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# REINVIGORATING THE ROLE OF THE TITLE IX COORDINATOR: A REQUIREMENT AND RESOURCE

By Sue Klein, Ed. D with contributions  
from Karen Humphrey and FMF Researchers



Dedicated to Dr. Bernice Sandler, “Godmother of Title IX” (above), who also recommended the inclusion of Title IX Coordinators in the 1975 Title IX Regulations.

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# Reinvigorating the Role of the Title IX Coordinator: A Requirement and Resource

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## Reinvigorating the Role of the Title IX Coordinator: A Requirement and Resource

By Dr. Susan Klein, Education Equity Director, Feminist Majority Foundation (FMF) with contributions from Karen Humphrey, former California State Sex Equity Coordinator and FMF Researchers

### Executive Summary\*

Title IX of the 1972 Education Amendments is one of the most consequential pieces of gender equity legislation ever passed by the United States Congress. In one bold stroke, it seeks to eliminate the pervasive sex discrimination that once ran rampant in American schools, colleges and universities, and guarantee equal rights to an education for girls and boys, women and men.

As with every law passed by a legislative body, the full effect is not felt until the law has been implemented in the real world. More than 40 years after Title IX was enacted, a great deal has changed for the better in American education for women and girls. Most of that change, however, took place in the first two decades after passage, when implementing regulations were adopted and federal and state governments helped educational institutions understand and carry out the law's intent. Much overt sex discrimination, such as quotas limiting the admission of women to medical school and firing of pregnant teachers, ended. So much changed during these key decades, in fact, that most Americans assume gender equity has been achieved in American education from pre-school to graduate school.

That is not the case. Sex discrimination affecting mostly, but not always, women and girls still exists in education programs and activities in institutions that receive federal financial assistance. This sex discrimination is often subtle, complicated, and compounded by unrecognized institutionalized sexism, racism and other forms of discrimination. Most of all, the dramatic reduction of resources and support for Title IX implementation that took place over the past two decades has almost eliminated our capacity to achieve full gender equity in schools.

True, the most egregious intentional discriminatory practices of the 1950s and 60s, carried over from previous generations, have largely disappeared. But major issues remain. Girls and women are still underrepresented in Science, Technology, Engineering, and Mathematics (STEM) courses and in Career Technical Education (CTE). Women professionals and other staff in education are still paid less than their male peers. Sexual assault—which was not considered a Title IX issue in the 1970s—has become a huge and visible problem affecting many thousands of students whose K-12 and postsecondary schools fail to protect their safety. Often, students are bullied and harassed over issues rooted in gender identity or sexual orientation.

Despite increasing research-based evidence revealing the benefits of gender equitable coeducation, deliberate and often illegal sex segregation that promotes gender stereotypes persists, especially in schools where the students are predominantly African American. Pregnant and parenting teens

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\* Readers may also find the executive summary and full report online at [www.feminist.org/education/TitleixcoordinatorsNetwork.asp](http://www.feminist.org/education/TitleixcoordinatorsNetwork.asp)

continue to be segregated into inferior programs that deprive them of the quality education they need in order to achieve self-sufficiency and support their children. Though female participation in interscholastic and intercollegiate athletics has expanded dramatically, many institutions have yet to achieve equity either in numbers or resources to support girls' and women's participation and success in athletics. Most troubling is that the lack of knowledge about Title IX, its purpose, and its requirements is widespread in the education community and among students and parents. Few even know that there is supposed to be a Title IX Coordinator in their schools with specific responsibility to address intentional and unintentional sex discrimination.

The gap between Title IX's goals and the present reality has inspired the Feminist Majority Foundation to search for ways to reinvigorate the dream of Title IX and ensure that NO student is disadvantaged or loses opportunities based on sex or gender discrimination and stereotyping. This report argues for a new view of the role Title IX Coordinators can play in achieving that dream. Instead of being seen only as a federal requirement whose job is reactive and compliance-driven, Title IX Coordinators should be seen as leaders and valuable resources in implementing and sustaining Title IX in every educational institution or entity receiving federal assistance for education.

### Importance of Title IX Coordinators with a Supportive Title IX Infrastructure

Title IX guarantees that *"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 financial assistance."*

The 1975 Title IX Regulation developed to implement Title IX requires every institution that receives federal funds for education programs or activities to designate at least one employee as a Title IX Coordinator to oversee full implementation of Title IX throughout the organization. If this requirement were fulfilled as originally envisioned, there would be over 100,000 Title IX Coordinators in State Education Agencies (SEAs), Local Education Agencies (LEAs), pre-K-12 schools, postsecondary institutions, and other entities receiving federal support that provide formal or informal education such as libraries, museums, health and justice facilities.

Title IX Coordinators can and should be gender equity leaders and catalysts in identifying and ending sex discrimination. But as this report shows, the lack of systemic support for this role and its treatment as a requirement as well as an opportunity means Title IX Coordinators are more likely than not to be underused and virtually invisible to both the school and the larger community.

This report proposes that Title IX Coordinators should be seen as vital resources for increasing gender equity, and should also be supported by development of an infrastructure of vertical and horizontal networks working together to fully implement Title IX. The **vertical networks** would include federal, state, local district and school-level staff and offices responsible for Title IX, and would work together both top-down and bottom-up. The **horizontal networks** would include peer Title IX Coordinators; staff responsible also for eliminating discrimination based on race, disability, and other potentially stigmatizing characteristics; external gender equity experts in specific topics such as employment, athletics, STEM, sexual assault, sex segregation, and LGBTQ issues; community stakeholders and equity allies who could participate in advisory groups and partnerships with Title IX Coordinators.

Not only would such an infrastructure support Coordinators on their own sites, but by working together on common goals with other educators, policy makers, community stakeholders, parents, students and equity allies, Title IX Coordinators will have a wider impact, contributing to ending sex discrimination in American education. The expertise of Title IX Coordinators would be enhanced and their ability to

proactively identify and solve problems would expand. Networks of Title IX Coordinators and equity stakeholders would go a long way toward ensuring that students are safe from sexual and related harassment and violence, that all sex discrimination complaints are investigated promptly and fairly, and that remedies are implemented to prevent future sex discrimination.

### **Effective Title IX Coordinators Should:**

- **Be proactive gender equity leaders not only in their institutions, but also in creating a Title IX infrastructure that provides and obtains support from others.** Such an infrastructure, with strong and transparent vertical and horizontal networks, could empower proactive, independent Title IX Coordinators who could more fully address gender equity in the educational environment.
- **Have the expertise and authority, both individually and as part of their institution's Title IX Coordinator team, to ensure the implementation of all aspects of Title IX such as ending sex discrimination and gender stereotyping in academics, athletics, employment, sexual harassment and assault, and disciplinary practices.**
- **Work closely with colleagues responsible for other civil rights to address intersectional sex discrimination, stereotyping, or bias including gender, gender identity and sexual orientation and one or more other characteristics such as race, ethnicity, national origin, disability status, poverty, religion or age.** This would create powerful equity partnerships that can educate and empower stakeholders in their right to be free of discrimination, and to support schools where *every* student can succeed.
- **Work with networks of supporters inside and outside their own school or agency to proactively prevent sex discrimination and prioritize policies and actions to protect the rights of victims of discrimination.** These networks would help provide Title IX Coordinators with the independence and authority to identify issues and propose solutions, even when their employers prefer not to "rock the boat". In so doing, they could help their institutions avoid the negative fallout of potential lawsuits and federal sanctions for ignoring sex discrimination.

### **Good Timing: Now is the Time for Renewed Attention to Title IX Coordinators**

- **The Office for Civil Rights (OCR) in the US Department of Education (ED) and the Civil Rights Division in the US Department of Justice (DOJ) recently provided leadership and guidance for Title IX Coordinators.** ED and national gender equity organizations have also been identifying and providing contact information on Title IX Coordinators.
  - OCR published 2015 guidance on Title IX Coordinator roles and responsibilities; it also provided additional guidance letters focused on specific aspects of Title IX such as sexual harassment and assault, athletics, and single sex education.
  - For the first time ever, ED's OCR and the Office of Postsecondary Education (OPE) collected and published contact information on over 23,000 Title IX Coordinators in Local Education

Agencies (LEAs) and postsecondary institutions on OCR and OPE websites as part of the required Civil Rights Data Collection (CRDC) and Clery Act reports.<sup>†</sup>

- **The Patsy T. Mink Gender Equity in Education Act of 2016 (GEEA) was introduced by Senator Mazie Hirono and Representative Louise Slaughter in July 2016.** This Act provides funding for a much needed Office for Gender Equity in the US Department of Education to coordinate gender equity efforts throughout the government and assist educational entities in the full implementation of Title IX. It also provides funding for the training and support for Title IX Coordinators in State Education Agencies (SEAs), Local Education Agencies (LEAs), elementary and secondary schools, institutions of higher education and for partnerships with national or other organizations with expertise in advancing gender equity in education. A strong collaborative effort is underway to push for passage of this Act.
- **Developers of a supportive Title IX infrastructure can build on past federal investments and good practices developed by Title IX Coordinators and other equity experts over the years.** Some of these past federal investments include: mandated and funded state Sex Equity Coordinators in vocational education (now called career and technical education), Civil Rights Act Title IV funding of state Title IX Coordinators, technical assistance through the Equity Assistance Centers, and the identification, development, and dissemination of gender equity resources under the Women's Educational Equity Act and the National Science Foundation.
- **The federal government still maintains its mandated lead role in implementing and enforcing civil rights laws.** Even though most specific targeted gender equity funding has ended and GEEA has just been introduced, educational institutions should use ongoing federal and state funding streams to support implementation of federal civil rights laws. For example, under the 2015 Every Student Succeeds Act (ESSA), State Education Agencies (SEAs) and Local Education Agencies (LEAs) have increased discretion in spending federal funds. States and school districts should use this additional flexibility to enhance the roles of Title IX Coordinators and empower them to be more proactive in identifying disparities and implementing effective solutions.
- **Finally, findings in this report provide timely insights to help guide the development of an effective Title IX infrastructure.** Much as "it takes a village to raise a child," collaboration around shared goals among all stakeholders with strong leadership by gender equity advocates has been shown to achieve much more than an individual can do alone. An effective Title IX infrastructure is essential to supporting these gender equity leaders in working with all stakeholders to assure gender equality both in and through education. FMF findings about the limited support for Title IX Coordinators by their agencies offer opportunities for positive change.

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<sup>†</sup> The American Association of University Women has created a web-based map to show the names and contact information on 16,000+ LEA Title IX Coordinators in each state. (See <http://www.aauw.org/resource/find-your-title-ix-coordinator> ) In doing so they used the results of the 2013-14 Civil Rights Data Collection (See <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-2013-14.html> ) **Contact information on a Title IX Coordinator** in 7,000+ postsecondary institutions may be found in the ED OPE Campus Safety & Security Data Analysis Cutting Tool Website <http://ope.ed.gov/campussafety/#/> by going to the "Get Data for One School" section. FMF's list of State and other Title IX Coordinators is available on <http://www.feminist.org/education/pdfs/State-TitleIX-Coordinators.pdf>. Updated information on GEEA should be available on <https://www.congress.gov/bill/114th-congress/senate-bill/3147/text>

## Conclusions about Reinvigorating Title IX Coordinators

### There is substantial evidence of inadequate compliance with Title IX Coordinator requirements.

The national FMF research on large cities and pre K-12 school districts and related local studies by Equal Rights Advocates (ERA), the National Organization for Women (NOW), and the American Association of University Women (AAUW) found that it is hard to even identify Title IX Coordinators, especially at the district and school levels. In many cases, they had not been appointed. However, improvement is possible. Mandatory information requests from the US Education Department (ED) to 16,000+ public school districts along with 2015 ED guidance requesting public web-based posting of Title IX Coordinator contact information should help in the appointment and visibility of Title IX Coordinators. Contact information on these 2013-14 school district and 7,000+ postsecondary school Title IX Coordinators is now available along with FMF's 2016 web list of 200 State Education Agency (SEA) and large school district Title IX Coordinators. However, listing coordinators is only part of what is needed to ensure qualified and effective Title IX Coordinators are actually working on all aspects of Title IX at every level of education.

While FMF found good practices by some Title IX Coordinators such as partnering with gender equity activists, we also found gaping holes in implementing key aspects of the OCR Title IX Coordinators' guidance. For example:

- **It is rare to find proactive, well-trained State Education Agency or large city/school district Title IX Coordinators, either individually, or as a team, who cover all aspects of Title IX, including academics, employment, athletics, and school climate, or who provide training and assistance to Title IX Coordinators in all the district's schools.**
- ***There is a lack of information on Title IX Coordinators and Title IX topics on most SEA websites. School district/LEA websites are typically worse.***
- ***There were many instances where Title IX Coordinators did not follow the independence, "full-time," and lead Title IX Coordinator recommendations in the OCR 2015 Title IX Coordinator Guidance.***
- ***Many of the current Title IX/Gender Equity Coordinators at the SEA and LEA levels are poorly supported by their institutions and/or stakeholders in providing high quality, systematic, supportive, sustainable and proactive leadership.*** Their roles are primarily seen as reactive, responding to complaints and issues brought to their attention and protecting their employer from sex discrimination lawsuits.
- ***There is little systemic oversight of the gender equity aspects of educational programs, resulting in inadequate compliance with OCR Title IX guidance. This has resulted in school sanctioned sex discrimination, especially related to single sex programs, as well as inadequate protection of students from sexual assaults.*** Such oversight is difficult if the Title IX Coordinator is not provided with adequate institutional support and independence and freedom from retaliation.

**A well supported Title IX infrastructure is essential  
to reinvigorate and sustain effective Title IX Coordinators.**

In recent years, little deliberate attention has been paid to establishing a Title IX infrastructure to support Title IX Coordinators and the full implementation of Title IX, although such an infrastructure has antecedents that suggest it has been and could again be very effective in addressing ongoing sex discrimination.

The 2015 OCR guidance for Title IX Coordinators has important recommendations for individual Title IX Coordinators and their colleagues. But aside from encouraging the appointment of lead Title IX Coordinators, it does not specifically mention using ongoing vertical or horizontal networks as a strategy to support Title IX implementation. Although national guidance and resources such as funding for SEA vocational education sex equity coordinators have been helpful in developing some aspects of a Title IX infrastructure, this federal support has diminished or disappeared in recent years.

Only a few states, such as Connecticut and Oregon, have **vertical** Title IX Coordinator networks to connect the State Education Agency (SEA) with their district or postsecondary Title IX Coordinators and with Title IX Coordinators at the school level. There is also no national guidance and little state guidance on how district level Title IX Coordinators could ensure that there are effective Title IX Coordinators at the school level.

**Horizontal** networking of Title IX Coordinators if it occurs at all, has not been very systematic, comprehensive, or well supported. For example, stakeholders responsible for, and interested in, achieving gender equity within a school community are rarely encouraged to work together unless there is a crisis. Peer Title IX Coordinators across states, school districts, and schools rarely meet even for training or sharing best practices; and experts from gender equity organizations have not been encouraged to serve as advisors or partners to Title IX Coordinators. Similarly, topic-focused horizontal networking is especially important as Title IX Coordinators address increasingly complicated types of discrimination such as sexual harassment and assault, disparities in academic areas (such as STEM and Career Technical Education) and inequities in educator employment, sex segregated classes and schools, and in athletics.

**Promising and effective practices and policies need to be identified, developed, and  
replicated to maximize the positive impact of reinvigorated Title IX Coordinators and their  
allies in ending sex discrimination and gender stereotyping.**

Title IX Coordinators in State Education Agencies, Local Education Agencies, individual schools, and their allies are using some promising and effective practices and policies to decrease sex discrimination in education, but these strategies have not been systematically identified, publicized, or replicated regionally and nationally.

After Title IX Regulations were issued in 1975, some SEAs led site visits to review compliance with Title IX, trained educators in the field on Title IX, and networked with local Title IX Coordinators. A number of states even passed their own state Title IX type gender equity laws, some of them stronger and clearer than the federal Title IX Regulations. Some states also have useful and detailed websites focusing on Title IX and statewide programs to train Title IX Coordinators. Other federally supported resources such

as the Women’s Educational Equity Act Resource Center and its Gender Equity Expert Panel no longer exist, but there are some federal and non-federal websites and organizations that focus on sharing specific topic focused gender equity resources such as the notalone.gov website on sexual assault prevention, the STEMConnector.org, and a wide range of information and resources from FMF and other members of the National Coalition for Women and Girls in Education (ncwge.org).

## Recommendations to Maximize the Effectiveness of Title IX Coordinators and Their Allies in Fully Implementing Title IX

### 1. Increase the numbers of effective and empowered Title IX /Gender Equity Coordinators.

Well-trained, qualified, proactive Title IX Coordinators should be in place in every State Education Agency (SEA), 16,000+ Local Education Agencies (LEAs), 95,000+ Pre K-12 schools, and 7,000+ college and university campuses. While all such Coordinators need not be full-time in that role, they should know their responsibilities for eliminating sex discrimination and have adequate time and support to carry them out.

2. Federal agencies, especially the U.S. Department of Education (ED), should provide guidance, support and assistance to ensure that there are qualified proactive Title IX Coordinators in all schools or other sites responsible for complying with Title IX. If this were to be realized, there would be over 100,000 well-trained Title IX Coordinators throughout the US education system. The ED Assistant Secretary for Civil Rights, Catherine Lhamon, spoke about the important role of school level Title IX Coordinators in a video where she responded to the question, “How do you envision the Title IX Coordinators as helping to play a preventive role in the areas of sexual harassment/assault and many other types of sex discrimination?” Her response was that “the Title IX Coordinator has a critical role. Every school is supposed to have a Title IX Coordinator covering all aspects that Title IX covers.”<sup>‡</sup> It is common especially for universities to have multiple Title IX Coordinators for their different campuses or to cover specific areas such as the prevention of employment discrimination or sexual harassment and assault.

If there were, as envisioned well trained, proactive Title IX Coordinators educating teachers, students, and parents in all institutions responsible for implementing Title IX there would be a significant increase in attention to required Title IX protections from all types of sex discrimination. Educators and students would benefit from the Coordinators’ ability to identify and reduce or eliminate both intentional and unintentional sex stereotyping and discrimination.

### 3. Provide easily accessible web information on all Title IX Coordinators and on Title IX compliance.

This information should do more than meet federal posting requirements on contacting Title IX Coordinators in their institutions and on grievance procedures. It should also inform and educate educators, students, and the public on progress on key indicators of sex discrimination in school report cards; publish pending complaints and resolutions; and make available evidence based best practices and replicable programs to prevent and decrease sex discrimination.

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<sup>‡</sup> For the video, see <https://www.youtube.com/watch?v=kkQfdvciEDI>. The Q&A section is between minutes 139.00 and 149.00.

