

Title IX

The Kirkwood Elementary School District is committed to providing a safe, secure, and hostile-free learning environment for everyone. Each student and employee has a right to learn and work in an environment that is free from unlawful discrimination. No District student or employee shall be excluded from participation in, be denied the benefits of, or be subject to harassment or other discrimination in any academic, extracurricular, research, occupational training, or other program or activity on the basis of actual or perceived sex, sexual orientation, gender, or gender identity or expression.

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in education. Title IX prohibits discrimination, harassment, exclusion, denial, limitation, or separation based on sex or gender. Title IX applies to both male and female students in any educational institution receiving federal funding.

WHAT IS TITLE IX?

WHAT IS TITLE IX?

Title IX is a federal law that was passed in 1972 to address any complaint alleging that a student, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

- Quid Pro Quo (Something for Something): A 'district employee' conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct.
- Hostile Environment: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity.
- Severe: Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints or allegations brought by or on behalf of students shall be investigated and resolved in accordance with BP/AR 1312.3 – Uniform

Complaint Procedures. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under BP/AR 1312.3 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for BP/AR 1312.3 are concurrently met while implementing the Title IX procedure.

From the regulations governing [Title IX of the Education Amendments of 1972](#) (20 U.S.C. 1681, 1682):

STUDENT RIGHTS PURSUANT TO EDUCATION CODE SECTION 221.8

STUDENT RIGHTS PURSUANT TO EDUCATION CODE SECTION 221.8

The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C § 1681 et seq.), may be used by the department for purposes of Section 221.6:

- 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 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
 - Publicity
- You have the right to have access to the Title IX coordinator to answer questions regarding gender equity laws.
- You have the right to contact the State Department of Education and California Interscholastic Federation to access information on gender equity laws.
- 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 based on your sex/gender.
- 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.