incident to the Title IX Coordinator or principal, whether or not the victim files a complaint.

Investigation of Reports or Informal Complaints: The responsible official will conduct a prompt, thorough and impartial investigation into the complaint which will include, but is not limited to, interviewing the accuser and the accused, asking each to provide names of witnesses, interviewing potential witnesses, and gathering relevant evidence. When sex-based discrimination, harassment, intimidation, and bullying is reported, interim steps will be taken to stop harassment and protect the accuser from further harassment pending outcome of the investigation and/or complaint. A thorough investigation is required to protect the accuser, afford due process to the accused, and to ensure resolution of the issue(s). A student, parent or guardian, is not required to attempt resolution through the school site before contacting BCOE Title IX Coordinator. Employees are not required to attempt resolution through supervisor or manager before contacting BCOE Title IX Coordinator. Detailed information on the complaint and investigation process can be found [here](#) in Superintendent Policy (SP) and Administrative Regulation (AR) 5145.7.

Students, parents, or guardians may contact the Title IX Coordinator at any time to report or file an informal complaint directly with BCOE at:

Jeanette Spencer, Sr. Advisor
Title IX Coordinator
Butte County Office of Education
5 County Center Drive
Oroville, CA 95965
jspencer@bcoe.org
(530) 532-5820

Employees may contact the Title IX Coordinator at any time to report or file an informal complaint directly with BCOE at:

Karen Finley, Senior Director – Human Resources
Title IX Coordinator
Butte County Office of Education
1859 Bird Street,
Oroville, CA 95965
kfinley@bcoe.org
(530) 532 - 5650

Filing a Formal or Uniform Complaint

Students, parents or guardians may file a Uniform Complaint at any time. BCOE employees should follow AR 4144; AR 4244; AR4344 in “Series 4000 Personnel” located in [Documents>Superintendent Documents>Policies](#) to determine when to file a Uniform Complaint.

To get a Uniform Complaint Form online, select the “Uniform Complaint Procedure ...” document located on BCOE.org in [Menu > Documents > Required Postings](#). The Uniform Complaint Form is not required to file a complaint, however the complaint must be in writing and state that it is a formal complaint or a Uniform Complaint. Uniform Complaint Forms can also be obtained from the Uniform Complaint Officer(s), or the Human Resources Department.

Students, parents, or guardians should mail Uniform Complaints to:

Jeanette Spencer, Sr. Advisor
Uniform Complaint Compliance Officer
Butte County Office of Education
5 County Center Drive
Oroville, CA 95965
jspencer@bcoe.org
(530) 532-5820

Employees should mail Uniform Complaints to:

Karen Finley, Senior Director – Human Resources
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Statute of Limitations - Uniform complaints alleging discrimination, harassment, intimidation and bullying based on sex (including sexual harassment and sexual violence) must be filed no later than six months from the date the complainant first obtained knowledge of the facts of the alleged sexual harassment. The six-month period may be extended for good cause, not to exceed an additional 90 days.

Investigation of Uniform Complaints - BCOE will undertake an effective, thorough, and objective investigation of the allegations and provide a written report within 60 days of the date receipt of the Uniform Complaint. The report will include a summary of the facts, a decision on the complaint, reason for the decision and corrective actions (if applicable) that have or will be taken, including remedies for the victim. The complainant has the right to present witnesses and evidence.

Action - If BCOE determines that its policies prohibiting discrimination, harassment, intimidation or bullying based on sex have been violated, disciplinary action, up to and including expulsion (for students) or dismissal (for employees) will be taken. Remedial actions which are designed to end the harassment, prevent its recurrence and address its effects on the harassed student, will be provided to the victim. Remedial action(s) will also be required of the school site.

Retaliation - BCOE prohibits retaliation against any participant in the complaint process including witnesses. A separate Uniform Complaint may be filed if retaliation occurs against any individual involved in the processing of discrimination, harassment, or bullying complaint. Each complaint shall be investigated promptly and in a way that respects the privacy of all parties concerned. Follow up with the student will occur to ensure the harassment has stopped and that there is no retaliation.

Detailed information on the Uniform Complaint and investigation process can be found [here](#) in Superintendent Policy (SP) and Administrative Regulation (AR) 1312.3.

Office for Civil Rights

[Main Page-Office for Civil Rights \(OCR\)](#)

[How to File a Discrimination Complaint with the OCR](#)

California Department of Education

[Office of Equal Opportunity](#)