



Title IX Coordinator Roles and Responsibilities

LEGAL CITATION: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal finance assistance."

- Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106 (Title IX).

This document, originally created in 2018, describes the roles and responsibilities of Title IX Coordinators in the K-12 space. It has been updated to reflect the changes made by the U.S. Department of Education in the 2020 Regulations, which went into effect August 14, 2020. This document is intended for use by anyone who wishes to assess and ensure compliance with Title IX (e.g., district and state Title IX compliance officers, policy makers, and Title IX Coordinators).

"Title IX Coordinator Roles and Responsibilities" is part of MAEC's Title IX 2020 Regulations Series. This series examines the overall impact of the Title IX 2020 regulations and its specific impact on various positions. See "Title IX: Then and Now," "Title IX: Decision-Maker Roles and Responsibilities," "Title IX: Investigator Roles and Responsibilities," and "Title IX: Grievance Procedures Flowchart."

Red signifies changes to Title IX practices and procedures due to the 2020 regulations.

Designation of a Coordinator

- A. School systems or other recipients of federal funds (including all public schools, charter schools and magnet schools), must designate at least one employee as the Title IX Coordinator to oversee compliance efforts and investigate any complaints of sex discrimination. **This person must be referred to as the "Title IX Coordinator."**
- B. All students, employees, and parents or guardians must be notified of the name(s), **title(s), email address(es), office address(es), and telephone number(s)** of the designated coordinator(s) of Title IX.

Dissemination of Policy

The school district's policy of nondiscrimination must be prominently included in each student handbook, bulletin, catalog, booklet, announcement, brochure, student application form or other publication distributed to students, potential students, parents, employees, affiliated unions, and any other persons benefiting from the school district's activities and programs. This information must also be published online in a prominent location (e.g., the school's website). The name, office address, and telephone number of the Title IX Coordinator must also be included in this announcement. In short, parents and guardians, students, school and district employees, vendors, and volunteers must be given the contact information for the Title IX Coordinator and provided with access to available information and procedures for filing complaints.

Monitoring Compliance

The Title IX Coordinator is responsible for monitoring the overall implementation of Title IX for the school district and coordinates the institution's compliance with Title IX in all areas covered by the implementing regulations. Their major responsibility is **the prevention of sexual harassment and discrimination**. Other major monitoring duties include, but are not limited to, the following:

Admissions - admissions and recruitment

Education Programs and Activities - housing, comparable facilities, access to course offerings [traditional and nontraditional], access to schools operated by the school district, counseling and related materials, financial assistance, employment assistance, health services and insurance, marital/parental status, athletics, discipline, student policies and procedures

Employment in Education Programs and Activities - employment criteria, recruitment, compensation, job classification, fringe benefits, marital or parental status, advertising, pre-employment activities

Additional consideration should be given to the following:

- Develop a committee to assist in meeting Title IX obligations.
- Train all school employees on Title IX compliance. With the new 2020 regulations, all employees in K-12 schools that receive federal funding are required to become federally mandated reporters.
- Inform all K-12 employees that they must forward all possible Title IX violations to the Title IX Coordinator(s). Counselors can no longer maintain client confidentiality; they must forward any relevant information to the Title IX Coordinator.
- Facilitate a meeting with employees that work with the school. Title IX covers off-campus conduct that is affiliated with the institution. The Title IX Coordinator needs to inform anyone who is involved in overseeing, supervising, funding, sponsoring, promoting, or endorsing school-affiliated activities that their area is included within the Title IX jurisdiction.

- Arrange to have a Title IX Equity Coordinator in each school building to enable better monitoring of Title IX in individual schools leaving the District Title IX Coordinator to take care of the district as a whole.
- Participate in the development and implementation of the school system's sexual harassment policy. Be aware of new needs which may dictate changes or revisions in existing policies or practices. For example, since sexual harassment is a violation of Title IX, include a prohibition of sexual harassment in the school district's list of disciplinary infractions.
- Assist faculty, counselors and administrators in complying with Title IX and when a need arises, plan remedial actions. For example, if females are underrepresented in advanced mathematics, science, or computer programming courses, ask the faculty to plan for several workshops, student tutorial services, or other ways to increase enrollment of females in these courses.
- Increase visibility in the community by disseminating civil rights information or by speaking at parent-teacher group meetings, social or professional organization meetings, and other community functions.
- Serve as a resource to the local superintendent of schools on Title IX gender issues. Submit annual reports on Title IX compliance activities to the district school superintendent.
- Monitor and evaluate the district's Title IX compliance efforts and make recommendations for any appropriate changes.
- Develop a record-keeping system for Title IX documents related to trainings, investigations, hearings, informal resolutions, supportive measures, and other processes. All records must be maintained and made available for the related parties for at least seven years.