4. **Provide administrative, policy, training, networking, and research support to Title IX Coordinators so they will be effective individually, or as a team, in identifying and ending sex discrimination across the full spectrum of Title IX protections.** This would also include evaluating and publicizing the work of Title IX Coordinators together with their stakeholders and allies in the many areas covered by Title IX.
5. **Create a viable Title IX infrastructure at the local, state and national levels of vertical and horizontal networks to support Title IX Coordinators and their allies in fully implementing Title IX.**
  - **Vertical networks** would operate top-down and bottom-up from the federal level to local public schools. For example, the 16,000+ LEA Title IX Coordinators would play a key role in training and supporting their districts' school level Title IX Coordinators --totaling over 95,000 public schools.
  - **Horizontal networks** would focus on Title IX Coordinator connections:
    - Among local area peer Title IX Coordinators.
    - With other equity/diversity experts and advocates (race/ethnicity, disabilities, SES, LGBTQ) in their institutions and community.
    - With stakeholders such as parents and students (perhaps by involving them in an advisory group and in Title IX training).
    - With experts in various specialty areas covered by Title IX protections such as, academics, career/technical education, employment, pregnancy/parenting, school discipline, sexual assault, sex segregation, and athletics.
    - With equity advocacy organizations such as members of the National Coalition for Women and Girls in Education (NCWGE) and Equity Assistance Centers and OCR Regional Offices.
6. **Use a variety of effective strategies to increase our national commitment to end sex discrimination taking advantage of Title IX, its Coordinators, allies and infrastructure.** These strategies would focus on increasing the numbers of empowered and effective Title IX Coordinators and in establishing an effective, comprehensive, dynamic and robust, Title IX infrastructure to advance gender equity both in and through education. A key component of this national commitment should build on the provisions of the Gender Equity in Education Act of 2016 (GEEA) introduced in Congress in July 2016.
7. **Develop a campaign led by equity advocacy groups and Title IX Coordinators to implement these recommendations.** This campaign should be broadly-based and able to engage different constituencies ranging from grass-roots gender equity organizations, to teachers' organizations, to groups that work with gender equity in STEM, to feminist campus groups and foundations interested in improving education and social justice. A key focus of this Campaign would be to secure passage of a strong well-funded GEEA to establish a dynamic and long lasting Title IX infrastructure with an emphasis on the important roles of Title IX Coordinators and gender equity advocates.

## **Reinvigorating the Role of the Title IX Coordinator: A Requirement and Resource**

By Dr. Sue Klein, Education Equity Director, Feminist Majority Foundation (FMF) with contributions from Karen Humphrey, former California State Sex Equity Coordinator and FMF researchers: Allison Butler, Nicole Carroll, Chris DiCesare, Elana Margosis, Rachel Clay, Lina Wu and Sharon Mutwiwa, Rosemary Barber, Rachel Stivers, Bridget Reardon, Emily Stephens, Jay Tran, Theresa Green, and Lauren Morris<sup>1</sup>

### **I. Purpose of the Feminist Majority Foundation (FMF) Studies of Title IX Coordinators**

#### **Background Importance of Title IX Coordinators with a Supportive Title IX Infrastructure**

Title IX of the Education Amendments of 1972 guarantees that "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 financial assistance." Most commonly referred to as Title IX, this major federal civil rights law prohibits sex discrimination in education programs and activities from academics to athletics to employment and school climate. While the US has made progress in decreasing sex discrimination in hiring, graduate school admissions, graduation rates, and athletic participation, extensive sex discrimination and stereotyping persists in purposeful or unintentional actions that limit equal educational opportunities for women and girls, men and boys at all levels of education.

This report is dedicated to Dr. Bernice Sandler, "godmother of Title IX", who was key to ensuring that the 1975 Title IX Regulations<sup>2</sup> required the appointment of a Title IX Coordinator to oversee full implementation of Title IX in all institutions with education programs and activities receiving

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<sup>1</sup> This report was prepared by Dr. Sue Klein, Education Equity Director with assistance from Karen Humphrey, FMF Education Equity Program advisor and former Title IX Administrator in the California Department of Education. Researchers included FMF Interns in the Education Equality program. Allison Butler, Nicole Carroll, Chris DiCesare (summer 2013). Elana Margosis, the lead researcher with help from Rachel Clay and Lina Wu (summer 2015). Sharon Mutwiwa (fall 2015). Rosemary Barber, Rachel Stivers, Bridget Reardon, Emily Stephens, and Jay Tran helped format and edit (spring 2016). Theresa Green and Lauren Morris helped with content and editing (summer 2016). See Appendix F for a photo of these researchers. A draft version was also shared with state and district Title IX Coordinators and other gender equity experts and their updates and comments were incorporated. Special thanks for additional feedback from FMF President Eleanor Smeal, Equity Assistance Center Directors, Jan Perry Evenstad, and David Hinojosa, Joel Levin, Co-Founder, Stop Sexual Assault in Schools and Jan Erickson, NOW.

<sup>2</sup> "Title IX Defined," Feminist Majority Foundation, <http://feminist.org/education/titleix.asp>

federal funding<sup>3</sup>. The recipients required to designate Title IX Coordinators include entities that provide education such as state education agencies (SEAs), local education agencies, (LEAs) and individual schools, as well as postsecondary institutions, museums, libraries, and even prisons. This report focuses not only on the need to reinvigorate and enhance the role of Title IX Coordinators at all educational levels (from pre-K to adult education), but to ensure that they and their allies work together to end sex discrimination in all aspects of education covered by Title IX.

In the early years, Title IV of the Civil Rights Act of 1964 (CRA IV), the 1974 Women's Educational Equity Act (WEEA), the Perkins Vocational Education Acts, and other federal education programs provided important support for Title IX Coordinators and related research, development, and dissemination of information to help identify and eliminate sex discrimination.

The federal funding for CRA IV and WEEA were relatively modest. For example, during its 26 years, the WEEA annual appropriation only reached \$10 million in 1980. Each year, from 1987 until the last WEEA funding in 2010, the total was less than \$4 million. The 1984 Carl D. Perkins Vocational Education Act provided the most generous federal funding for sex equity. This included around \$100 million annually from 1984-1998. Some of this funding supported state vocational education sex equity coordinators to administer sex equity program funds and work closely with SEA Title IX Coordinators. Starting with its Women in Science Program in 1976, the National Science Foundation (NSF) funded programs to increase the participation of women and people of color in science, technology, engineering, and mathematics (STEM). In FY 2006, NSF provided over \$40 million for gender-based programs including the postsecondary ADVANCE program.<sup>4</sup>

Title IX Coordinators and other sex equity experts worked closely with colleagues implementing related federal and state laws prohibiting discrimination on the basis of race, color, national origin, and disability. Often, the required Title IX Coordinators also served as multicultural/diversity or equity coordinators or as the federally required 504 Coordinators to protect against disability discrimination. Additionally, some state level Title IX Coordinators served as state Method of Administration (MOA) Coordinators and helped survey schools with career technical education to ensure compliance with federal civil rights laws. Civil rights,

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<sup>3</sup> The OCR, *Title IX Resource Guide*, April 2015 also points out that Title IX applies to "all of the operations of the district or college". (p. 1). This includes all private institutions whose students receive federal financial assistance.

<sup>4</sup> For more on federal support see "The Role of Government in Advancing Gender Equity in Education," Chapter 5 in the Handbook for Achieving Gender Equity through Education, 2007. <http://feminist.org/education/handbook.asp>

equity, or diversity offices are common in many educational institutions. It is important that equity experts work together and that disaggregated data on these subgroups is analyzed, since many individuals are impacted by multiple types of unlawful discrimination.

From the 1970's to the 1990's the public paid substantial attention to using federal and state civil rights laws to increase educational opportunities for populations that frequently face discrimination. For example, when some SEA and other educators heard about the requirement for Title IX Coordinators, they contacted their institution's leaders and volunteered to become the Title IX Coordinator. Their request was often granted if they added this to their other existing responsibilities. This is what happened when Dr. Susan Bailey volunteered to be the first Title IX Coordinator in the Connecticut SEA along with her other role in elementary education programs and later as the head of the research and evaluation unit<sup>5</sup>. Others were appointed Title IX Coordinator when their institution received federal funds for sex equity work.

In the early 1980s the Council of Chief State School Officers operated a Resource Center on Sex Equity funded by the Ford Foundation and Carnegie Corporation. It convened meetings and shared information on federal and state legislation and policies that both threatened and helped advance equity. The Center shared information on state teacher certification standards and training on federal and state statutes prohibiting discrimination.<sup>6</sup> During this time, states like California and Michigan had active state and district offices that supported and trained Title IX Coordinators. They also used site visits to identify sex discrimination in the districts and schools. During some years, the Perkins Act specified at least \$60,000 to support each state Sex Equity Coordinator in order to increase the participation of women and people of color in underrepresented occupations. The National Association for Partnerships in Equity (NAPE), which was formed by former State Sex (or Gender) Equity Coordinators in vocational education and Title IX Coordinators remains a leader in continuing to fight discrimination in STEM and Career Technical Education, including gradually increasing women's participation in higher paying, male dominated occupations.

Since the 1990's, this federal and state support diminished while the challenges of ending sex discrimination became more subtle and complex. For example, many states and federal Title IX

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<sup>5</sup> In person 6-29-16 interview with Dr. Susan Bailey at FMF, 1600 Wilson Blvd, Arlington, VA with follow-up 8-1-16 and 8-4-16 emails from Susan Bailey to Sue Klein responding to Klein questions about Bailey's role as SEA Title IX Coordinator.

<sup>6</sup> State Laws and Policies Provide Leadership in Sex Equity, *Concerns*, Issue V, May 1982, Council of Chief State School Officers Resource Center on Sex Equity, directed by Susan Bailey. During this time, sex equity advocates and researchers such as Shirley McCune, Bernice Sandler, and Myra and David Sadker obtained federal and foundation funds for sex equity research and training which helped establish an infrastructure to support Title IX.

guidance have now clarified that Title IX covers a wide range of sex discriminatory behaviors, including responsibilities to end discrimination based on sexual orientation and identity. It also clarifies school responsibilities to create an educational climate that prevents sexual harassment and assault.

However, despite responsibility for covering more aspects of sex discrimination, federal funding and technical assistance support for implementing Title IX decreased. This was also accompanied by frequent neglect of Title IX Coordinators and by little attention to the Title IX requirement for schools to have and publicize their grievance procedures. This neglect may have been mitigated if there had been increased attention to accountability such as if the 1975 Title IX regulations initial requirements for institutional self-assessments to identify areas of sex discrimination to help guide compliance with Title IX had been extended beyond three years and if this assessment and reporting requirement had been enforced.<sup>7</sup>

The US Department of Education's (ED's) Office for Civil Rights (OCR) noticed that many Title IX complaints were from institutions that had no Title IX Coordinators or, in many cases, Coordinators who carried the title with little or no institutional support or training. There were also numerous examples of designated Title IX Coordinators never being informed of their responsibility. In 2004, OCR sent reminder letters to school district superintendents and college presidents about the requirement to appoint Title IX Coordinators.<sup>8</sup> OCR and the Department of Justice Civil Rights Division also included information on the roles and responsibilities of Title IX Coordinators in their policy guidance documents such as those related to preventing sex discrimination in single sex education, sexual harassment and sexual assaults and athletics.<sup>9</sup> The 2007 *Handbook for Achieving Gender Equity through Education*<sup>10</sup> describes the important roles of Title IX Coordinators in State Education Agencies (SEAs) and Local Education Agencies (LEAs) and even provides a list of Title IX Coordinator responsibilities developed by state Title IX Coordinators.

For the first time, OCR's mandatory 2013-2014 Civil Rights Data Collection (CRDC) requested contact information on Title IX and other Equity Coordinators in PreK-12 school

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<sup>7</sup> These self-assessments were just required for three years until 1978 after the regulation was issued in 1975, but some states and other recipients wisely continued this practice of institution wide Title IX compliance reviews.

<sup>8</sup> See [http://www2.ed.gov/about/offices/list/ocr/responsibilities\\_ix.html](http://www2.ed.gov/about/offices/list/ocr/responsibilities_ix.html) and [http://www2.ed.gov/about/offices/list/ocr/responsibilities\\_ix\\_ps.html](http://www2.ed.gov/about/offices/list/ocr/responsibilities_ix_ps.html) for these letters.

<sup>9</sup> "Title IX Defined," Feminist Majority Foundation, <http://feminist.org/education/titleix.asp>

<sup>10</sup> Chapter 5, "The Role of Government in Advancing Gender Equity in Education" by Nash, Klein, Bitters, Howe, Hobbs, Shevitz, Wharton and Smeal pages 63-101 in *The Handbook for Achieving Gender Equity through Education*, 2007, 2<sup>nd</sup> Edition, Editors: Klein, Richardson, Grayson, Fox, Kramarae, Pollard, and Dwyer. <http://www.feminist.org/education/handbook.asp>

districts/Local Education Agencies (LEAs). This contact information includes names, telephone numbers, and email addresses of the Coordinators focusing on sex, race and disability discrimination in approximately 16,000 LEAs. When using email addresses to count the LEA Coordinators, FMF researchers found 16,658 Coordinators listed for disabilities, 16,637 for sex, and 16,496 for race. The differences in these numbers make sense, as only sex and disabilities Coordinators are required under Title IX and Section 504 of the 1973 Rehabilitation Act. Race discrimination Coordinators, on the other hand, are not required under federal legislation, but may be required under state legislation. We also note that in many cases the same LEA Coordinator is listed as responsible for sex and race discrimination (14,004) or sex and disability discrimination (10,285) and race and disability (10,596). We were also surprised that some of these LEA anti-discrimination Coordinators were responsible for more than one LEA. For example, 283 Title IX Coordinators served two LEAs and twelve served ten or more – with one listed as serving 34 LEAs. The information on the Title IX Coordinators is available to the public from the OCR CRDC website or an AAUW web-based map which shows the location and contact information of these Title IX Coordinators by state.<sup>11</sup>

Similarly, the White House Task Force to Protect Students from Sexual Assault, in its 2014 "Not Alone" report promised that the ED Office of Postsecondary Education (OPE) would identify and disseminate contact information on Title IX Coordinators in public and private US colleges and universities on an ED website. Contact information for at least one Title IX Coordinator from each of the 7,000+ postsecondary institutions is now available on <http://ope.ed.gov/campusafety>.<sup>12</sup> This Title IX Coordinator contact information was required before institutions were able to submit their required 2014 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act reports. The annually-updated website on which the public can view the reports is called the "Campus Safety and Security Data Analysis Cutting Tool." To find Title IX Coordinator contact information for each institution (name, email and tel.) go to the "Get Data for One School" section of the website. Additionally, postsecondary institutions should provide updated contact information for all their Title IX Coordinators on their respective websites.

From early contacts, it appears that many of these postsecondary Title IX Coordinators may not have responsibility beyond sexual harassment and assault issues and that only the lead

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<sup>11</sup> See <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-2013-14.html> and <http://www.aauw.org/resource/find-your-title-ix-coordinator>

<sup>12</sup> The required Clery 2014 data was collected from 7,066 institutions with 11,611 campuses. Information from 2015 should be available in Dec. 2016 according to [Ashley.Higgins@ed.gov](mailto:Ashley.Higgins@ed.gov) from the Office of Postsecondary Education.

Title IX Coordinator may be listed for all the institution's campuses even if there are additional Title IX Coordinators serving different schools or specialty areas. Hopefully, all the additional university and college Title IX Coordinators will be listed on the websites of their own institutions along with required grievance procedures and information on Title IX Complaints and Resolution Agreements.

In April 2015, the OCR issued long-awaited comprehensive guidance on the roles and responsibilities of employees designated as Title IX Coordinators.<sup>13</sup> This guidance was needed to update procedures such as posting Title IX Coordinator email contact information on education institution websites, which did not exist in 1975 when the regulation was written. The guidance reinforced the often-neglected broad responsibilities of well-trained and supported Title IX Coordinators to end the sex discrimination in education institutions covered by Title IX. The guidance also ensures that Title IX Coordinators are expected to act proactively and straightforwardly to prevent and end sex discrimination, rather than hiding the violation to make their institution and employers appear to be in compliance with Title IX. This OCR guidance also includes important provisions about avoiding conflicts of interest by assigning Title IX Coordinators who would not have conflicting responsibilities. For example, the Title IX Coordinator should not also be the Athletic Coordinator, who may have made decisions primarily to help the teams, or the institution's legal counsel, who interprets Title IX. Instead, individuals with these legal and supervisory responsibilities should be part of a team that supports and helps Title IX Coordinators obtain the correct information and sufficient resources to identify and stop any sex discrimination.

### Highlights of the OCR 2015 Title IX Coordinator Guidance

- Include complete and current name and email information on Title IX Coordinators (and Title IX itself) on the recipient institution's website and share it with their communities in other ways.<sup>14</sup>
- In each recipient organization use Title IX Coordinators (individually or collectively) in conjunction with other officials to attend to all aspects of Title IX. If the institution is

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<sup>13</sup>This OCR guidance is found in a Dear Colleague letter to school district superintendents or college presidents (<http://www.feminist.org/education/Ddfs/colleague-201504-title-ix-coordinators.pdf>), a second letter to Title IX Coordinators (<http://www.feminist.org/education/pdfs/dcl-title-ix-coordinators-letter-201504.pdf>), and a Title IX Resource Guide (<http://www.feminist.org/education/Ddfs/dcl-title-ix-coordinators-guide-201504.pdf>). This information and much more is also available on the OCR website [www.ed.gov/ocr](http://www.ed.gov/ocr).

<sup>14</sup>OCR April 24, 2015 Dear Colleague: Title IX Coordinators letter p.6 says, "OCR encourages recipients to create a page on the recipient's website that includes the name and contact information of its Title IX coordinator(s) relevant Title IX policies and grievance procedures, and other resources related to Title IX compliance and gender equity. A link to this page should be prominently displayed on the recipient's homepage."

large, the team of Title IX Coordinators specializing in academics, sexual harassment and assault, career technical education, athletics, school discipline, working with pregnant and parenting students, non-discrimination related to sex separation or employment, etc. should be coordinated by a lead Title IX Coordinator.

- Institutions covered by Title IX should appoint and support qualified Title IX Coordinators and give them training, resources, and authority to do their job well while avoiding conflicting interests or threats of retaliation.<sup>15</sup> As previously noted, Title IX Coordinators must also maintain independence and the ability to be proactive in preventing sex discrimination. Although "the Title IX coordinator should work closely with many different members of the school community, such as administrators, counselors, athletic directors, non-professional counselors or advocates, and legal counsel, ---these employees may not be formally designated as Title IX coordinators."<sup>16</sup>
- Title IX Coordinators should be proactive in developing and revising policies and training, community outreach, providing technical assistance, and monitoring compliance with Title IX in addition to being responsive in implementing effective Title IX grievance procedures and resolving complaints. They should have "access to all of their institution's relevant information and resources"<sup>17</sup> and help "ensure that their institution's information is accurate, comprehensive, and effectively used to cure civil rights violations or prevent them from occurring."<sup>18</sup>

Although there is continual tension over federal and state roles in improving education, especially in areas like curriculum and testing, the federal government has a uniquely strong and clear leadership role in implementing federal civil rights laws such as Title IX.<sup>19</sup> Many states also have complementary state Equal Rights Amendments or Title IX type laws and regulations which prohibit sex discrimination. In Washington State, for example, the state laws are stronger and more explicit than Title IX in prohibiting sex segregated education and discrimination on the basis of sexual orientation or identity.

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<sup>15</sup> OCR April 24, 2015 Dear Colleague Title IX Coordinators letter, p.2 says: "The Title IX coordinator's role should be independent to avoid any potential conflicts of interest and the Title IX coordinator should report directly to the recipient's senior leadership"

<sup>16</sup> OCR Title IX Resource Guide, April 2015, page 3. This new guidance is intended to avoid conflicting interests, but many Title IX Coordinators currently hold these titles.

<sup>17</sup> OCR Title IX Resource Guide, April 2015, page 2.

<sup>18</sup> OCR Title IX Resource Guide, April 2015, page 25

<sup>19</sup> "Title IX Coordinators: Key to Fighting Sex Discrimination in Education" <http://feminist.org/education/pdfs/Title-IX-Coordinator-Handout.pdf>

This FMF Title IX Coordinator research report examines current aspects of the Title IX infrastructure and suggests how it can be improved. FMF found limited compliance with many aspects of the OCR Title IX Coordinator guidelines in part because of the short time duration between April 2015, when the guidelines were issued, and the end of 2015 when most of the data was reported. However, we agree that the principles behind these guidelines are critically important and that they should be followed.

