



**SAN LUIS OBISPO COUNTY
OFFICE OF EDUCATION**
LEADERSHIP ■ COMMUNITY ■ SERVICE
JAMES J. BRESCIA, ED. D., SUPERINTENDENT

NOTICE OF STUDENT RIGHTS UNDER TITLE IX

Title IX Prohibition of Sex Discrimination

Title IX of the Education Amendments of 1972 (“Title IX”), implemented at 34 C.F.R. § 106 *et seq.*, provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by an entity, including a K-12 school district, that receives federal financial assistance. Sex discrimination includes discrimination based on sex stereotypes; sex characteristics; pregnancy or related conditions; parental, family or marital status; sexual orientation, and/or gender identity. (34 C.F.R. §§ 106.10; 106.20.)

In compliance with Title IX, the SAN LUIS OBISPO COUNTY OFFICE OF EDUCATION “SLOCOE” prohibits sex discrimination in any education program or activity that it operates, including but not limited to student programs and/or activities and employment.

Inquiries about Title IX may be referred to SLOCOE’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or both.

Student Rights Under Title IX

Students have the following rights under Title IX:

1. To participate in a SLOCOE program or activity without being subject to acts of sex discrimination, including but not limited to acts of sex-based harassment.
2. To be reasonably accommodated for pregnancy and related conditions.
3. To reasonable protection of privacy.
4. To be notified of how to receive confidential assistance.
5. To receive adequate notice of SLOCOE’s grievance procedures, including informal resolution and a formal investigation.
6. To file a complaint alleging sex discrimination and to do so without being subject to retaliation.
7. To receive supportive measures that are non-disciplinary in nature and appropriate under the totality of the circumstances.
8. To receive adequate notice of the allegations, dismissals, delays, meetings, proceedings, and determinations.
9. To be treated equally during participation in the grievance procedures.

10. To have conflict-of-interest free and bias-free Title IX Coordinators, investigators, and decision-makers.
11. To a reasonably prompt and effective completion of applicable grievance procedure.
12. To an objective evaluation of the relevant evidence and the exclusion of the impermissible evidence.
13. To an equal opportunity to present fact witnesses and other evidence.
14. To an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence, and a reasonable opportunity to respond to such evidence.
15. To have SLOCOE take reasonable steps to prevent and address unauthorized disclosures of evidence gathered during the grievance procedure.
16. To have an advisor of their choice attend all meetings and/or proceedings as well as assist with inspection and review of evidence.
17. If it is determined that sex discrimination occurred, to remedies; disciplinary sanctions for the individual(s) responsible; and other appropriate prompt and effective steps to ensure that sex discrimination does not occur or recur.
18. To appeal or challenge decisions regarding supportive measures, dismissals, and determinations of responsibility, in accordance with SLOCOE's Title IX Grievance Procedures.

Students who are alleged to have engaged in conduct amounting to sex discrimination ("Respondents") also have the following rights:

1. To be presumed not responsible until grievance procedures are completed and a determination of responsibility is made.
2. To not be disciplined until grievance procedures are completed and a determination of responsibility is made.

Student Rights Pursuant to Education Code Section 221.8

In addition to Title IX, the California Education Code similarly prohibits discrimination of students on the basis of sex. Education Code section 221.8 provides as follows:

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 for purposes of Section 221.6:

- (a) You have the right to fair and equitable treatment, and you shall not be discriminated against based on your sex.*
- (b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.*
- (c) You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.*
- (d) You have the right to apply for athletic scholarships.*
- (e) You have the right to receive equitable treatment and benefits in the provision of all the following:*

1. *Equipment and supplies.*
2. *Scheduling of games and practices.*
3. *Transportation and daily allowances.*
4. *Access to tutoring.*
5. *Coaching.*
6. *Locker rooms.*
7. *Practice and competitive facilities.*
8. *Medical and training facilities and services.*
9. *Publicity.*

(f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.

(g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.

(h) You have the right to 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.

(i) You have the right to pursue civil remedies if you have been discriminated against.

(j) You have the right to be protected against retaliation if you file a discrimination complaint.

Title IX Coordinator

The following is the contact information for SLOCOE's Title IX Coordinator:

Katherine Aaron
Assistant Superintendent of Student Programs & Services
3350 Education Drive, San Luis Obispo, CA 93405
kaaron@slocoe.org
805-543-7732

Applicable Board Policies and Administrative Regulations

SLOCOE's nondiscrimination policy, sex discrimination and sex-based harassment policy, and Title IX grievance procedures can be located at <https://www.slocoe.org/title-ix/>

Applicable Board Policies and Administrative Regulations include:

- Superintendent's Policy – 5145.3 – Nondiscrimination/Harassment
- Superintendent's Policy - #5145.7 – Sex Discrimination and Sex-Based Harassment
- Administrative Regulation - #5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

Reporting Sex Discrimination

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact SLOCOE's Title IX Coordinator.

Additional Resources

Additional resources may be found at:

- California Department of Education (“CDE”):
<https://www.cde.ca.gov/re/di/eo/genequitytitleix.asp>
- United States Department of Education Office for Civil Rights:
<https://www2.ed.gov/about/offices/list/ocr/index.html>
- United States Department of Education Office for Civil Rights Complaint:
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>
- United States Department of Education Office for Civil Rights Contact Information:
1-800-421-3481 or ocr@ed.gov
- California Interscholastic Federation, Gender Diverse Youth Sport Inclusivity Toolkit:
https://www.cifstate.org/parents-students/CA_Gender_Diversity_Toolkit.pdf
- California Interscholastic Federation, Discrimination or Harassment Complaint Form:
https://www.cifstate.org/sports/sportsmanship/response/Discrimination_Harassment_Complaint_Form.pdf