Published May 6, 2015

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U.S. Department of Education Reminds All Schools to Designate a Title IX Coordinator

The U.S. Department of Education's Office for Civil Rights (OCR) enforces Federal civil rights laws that prohibit discrimination in programs receiving federal financial assistance from the Department of Education. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in all federally funded education programs and requires school districts, colleges, and universities to designate at least one employee to coordinate the school's compliance with Title IX.

In its enforcement work, OCR has found that the most egregious Title IX violations occur when a school district fails to designate a Title IX coordinator or fails to properly train and support a coordinator. An effective Title IX coordinator can help to avoid these potential violations and enhance the school

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climate by promoting gender equality in education.

In an effort to help schools understand their obligations under Title IX, OCR issued a *Dear Colleague Letter* on April 24, 2015, reminding school districts, colleges, and universities to designate a Title IX coordinator. The *Letter* also outlines the factors a school should consider when designating a Title IX coordinator, the Title IX coordinator's responsibilities, and the importance of supporting Title IX coordinators through proper training and visibility.

The following is a summary of OCR's April 24, 2015 *Dear Colleague Letter on Title IX Coordinators*:

Designation of a Title IX Coordinator

At all times, a school district must have at least one person designated and *actually serving* as the Title IX coordinator. In larger school districts, OCR advises that multiple Title IX coordinators be designated, including one at each building or school and one lead coordinator with ultimate oversight responsibility.

School districts should select a coordinator who can

independently act in this capacity, free from conflict of interest. OCR cautions that a superintendent, principal, dean of students, or athletic director may have inherent conflicts of interest.

Responsibility and Authority of a Title IX Coordinator

The Title IX coordinator is responsible for:

- Coordinating the school district's response to discrimination complaints.
- Monitoring outcomes of the complaint.
- Identifying and addressing any patterns of discrimination.
- Assessing the effects of patterns of discrimination on the school climate.

To effectively carry out this role, a coordinator must:

- Be immediately informed of all discrimination complaints.
- Have access to the information necessary to properly

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investigate and respond to the complaint.

- Have knowledge of the school district's policies and procedures on discrimination and be involved in drafting and revising those policies.

Title IX broadly prohibits retaliation against all parties to the discrimination complaint, including the coordinator. Thus, a school district cannot interfere with a coordinator's efforts to perform his or her Title IX responsibilities.

Support for Title IX Coordinator

Title IX coordinators must be visible to the school community. School districts must notify students and employees of the name, address, telephone number, and email address of the Title IX coordinator. This notification should be widely distributed and easily found on both the district's website and in other publications, including the district's "notice of nondiscrimination."

School districts must provide proper training to Title IX coordinators. This training should include information on the Title IX regulations and relevant OCR guidance as well as the

school district's policies and grievance procedures.

The full text of this *Dear Colleague Letter* can be found at: http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201504-title-ix-coordinators.pdf.

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In addition to the *Dear Colleague Letter*, the guidance package also includes supporting documents to further assist schools with Title IX compliance:

(1) A letter to Title IX coordinators which explains the significance of the position and directs coordinators to OCR resources which are available online to support their work, including the *Dear Colleague Letter* and the *Title IX Resource Guide*. This letter can be found at: http://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-letter-201504.pdf.

(2) A *Title IX Resource Guide* which provides an overview of Title IX requirements and describes Title IX as it applies to specific school district actions, including athletics, sex-based harassment, treatment of pregnant and parenting

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students, and discipline. The *Title IX Resource Guide* can be found at: http://www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf.

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If you have questions regarding this guidance or would like to discuss your school district's Title IX compliance, please contact one of our attorneys in Oak Brook (630.928.1200) or Flossmoor (708.799.6766).