### **The Focus of this Research on Title IX Coordinators and the Title IX Infrastructure**

The FMF Education Equality Program has been interested in learning about and supporting Title IX Coordinators since our program's inception in 2003 and has maintained web pages focusing on Title IX and Title IX Coordinators. A key part of this work has been maintaining a list of state education agency (SEA) Title IX Coordinators and related gender equity experts. This FMF list has been expanded to include Title IX Coordinators in large cities and large school districts. We will generally refer to this list of "State & Large School District Title IX Gender Equity Coordinators, Methods of Administration Coordinators, and other State Level Gender Equity Experts"<sup>20</sup> as the *FMF List of Title IX Coordinators*. The list contains contact information for about 200 Title IX Coordinators and related agency staff with expertise in gender equity. FMF has also been urging publication of additional web lists of Title IX Coordinators. As described earlier, in 2016 the Department of Education released results from its Civil Rights Data Collection (CRDC) and Cleary Act Reports which included contact information for 16,000+ school district and 7,000+ college and university Title IX Coordinators. This contact information for 2013-14 is available on ED maintained websites. (See Notes 11 and 12).

In the summer of 2013, the Feminist Majority Foundation's Education Equality researchers tried to learn how state Title IX Coordinators worked with Title IX Coordinators in the nation's largest cities and school districts. The objective was to identify where federal and state education agencies and school districts are working together to implement Title IX and if possible to learn about their Title IX work. This research was repeated in the summer of 2015 in the hopes that we would start to see improvements following the OCR April 2015 Title IX Coordinator guidance. FMF hoped to find adequate and consistent national support for Title IX Coordinators using networks and other implementation strategies at the school, district, or state level. The goal is to envision and develop a viable and effective Title IX implementation infrastructure composed of all these components.

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<sup>20</sup> FMF has been maintaining a web listing of state and other Title IX Coordinators for over a decade. It built on an initial list established by the WEEA Equity Resource Center funded by the Women's Educational Equity Act. A recent version of the list is on <http://feminist.org/education/TitleIXcoordinatorsNetwork.asp>. [feminist.org/education/pdfs/State-TitleIX-Coordinators.pdf](http://feminist.org/education/pdfs/State-TitleIX-Coordinators.pdf).

These infrastructure networks should be both vertical and horizontal. The vertical components would focus on both top-down and bottom-up interaction and collaboration among Title IX experts in different levels of government, from federal civil rights administrators (including Equity Assistance Centers) and Title IX Coordinators in state and local education agencies, individual pre-K-12 public schools, and postsecondary institutions.

The horizontal infrastructure has multiple dimensions. Horizontal connections would encourage collaboration and exchanges among peer Title IX Coordinators (among states, districts, and schools) and with Title IX Coordinators and other civil rights experts and advocates. It would also encourage exchange of best practices among gender equity experts in specific areas of sex discrimination ranging from employment, to career and technical education, sex segregation, and sexual harassment and assault.

The full vertical and horizontal Title IX implementation network or infrastructure should help increase the ability of Title IX Coordinators to improve school climates, reduce gender and other types of stereotyping and discrimination, and ensure long-term compliance with all aspects of Title IX. It should also help fight intersectional discrimination against individuals on the basis of their sex and subgroup such as race and disability. Since so many aspects of discrimination result in double or triple jeopardy,<sup>21</sup> to provide equal educational opportunities to all, this vertical and horizontal network should be fully integrated with civil rights efforts to end race, national origin, disability, economic, and sexual orientation and identity discrimination. It is also important that all stakeholders, especially equity advocates/experts and responsible educators and policy makers be involved in identifying problems and implementing effective solutions to end both overt and subtle discrimination.

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<sup>21</sup> Many sex segregated public schools and classes are also racially segregated. This combined sex and race segregation often facilitates both race and sex stereotyping. Similarly, minority boys are likely to be over-represented in programs for individuals with disabilities.

## II. Findings

While many of the insights and recommendations in this report come from the authors' knowledge of how federal and state governments have been addressing gender equity in education for the past four decades, we benefitted from some recent research on Title IX Coordinators and SEA Title IX websites by FMF and three other gender equity advocacy organizations.

### FMF Efforts to Contact Large City/District Title IX Coordinators

During the summers of 2013 and 2015, FMF researchers used action research to learn about the vertical relationship of state and large city/school district Title IX Coordinators throughout the nation. We also included these Title IX Coordinators on our FMF List of Title IX Coordinators. In 2013 we identified 16 states<sup>25</sup> containing the 25 largest US cities according to the 2010 census. The 2015 FMF researchers identified 14 states with the twenty-five largest US school districts based on student enrollment in 2012-13<sup>26</sup>.

In both years, we first tried to contact the Title IX Coordinators in each of the state education agencies to obtain their help in identifying the Title IX Coordinators in the large cities/school districts in their states<sup>27</sup>. If they did not provide that information, we then tried to find contact information for Title IX Coordinators by searching the school district websites and then telephoning various school district offices until we found someone with Title IX Coordinator responsibilities.

The following chart shows the states, cities, and school districts the FMF researchers tried to contact in the summers of 2013 and 2015. Although our initial attempts to locate Title IX Coordinators in 25 large cities/districts were often unsuccessful, we persisted and now have added contact information on 37 large city/school districts to the *FMF List of Title IX Coordinators*.<sup>28</sup>

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<sup>25</sup> Including Washington, DC.

<sup>26</sup> The 2015 FMF researchers used a 2015 Architectural Portfolio listing of 100 largest school districts in the US by enrollment (2012-2013). When we were not able to identify the Title IX Coordinators in the largest Texas school districts, the IDRA Equity Assistance Center found this information for us to include in our FMF List of Title IX Coordinators. We included Washington, DC in both 2013 and 2015 lists.

<sup>27</sup> We identified these 2013 states through a Wikipedia list of the largest cities in the United States, according to the 2010 census. In 2015 large school districts were selected as there was often confusion about cities with both city and country school districts, as in Baltimore. The state of Hawaii has one school district for the state.

<sup>28</sup> In comparing the 2013 list of large cities and the 2015 list of large districts, there was only a full overlap for Los Angeles, San Diego, Jacksonville, FL, Chicago, Charlotte, New York City, Philadelphia, Memphis, Dallas, Houston and Washington, DC. It is

## Largest Cities and Districts used in this FMF Research

	List Used in 2013	List Used in 2015
State	Largest Cities from 2010 Census	Largest School Districts by Enrollment 2012-13
AZ	Phoenix <sup>29</sup>	
CA	Los Angeles	Los Angeles Unified
	San Diego	San Diego Unified
	San Francisco	
	San Jose	
FL		Miami-Dade County
		Broward County (Ft. Lauderdale)
		Hillsborough County (Tampa)
		Palm Beach County
	Jacksonville	Duval County (Jacksonville)
		Orange County (Orlando)
GA		Gwinnett County (Duluth)
		Cobb County School District (Metro Atlanta)
HI		Hawaii Public Schools
IL	Chicago	City of Chicago
IN	Indianapolis	
MA	Boston	
MD		Montgomery County
		Prince George's County
	Baltimore City	Baltimore County
MI	Detroit	
NC	Charlotte	Charlotte-Mecklenburg County
		Wake County

interesting to note that large cities and large districts are often different. For example, in 2013 the researchers contacted Baltimore City Public Schools, but in 2015 they found that Baltimore County Public Schools was the larger school district. Our total reached 37 instead of 25 because we included both the school districts serving the 25 largest cities as well as the largest enrollment school districts.

<sup>29</sup> Phoenix contains 30 school districts and 325 schools. These districts were not large enough to include in FMF's web list of Title IX Coordinators.

NV		Clark County (Reno area)
NY	New York City	New York City
OH	Columbus Public Schools	
PA	Philadelphia	Philadelphia Public Schools
TN	Memphis	Shelby County Schools (Memphis)
	Nashville (Davidson County) <sup>30</sup>	
TX	Austin	
	Dallas	Dallas Independent School District
	El Paso	
	Fort Worth	
	Houston	Houston Independent School District
		Cypress-Fairbanks Independent School District (Houston)
	San Antonio	Northside Independent School District (San Antonio) <sup>31</sup>
VA		Fairfax County
Washington	Seattle	
Washington, D.C.	Washington, D.C.	Washington, D.C.

**Identification of Title IX Coordinators:** In both 2013 and 2015 FMF researchers started by contacting the SEA Title IX Coordinators that were on our FMF List of Title IX Coordinators and by checking the SEA websites for contact information on the large school district Title IX Coordinators in their state. In 2013 five state education agency websites included lists of their K-12 district Title IX Coordinators. They were Connecticut, Maryland, Georgia, North Carolina, and Utah. However, Georgia’s list had not been updated since 2005 and North Carolina’s list had not been updated since 2009 so their utility was limited in finding their state’s current large city or district Title IX Coordinators. The most recent 2016 *FMF list of Title IX Coordinators* stars four state education agency websites (Connecticut, Maryland, Utah, and Washington) for

<sup>30</sup> Metro Nashville-Davidson County School District is composed of 17 independent school districts.

<sup>31</sup> This district is now larger than San Antonio ISD, but it was not on the original 2015 list as one of the nation's 25 largest school districts.

providing current lists of their K-12 school district Title IX Coordinators. Florida and Hawaii had lists of Title IX Coordinators in their public postsecondary schools<sup>32</sup>.

When FMF researchers did not obtain help from State Title IX Coordinators in finding the large city/district Title IX Coordinators, we focused on finding them on their school district websites. In our summer 2013 internet research on these large city school districts, of the promising website leads we were able to verify and obtain telephone and email contact information on only thirteen cities with Title IX Coordinators and on only ten large school districts in July 2015. Although the April 2015 OCR Title IX Coordinator guidance requires easily accessible web posting of Title IX Coordinator contact information, we rarely found it.

Later in 2015 we were very persistent and asked other experts such as the Equity Assistance Center Directors for help and in some cases made over 25 calls to different offices within a school district to try to find a Title IX Coordinator. When it appeared that there was no designated Title IX Coordinator, FMF researchers explained to a person in a relevant district office that at least one Title IX Coordinator was required, and we encouraged the district to let us know who they would appoint so we could include that person in the public FMF List of Title IX Coordinators, and add them to the FMF email list to receive information on Title IX. By the end of 2016, another way to find required school district Title IX coordinators will be to check the districts' mandatory response to the previously discussed Civil Rights Data Collection (CRDC) requirement to provide names and email contact information on their school district Title IX Coordinator(s) when these 2013-15 results are released by OCR<sup>33</sup>.

**Contacting the Title IX Coordinators:** After identifying a few of the large city/district Title IX Coordinators in both 2013 and 2015, FMF researchers tried to contact them to learn more about their roles as Title IX Coordinators and their interactions with other Coordinators. For both summers of 2013 and 2015, FMF researchers used a variety of questions for the Coordinators, including information about how much of their time is spent on Title IX, whether their job focus is primarily proactive or reactive, if they prepare or attend trainings on Title IX, and to explain their relationships with other Title IX Coordinators. (Appendix A contains questions used in 2013 and 2015.)

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<sup>32</sup> The Florida Department of Education website has a list of Equity Coordinators for its own 28 postsecondary institutions, but no information on K-12 district Title IX Coordinators and little information on Title IX or other civil rights laws. Both Florida and Hawaii have postsecondary education Title IX Coordinators with responsibility for working with these campus Title IX Coordinators.

<sup>33</sup> On 15 Jan. 2016, OCR, Deputy Principal, and Assistant Secretary Seth Galanter informed us of a 99% response rate to this mandatory survey and that since it had just been closed, OCR anticipated reporting results in spring 2016.

Each Title IX Coordinator's experience was unique, so we had open-ended conversations focused on the individual Coordinator's work, instead of just generating summary statistics based on specific answers to our questions. We were trying to gather information, but also lay the foundation (or in some cases build upon an existing one) for a productive relationship between FMF and that Coordinator in the future. In both the summers of 2013 and 2015, FMF researchers found it especially difficult to identify and then use an informal telephone interview with the large district Title IX Coordinators.<sup>34</sup> (We had somewhat better results in contacting state Title IX Coordinators as many of them knew about our FMF work and had been receiving periodic emails from FMF on Title IX issues.) The newly identified state and district Title IX Coordinators asked to be included in this email list.

We identified some commonalities among the five Title IX Coordinators we were able to speak with in 2013 (the State Coordinators of California, North Carolina, as well as the District of Columbia, and the districts of San Francisco and Los Angeles<sup>35</sup>). The biggest obstacle for most Coordinators appeared to be limited resources, including their own time. Most Coordinators seemed enthusiastic and interested in being proactive, but had several other responsibilities, forcing Title IX to take a back seat. We also talked to several Coordinators who were about to leave or just entering the position. This meant that sometimes if the state Title IX Coordinator had previously been doing proactive work, like in North Carolina and Maryland, it was unclear whether implementation will continue at similar levels or drop off with the staff change.

In 2015, we gained some insights from talking with eight state Title IX Coordinators (California, Florida, Georgia, Hawaii, Nevada, North Carolina, Tennessee, and Texas) and seven school district Coordinators with some Title IX responsibilities. They were from San Diego and Los Angeles; Baltimore County Public Schools; Clark County, NV; Hawaii; Cobb County, GA; and Wake County, NC. We found that some of the large school district Title IX Coordinators were only willing to talk with us or supply any information if they obtained formal permission from their legal offices. In some cases, they just assured us their district was in compliance with Title

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<sup>34</sup> In both the summers of 2013 and 2015, FMF researchers discussed our questions with only a small number of state and district coordinators<sup>34</sup>. Some were unwilling or unable (usually due to time constraints) to speak with us, although many did confirm through email that they were still serving in the position. There are a variety of possible reasons for the lack of responsiveness, but without more information it is hard to deduce what kind of support would be most effective in not only increasing their responsiveness to questions but in increasing their leadership and proactive work to end sex discrimination. FMF did most of this research during the summer, when many school employees take their vacation and we frequently received "Out of Office" messages.

<sup>35</sup> The structure in Washington D.C. is similar to the states: there are state Title IX Coordinators in the Office of the State Superintendent of Education (OSSE) as well as district Title IX Coordinators. In July 2013 we were able to talk to the state Title IX Coordinator and a DC Public School District Title IX Coordinator. The DC Office of the DC State Superintendent of Education (OSSE) is the administrator for the Charter Schools, most of which are called separate school districts. The Title IX Coordinator for Athletics, in OSSE was established in November 2013 and this office has a website <https://dcaasports.org/programs/title-ix/>

IX, but provided no additional information. We do not know if these Title IX Coordinators were familiar with the OCR prohibitions banning retaliation against an employee who provides information about the enforcement of Title IX to advocacy groups<sup>36</sup>. If they were aware that their district's attention to implementing Title IX was inadequate, it is possible that fear of retaliation may have kept them from providing this information for our national report.

### Comparison of State Education Agency Title IX Coordinators from 2013 to 2015

FMF was able to use our continually updated *FMF List of Title IX Coordinators* to learn if key state Title IX Coordinators in 2013 remained in that position in 2015. This FMF list also provides some information on the multiple responsibilities of Title IX Coordinators. For example, some indicate they are also 504 and MOA Coordinators or even the head of their SEA's equity office. While we recognize the value of having experienced Title IX Coordinators assume new important positions where they can continue to help educate others about Title IX, we also see great value in having stable high-performing State, District and School Title IX Coordinators who can provide state and national leadership in building networks and keeping up with the complexities of Title IX implementation.

To learn about the stability of State Title IX Coordinators over the two years we counted the number of states that had new key Title IX Coordinators in 2015. We found substantial turnover. Key Title IX Coordinators in at least 20 states changed from 2013 to 2015. (We counted only one Title IX Coordinator per state including DC, but not the territories). There were also many changes in Methods of Administration (MOA) Coordinators, who are required to ensure equal opportunity with respect to career and technical education regardless of race, color, national origin, sex, or disability. In some states the changes were due to the addition of MOA Coordinators, not to the replacements of previous 2013 MOA Coordinators. It is likely that the consistent federal attention to the MOA Coordinators, including annual OCR facilitated meetings and enforcement of states' requirements for submitting civil rights compliance reviews, have influenced states to better support MOA Coordinators in 2015 than in 2013. In 2015, the Title IX Coordinator also served as a MOA Coordinator in twelve states. In five of these states, this was the only equity expert that we identified. However, most states had additional Title IX and/or MOA Coordinators at the K12 or postsecondary levels. Our list of these Coordinators has also helped us to learn of their responsibilities in addition to their Title IX work or if their Title IX work is specialized in one area, like employment.

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<sup>36</sup> See OCR 2013 guidance against retaliation for civil rights compliance. [www.ed.gov/about/offices/list/ocr/letters/colleague-201304](http://www.ed.gov/about/offices/list/ocr/letters/colleague-201304)

We are also concerned that the retirement of nationally recognized long-time state Title IX Coordinators such as William Howe in Connecticut, Linda Shevitz in Maryland, and Barbara Bitters in Wisconsin may hinder the development of state and national Title IX Coordinator networks, as well as effective Title IX implementation in their states. These Title IX Coordinators have been leaders in the former national Association for Gender Equity Leadership in Education (AGELE) and the ongoing National Association for Multicultural Education (NAME)<sup>37</sup>. National leadership is especially important now when the new Title IX Coordinator guidance provides a substantial opportunity for better implementation of Title IX. In Maryland and Connecticut, we also noted that their successors have been asked to do more without being given additional help however. Dr. Adrian Wood Connecticut Title IX Coordinator is continuing the extensive model Title IX Training established by Dr. William Howe. Renee Yarbough-Williams in Maryland is also continuing Title IX training and updated web listings of district Title IX Coordinators. We also note that many of the other, more experienced Title IX Coordinators are making progress in their states. Stability in this position is important especially when state superintendents or boards of education change.

After the implementation of the December 2015 *Every Student Succeeds Act (ESSA)*, consistent, high-quality Title IX leadership in SEAs is increasingly feasible. States now have more flexibility in using federal block grant resources than under previous versions of the federal Elementary and Secondary Education Act. State responsibility for compliance with Title IX and other federal Civil Rights laws has not diminished even though the Women's Educational Equity Act, a national discretionary program designed to help implement Title IX, was not included in the ESSA and the state vocational education sex equity coordinators are no longer required under the Perkins Career Technical Education legislation. States can provide this Title IX leadership by increasing support of their Title IX Coordinators.

### **Additional Research on District and School Title IX Coordinators**

FMF researchers focused on national data on Title IX Coordinators especially the relationship of state and large city school district K-12 Title IX Coordinators. The research by three additional equity organizations: Equal Rights Advocates (ERA), Oakland/Macomb County Michigan National Organization for Women (NOW), and the American Association of University Women (AAUW) has a more local focus although AAUW is working with their chapters throughout the nation and as of May 2016 has some information on K-12 district and school level Title IX Coordinators in over 27 states. This report looked only briefly at Title IX Coordinators in postsecondary education but the approximately 7,000 postsecondary institutions are an important part of the Title IX Infrastructure.

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<sup>37</sup> [www.name.org](http://www.name.org)

**ERA and NOW Research:** Both Equal Rights Advocates (ERA) and the Oakland/Macomb National Organization for Women (NOW) conducted multi-county surveys to identify district level Title IX Coordinators in their respective states of California and Michigan. Both studies started before the April 2015 OCR guidance on Title IX Coordinators was released. Surveys of 116 Bay Area school districts and 51 Oakland/Macomb County Michigan school districts each found inadequate support for Title IX Coordinators, similar to FMF’s summer 2013 and summer 2015 results. The ongoing AAUW project encourages their members to deliver the April 2015 OCR Title IX Coordinator Guidance resources to their local schools. The project is described in Appendix E: AAUW Web Pages on Providing OCR Title IX Coordinator Resources to Schools.