Grievance Procedures

Adoption and publication of procedures providing prompt and equitable resolution of complaints is critical. The regulations in 2020 state that recipients must respond in a manner that is not "deliberately indifferent" once informed about sexual harassment allegations. Federal regulations require that Title IX Coordinators must not unreasonably respond to Title IX grievances. The "not unreasonable" standard is the minimum; Title IX Coordinators should respond in a reasonable and timely manner. Grievance procedures and nondiscrimination policies must be made public. Develop Title IX grievance procedures for students and teachers in cooperation with local student service and human resources staff. Give public notice of the procedures and the name and contact information of the school system Title IX Coordinator. Have copies of the grievance procedure and any related forms available to students, parents, and school personnel alleging sexual harassment or discrimination. Assist them in filing their grievance and oversee the step-by-step procedure to be sure that time frames are met. In order to officially begin the Title IX grievance procedures, the Title IX Coordinator must sign the formal complaint of sexual harassment allegations, inform both parties of the formal complaint of sexual harassment allegations, and present the option for an informal resolution. In addition, the Title IX Coordinator must provide a better understanding of the grievance based on Title IX to those administrative personnel who need this information. All records of all grievances must be filed. Remember, these files need to be kept for at least seven years.

In carrying out this responsibility, the Title IX Coordinator will work with an Investigator, who investigates any formal complaint filed under the institution's grievance procedures. If necessary, the Title IX Coordinator can serve as the Investigator. If the Title IX Coordinator does not conduct the investigation of complaints, they should receive information about any grievance filed. This will allow the institution to identify any patterns; repeat offenders that may be missed when grievances are handled by several individuals. The investigation serves to validate or dismiss the allegations of sexual harassment. A *Decision-Maker* (independent of the Title IX Coordinator or the Investigator) must provide a written detailed decision to both parties. The Title IX Coordinator should also receive sufficient information throughout the process so that they can provide guidance or information to ensure that the institution carries out its responsibilities under Title IX.

Responsibilities Of Title IX Coordinators During the Grievance Procedure

- Coordinate supportive measures for the complainant in order to restore and/or preserve equal access to their education program or activity.
- Present both parties with the option of an informal resolution and be prepared to facilitate the process.
- Be informed about the 2020 regulations, especially regarding the distinct roles of Investigator and Decision-Maker.
- Facilitate training for the Investigator and Decision-Maker. The Title IX Coordinator cannot serve as the Decision-Maker.
- Oversee the investigation process ensuring that both parties receive notice of the allegations, both parties have equal opportunities to present facts and evidence, and that the Investigator follows the time frames as listed in the new regulations.
- Ensure that all involved parties (complainant and respondent) have advisors. This role can be filled by parents or guardians, lawyers, or other adults. The Title IX Coordinator cannot be the advisor.
- Presume that the respondent is innocent. Confirm that the Investigator and Decision-Maker include this presumption as they conduct their work.
- Present both parties with the option to have a hearing. Remind both parties of the new requirement for written determinations, which will include the outcome and rationale of the decision(s).
- Dismiss allegations that do not meet the Final Rule's definition of sexual harassment, do not occur within the school's education program or activity, or do not occur in the United States. Ensure that all parties receive written notice of the dismissal along with the reasons for the dismissal. Title IX Coordinators can also dismiss complaints if the complainant withdraws the formal complaint in writing, and/or if the respondent is no longer enrolled or employed by the institution.

The Title IX coordinator should also be sufficiently knowledgeable about the requirements of the regulations to advise the institution about policies and practices, which may violate Title IX.

Core Responsibilities of Title IX Coordinators

- Develop a working knowledge of the federal Title IX of the Education Amendments of 1972 law and its implementation regulations. Have a copy of Title IX readily available and understand the requirements and the intent of the law. Keep informed of current research, and legal and judicial decisions related to Title IX and gender equity.
- Be informed about state laws, regulations and policies on all equity issues; including bullying and harassment, and child abuse laws.
- Be knowledgeable of federal and state laws (e.g., ADA, Section 504, IDEA) prohibiting discrimination against all protected classes (including race, religion, and sexual orientation) and assist whenever possible.
- Be sure female and male students participating in work-based learning programs are guaranteed equal treatment by their employers.
- Coordinate with other staff to document an internal self-evaluation of practices and policies with respect to treatment of female and male students. If the evaluation was completed by a previous Title IX Coordinator, determine if the evaluation's suggestions for eliminating segregation and discrimination were carried out.
- Provide program development (including in-service training) to eliminate sex discrimination in the district. **The new regulations require informing students and staff of district policies and procedures on sexual harassment.** This can be done through a schoolwide in-service or assembly on sexual harassment. Gender-segregated classes in workforce development education courses should prompt Title IX Coordinators to plan special on-going activities for lessening students' gender-role stereotypes.
- Attend state and national conferences specifically for Title IX Coordinators and on gender equity issues, and share the information with local administrators, staff, and faculty.

Adapted from the U.S. Department of Education, Office for Civil Rights, Boston Regional Office; North Carolina State Board of Education; and the New Hampshire Department of Education. Updated in August, 2020 to reflect the U.S. Department of Education Title IX Final Rule regulations.