

SUSANVILLE SCHOOL DISTRICT

109 South Gilman Street • Susanville, CA 96130-4512

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Jason Waddell
Superintendent

Title IX: Discrimination & Harassment – Know Your Rights

The Susanville School District is committed to providing a learning and working environment free of sexual discrimination and sexual misconduct. The Susanville School District prohibits discrimination based on a student’s sex, gender, gender identity, pregnancy, and parental status. The Susanville School District takes such offenses seriously and anyone who believes, or has knowledge of, may file a complaint with the United States Department of Education, Office for Civil Rights, under Title IX legislation. The person or organization filing the complaint need not be the victim of the alleged discrimination but may be affected by a general “hostile sexual environment” or may complain on behalf of another person or group.

Title IX Coordinator

A complaint may be filed by contacting the Susanville School District Title IX Coordinator, Jason Waddell, at (530) 257-8200 or jwaddell@susanvillesd.org.

Student Rights under Title IX

Federal Title IX of the Education Amendments of 1972 (“Title IX”), implemented at 34 C.F.R. § 106.31, subd. (a), 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 a recipient which receives federal financial assistance. Relevant here, Title IX requires school districts to take immediate and appropriate action to investigate when it knows or reasonably should know of a possible Title IX violation.

Filing a Title IX Complaint with the District

Student complaints shall be submitted in written form in accordance with Board Policy and Administrative Regulation 1312.3 – Uniform Complaint Procedures. (Depending on the type of complaint, other policies and procedures may apply and may be used for processing of complaints.) If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. The District provides a complaint form at the following web address: www.susanvillesd.org

Complaints must be filed within six months from the date when the alleged unlawful discrimination occurred, or from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying that is based on sex. The time period may be extended by written agreement of complainant.

The compliance officer may informally discuss with all the parties the possibility of using mediation within three business days after his or her receipt of the complaint. All complaints shall be appropriately investigated in a timely manner. Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint. The investigation shall include an opportunity for the complainant, or the complainant's representative, or both, to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Unless extended by a written agreement with the complainant, the District shall issue a written decision based on the evidence within 60 calendar days from receipt of the complaint by the District.

Any complainant who is dissatisfied with the final written decision may file an appeal in writing with the California Department of Education within 15 calendar days of receiving the decision.

Complaints made by or on behalf of students may also be filed with the U.S. Department of Education, Office of Civil Rights within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by the Office of Civil Rights for good cause shown under certain circumstances.

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:

- (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 of 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.

Additional Resources

- List of rights specified in Education Code Section 2212.8
http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=221.8
- 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 Form: <https://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>
- United States Department of Education Office for Civil Rights Contact Information: 1-800-421-3481 or ocr@ed.gov
- California Department of Education Office of Equal Opportunity:
<http://www.cde.ca.gov/re/di/or/oeo.asp>