In their 2015 report “Ending Harassment Now: Keeping Our Kids Safe at School,” Equal Rights Advocates (ERA) analyzed responses to public records requests for “documents and information relating to their compliance with Title IX.” These requests went to 116 school districts in seven San Francisco Bay area counties<sup>38</sup>. This ERA report followed up on a 2012 NBC News investigation which emailed over 200 school principals asking how to contact their legally required Title IX Coordinator. Only a handful of principals identified an individual as a Title IX Coordinator. Both investigations revealed a “disturbing level of ignorance of Title IX and the issue of sexual harassment among Bay Area school principals”.<sup>39</sup> The ERA 2015 report found “many schools are not designating a specific employee as the Title IX Coordinator and are not identifying the Title IX Coordinators in any document provided to students or parents. In addition, the documents provided related to training were incomplete or nonexistent, which demonstrates the lack of training (or quality of training documents) received by Title IX Coordinators.” Specific findings include:

- *“Resolving Title IX complaints was the primary job function for only 4% of the Title IX Coordinators identified*
- *Only 6% of the Coordinators reviewed their school Title IX grievance procedures or other school policies and practices to ensure their effectiveness*
- *Only 7% of the Coordinators assessed their school’s compliance with Title IX and only 16% of the Coordinators assessed their district’s compliance.*
- *Only 8% of the Coordinators reviewed the school policies and practices to ensure that they were nondiscriminatory*

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<sup>38</sup> Equal Rights Advocates, 2015. Ending Harassment Now: Keeping Our Kids Safe at School, San Francisco, CA. <http://www.equalrights.org/wp-content/uploads/2015/06/era-title-ix-report.pdf> or [www.equalrights.org/powerofix](http://www.equalrights.org/powerofix) Report contains results from Title IX Coordinator Survey of 116 K-12 school districts in seven San Francisco Bay Area Counties. [www.equalrights.org/powerofix](http://www.equalrights.org/powerofix).

<sup>39</sup> Bay Area Schools Ignoring Title IX? October 31, 2012 Available at <http://www.nbcbayarea.com/investigations/Ingnoring-Title-IX-176518411.html> (As reported in Executive Summary of the 2015 Equal Rights Advocates report in reference above). There were 116 school districts in these 7 counties. (See p.3 of the report.)

- *More than 30% of Title IX Coordinators identified were not responsible for receiving and investigating Title IX complaints (p.9).*

Similar patterns of poor compliance were found in Michigan by the Oakland/Macomb National Organization for Women (NOW) Title IX Project staff under the direction of Martha O’Kray. After trying to obtain responses from a Fall 2014 emailed ten-question Title IX Compliance Survey which was issued as part of a Freedom of Information (FOI) request, many of the districts refused to comply. Consequently, the NOW chapter said it would simply request the information on a voluntary basis. However, only 6 of the 51 districts responded (12%). As a follow-up, in the August 2015, students searched the district websites for Title IX Coordinator and other Title IX information. They found that 13 districts had some useful information on Title IX, 19 had no information on Title IX and 19 at least mentioned Title IX. More details on findings and activist follow-up procedures including sending the OCR 2015 Title IX Coordinator Guidance is provided in Appendix D.

**AAUW Research:** AAUW project leaders are hearing that many schools and school districts did not have designated Title IX Coordinators, but if they did, these Coordinators rarely had adequate training or proactive strategies to ensure compliance with Title IX. They also found that many of their community schools said they would read the Title IX Coordinator guidance and do as required in appointing a Title IX Coordinator.

**Postsecondary Research:** While FMF is finding increases in Title IX Coordinators in colleges and universities, there is little national knowledge about the numbers, types and responsibilities of Title IX Coordinators in postsecondary institutions beyond the contact information for the Title IX Coordinators listed for the 7,000 colleges and universities in the Department of Education “School Safety and Security Data Analysis Cutting Tool” website which reports on statistics required by the Jeanne Clery Act. While there have been numerous Title IX complaints and lawsuits related to sex discrimination in postsecondary employment and athletics, many of these institutions are now hiring Title IX Coordinators and related staff to address sexual harassment and assault where there have been over 10,000 complaints.

A recent estimate is that “the cost of lawyers, counselors, information campaigns and training to fight sexual misconduct ranges from \$25,000 to \$500,000 and up at larger wealthier institutions.”<sup>40</sup> Harvard University has a full-time Title IX Officer who helps coordinate the work of 50 Title IX Coordinators in its various schools and a full-time Title IX Coordinator for Harvard

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<sup>40</sup> Colleges Spending Millions to Deal With Sexual Misconduct Complaints, Anemona Hartocollis, New York Times, March 29, 2016, [http://www.nytimes.com/2016/03/30/us/colleges-beef-up-bureaucracies-to-deal-with-sexual-misconduct.html?ref=topics&\\_r=0](http://www.nytimes.com/2016/03/30/us/colleges-beef-up-bureaucracies-to-deal-with-sexual-misconduct.html?ref=topics&_r=0)

College. The 5,000 member Association of Title IX Administrators (ATIXA) reports it is developing a Title IX Coordinator Data Base using voluntary submissions to its website, but this data base is not publicly available.<sup>41</sup> While ATIXA is not limited to postsecondary institutions, most of its members and services focus on providing training and resources for Title IX Coordinators/ Administrators and their colleagues in postsecondary education. Much of this training focuses on sexual harassment and assault issues.

## Analysis of Title IX Website Coverage in State Education Agencies and School Districts

**Overview of Title IX information on SEA websites:** FMF examined and reported on SEA Title IX Coordinators coverage of Title IX on their State Education Agency Websites in 2005<sup>42</sup> and 2008<sup>43</sup>. FMF researchers continued their examination of SEA Title IX information in 2013 and 2015 to learn about improvements. In particular, we wanted to know if the 2015 websites had been updated to refer to the April 2015 OCR Title IX Coordinator guidance, and if the websites had updated information on their school district Title IX Coordinators. Each state website was analyzed based on a variety of criteria: availability of state Title IX Coordinator information, district Title IX Coordinator information, information about complaint procedures and reporting requirements, training materials for Coordinators, and other resources about Title IX.

To check for progress, the 2013 researchers were able to compare what they found in the SEA Title IX websites to the findings in the 2008 FMF report on state Title IX web information<sup>44</sup>. Similarly, the 2015 FMF researchers compared state websites with the 2013 website analyses. To find all the SEA Title IX websites, we used links in the *FMF List of Title IX Coordinators*. In some cases, there was a URL for the specific Title IX or civil rights page and in other cases it was only a link to the main SEA website which we searched for Title IX information.

**2013 Results of FMF analysis of Title IX information on SEA websites:** In 2013, FMF researchers found that as of July 2013, 34 State Education Agencies had websites that included information on Title IX, while 13 (including DC) did not. Some states like Utah, Connecticut, North Carolina, and Maryland had extensive web pages dedicated to Title IX, while others

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<sup>41</sup> See <https://atixa.org/resources/title-ix-coordinators/>

<sup>42</sup> Title IX on State Education Agency (SEA) Websites: Who are Title IX Coordinators and What Do They Do? (2005) Feminist Majority Foundation [www.feminist.org/education/StateEducationAgencySites.pdf](http://www.feminist.org/education/StateEducationAgencySites.pdf)

<sup>43</sup> Gender Equity Information on State Education Agency (SEA) Websites. (2008) Feminist Majority Foundation <http://www.feminist.org/education/Title%20IX%20on%20State%20Education%20Websites%20Report%20603.pdf>

<sup>44</sup> Lisa Plotkin, "Gender Equity Information on State Education Agency (SEA) Websites," *Feminist Majority Foundation, 2008*, <http://feminist.org/education/Title%20IX%20on%20State%20Education%20Websites%20Report%20603.pdf>

provided minimal information solely as a part of other civil rights pages, or in passing when dealing with specific topics such as sexual harassment. Thirteen state Title IX websites improved from the 2008 report to 2013, while the quality of nine websites decreased because of outdated information, or because they removed specific pages about Title IX and Coordinator contact information.

Under the 1975 Title IX regulation, all recipients of federal support for education including state education agencies are required to provide contact information for at least one Title IX Coordinator. However, in 2013 we found that only 22 State Education Agency web pages listed a specific Title IX Coordinator with contact information, while 11 had contact information without a Coordinator name and 18 did not have Coordinator contact information at all. Twenty-five states had information regarding complaint procedures under Title IX, while four linked to the Department of Education's Office for Civil Rights web pages. Twenty-two had no information about filing complaints under Title IX or using other procedures such as lawsuits to end the sex discrimination.<sup>45</sup>

**2015 Results of FMF analysis of Title IX information on SEA websites:** FMF analysis of the July 2015 FMF spreadsheet<sup>46</sup> on SEA websites coverage of Title IX issues for 2013 and 2015 found:

- In 2015 sixteen states had contact information for their state Title IX Coordinators. This was down from 22 in 2013. On their SEA webpages 25 states did not include the name or contact information on anyone identified as having Title IX Coordinator responsibilities. Naming Title IX Coordinators and providing their contact information on their websites is explicit in the 2015 OCR Title IX Coordinator guidance for all recipients of federal financial support -- including individual schools. Although this guidance did not mention SEA responsibilities, they are certainly major recipients of federal funding for education.
- In 2015 websites of four states (Connecticut, Maryland, Utah, and Washington) included recent lists of K-12 school district Title IX Coordinators.
- In 2015 twenty states had information on their complaint procedures related to Title IX. This was down from 25 in 2013.
- Nine states mentioned Title IX training resources in 2015.
- Several states, such as Iowa and Montana, have linked to 2014 ED OCR guidance on single-sex education and 2015 guidance on Title IX Coordinators.
- Some states presented parallel and coordinated information on federal and state civil rights laws and guidance. Washington State has been a leader in this approach and Iowa has an Equity Education Page, but not a Title IX page.

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<sup>45</sup> See "Winning Title IX Cases" at [www.feminist.org/education/consequences](http://www.feminist.org/education/consequences).

<sup>46</sup> [www.feminist.org/education/pdfs/StateSitsExcel.pdf](http://www.feminist.org/education/pdfs/StateSitsExcel.pdf)

By August 2015 FMF researchers noted some improvements in Title IX web coverage by states as they added resources or information on training. Iowa, Montana, Utah and Washington had the most impressive improvements since 2013. States with fairly good information on Title IX generally included information on their state gender equity laws as well as federal civil rights laws. Some states such as Indiana and Minnesota included information on non-discrimination from the US Department of Agriculture, as they applied to school nutrition programs. The Iowa “School Leaders Update” included June 2015 EEOC guidelines on Pregnancy Discrimination and Related Issues.

However, in August 2015 we found 10 states that had more missing and unclear information on Title IX than they had in 2013. In 2015, North Carolina’s previously praised SEA Title IX website no longer had anything on Title IX. There was no list of Coordinators or information on finding state officials with Title IX responsibility. Similarly, the previously praised information on Title IX on the 2015 Georgia SEA website disappeared and only limited information on the state equity in sports legislation was visible.

**Searching for Title IX information on school district websites:** In 2015, FMF researchers usually had to search the large school district websites to try to identify the district Title IX Coordinator. In doing so, we also examined their website coverage of other aspects of Title IX. In many cases it was impossible to find any information on Title IX. Surprisingly some states and many of the school districts did not have a way to search their specific website for a topic like Title IX except by looking at likely web page titles such as “equity” or “laws and regulations” under various web page categories or sometimes an “A-Z” list of topics. The summer 2015 lead researcher prepared a SEA Title IX website analysis spreadsheet which updated the similar 2013 website analysis spreadsheet. It is available on <http://feminist.org/education/pdfs/StateSitesExcel.pdf>. The results for 2013 and 2015 analyses of the state Title IX website information are summarized in the next sections.

**Calling to Identify Title IX Coordinators:** FMF’s fall 2015 searches for Title IX Coordinators on large city/district websites were often disappointing. For example, we finally found a large city Title IX Coordinator listed on the last page of a student handbook that was on the district website. When we called her, she said she was leaving the district in a few days. (Over a year later, despite our numerous telephone requests, the district still has no permanent Title IX Coordinator.) In another district, it took over 15-20 fruitless calls (many to voicemails) to find someone with whom to inquire about the required Title IX Coordinator. Similarly, few districts responded with contact information on their Title IX Coordinators when we left email or voice messages, and we found that most of the school district telephone information operators had

never heard of a Title IX or an equity coordinator. Additionally, they had trouble giving us the name of an office that might have such information. Whenever FMF obtained a name of an individual who had some Title IX Coordinator responsibilities we included them in our *FMF List of Title IX Gender Equity Coordinators*. Upon reflection it is especially surprising that it was so difficult to identify large school district Title IX Coordinators because all 16,000 school districts were supposed to be providing contact information on their Title IX Coordinators for the Civil Rights Data Collection during 2013-14.

In examining the FMF List, we found that most large district Title IX Coordinators operated out of equity related offices. Some were in school attendance offices, curriculum and instruction offices, athletics offices, employee relations offices, and the office of the general counsel. The large school districts we examined were less likely to have information on Title IX on their websites than the state education agencies.

### Insights about Title IX Implementation from Selected States

We found several SEA websites with a rich array of easily accessible information on Title IX, though they have used diverse approaches. For example, many of these websites combine Title IX with information on other civil rights protections and some focus on Title IX and related state laws and regulations to end sex discrimination. This section on “Insights about Title IX Implementation from Selected States,” provides examples of good work and useful information from SEA Title IX Coordinators.

The first five of the nine states discussed below were target states for FMF’s 2013 and 2015 research because they were on our large city/school district lists. Among other things, we hoped to see some examples of a strong vertical infrastructure where state education agency Title IX Coordinators worked with the Title IX Coordinators in their large school districts, who in turn worked with Title IX Coordinators in each of the public schools. The five target states are California, Georgia, Hawaii,<sup>47</sup> Maryland and Washington. The other four states (Connecticut, Iowa, Montana, and Utah) were selected because they had useful Title IX information on their SEA websites.

#### California

In California, we were able to talk with the state Title IX Coordinator, Sharon Felix-Rochon, and two large district Title IX Coordinators in both 2013 and 2015. Felix-Rochon worked with some of the district Title IX Coordinators. She issued a state survey of Title IX Coordinators in September 2013 by asking County and District Superintendents, Superintendents of State

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<sup>47</sup>In Hawaii, the whole state is considered one school district.

Special Schools, and Charter School Administrators to collect contact information on school/district Title IX Coordinators (see Appendix B). She planned to post a directory of these Title IX Coordinators on the California Department of Education website.

This survey reminded these entities to actively comply with Title IX by designating Title IX Coordinators and also reminded them that Title IX *“protects male and female students, and employees in any educational entity that receives federal funds. In addition, Title IX protects transgender students and students who do not conform to sex stereotypes.”* Since the response to this CA survey was disappointing, Felix-Rochon planned to reissue it or obtain and use information from the 2013-14 CRDC, which has requested similar contact information on Title IX Coordinators in all US public school districts.

The California Department of Education has a Gender Equity/Title IX web page<sup>48</sup> which clearly identified Sharon Felix-Rochon as the Title IX Coordinator, as well as her many related responsibilities. It includes basic information on Title IX, the requirement for Title IX Coordinators, the 2013 Title IX District Notification Letter and Title IX Coordinator Survey in our Appendix B, and links to other Title IX resources in the US Department of Education, FMF and the National Women’s Law Center. The webpage also has links to a California “Uniform Complaint Procedures” and “Resolution of Discrimination/Harassment Complaint”.

We learned that like Felix-Rochon, the California School District Title IX Coordinators also have responsibility for enforcement of multiple federal and state civil rights laws, and that they (and their websites) give specific attention to protections related to sexual harassment and bullying. In 2013, we were able to talk with district Title IX Coordinators in Los Angeles (Kevin O’Connell) and San Francisco (Ruth Diep). In 2015 we talked with the Title IX Coordinators from San Diego (Michelle Crisci) and the new Title IX Coordinator from Los Angeles (Ben Nguyen). We learned that some of the District Title IX Coordinators do not oversee Title IX compliance in the public charter schools. One of the district Title IX Coordinators learned about the April 2015 Title IX Coordinator guidance from OCR by signing up for the US Department of Education OCR email announcements. Another had not known about this new guidance, but did know about the OCR single-sex guidance.

### Georgia

In the summer of 2015 we talked with State Title IX Coordinator, Therese McGuire, and with Director Steve Jones of the Interscholastic Activity Program in Cobb Country School District, just outside of Atlanta. We later learned that Darryl York was the overall Cobb County Title IX Coordinator. Therese McGuire worked with a state required survey on athletic participation and

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<sup>48</sup> [www.cde.ca.gov/re/di/eo/genequitytitleix](http://www.cde.ca.gov/re/di/eo/genequitytitleix)

managed grants related to disabled students, but she is broadening her Title IX coverage beyond implementing the 2000 Georgia “Equity in Sports Act”. She organized a very successful Technical Assistance workshop focusing on equity in athletics with the Atlanta ED OCR regional office in 2015 and plans more workshops to include other aspects of Title IX. She is also planning to revise and make the Georgia Title IX web information more accessible.

The 2016 Equity page on the Georgia Department of Education Website<sup>49</sup> was difficult to locate when searching the Georgia Department of Education website for Title IX. It did not provide contact information on the state’s Title IX Coordinator. A previous 2005 Table of (District) Equity Coordinators for Title IX, Section 504, Title VI and ADA has been eliminated. In addition to providing links to the Title IX statute and regulations, this GA Equity page has links to State Equity Laws such as Rule 160-5-1-.20 Gender Equity in Sports and the GA Gender Equity in Sports Act and Resource Manual. Page 5 of this manual says “The local school system must designate at least one employee as the sports equity coordinator to coordinate its efforts to comply with the Equity in Sports Act. This can be, but is not required to be, the same individual as the Title IX coordinator. The duties of the sports equity coordinator include investigating complaints received by the school system regarding noncompliance with the law.” The manual also clarifies when coed teams may be offered, even in contact sports.<sup>50</sup>

## Hawaii

In 2015 we talked with Michael Murakami, the new Title IX Coordinator for the Hawaii State Department of Education. In Hawaii, the State Education Agency is also the only Public K-12 School District but it has no provisions for Title IX Coordinators in any sub units or individual K-12 schools.<sup>51</sup> However, he said that the 2015 OCR Title IX Coordinator guidance has influenced him to be more proactive in various ways, including improving the SEA website so there will be greater compliance with the new guidance. Recent Title IX issues of concern in Hawaii relate to sports and the rights of transgender students. The September 2015 K-12 website<sup>52</sup> had minimal information on Title IX and did not provide contact information on the SEA Title IX Coordinator. However, it provided a link to the Hawaii Department of Education form to file a civil rights compliance complaint and the OCR Title IX website on sex discrimination<sup>53</sup> which was updated in April 2015.

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<sup>49</sup> [www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Equity](http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Equity)

<sup>50</sup> Georgia Manual (see above web link) pages 5-7.

<sup>51</sup> In connection with their Title IX Coordinator Project, Hawaii AAUW members are encouraging the state officials to employ Title IX Coordinators in sub units.

<sup>52</sup> [www.hawaiipublicschools.org/BeyondTheClassroom/SafeSchools/ReportAnIssue/Pages/home](http://www.hawaiipublicschools.org/BeyondTheClassroom/SafeSchools/ReportAnIssue/Pages/home)

<sup>53</sup> [www.ed.gov/about/offices/list/ocr/docs/tix-dis](http://www.ed.gov/about/offices/list/ocr/docs/tix-dis)

From Murakami, we learned that there is an additional state/district expert who deals with Title IX issues at the college and university level. As of September 2015, the University of Hawaii system, including all ten of its campuses, established the University of Hawaii Office of Institutional Equity headed by Director Jennifer Rose. The website for this new office<sup>54</sup> provides contact information for the office as well as for Title IX Coordinators in each of the University of Hawaii campuses along with community resources related to Title IX. It also provides guidance on protections against sex discrimination especially as it pertains to gender-based violence. In the future it may be expanded to include information on other types of discrimination.

### Maryland

Most of our information on Maryland came from an examination of their Title IX website information. We also spoke with April Lewis, the previous 2013 Baltimore County Public Schools Title IX Coordinator, and exchanged emails and calls with Renee Yarbough-Williams, the Maryland State Department of Education Equity Officer, including Title IX and ADA coordination. Unlike her predecessor, Linda Shevitz, Yarbough-Williams has no professional staff to help her. She had been approved to hire a staff member but the new governor's office required budget cuts and this position was cut.

In 2013, Maryland joined our list of good SEA Title IX websites because it included a variety of helpful resources. In August 2015, the Maryland State Department of Education website had contact information on Yarbough-Williams Title IX Coordinator and head of the Equity Assurance and Compliance Office as well as a 2016-17 list of County/District Title IX Coordinators.<sup>55</sup> However, as of Sept. 6, 2016 the redesigned website did not provide the April 2015 OCR Title IX Coordinator guidance although it did include a variety of Title IX resources and guidance information.<sup>56</sup> Yarbough-Williams organized a March 31, 2016 Title IX training for MD District and school Title IX Coordinators and liaisons. Additionally, she is increasing her collaboration with other Maryland State Department of Education staff members interested in Title IX.

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<sup>54</sup> [www.hawaii.edu/titleix](http://www.hawaii.edu/titleix)

<sup>55</sup> <http://marylandpublicschools.org/about/Documents/Equity-Assurance/TitleIXCoordinators20162017.pdf>

<sup>56</sup> <http://www.marylandpublicschools.org/about/Pages/OFA/Equity-Assurance/index.aspx>

### Washington State

FMF researchers were impressed with many aspects of this Washington Office of Superintendent of Public Instruction Equity and Civil Rights Office website<sup>57</sup>. These extensive webpages provide clear contact information on SEA Equity Staff and a full listing of School District and Charter School Compliance Coordinators, including Title IX Officers<sup>58</sup>. The website provides multiple ways of accessing a comprehensive set of civil rights laws, guidelines and outreach materials based on federal as well as Washington state laws and resources. Much of the Equity and Civil Rights web information is organized around Washington State's own guidelines for prohibiting discrimination in Washington Public Schools -which in some cases may be even stronger than federal guidance. For example, the information on single sex classes states that "even if a single-sex class or activity is permissible under federal law, school districts in Washington must abide by Washington State law which prohibits single-sex classes".<sup>59</sup> This website also includes an extensive listing of suggested training materials and webinars<sup>60</sup>, as well as discrimination complaint procedures<sup>61</sup> and various accountability tools ranging from the "Evaluation of Bias Content in Instructional Materials" to "Athletic Self-Evaluation".<sup>62</sup> Another useful tool is a sample job description for a LEA Title IX/Sex Equity Officer.<sup>63</sup>

We also learned that after six months, parents of a high school rape victim finally learned about Title IX protections from the WA state Title IX Coordinator, Calandra Sechrist. They were finally able to obtain a settlement from the public school district, but were not satisfied with the way the district handled the case. The state Title IX Coordinator informed us of a North West US regional organization of Title IX Coordinators and others which facilitates both vertical and horizontal networking.

We are also providing information on four additional states (Connecticut, Iowa, Montana, and Utah, listed in alphabetical order). Based on the 2013 and 2015 FMF website analyses, these states had some of the best Title IX information.

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<sup>57</sup> [www.k12.wa.us/Equity/](http://www.k12.wa.us/Equity/)

<sup>58</sup> [www.k12.wa.us/Equity/ContactList.aspx](http://www.k12.wa.us/Equity/ContactList.aspx)

<sup>59</sup> [www.k12.wa.us/Equity/Districts/SingleSexClasses.aspx](http://www.k12.wa.us/Equity/Districts/SingleSexClasses.aspx)

<sup>60</sup> [www.k12.wa.us/Equity/Trainings.aspx](http://www.k12.wa.us/Equity/Trainings.aspx)

<sup>61</sup> [www.k12.wa.us/Equity/ComplaintOptions.aspx](http://www.k12.wa.us/Equity/ComplaintOptions.aspx)

<sup>62</sup> [www.k12.wa.us/Equity/A-ZTopics](http://www.k12.wa.us/Equity/A-ZTopics)

<sup>63</sup> <http://www.k12.wa.us/Equity/Districts/ComplianceCoordinators.aspx>

### Connecticut

Connecticut's former MOA Coordinator, Dr. Adrian Wood, is now both the MOA and Title IX Coordinator. Connecticut continues to be exemplary in working with and training their district Title IX Coordinators and providing web sources<sup>64</sup> to help end all types of sex discrimination.

In both the 2008 and the 2005 FMF reports, Connecticut was highlighted for its extensive Title IX web pages under sections on "About Title IX", "File a Complaint" and "Resources for Title IX Coordinators" and "School Harassment". The "About Title IX" section contains an annually updated Directory of Connecticut Title IX/Equity Coordinators which includes lists of Title IX Coordinators in a variety of institutions including Unified School Districts, Public Charter Schools, Connecticut Technical High Schools, and some types of Connecticut colleges and universities. The Connecticut Title IX web pages address sexual harassment, single sex education, pregnant and parenting students and many other Title IX issues. They also include links to information from OCR guidance including the April 2015 OCR guidance on Title IX Coordinators and the Title IX Resource Guide. Similarly, the "Resources for Title IX Coordinators" section provides training resources and sample forms and policies. In addition to providing links to Connecticut resources, such as an index of Connecticut laws on sex discrimination, these web pages provide links to high quality information on websites of national organizations with expertise in Title IX, as well as federal resources including US Supreme Court Title IX Decisions, and Case Summaries of Recently Completed Investigations from the US Department of Justice and from OCR. Information from this website can even be found on other state's Title IX pages.

### Iowa

Iowa's "Equity Education" web page<sup>65</sup> has information on Title IX as well as fairly extensive information on MOA compliance activities. IOWA continues to publish its monthly "School Leader Update" with a section on legal lessons from the Department's legal office. Some of these equity lessons cover Title IX such as the 2015 OCR guidance on Title IX Coordinators.<sup>66</sup>

### Montana

The Montana Office of Public Instruction has a fairly comprehensive Title IX webpage<sup>67</sup> which is one of the tabs in the overarching civil rights resources page. The Title IX page has many links to

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<sup>64</sup> [www.sde.ct.gov/sde/cwp/view.asp?a=2681&q=320472](http://www.sde.ct.gov/sde/cwp/view.asp?a=2681&q=320472)

<sup>65</sup> [www.educateiowa.gov/pk-12/accreditation-program-approval/equity-education](http://www.educateiowa.gov/pk-12/accreditation-program-approval/equity-education)

<sup>66</sup> <https://www.educateiowa.gov/legal-lessons>

<sup>67</sup> [http://www.opi.mt.gov/resources/civilrights/#gpm1\\_2](http://www.opi.mt.gov/resources/civilrights/#gpm1_2)

federal Title IX information from OCR and DOJ including the April 2015 Title IX Coordinator Guidance, the 2014 OCR guidance on Single Sex education, and 2014 guidance on Title IX and Sexual Violence and other important topics. However, it omits the name of Montana’s Office of Public Instruction Title IX Coordinator(s) and has no listing of the state’s district Title IX Coordinators. This Montana website includes information on related Montana non-discrimination laws by linking to the Montana Human Rights Bureau. It also provides links to Title IX Technical Assistance documents as well as Carl Perkins site reviews.

### Utah

FMF 2013 researchers were impressed by the Utah State Office of Education web coverage of Title IX. Their 2016 Educational Equality website has a Title IX page<sup>68</sup> with useful links to many Federal civil rights protections against sex discrimination in education. The “Contact Us” link includes the names of key Utah State Board of Education staff, but it did not specify their roles as Title IX Coordinators. However, under Contact Information there are December 2014 lists of district and charter school Title IX Coordinators<sup>69</sup>. There are also links to website resources such as FMF’s Education Equity web pages. In addition to including a Title IX tab, the overarching Utah Civil Rights website links to the May 2015 training on Charter Schools and Civil rights by the Region VIII Equity Assistance Center<sup>70</sup>.

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<sup>68</sup> [www.schools.utah.gov/equity/TitleIX.aspx](http://www.schools.utah.gov/equity/TitleIX.aspx)

<sup>69</sup> [www.schools.utah.gov/equity/TitleIX/SchoolDistrictCoordinators.aspx](http://www.schools.utah.gov/equity/TitleIX/SchoolDistrictCoordinators.aspx)

<sup>70</sup> [www.schools.utah.gov/equity/CivilRights.aspx](http://www.schools.utah.gov/equity/CivilRights.aspx)

## III. Conclusions about Reinvigorating Title IX Coordinators and their Work

### Inadequate Compliance with Title IX Coordinator Requirements

There is continued inadequate compliance with the 1975 regulatory requirement for Title IX Coordinators to protect students and staff from sex discrimination in all education institutions covered by Title IX, but there are indications that this can improve.

One of the key indications that we can end the underuse or lack of compliance with this important 1975 Title IX Coordinator requirement is the recent helpful role of OCR in ED. OCR has started to require more accountability by obtaining public web based contact information on Title IX Coordinators in higher education and for school districts and by issuing Title IX Coordinator Guidance in 2015.

This FMF report documents significant gaps in our expectations for full compliance with the Title IX Coordinator requirements. We estimate that there should be over 100,000 well trained proactive Title IX Coordinators across the nation. OCR's help in identifying 23,000 school district and postsecondary school Title IX Coordinators on public websites is a good start. However, we found no evidence that there were any systematic national plans to insure that all these Title IX Coordinators will be adequately trained and that they will adhere to the 2015 OCR Title IX Coordinator Guidance.

This 2015 OCR guidance for Title IX Coordinators is very helpful, but more clarification is needed on how the federal government and SEAS should work with gender equity advocates and school districts to assure the comprehensive appointment, training, monitoring, and support of Title IX Coordinators in the 95,000+ public K-12 schools. Since these public schools are direct or indirect recipients of federal financial assistance they are required to comply with Title IX. Provisions in recently introduced Gender Equity Education Act (GEEA) of 2016 include many promising funding requirements to help train and assist Title IX Coordinators in complying with the 2015 OCR Title IX Coordinator guidance. However, additional provisions are also needed. Such provisions include basic and advanced certification for Title IX Coordinators and systematic education of all educators and stakeholders about their rights and responsibilities to end sex discrimination and gender stereotyping .

The following are examples of the current gaping holes in implementing key aspects of the 2015 OCR Title IX Coordinator guidance (highlighted on pages 6 and 7):

- *It is rare to find proactive, well-trained, SEA or School District Title IX Coordinators who cover all aspects of Title IX either individually, or as a team or who provide training and assistance to Title IX Coordinators in all the district's schools.*

It is extremely rare to find any Title IX Coordinator whose entire job is focused on Title IX and related gender equity laws; most of those with the title of Coordinator only have a portion of their worktime allocated to those duties, sometimes a very small portion. Some SEA Title IX Coordinators are in charge of Civil Rights offices or have related additional roles, such as the state level Methods of Administration (MOA) Coordinator with specific responsibilities to end sex, race, and disability discrimination in career/technical education programs. Some of the State or District Title IX Coordinators may have full time Title IX responsibilities, but in some cases these responsibilities are limited to one topic such as athletics. For example, the Title IX Compliance Coordinator in Chicago is only responsible for sports administration. Her position was created as part of a Title IX athletics grievance resolution agreement. Similarly, Washington, DC's Office of the State Superintendent of Education (OSSE) has a full-time Title IX Coordinator for Athletics, but only an interim part-time Title IX Coordinator for other aspects of Title IX. This state level OSSE Title IX Coordinator is also the Director of the State Office of Career and Technical Education and the interim MOA Coordinator. A previous OSSE Title IX Coordinator covered all aspects of Title IX and even encouraged the appointment and training of Title IX Coordinators in the many DC public charter schools. In FMF's work with SEAs and large school districts we have encouraged, but not seen designations of lead Title IX Coordinators or mention of teams of Title IX Coordinators with specialties in different topics such as employment, academic, career technical education, or school climate issues.

The appointment of Title IX Coordinators in postsecondary institutions is improving with increased attention to their role in addressing and preventing sexual harassment and assaults on campuses. Recently with the hundreds of Title IX sexual assault complaints on campuses and the Jeanne Clery Act Amendments requiring increased data reporting, training, etc., it appears that most postsecondary education Title IX Coordinators are focusing on preventing or addressing sexual harassment and assault. More research is needed to learn if these Title IX Coordinators are also covering other important Title IX issues such as sex discrimination in academics, athletics, employment, and student services including ending sex segregation in science labs and other formal and informal university sponsored activities.

- *There is a lack of information on Title IX Coordinators and Title IX topics on most State Education Agency (SEA) websites. School district websites are typically worse.*

Although a few states have proactive Title IX/ Gender Equity Coordinators and a helpful array of Title IX information and appropriate links on their SEA websites, our research generally found very little Title IX information on either state or large school district websites. Over half the states failed to even provide a name and contact information for a Title IX Coordinator as required in the Title IX regulation and 2015 OCR guidance. Although this does not necessarily point to insufficient implementation of Title IX, when combined with the unresponsiveness from many of the Coordinators in states with large cities/ districts, FMF is concerned about inadequate visibility and use of Title IX Coordinators in eliminating sex discrimination in education. We also hope that Title IX Coordinators improve their websites so that they provide useful and updated information to their stakeholders on all aspects of Title IX.

- *There were many instances where Title IX Coordinators did not follow the independence and “full-time” recommendations in the OCR 2015 Title IX Coordinator Guidance or use a Lead Title IX Coordinator.*

FMF often found that contrary to OCR guidance for increased independence from administrators to avoid conflicting interests, Title IX Coordinators have served as the institution’s legal counsel, superintendent, or athletic administrator. In some cases we have seen a Title IX Coordinator protecting the administrators, rather than the students facing discrimination. FMF and the OCR guidance have encouraged Lead Title Coordinators to establish teams of Title IX Coordinators with expertise in various topics such as discrimination in academics, athletics, STEM, sexual violence prevention and employment. Such a practice may create more independence and make it more feasible to have effective part-time Title IX Coordinators as well as full-time Coordinators. For example, Harvard University has a full-time Title IX Officer and in May 2015 hired an additional full-time Title IX Coordinator specifically for Harvard College. It also employs a team of 50 Title IX Coordinators for its various colleges.<sup>71</sup>

- *Many of the current Title IX/Gender Equity Coordinators at the state and district levels are inadequately trained and supported by their institutions or stakeholders in providing high quality, systematic, supportive, sustainable and proactive leadership.*

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<sup>71</sup> [Titleix.college.harvard.edu/contact](http://Titleix.college.harvard.edu/contact)

In some states, there is no acknowledgement that the state Title IX Coordinators should be proactive in policy guidance, training, and assistance to other Title IX Coordinators and constituents in their state. For example, some states only see their Title IX Coordinator as protecting against sex discrimination of SEA employees. Few SEA Title IX Coordinators have provided leadership to other Title IX Coordinators within or among states. In most instances, their primary role is seen as reactive, focused on responding to complaints and issues brought to their attention and in protecting their employer from sex discrimination lawsuits. However, we are now seeing some State Title IX Coordinators (WA and MI) provide leadership by providing clarifications on safe and supportive learning environments for LGBTQ students and staff even before the 2016 OCR guidance on transgender students was issued.

Although FMF researchers had limited contact with preK-12 Title IX Coordinators in 36 or so of the largest US school districts and cities in the FMF List of Title IX Coordinators<sup>72</sup>, there is no evidence that these LEA Title IX Coordinators have fared any better than most state Title IX Coordinators. For example, we do not know if more of them have full time Title IX assignments, budgets, or connections with their school Title IX Coordinators, compared to the responsibilities and resources of the State Title IX Coordinators. We are also concerned with the lack of attention to trained and qualified proactive Title IX Coordinators in individual preK-12 public schools and public charter schools covered by Title IX.

- *There is little systemic oversight of the gender equity aspects of educational programs, resulting in inadequate compliance with OCR Title IX guidance. This has resulted in school sanctioned sex discrimination, especially related to single sex programs as well as inadequate protection of students and staff from sexual assaults.*

Such proactive oversight is difficult if the Title IX Coordinator is not provided with adequate training, institutional support and independence and freedom from administrative pressure and retaliation. For example, the Washington DC Empowering Males of Color program has many components which violate Title IX,<sup>73</sup> but the DCPS Title IX Coordinator and the Coordinators in schools implementing these programs have little power to stop these programs when the Mayor and the DCPS Chancellor proclaim

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<sup>72</sup> See State & Large School District Title IX Gender Equity Coordinators, Methods of Administration Coordinators & other State and District Level Gender Equity Experts. [www.feminist.org/education/pdfs/StateTitleIXCoordinators12-10-2015](http://www.feminist.org/education/pdfs/StateTitleIXCoordinators12-10-2015)

<sup>73</sup> Leaving Girls Behind: An Analysis of Washington, D.C.'s "Empowering Males of Color" Initiative, May 2016. American Civil Liberties Union, by Galen Sherwin Jennifer Wedekind and others. <https://www.aclu.org/report/leaving-girls-behind>

they are legal and needed. Such violations increase the need for external gender equity allies to work with Title IX Coordinators and other policy makers in states, districts, and schools. More ever we are alarmed that despite 2014 OCR single sex guidance on the need to have evidence that single sex classes and schools do not increase sex discrimination and stereotyping, there is an increase in this sex segregated public education especially in single-sex high schools serving high proportions of African American and Hispanic students from low income families.<sup>74</sup>

### Need to Repair and Expand the Title IX Infrastructure

In recent years, little deliberate attention has been paid to repairing or establishing a Title IX infrastructure to support Title IX Coordinators and the full implementation of Title IX, although such an infrastructure has antecedents that suggest it has been and would be very effective in addressing ongoing sex discrimination.

The Title IX Infrastructure supporting Title IX Coordinators and others as they work to end sex discrimination in education should be composed of smoothly functioning vertical and horizontal networks. We found some elements of these networks that can provide guidance for building this infrastructure.

#### Vertical Networks

FMF believes that if a top-down and bottom-up vertical network of federal, state, district, and school level Title IX Coordinators was adequately supported and used appropriately, it would be a strong leveraging link in creating a viable and effective national Title IX infrastructure to decrease sex discrimination and stereotyping. Since much of the sex discrimination in schools today is subtle or still taken for granted as acceptable, it is critically important to have Title IX Coordinators who are responsible for proactively identifying and remedying this important barrier to the success of male and female students and staff.

Previous sections of this report have described how Federal government programs supported various aspects of the Title IX infrastructure and how some states have done so as well. However, there is substantial diversity among states on ensuring compliance with Federal and state equity laws and policies, especially related to vertical gender equity leadership of Title IX Coordinators. For example, some states believe in local district control and do not recognize the SEA's leadership role in supporting proactive Title IX Coordinators. This leadership is also easier for states that have fewer than 40 school districts, than for those with hundreds.

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<sup>74</sup> [www.feminist.org/education/sexsegregation.asp](http://www.feminist.org/education/sexsegregation.asp)

FMF believes that state civil rights responsibilities should increase as more federal funds are sent as block type grants to states and as states continue to have substantial discretion in spending administrative support funding from the federal government and from their own state legislatures. Thus, we are optimistic about maintaining attention to Title IX and gender equality in the 2015 Every Student Succeeds Act (ESSA) even though the Women’s Educational Equity Act (WEEA) was no longer included in this reauthorized Elementary and Secondary Education Act.

States also differ in the types of SEA offices that house the Title IX Coordinators. Some Title IX Coordinators are located in SEA civil rights offices, some in legal or general counsel’s offices, some in athletics offices, some in career and technical education divisions, and some in human relations/personnel offices. Most of the current State level Title IX Coordinators are in state education agencies with responsibility for preK-12. Few states have anyone assigned to coordinate or advise postsecondary Title IX Coordinators and the few states that do so, such as Florida and Hawaii, focus on Title IX compliance in their state institutions of higher education even though almost all public and private postsecondary education schools must comply with Title IX<sup>75</sup>.

Our FMF researchers often found weak or (in many cases) no active links to establish a vertical network connecting Title IX Coordinators in individual schools at all levels of education, to their school district Title IX Coordinators, to their state Title IX Coordinators, to federal level Title IX administrators and to technical assistance providers<sup>76</sup>. For example, we found that few state Title IX Coordinators even had contact information for their state’s large school district Title IX Coordinators, but we are encouraging these states to use the new information on school district Title IX Coordinators that is now available from the 2013-14 CRDC results and in the AAUW interactive map. Similarly, some of these district Title IX Coordinators were not even aware that there were state Title IX Coordinators so we sent them the FMF list of these Coordinators. It is also apparent that often federal and state agencies have not made it clear that school level Title IX Coordinators are required, especially at the K-12 level.

We found only four states (Connecticut, Maryland, Utah, and Washington) with web lists of their district Title IX Coordinators. However, we are aware that some other state Title IX

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<sup>75</sup> The Civil Rights Restoration Act, which went into effect in 1988, made it clear that all institutions that receive any federal funds for education – including federal student aid. –must fully comply with Title IX except for some very limited religious exceptions.

<sup>76</sup> Federally supported Technical Assistance providers would include Equity Assistance centers as well as OCR and its regional offices.

Coordinators have (or are trying to establish) these lists (See Appendix B). The Iowa Title IX Coordinator has lists of Title IX Coordinators in their intermediate education agencies and also a procedure to review justifications for proposed single-sex education. From our work over the years, we conclude that in the states with the most active Title IX Coordinators, most of their work is both bottom-up and top-down in that they respond to questions from district level Coordinators and other district staff about compliance with Title IX and they also provide Title IX information both on their website and through group training.

While FMF has expanded its web listing of state Title IX Coordinators to include Title IX Coordinators in large school districts, the introduction to this *FMF List of Title IX Coordinators* has always described the importance of having school level Title IX Coordinators in the 95,000+ public Pre K-12 US schools. The AAUW experiences in helping their members deliver OCR Title IX Coordinator guidance to Title IX Coordinators in schools in their communities<sup>77</sup> indicates the willingness of many schools to appoint and support their Title IX Coordinators. The OCR leadership activities such as requesting and publicly posting contact information on District Title IX Coordinators in the Civil Rights Data Collection (CRDC) will help provide a key vertical link for SEA and local school Title IX Coordinators.

### Horizontal Networks

The horizontal networks may be local or national, but to date if they exist at all, they are mostly informal and sporadic. Instead, we hope they will be developed on purpose with Title IX Coordinators viewed as their key stakeholders and with consistent involvement of equity advocates/experts. Following are some important types of horizontal Title IX networks along with some examples of how they have or could function.

**Connections Among Title IX Coordinators:** To build an effective infrastructure to fully implement Title IX, there must be strong horizontal links among the Title IX Coordinators and their allies. Currently there is no mechanism or funding to help state Title IX Coordinators meet with and learn from each other aside from the informal FMF email list and public posting of these Coordinators on the FMF Title IX Coordinators web page<sup>78</sup>. Similarly, although the April 2015 OCR guidance advised doing so, there is little information on how school district Title IX Coordinators or school level Title IX Coordinators meet and learn from each other in training, mentorship, or other situations. In addition to connecting with and learning from Title IX

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<sup>77</sup> See Appendix E.

<sup>78</sup> See [www.feminist.org/education/TitleIXCoordinatorsNetwork](http://www.feminist.org/education/TitleIXCoordinatorsNetwork). Also note that the ED OCR facilitates a related network of MOA state level experts to meet and communicate with each other and a responsible OCR official as they address compliance with civil rights laws including Title IX in schools with career and technical education.

Coordinators in their state, district, or school as recommended in the OCR guidance, Title IX Coordinators with different areas of expertise -- ranging from academics, to athletics, to sexual assault, to employment discrimination -- should form teams with a designated lead Title IX Coordinator in their institution.

**Connecting Title IX Coordinators with their Institutional Allies:** Another dimension of horizontal networking is for Title IX Coordinators to work with key allies, including their institution's equity/ diversity experts or civil rights coordinators with responsibilities for ending discrimination against groups protected by the Federal and state civil and human rights laws. Title IX Coordinators should also work with other critically important institutional allies such as administrators, lawyers, counselors, union members, school boards, evaluation/accountability experts, etc. Some state Title IX Coordinators have posted information on other civil rights and human rights contacts on their websites. The names of the required school district Section 504 Coordinators to protect the rights of individuals with handicaps and other school district civil rights coordinators are also available from the mandatory Civil Rights Data Collection (CRDC).

**Connecting Title IX Coordinators with their own internal Stakeholder Allies:** These stakeholder allies would include parents and students in the educational institution covered by Title IX. They may be parts of formal groups such as PTAs or PTOs or campus civil rights or feminist groups or they may be small informal groups or individual students, school staff, and parents.

**Connecting Title IX Coordinators with their External Allies:** It is also important for Title IX Coordinators to work with external allies outside their institution such as equity experts in various topic areas, equity advocates such as members of AAUW, the National Organization for Women (NOW), Girl Scouts; Feminist Majority Foundation Campus Groups, the Boys and Girls Clubs, the American Civil Liberties Union (ACLU), and community organizations. Many of these organizations also work together through the National Coalition for Women and Girls in Education (NCWGE).

Title IX Coordinators may establish advisory groups to facilitate long term work with all these allies. The horizontal leveraging activities of these allies should involve collaboration and systematic attention to related civil rights protections as well as sharing in-depth information on identifying and ending sex discrimination in a wide variety of topic areas.

Some responsibilities related to these horizontal links are suggested in the April 2015 OCR guidance on Title IX Coordinators. This OCR guidance discusses having Title IX teams and the appointment of a lead Title IX Coordinator to ensure full compliance with all aspects of Title IX from athletics to academics to school climate and to involve allies who do not need to be school

employees -- as required for Title IX Coordinators. We have not seen much evidence of these teams as of 2016.

These horizontal links are especially important not only to create an effective support system but because it is common for individuals to face multiple jeopardies related to their sex, as well as their race, and disabilities. For example, girls with disabilities may be discriminated against in employment and are more likely than abled peers to be survivors of sexual harassment and violence. Similarly, it is common for discrimination cases to involve multiple issues such as sexual assault in athletics.

National organizations and websites may also provide helpful information on resources and experts on specific aspects of Title IX. For example, several key resource organizations and websites are now available on sexual harassment and assault at the K-12 and Postsecondary education levels<sup>79</sup>.

### **Promising and Effective Practices to Decrease Sex Discrimination in Education**

SEAs, LEAs, and school level Title IX Coordinators and their allies are using some promising and effective practices and policies to decrease sex discrimination in education, but they are not being systematically identified, publicized, and replicated regionally and nationally.

While we found some very knowledgeable Title IX Coordinators, they (and their state and district equity offices) were generally not well-supported or vested with authority and influence to provide systematic, supportive, and sustainable, leadership to other Title IX Coordinators, as well as to policymakers, stakeholders and equity allies. A primary way promising and effective gender equity activities are now shared is via Title IX focused web pages from SEAs and gender equity advocacy organizations.

***Training is a key strategy to ensure the effectiveness of Title IX Coordinators at all levels (State, District, School and PreK-12 to postsecondary).***

Although ending sex discrimination has become a more complex endeavor, training and learning opportunities have decreased for Title IX Coordinators and activist allies. Non-governmental Title

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<sup>79</sup> The [www.NotAlone.gov](http://www.NotAlone.gov) website provides links to governmental and nongovernmental resources mainly at the postsecondary level focusing on sexual assault. There is a related new website with K-12 focused resources at [www.stopsexualassaultinschools.org](http://www.stopsexualassaultinschools.org).

IX training programs are often expensive<sup>80</sup>. Similarly, although there is substantial discussion of the importance of teacher, administrator, parent and student training, we have seen little mention of this training pertaining to Title IX and gender equality in recent years outside of some specialized areas such as sexual harassment and assault and some STEM classes. Training and related certification programs have been effective in many areas of professional responsibility and need to be used wisely for Title IX Coordinators and their allies.

Resources at the SEA level for Title IX work vary according to the SEA leadership at the time. Connecticut has long provided Title IX training of its district Title IX Coordinators and it has also welcomed the attendance of Title IX Coordinators from other states. The continual and expanded training of Title IX Coordinators and their gender equity activist colleagues in and outside the institution is needed more than ever as we discovered substantial turnover in Title IX Coordinators at the SEA level and renewed need to establish more well-trained proactive Title IX Coordinators at all institutional levels. Our analysis shows at least 20 of the 51 key state Title IX Coordinators changed from 2013-15. This instability reinforces the need for continual training and support for new state and district Title IX Coordinators as well as the need for national networks where the Coordinators can help each other.

**Federal sponsorship for national meetings, training materials and other resources** has been important in assisting Title IX Coordinators, their stakeholders and other gender equity advocates. However federal support for the Perkins career and technical education sex equity programs, the Women's Educational Equity Act Equity Resource Center, and the Association for Gender Equity Leadership in Education (AGELE) have ended.

The Civil Rights Act Title IV ED funded Equity Assistance Centers (EACs) is one of the few remaining federal programs with broad responsibility for gender equity<sup>81</sup>, but most of their work (with increasingly limited resources) has been in the areas of race and national origin. Feedback on an early draft of this report from Equity Assistance Center Directors indicated that some EACs had recently provided Title IX training and assistance to both SEAs and LEAs. This was appropriate since EACs can promote equal educational opportunities free of charge (based on the EACs available federal funding) and they were anxious to provide more Title IX training and technical assistance services.

The 2016 revision of the EAC regulations which updated their definition of "sex desegregation" consistent with Title IX is helpful in increasing understanding of their broad coverage of Title

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<sup>80</sup> See Association of Title IX Administrators [www.Atixa.org](http://www.Atixa.org) and American Association for Access, Equity and Diversity <http://www.aaed.org/aaed/default.asp>

<sup>81</sup> Much of this was through their leadership and financial support of AGELE.

IX.<sup>82</sup> However, there did not seem to be any plans for the expansion of EAC funding to end sex discrimination. FMF comments on this proposed regulation objected to the provisions to eliminate funding directly to the states because this state funding provision had previously provided support for state Title IX Coordinators and FMF hoped that it could be used again if more funds were allocated to Civil Rights Act IV programs. However, the final regulation eliminated the potential for funding states by saying that the state funding had not been used for 20 years. The proposed and final rule also decreased the number of EACs from serving 10 geographical regions to 4 regions. The potential decrease in EAC funding and support organizations is a concern since few SEA or district budgets have provided resources or staff for implementing Title IX. Also, EAC funding related to sex discrimination would likely become a smaller portion since the proposed and final regulations added responsibility for religious desegregation to the previous categories of sex, race and national origin. The proposed priorities and requirements in the April 1, 2016 Federal Register and the final July 18 version of this rule<sup>83</sup> further compete with EAC resources to support Title IX by giving priority to socioeconomic integration strategies.

***Another important federal responsibility has been in finding and sharing what works.***

Currently, with the possible exception of some efforts in areas such as STEM, Career and Technical Education, and the prevention of sexual harassment and assault, there is no organized national effort to identify promising and exemplary programs, products and practices to decrease sex discrimination in education. In the late 1990s, the Gender Equity Expert Panel which used experts to identify promising and exemplary products and programs to increase gender equity was supported under WEEA and the ED Office of Educational Research and improvement.<sup>84</sup> The subsequent ED supported What Works Clearinghouse<sup>85</sup> has set high standards for evidence of effectiveness, but unlike the Gender Equity Expert Panel, it has not focused attention on finding programs that are focused on increasing gender equity or even on reporting if programs with other objectives worked better for girls or boys.

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<sup>82</sup> "Equity Assistance Centers (Formerly Desegregation Assistance Centers)" A proposed rule by the Education Department. *The Federal Register* / Vol. 81, No. 57 Thursday March 24, 2016/ Proposed Rules, p. 15670. <https://www.gpo.gov/fdsys/pkg/FR-2016-03-24/pdf/2016-06439.pdf>. The Final EAC Rule by the Education Department was issued on July 18, 2016. <https://www.gpo.gov/fdsys/pkg/FR-2016-07-18/pdf/2016-16811.pdf>

<sup>83</sup> "Proposed Priority and Requirement—Equity Assistance Centers (Formerly Desegregation Assistance Centers)" A proposed rule by the Education Department. *The Federal Register* / Vol. 81, No. 63/ Friday, April 1, 2016/ Proposed Rules, p. 18818. Final Priority and Requirement –Equity Assistance Centers July 18, 2016 <https://www.gpo.gov/fdsys/pkg/FR-2016-07-18/pdf/2016-16810.pdf>

<sup>84</sup> Gender Equity Expert Panel: Exemplary & Promising Gender Equity Programs, 2000 <http://files.eric.ed.gov/fulltext/ED457116.pdf>

<sup>85</sup> <http://ies.ed.gov/ncee/wwc/>

It is important to build on Federal support for identifying and sharing effective programs, policies and practices in specific topic areas such as STEM, especially from the National Science Foundation (NSF) and the National Aeronautics and Space Administration (NASA). In the area of sexual assault prevention there has been substantial federal support from a White House Task Force and the development of [www.NotAlone.gov](http://www.NotAlone.gov), a website based on major contributions from federal Departments such as ED, Health and Human Services (HHS) and the Department of Justice (DOJ).

## IV. Recommendations to Maximize the Effectiveness of Title IX Coordinators & their Allies in Fully Implementing Title IX

The timing of this report can make a significant impact on improving gender equity in US education. We found that there should be over 100,000 Title IX Coordinators and that for the first time ever, the US Department of Education is helping to publicly identify over 23,000 of them<sup>86</sup>. We also note that with the new 2015 Every Student Succeeds Act (ESSA), states will have more discretionary federal funds that they can use to support federal and state education equity laws. While not explicit in this legislation, states should use their additional flexibility to enhance the roles of Title IX Coordinators and others in ending both deliberate and unintentional sex discrimination in education.

In addition to federal infrastructure leadership and funding from the US Departments of Education, Justice, and others, non-governmental organizations of equity advocates, State, district and postsecondary Title IX Coordinators should be key partners in creating an effective coordinated national system to ensure the full implementation of Title IX. This Title IX infrastructure should have systematic, transparent and effective vertical and horizontal linkages with relevant positive and negative incentives to ensure full compliance with Title IX. We are still hoping for substantial progress following the April 2015 OCR guidance on Title IX Coordinators. However, our report and decade-long experience with Title IX Coordinators shows that Title IX Coordinators are still underused and inadequately supported by leaders at the federal, state, district and local school levels.

The education of all involved in implementing and using Title IX on their responsibilities and rights to deliver and obtain an education free of sex discrimination is essential. Effective Title IX Coordinators can be a valuable catalyst in making this happen, but they need to be well trained, independent, well supported, and proactive in working for full implementation of Title IX as specified in the 2015 OCR Title IX Coordinator guidance. They also need to learn from best practices of their colleagues and be connected to a larger well-functioning education equity system/infrastructure with official responsibilities, funding, accountability procedures, and effective allies/stakeholders.

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<sup>86</sup> ED will be providing contact information on 7,000 to 8,000 postsecondary Title IX Coordinators from the required Clery Act reports from postsecondary institutions and at least one Title IX Coordinator in each of the over 16,000 K-12 public school districts in the soon-to-be-released CRDC data.

Sadly, in addition to the paucity of required Title IX Coordinators, there have been numerous instances where Title IX Coordinators have not been effective in helping victims of sex discrimination, or in influencing policies and practices in their institutions to identify and prevent sex discrimination. As we previously reported, well trained and supported Title IX Coordinators may be essential to saving lives especially if their responsibilities focus on sexual violence. Even the most effective Title IX Coordinators will need to continually learn more to prevent unlawful sex discrimination as the guidance on Title IX coverage becomes more explicit.

To increase knowledge and use of Title IX, all stakeholders must be educated about their rights and responsibilities under Title IX to prevent sex discrimination as well as to stop it promptly when it is identified. Research is showing the importance of bystander interventions especially related to sexual harassment and violence, but it can be equally effective in stopping other types of discrimination.

Some past efforts, especially federal funding of some Title IX Coordinators and their work, have been helpful in the early decades of Title IX. But to obtain continued and accelerated progress it is important to have strategic comprehensive approaches, not just piecemeal responses to lawsuits or complaints. This means we need to build an effective, sustainable Title IX implementation system or infrastructure using the requirement for mandated Title IX Coordinators.

The following recommended infrastructure, funding, and other support of Title IX Coordinators would enhance effective use of Title IX protections against sex discrimination in education. FMF and other research shared in this report have helped identify recommended components and strategies for this Title IX implementation infrastructure.

While our recommendations are interdependent, we have grouped them into six areas.

**1. Increase the numbers of effective and empowered Title IX/Gender Equity Coordinators.**

This should be accomplished by using the April 2015 Title IX Coordinator Guidance from the ED OCR as well as additional insights and guidance on achieving full implementation of all aspects of Title IX.

- **Close the gap between the current well-trained and effective Title IX Coordinators and the required Title IX Coordinators.**

We do not know how many education employees are currently designated Title IX Coordinators. *The FMF List of Title IX Coordinators* and other gender equity experts from SEAs and 36 large cities or county school districts (LEAs) contains email addresses for about 200 individuals with some responsibility for Title IX. But not all of these individuals have an official designation of Title IX Coordinator/Officer as part of their official job responsibilities. Nationally, we estimate that there should be at least **118,610** officially designated school-related<sup>87</sup> Title IX Coordinators. This is based on the assumption that:

- There should be at least two designated Title IX Coordinators in each of the 55 SEAs including DC, and territories (totaling 110). Some of the Coordinators may be in the state higher education office as well as the K-12 SEA.
- There should be at least one designated Title IX Coordinator in each of the 16,000 preK-12 public school districts.
- There should be at least one designated Title IX Coordinator in each of the 95,000 plus preK-12 public (and public charter) elementary and secondary schools.
- There would be at least one designated Title IX Coordinator in each of the 7000 plus public and private postsecondary institutions<sup>88</sup>.

These “at least” estimates do not include the additional Title IX Coordinators with specialties in areas such as academics, athletics, employment, career and technical education, sexual harassment/assault, and STEM. All these Title IX specialists should ideally be part of the teams of Title IX Coordinators especially in large agencies and postsecondary institutions. It also does not include Title IX Coordinators in state intermediate education agencies, in museums, in libraries, in recreation departments, or in justice, mental health, or recreation facilities with education programs or activities covered by Title IX.

We believe that as of summer 2016, there are far fewer Title IX Coordinators than the 118,000 that we conservatively estimate there should be. Instead, there are probably fewer than 25,000 currently designated Title IX Coordinators and only a miniscule number of these Title IX Coordinators are well trained, supported, empowered and proactive. There are probably fewer than 1,000 full-time Title IX Coordinators nationally.

However, as institutions covered under Title IX are reminded of their responsibilities, many are quickly appointing one or more employees to assume this position probably as part of their

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<sup>87</sup> There should also be Title IX Coordinators in museums, libraries, recreation centers, correctional facilities, etc. that receive federal funds and provide educational programs and activities.

<sup>88</sup> These totals were used in the introduction to the FMF list of Title IX Coordinators

other related responsibilities. Since there are very few well-trained proactive Title IX Coordinators, there is a tremendous need to encourage many interested in advancing gender equity to volunteer for this work as was often the case after the Title IX regulation was released in 1975. We need to learn about effective strategies to encourage educators to become qualified and enthusiastic Title IX Coordinators who want to be gender equity leaders and who are well supported by the recipient organizations and able to work well with their equity allies. It is also important to provide continual training, as there has been much turnover in Title IX Coordinator assignments and new OCR guidance about how to comply with all aspects of Title IX. We encourage in person training that encourages horizontal networking with other Title IX Coordinators, stakeholders and gender equity advocates.

- **All federal and state education agencies should provide guidance, support and assistance to ensure that there are qualified proactive Title IX Coordinators in all schools or other sites responsible for complying with all aspects of Title IX. This guidance should be developed with advice from gender equity organizations and experienced Title IX Coordinators.**

Many equity advocates including the ED Assistant Secretary for Civil Rights, Catherine Lhamon, are enthusiastic about the important role of school level Title IX Coordinators as illustrated in the a video of her response to a question about “How do you envision the Title IX Coordinators as helping to play a preventive role in the areas of sexual harassment and assault and many other types of sex discrimination?” Her response to this and follow-up questions said in part “The Title IX Coordinator has a critical role. Every school is supposed to have a Title IX Coordinator covering all aspects that Title IX covers.”<sup>89</sup>

As described earlier, clarification is needed since in the K-12 area some have the mistaken impression that Title IX Coordinators are only required at the school district level, not in individual schools. Others have the impression that if they have Title IX Coordinators focusing on one aspect of sex discrimination (such as athletics or sexual assault) that they have met their responsibilities. For example, Washington, DC’s “Title IX Athletic Equity Act of 2015” mandates that:

- The Office of the State Superintendent of Education (OSSE) designate a Title IX Coordinator for the DC interscholastic athletics to coordinate the DC efforts to comply with the athletics provisions of the Act;

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<sup>89</sup> For the video see <https://www.youtube.com/watch?v=kkQfdvciEDI> .This Q&A section is 139.00-149.00.

- Each LEA designate a Title IX Athletic Coordinator. (The District of Columbia Public Schools (DCPS) is one LEA and Charter Schools are also LEAs.);
- Each applicable middle and high school designate a School Title IX Athletic Liaison and a School Gender Equity Review Committee of at least three members.

However, it is not clear if any others in OSSE, are responsible for all aspects of Title IX, or as suggested in the OCR guidance, if there is a lead Title IX Coordinator to assure compliance with all aspects of Title IX.

- **More clarification is also needed on who should or should not be an official Title IX Coordinator and on their responsibilities.**

The 2015 OCR guidance says the Title IX Coordinators should be independent and have sufficient decision-making authority. For example, they should not be the institution's legal counsel and they should not have conflicting roles when making recommendations on sexual assault cases, but much more guidance on OCR requirements and on best practices is needed. Finally, while full-time Title IX Coordinator assignments make sense in many cases, especially for Lead Title IX Coordinators, it may be more feasible to have teams of part-time Title IX Coordinators with expertise and related assignments in specific topic areas covered by Title IX such as admissions, academics, athletics, employment or preventing sexual harassment and assault. We also urge that employees selected to be Title IX Coordinators be volunteers who are committed to achieving gender equity in their institution and in the broader society.

## **2. Provide easily accessible web information on all Title IX Coordinators and Title IX compliance.**

- **Federal web information on postsecondary and school district Title IX Coordinators is a good start.**

As of June 2016 ED is providing web contact information on about 23,000 of the estimated more than 100,000 required Title IX Coordinators. The ED web information on Title IX Coordinators in postsecondary institutions is available as part of the required Jeanne Clery Act report on each institution's website and via the ED Office of Postsecondary Education cutting tool website<sup>90</sup>. However, it is not clear if the Title IX Coordinators listed on these websites will be responsible for the full range of Title IX topics or just sexual assault and harassment and if the postsecondary schools will list different Title IX Coordinators for different schools/campuses or topics.

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<sup>90</sup> <http://ope.ed.gov/campussafety>

The responses to the Civil Rights Data Collection (CRDC) question on contact information on the school district Title IX Coordinators should help K-12 stakeholders. This Title IX Coordinator contact information as well as additional information on Title IX compliance also should be even more accessible to stakeholders on individual school district websites if they follow the 2015 Title IX Coordinator guidance. Since the Title IX Coordinator information was collected along with other school district civil rights coordinator information, this related information should help with horizontal networking among equity coordinators and it should help stakeholders work with district staff to resolve issues of multiple discrimination that may be impacting students by race, gender and disability.

- **Recommendations on improving access to Title IX information on all websites.**

From our FMF experience over the past decade and results of this report, we know that contact information on current Title IX Coordinators on their education institution websites is still difficult to find even if there are search boxes and A-Z topic lists. *Thus, we recommend that all organizations responsible for complying with Title IX, include the broad Federally required civil rights non-discrimination disclaimer on the institution's home page with direct web links to contact information on the institution's Title IX and other Civil Rights Coordinators<sup>91</sup>. This page should also include links to guidance on compliance information on Title IX.*

Easily updatable web contact information on Title IX Coordinators is essential because it helps ensure: that Title IX Coordinators are appointed, that they are easily located by their constituents, and that they can find and communicate with each other. These public web postings of Title IX Coordinators facilitate important vertical and horizontal network communication. For example, SEA Title IX Coordinators will be able to use contact lists of district Title IX Coordinators to email timely guidance, information on training opportunities, and successful legal actions. Similarly, using this contact information, District Title IX Coordinators might be able to work together and have easier access to their local school Title IX Coordinators, their advisors and constituents.

- **Types of Title IX Information to provide on these websites.**

One of the key responsibilities of all Title IX Coordinators should be to provide easily accessible, transparent, web-based information on how Title IX can be used to identify and end sex discrimination. FMF research has noted some effective ways SEAs are sharing this Title IX

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<sup>91</sup> Veidlinger, R.L. 2015. Is Your District Equipped to Address Sexual Discrimination? The Role of the Title IX Coordinator in the K-12 Context. In MASA LEADER Fall 2015. Official Magazine of the MI Association of School Administrators, p. 32-33. [www.apogeepublications.com/emags/MASA-fall2015/#/32/](http://www.apogeepublications.com/emags/MASA-fall2015/#/32/). This web link suggestion was in this article and also used by one of the large school districts in the FMF List of Title IX Coordinators.

information but more research and analysis is needed. No one model is recommended for all states since SEAs have different ways to help their constituents comply with Federal and their own state civil rights laws. *However, we recommend that SEAs and other institutions responsible for compliance with Title IX consider including the following information on their websites.*

- *Lists containing current contact information (including names, telephone, and email addresses) of Title IX Coordinators and of their team members in various organizations so stakeholders can contact appropriate experts.*
- *Information on Title IX Coordinators in the vertical networks. For example, some SEAs provide lists of school district Title IX Coordinators. Similarly, we recommend school district websites also post information on their SEA Title IX Coordinators and that K-12 school websites also provide contact information on their school district Title IX Coordinators.*
- *Information and links to related state and federal gender equity laws and guidance documents.*
- *Information on related non-discrimination guidance and civil rights/diversity experts responsible for these areas since sex discrimination is often intersectional with discrimination against other groups.*
- *Accountability information on disparities in the treatment of students by sex in your institution as well as special gender equity challenges. Often this data is already required by the Civil Rights Data collection, state requirements, or school or district report cards. Where possible information should be disaggregated by sex and race.*
- *Complaint or grievance procedures*
- *Ways to participate in Title IX advisory groups, listservs or projects.*
- *Information on Title IX complaints as well as resolution agreements to help stakeholders avoid these problems in the future. Esther Warkov points out that there is no consistent policy to make this information available in any location at the K-12 level<sup>92</sup>, but it is becoming available at the college and university level and by OCR, itself.*
- *Information on recommended resources on Title IX topics.*
- *Schedules and information on Title IX training for Title IX Coordinators and other interested gender equity advocates served by your website.*

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<sup>92</sup> Esther Warkov 6-7-18 article "Should Parents Know When Their K-12 School is Under Federal Investigation For Mishandling Sexual Assault?" [stopsexualassaultinschools.org/ssais/](http://stopsexualassaultinschools.org/ssais/)

**3. Provide administrative, policy, training, network, and research support to Title IX Coordinators so they will be effective individually, or as a team, in identifying and ending sex discrimination across the full spectrum of Title IX protections.**

The following is an example of sex discrimination that may not have happened if there had been effective, well-supported Title IX Coordinators (at the district and school levels), Title IX infrastructure, and community knowledge of, and valuing of Title IX prohibitions against sex discrimination. It also reminds us that Title IX covers all education activities of the organization (even a recreation department) that receives any federal financial assistance.

*"I checked with the Board of Education and the City of XXX and neither have anyone that deal with Title IX...I asked if they have a form to make a complaint and they also told me no on that too....The discrimination is that the City and the Board of Education have formed a partnership to contribute large amounts of money to the boys' programs in youth and high school baseball and contribute next to nothing for the girls' programs....Also just approved is a brand new hitting facility to be put right in between the Boys' High school field and Babe Ruth field and new lights for the Cal Ripken boys baseball fields....all of this is listed in the City council minutes...Website for the city of XXX.... has City Council minutes and current city budget....what I thought was weird in the city budget is that Youth Softball and Adult Softball is listed under City parks and Recreation but nowhere in the budget is baseball listed....all this money being funneled to those programs and it's not in the budget and when I requested the funds thru the city they either denied it existed or just wouldn't get it for me..."<sup>93</sup>*

To avoid this and many other types of sex discrimination there should be a major emphasis on training and positive accountability strategies for Title IX Coordinators and their allies.

- **Title IX Coordinators and their allies should receive comprehensive, effective, affordable, and continuous Title IX training for all aspects of Title IX.**

Unless the Title IX Coordinators are part of a team of Title IX Coordinators, they should be familiar with all aspects of Title IX coverage appropriate to the needs of their stakeholders. A few states have provided training on the scope of Title IX and skills such as how to conduct investigations of sex discrimination, but much more of this training needs to be made available at reasonable cost to the institutions. We also recommend that other Title IX equity allies and

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<sup>93</sup> 2016 Email to Sue Klein from a long time gender equity advocate who prefers to remain anonymous related to this example.

advisory group members be encouraged to participate in the training along with the Title IX Coordinators.

The roles of technology and possibilities for various levels and types of Title IX Coordinator certification need to be examined to determine the most cost effective ways to provide high quality, consistent, and effective training perhaps using webinars and online courses.

- **Establishing positive accountability procedures to recognize and reward Title IX Coordinators and their allies for increasing gender equality and sustaining this progress.**

Individually or as a team Title IX Coordinators should demonstrate their expertise in:

- training other educators, students and all stakeholders in their rights and responsibilities to end sex and other types of discrimination based on federal, state and local laws and policies.
- conducting compliance reviews and individual investigations of complaints of sex discrimination. The compliance reviews would require expertise in data analyses to identify any patterns of sex, race, and related discrimination. The reviews would examine institutional policies and practices as well as gender discrepancies in outcomes. The investigations would require extensive knowledge of not only Title IX, but of related laws, policies, and grievance and resolution procedures.
- Implementing effective remedies to end the identified inequities and prevent other types of sex discrimination. This would involve identifying effective solutions to end these inequalities. Often the best practices used to address one aspect of sex discrimination may also work for others. For example, much is being done to improve the use of Title IX in complex area of providing fair procedures, investigations, remediation and prevention related to sexual assault. Some of the strategies and increased understanding of Title IX implementation principles in these often complicated sexual harassment and assault cases may also apply to other types of sex discrimination covered by Title IX. Thus, as Catherine MacKinnon points out in sexual assault cases, institutions should be liable for sex discrimination beyond a standard of deliberate indifference. They would need to be held to a “due diligence” standard involving transparent and fair investigations, remediation and prevention.<sup>94</sup> In many other aspects of Title IX this proactive due diligence standard would also mean that Title IX Coordinators would need to seek out and analyze data that may show discrimination not only by sex but by appropriate subgroups such as disabled African American girls.

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<sup>94</sup> MacKinnon, Catharine. “In Their Hands: Restoring Institutional Liability for Sexual Harassment in Education”. Forthcoming, 125 Yale Law Journal, 2016.

- The institutions should be especially supportive of their Title IX Coordinators by ensuring their independence and freedom from retaliation as well as by engaging them in policy decisions and providing them with adequate resources to perform their Title IX responsibilities.

It is often easier to find flaws in educators than to find successes in their accomplishments, but we recommend that substantial attention be focused on what Title IX Coordinators and their equity allies are accomplishing to decrease sex discrimination and on ways they are doing so that can be replicated by others.

#### **4. Create a viable Title IX infrastructure at the local, state and national levels of vertical and horizontal networks to support Title IX Coordinators and their allies in fully implementing Title IX.**

To the extent possible, participants in these networks should use in-person meetings as well as other modes of periodic telephone and electronic communication. They should also have clear responsibilities and accountability reports which are transparent, accurate, and easily understandable such as school report cards.

- **Vertical network support links**

The April 2015 OCR guidance on Title IX Coordinators highlights important relationship principles such as: the need for supportive administrators, working with stakeholders, and insisting that the Title IX Coordinators retain their independence to act fairly on all Title IX issues without fear of retaliation. These principles should be used in all levels of education governance from State Education Agencies (SEAs), to school districts, to individual schools. However, as discussed previously, there is little federal guidance on the vertical links between state, district, and preK-12 school level Title IX Coordinators, either from a top-down or bottom-up perspective.

- *We recommend an increase in federal level responsibilities to lead in the full implementation of Title IX.*

Since the Federal government has more designated leadership and enforcement responsibility in the area of civil rights than in curriculum, teacher evaluation, and other areas, it should provide increased funding, guidance, and technical assistance to Title IX Coordinators and their allies in various infrastructure positions. In particular, the Federal government should provide incentives to increase the numbers of adequately trained, effective Title IX Coordinators especially in local K-12 schools that need to understand

that these Coordinators are both required and essential in ending sex discrimination in education.

The federal government, especially the US Department of Education (ED), should resume and expand their previous leadership and support role in developing an effective vertical linkage system to implement Title IX. This can be accomplished within existing legislation such as the Department of Education Organization Act of 1994 and its requirement for a high level Special Assistant for Gender Equity, and the 1994 Women's Educational Equity Act (WEEA). WEEA has consistently been included in the Elementary and Secondary Education Acts, although it has not been funded in recent years and is not included in the 2015 ESSA. Much more can be accomplished under other legislation such as the Civil Rights Act Title IV, which funds the ten regional Equity Assistance Centers as well as new and revised initiatives related to STEM, Career and Technical Education, and Teacher Education and Postsecondary Education. Many recommendations on increasing Federal leadership in full implementation of Title IX are included in a proposed 2010 revision of WEEA<sup>95</sup>. Many features of the Gender Equity in Education Act of 2016 (GEEA) reflect these provisions and build on the recommendations related to the important roles of Title IX Coordinators and their equity allies in this report. We are pleased with the GEEA name as it better communicates that Title IX is designed to protect all genders from discrimination and stereotyping.

ED can also facilitate linkages with state Title IX Coordinators by meeting and communicating with them as ED OCR is doing with the state Methods of Administration Coordinators who are responsible for civil rights compliance in institutions with career and technical education. Additionally, since OCR maintains regional offices, staff in these offices should be in regular communication with Title IX Coordinators in their region and provide proactive training, technical assistance, and guidance on key Title IX issues.

While OCR is providing helpful policy and reporting guidance for Title IX Coordinators, ED and other federal agencies also need to provide financial support in addition to the training provided by OCR and its regional offices and the Equity Assistance Centers.

- *We recommend an increase in state level responsibilities to lead in the full implementation of Title IX.*

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<sup>95</sup> This proposal is available on <http://www.feminist.org/education/pdfs/ReauthorizationWEEA.pdf>.

State level recipients of federal financial assistance, especially SEAs, should be required to coordinate and facilitate the training of effective district (LEA) and other institutional Title IX Coordinators at both the K-12 and postsecondary levels. As this report reveals, there are major inconsistencies in the amount and type of support the PreK-12 SEAs provide on any aspect of Title IX especially when looking at the training of Title IX Coordinators and providing Title IX information on their websites. All SEAs should make sure that they have teams of Title IX Coordinators who can provide proactive leadership on all aspects of Title IX ranging from employment discrimination to identifying model practices to stopping sexual harassment and sex stereotyping. State level Title IX Coordinators should also play a major leadership role in developing state policies to advance gender equity.

Similarly, there should be more attention to the vertical links that will be most supportive for postsecondary Title IX Coordinators from State level higher education agencies to state university systems to assure consistency in effective implementation of Title IX among various schools or locations in a specific college or university. For example, The University of Hawaii system established an Office of Institutional Equity in September 2015 (See page 35.) and Florida has a separate post-secondary Title IX Coordinator who lists postsecondary Title IX Coordinators on the SEA website.

Since it is likely that states will continue to have more responsibility for the administration of federal funds and flexibility in how they spend these administrative funds, they should be encouraged to use these funds to support Title IX Coordinators and their work. Their plans for doing this should become required components of the federally required state plans. In addition to providing guidance on responsible linkages in supporting Title IX and its Coordinators with adequate budgets, the federal government should encourage states to also use their own funds to support focused equality efforts to implement their own state equity laws as well as federal laws. State reports, often required for federally sponsored programs such as career and technical education, should not only report on the activities of Title IX Coordinators, but track improvements in the participation of women and people of color in nontraditional occupations.

- *We recommend an increase in school district responsibilities in working with school level Title IX Coordinators and community stakeholders in the full implementation of Title IX.*

The district or intermediate level Title IX Coordinators should have a similar supportive leadership and technical assistance role with Title IX Coordinators in their schools as the SEA Title IX Coordinators have with them. Of course this work should cover all aspects of Title IX, not just sexual harassment or athletics. This direct attention to the identification and training of school level Title IX Coordinators by school district Title IX Coordinators is essential since many school staff are still not aware that they should have their own Title IX Coordinator.

- **Horizontal network support links**

Systematic attention to multiple types of horizontal networking or collaboration is essential in creating an effective infrastructure to support Title IX Coordinators, their stakeholders, and equity allies. The following recommendations describe multiple types and functions of horizontal Title IX infrastructure networks

- *Networking of Peer Title IX Coordinators:*

We recommend deliberate horizontal networking of peer Title IX Coordinators within and among schools, districts, and states. There is a great deal they can learn from each other. For example, the horizontal networking of state Methods of Administration (MOA) Coordinators includes OCR monitoring, national meetings, and a dedicated MOA Coordinator email list. This peer networking has been especially important in helping the MOA Coordinators receive training and assume civil rights leadership positions in their states related to their responsibilities to stop discrimination related career and technical education programs.

Similar networking and communications among peer Title IX Coordinators can be encouraged by training sessions, voluntary organizations, and electronically via listservs and by developing mentoring relationships. FMF's list of State Title IX Coordinators can be used more by state Coordinators to share questions and resources with each other. FMF deliberately included MOA Coordinators in its list to encourage collaboration with Title IX Coordinators (when they weren't assigned both responsibilities). Effectiveness of these peer networks would also be enhanced if there was federal support for in-person meetings as with the MOA Coordinators.

- *Networking with their institutional allies:*

Title IX gender equity and other equity Coordinators/Officials within each institution should be working closely together. In our quest for racial, gender and other types of fairness and justice in education there has been little national attention to helping these civil and human rights specialists work together, although many SEAs and LEAs have

established equity or diversity offices. The CRDC request for contact information on several types of district level civil rights coordinators including Title IX Coordinators should help them collaborate, but we hope it will not be because just one person is assigned coordinator responsibilities related to sex, race and disability.

At the state and district levels, some Title IX Coordinators worked in (and often headed) these SEA and school district equity offices. Similarly, some states included parallel information on Title IX, Civil Rights Act Title IV and ADA and 504 protections for individuals with disabilities on their websites. However, in other SEAs, the MOA, 504 Coordinator, Diversity, and the Title IX Coordinator may not have met each other.

Title IX Coordinators should also work with institutional allies and stakeholders such as administrators, lawyers, unions, counselors, school board members, PTA/PTO officers, student groups in the school and evaluation and accountability experts.

- *Forming Title IX Coordinator teams with different areas of gender equity expertise to insure full implementation of all aspects of Title IX:*

As institutions responsible for compliance with Title IX pay more attention to their responsibilities, they realize that the individuals with expertise in athletics equity may not have expertise in avoiding sex discrimination in employment practices or in providing appropriate guidance and support in preventing or addressing sexual harassment and assault. Thus, we recommend that at least in the larger institutions, that Title IX Coordinator teams be established with a lead Title IX Coordinator as recommended in the OCR guidance. Team members can reinforce and support each other and be very effective in dealing with multiple types of sex discrimination such as sexual assault in athletics. Teams can also help maintain a stable focus on ending sex discrimination even when there are changes in Title IX Coordinators.

- *Working with Equity Advisory Groups of External Stakeholder Advocates/Allies:*  
External advisory groups can be very helpful in supporting Title IX Coordinators in their leadership responsibilities in advancing gender equity. Advisory group members may range from academic experts, to students, parents, feminist organizations, human rights commissions, to other community allies. These advisory groups should meet with Title IX Coordinators and also help them share information with the larger community. It is likely that these advocates from advisory groups can enhance the status of Title IX Coordinators and help them maintain their independence including protecting them

from illegal retaliation. Title IX Coordinators and other institutional representatives should participate in these advisory groups and provide information and insights on equity challenges and solutions. Where possible, advisory group members and Title IX Coordinators should participate in training and other activities together. Internal as well as external allies should be encouraged to attend trainings and meetings along with the Title IX Coordinators. A re-establishment of the national Association for Gender Equity Leadership in Education (AGELE) and something like the WEEA Equity Resource Center contract may be especially helpful with this and other aspects of horizontal networking. A resource center function is already included in the July 2016 GEEA.

- *National topic focused network and resource exchanges should explicitly focus on serving Title IX Coordinators and their equity allies:*

The federal government and other organizations have helped develop informal national horizontal networks focusing on specific topics covered by Title IX such as sexual harassment and sexual violence especially in postsecondary education. For example, although the federal government no longer provides a general website on Title IX/gender equity resources (as it did under the Women's Educational Act, Equity Resource Center), it created a Whitehouse task force and a Not Alone.gov website to provide resources related to sexual harassment and violence from a variety of federal agencies. Additionally there are other non-governmental websites such as a new non-profit website [www.stopsexualassaultinschools](http://www.stopsexualassaultinschools) which focuses on using Title IX especially for parents, students and Title IX Coordinators at the K-12 level.

Some areas like Science, Technology, Engineering and Mathematics (STEM) have federally and privately supported horizontal networking and public websites such as the STEMconnector.org and the Millionwomenmentors.org. However, often there is no mention of the role of Title IX Coordinators or how non-discrimination policies of Title IX can advance goals of decreasing sex disparities in STEM outcomes.

There should be more federal support for these topic focused networks/websites and also for research related to the best strategies to end sex discrimination in all areas covered by Title IX.

**5. Use a variety of effective strategies to increase our national commitment to end sex discrimination by taking advantage of Title IX, its Coordinators, allies, and infrastructure.**

These strategies will focus on Title IX related funding, accountability, enforcement, research, and development, identification and sharing of best practices including training, collaboration, and public information to demonstrate that our nation values attaining gender equality in and through education.

Recommended Strategies Include:

- **Long term adequate funding and enforcement of Title IX.**

Title IX should be supported by both dedicated and mainstreamed funding. Dedicated federal funding would include revising the Women’s Educational Equity Act (WEEA) to support recommendations in this report. The 1974 WEEA has been the only federal funding exclusively focused on implementing Title IX but it has never been sufficiently comprehensive in scope or adequate in funding. The WEEA needs to be explicitly revised to develop the vertical and horizontal infrastructure to support effective Title IX Coordinators. SEAs, LEAs and postsecondary institutions should also have dedicated funding and support plans for Title IX Coordinators and related Title IX implementation and enforcement work. The GEEA is a great start in this direction but more than the initial \$80 million proposal will be needed to reinvigorate 100,000 Title IX Coordinators to fully implement Title IX. With or without GEEA, SEAs should be encouraged to use their federal administrative support funds for their Title IX Coordinators salaries and the work they do to implement Title IX. Additionally, the new ESSA attention to school climate issues such as discipline and social skills is compatible with many gender equity goals.

Importantly, attention and funding to implement Title IX should be mainstreamed in all relevant federal, state, and school level activities conducted by civil rights offices, education policy makers, administrators, and other staff. Much of this mainstreaming would be in collaboration with strategies to implement related civil rights protections and characterized by useful analyses of disaggregated information on students by gender, race, ethnicity, disability, and economic disadvantage. This information should be highly transparent to stakeholders and researchers and key discrepancies should be highlighted and discussed in various public reports.

Enforcement of Title IX may be greatly enhanced by helping all Title IX Coordinators become effective gender equity leaders, by changes in OCR and DOJ procedures to assign more responsibilities to Title IX Coordinators, and by rewarding recipient organizations who provide effective models for advancing gender equity. There should also be meaningful sanctions for those who fail to appoint and support effective Title IX Coordinators and Title IX related policies and activities. For example, Title IX Coordinators should review details of requests for federal or state funding or proposals of voluntary external organizations to ensure that there are no likely

Title IX violations in planned activities. Involved stakeholders and equity advocates should also put pressure on decision makers to identify and resolve sex discrimination problems even before filing official complaints. Except where confidentiality is needed, Title IX complaints and resolutions should be placed on the relevant institutions' websites.

- **Establish high expectations for independent Title IX Coordinators and their supportive infrastructure so that they become active gender equity leaders in their institutions and receive recognition, important related responsibilities, and support for their work.**

Provide training, support and recognition to Title IX Coordinators, and publicize their effective work. There should also be procedures to empower and safeguard the independence of Title IX Coordinators and their allies to report on and remedy sex discrimination even if this may be embarrassing to the institution. Thus, to avoid the possibility of retaliation instead of reporting to supervisors or even the head of the institution, the Title IX Coordinator may report to an independent inspector general or perhaps a board of directors. These independent Title IX Coordinators and their allies would also be free of restrictions (except for legal and confidentiality requirements) from reporting to the press or others if needed.

- **Wise use of standards and accountability including appropriate use of investigations and auditing to measure progress in attaining gender equity goals.**

Policy makers have learned the importance of measuring what is valued to learn if the desired changes are happening. In addition to measuring the increase in well qualified Title IX Coordinators, there must be meaningful transparent ways to assess their activities and effectiveness in identifying and remedying sex discrimination.

High expectations to empower Title IX Coordinators and their allies should include strong incentive-based transparent accountability procedures to measure and continually increase their effectiveness in ending sex discrimination.

Procedures such as the credentialing Title IX Coordinators and a gender lens/analysis in all education processes and outcomes should be used and revised as knowledge of what is most effective in increasing gender equality for specific populations and contexts becomes available.

In addition to being able to respond accurately to questions and concerns about rights and responsibilities under Title IX, the Title IX Coordinators should have ongoing monitoring and accountability responsibilities. They should also be key members of their institution's policy teams to remedy and prevent sex discrimination. As leaders they should be continually educating their stakeholders and outreaching to involve other equity allies in preventing

discrimination. Ideally, they will be able to expand their role beyond just avoiding sex discrimination to using education to advance gender equality in society. By active involvement in the Title IX infrastructure, they will be constantly learning from and providing leadership to other Title IX Coordinators, stakeholders, and equity allies on best practices.

- **Use research, development, evaluation and continual improvement strategies in implementing all the above recommendations.**

Research and evaluation is also needed to identify promising practices and exemplary efforts of Title IX Coordinators and other equity leaders. The use of these gender equity standards and accountability measures should be visible in reports to agencies, web information on complaints and resolutions, inclusion of equity indicators in school and district report cards, including proactive attention to equity behavior in all school employee (and student) evaluations, etc.

For research, evaluation, and continual improvement strategies (such as sharing best practices) to be viable, there must be adequate funding, quality control, and national dissemination of the results collaboratively by governmental and non-governmental organizations. Some of this work, especially in the topic areas covered by Title IX such as creating gender equitable climates to decrease sexual harassment and assault may involve using established or previous procedures such as the ED supported “What Works Clearinghouse” or the previous ED supported Gender Equity Expert Panel. Additional research is also needed to help the public understand the economic as well as the social justice benefits of this improved Title IX implementation infrastructure with many proactive Title IX Coordinators.

**6. Develop a campaign led by equity advocacy groups and Title IX Coordinators to implement these recommendations.**

It is essential to push, plan, and obtain resources for the expansion of the numbers of well supported and qualified gender equity leaders in education. A key focus of this campaign will be to increase public awareness of the value of Title IX and its Coordinators and supporters so that they will be a fully used effective resource to advance gender equity. Evidence of the ways effective Title IX Coordinators have helped improve educational opportunities and outcomes as well as continual influential media communications including using new technology will be needed. Examples of some initial tools to help with this early reinvigoration of Title IX Coordinators include:

- The AAUW web pages on “Title IX Coordinators Have Historic New Resources from Department of Education” and their accompanying project to Provide OCR Title IX Coordinator Resources to Schools. (Appendix E).
- The FMF “Title IX Coordinators on Campus” checklist that was shared with over 500 attendees at the FMF March 12-14, 2016 National Young Feminist Leadership Conference in Arlington, VA. (Appendix F).
- The Stop Sexual Assault in Schools, [www.ssais.org](http://www.ssais.org) web information on “How Families Can Obtain Help from Title IX Gender Equity Coordinators in their Communities”. (Appendix G.)

While the campaign will be led by gender equity advocacy organizations, it will need to obtain support from political, governmental, and foundation leaders as well as the press, educators, and equity allies.

A key focus of this Campaign will be to secure passage of a strong well-funded GEEA to establish a dynamic and long lasting Title IX infrastructure with an emphasis on the important roles of Title IX Coordinators and gender equity advocates.

**In summary, there is significant evidence that it is important and possible to reinvigorate the role of over 100,000 Title IX Coordinators. To maximize the effectiveness of this reinvigorated Title IX Coordinator resource, gender equity advocates need to work with others to fully implement existing federal, state and local equity requirements and guidance. It is critically important to establish an effective futuristic Title IX infrastructure using new legislative opportunities such as the Gender Equity in Education Act of 2016. These actions based on insights from this report will provide an important sustainable way to end overt and implicit sex discrimination and gender stereotyping both in and through education.**

## Appendix A: Title IX Coordinator Questions for 2013 & 2015

Questions used to guide discussions in 2013

### State Title IX Coordinators

Have you been receiving FMF Title IX Coordinator emails?

What are your and others responsibilities for implementing Title IX?

Were you aware that Title IX responsibilities were part of your job when you applied? (When did you start, anything about change in job re Title IX)

Do you also have responsibility for implementing state laws relating to gender equity or other civil rights protections?

What else are you responsible for, if anything, beyond Title IX? (state gender equity laws?)

What is the structure of your office?

What other positions work in your office?

Who do you work with? Who do you work with specifically on Title IX issues?

Are there specialists in specific Title IX issues (employment, athletics, legal, sexual harassment, career and technical) in your office?

What percent of your job focuses on Title IX/gender equity?

How has your state been implementing Title IX provisions?

What is the state doing regarding the school districts Title IX Coordinators?

Are there Title IX trainings for coordinators/other staff in your state?

Do you have a list of district coordinators? Is it readily available to the public?

Do district coordinators have access to a list of other coordinators?

Who are the Title IX Coordinators in large city school districts?

What are the key issues you are dealing with related to Title IX?

Do you know anything about single-sex public education in your state?

In 2010 we found X# of schools with single-sex classes. Is it more or less now?

Are your activities as Title IX Coordinator primarily proactive or responsive?

What is your relationship, if any, to the federal Department of Education Office for Civil Rights and/or its regional offices?

Do you have a relationship with other equity advocates in or outside of your agency?

Do you do any Title IX work with higher education, prisons, or other institutions?

Review what you found on Title IX in your state website? (Did I miss anything? Plans for website changes?)

### District Title IX Coordinators

What are your responsibilities for implementing Title IX?

Do you do any proactive monitoring and oversight of schools for violations?

Are grievance procedures available on the district website?

Are any funds allocated for Title IX activities?

What is your connection with the schools in your district?

How frequently do you communicate with your state coordinator?

How do you primarily communicate, if you do (e-mail, phone)?

Are there charter schools in your district?

Who is responsible for equity accountability in those schools?

Are there single sex schools/classes in the district?

What are your Title IX activities related to those schools?

What else are you responsible for, if anything, beyond Title IX?

What is the main focus of your position?

What percent of your time is devoted to Title IX/gender equity activities?

What is your relationship to the Office for Civil Rights in the district?

What information is covered regarding Title IX on your district website?

Questions that should help build or update and expand the Title IX Coordinator Profiles for specific city districts or states.

Review what was found on Title IX in their state or district's website? (Did I miss anything? Plans for website changes?)

\*\*\*\*\*  
Questions used to guide discussions in 2015

#### State Title IX Coordinators

6/8/2015 updated questions are highlighted

1. Have you been receiving FMF Title IX Coordinator emails?
2. Did you receive the new OCR Title IX Coordinator Guidance? (From whom?)
3. What are your and others' responsibilities for implementing Title IX? Were you aware that Title IX responsibilities were part of your job when you applied?
  - a. Have your responsibilities changed after the 2015 Dear Colleague Letter released by the OCR? If so, how?
  - b. Do you think they should change? If so, how?
4. Do you also have responsibility for implementing state laws relating to gender equity or other civil rights protections?
  - a. If so, what differences are there between your Title IX responsibilities and your responsibilities implementing state or federal laws related to other civil rights? (For example are you also a diversity of 504 coordinator?)
5. What else are you responsible for, if anything, beyond Title IX (state gender equity laws)?
  - a. What percent of your time is spent working on Title IX implementation?
6. What are your titles/ key responsibilities? What is the structure of your office?

- a. What other positions work in your office?
  - b. Who do you work with? Who do you work with specifically on Title IX issues? Are you the lead Title IX coordinator?
  - c. Are there specialists in specific Title IX issues (employment, athletics, legal, sexual harassment, career and technical) in your office?
  - d. What percent of your job focuses on Title IX/gender equity?
7. How has your state been implementing Title IX provisions?
- a. How are students, parents, employees, and applicants for admission/ employment made aware of their Title IX rights in your state?
8. What is the state doing regarding the school district's Title IX Coordinators?
- a. How often do you communicate with district coordinators in your state? How often do you communicate with other state coordinators?
  - b. Are there Title IX trainings for coordinators/other staff in your state?
  - c. Do you have a list of district coordinators? Is it readily available to the public?
  - d. Do district coordinators have access to a list of other coordinators?
  - e. Who are the Title IX Coordinators in large city school districts?
  - f. Does your state have separate K-12 and post-secondary coordinators?
9. What are the key issues you are dealing with related to Title IX?
10. We need your help in verifying and updating information on single-sex public education in your state?
- a. In 2010 we found X# of schools with single-sex classes. Can you help us learn the current status?
11. Are your activities as Title IX Coordinator primarily proactive or responsive?
- a. Does your state maintain a public or private list of Title IX coordinators at the school district or ISA level? conduct an annual climate survey on student safety, gender equity, etc.?
12. What is your relationship, if any, to the federal Department of Education, Office for Civil Rights and/or its regional offices?
13. Do you have a relationship with other equity advocates in or outside of your agency?
- a. Are you part of an advisory group related to Title IX and gender equity? If not, do you think such a group would be helpful in implementation of Title IX?
  - b. Do you do any Title IX work with higher education, prisons, or other institutions?
14. Review what you found on Title IX in your state website? (Did I miss anything? Plans for website changes?)

#### District Title IX Coordinators

What are your responsibilities for implementing Title IX?

Do you do any proactive monitoring and oversight of schools for violations?

Are grievance procedures available on the district website?

Are any funds allocated for Title IX activities?

Are there Title IX trainings for you/other staff in your District?

What is your connection with the schools in your district?

How frequently do you communicate with your state coordinator?

How do you primarily communicate, if you do (e-mail, phone)?

Do you have access to a list of other district coordinators?

What is your connection with other districts in your state?

How frequently do you communicate with other district coordinators?

How do you primarily communicate, if you do (e-mail, phone)?

Are you aware of any new state laws relating to gender equity or other civil rights protections?

Are you aware of the new guidance regarding coordinators released by the Office for Civil Rights in 2015?  
How were you made aware of the new guidance?

Are you aware of new guidance regarding single-sex schools and classes?  
How were you made aware of this guidance?

Are there charter schools in your district?

Who is responsible for equity accountability in those schools?

Are there single sex schools/classes in the district?

In 2010 we found X# of schools with single-sex classes. Is it more or less now?

What are your Title IX activities related to those schools?

What else are you responsible for, if anything, beyond Title IX?

What is the main focus of your position?

What percent of your time is devoted to Title IX/gender equity activities?

What is your relationship to the Office for Civil Rights in the district?

What information is covered regarding Title IX on your district website?

## Appendix B: California 2013 Survey to Obtain Information on Title IX Coordinators

California Department of Education  
**TITLE IX COORDINATOR SURVEY**  
**2013-2014 Basic Checklist for Title IX Compliance**

The following checklist was prepared to assist you in meeting some minimum requirements of Title IX of the Education Amendments of 1972. It is not an exhaustive checklist, and therefore, should not be used as a substitute for careful reading of the regulation itself.

**§ 106.8 Designation of responsible employee and adoption of complaint procedures:**

1.  At least one Title IX coordinator has been designated to coordinate efforts to comply with Title IX, including investigations of any complaints.
2.  All students and employees have been notified of the name(s), office address(es), and telephone number(s) of the coordinator(s).
3.  Complaint procedures for students have been adopted and published.
4.  Complaint procedures for employees have been adopted and published.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

**§ 106.9 Dissemination of policy.**

5. The following have been notified of a policy of nondiscrimination on the basis of sex:
  - applicants for admission and employment
  - students and parents of students
  - employees
  - sources of referral of applicants
  - unions, professional organizations
6. Notification of a policy of nondiscrimination on the basis of sex has been placed in the following:
  - local newspapers
  - school newspapers and magazines
  - memorandums or other written communications distributed annually to each student and employee
  - announcements, bulletins, catalogs, student and faculty handbooks
  - application forms
7.  The above-listed publications are free of text and illustrations suggesting differential treatment on the basis of sex.
8.  Admission and recruitment representatives (including counselors or student advisors and personnel officers) have been advised of the nondiscrimination policy and requirements for adherence to the policy.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682); [45 FR 30955, May 9, 1980, as amended at 65 FR 68056, Nov. 13, 2000]

**Title IX Coordinator Information:**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
School District: \_\_\_\_\_ Telephone: \_\_\_\_\_  
School Site: \_\_\_\_\_ Region Number: \_\_\_\_\_  
Date: \_\_\_\_\_

**Please fax or e-mail this form by October 10, 2013 to:** Sharon Felix-Rochon, California Department of Education,  
Office of Equal Opportunity Fax: 916-324-9818, E-mail: oeoinfo@cde.ca.g

## Appendix C: Sept. 17, 2015 Letter to State and Large District Title IX Coordinators



FEMINIST MAJORITY  
FOUNDATION

EDUCATION EQUALITY PROGRAM

TITLE IX ACTION NETWORK  
WWW.FEMINIST.ORG/EDUCATION

September 17, 2015

Dear Title IX Coordinators and other Colleagues with Gender Equity Responsibilities,  
As you can see in looking at the expanded attached draft listing including your information, we have started to add contact information on Title IX Coordinators in the 25 largest cities and districts in the US.

**In addition to checking the accuracy of the information on listings in state education agencies (SEAs), we hope you will help by revising or providing information on Title IX Coordinators in the indicated large school districts in your state.** Note especially the yellow highlighted areas in the attached draft list where we need help. We would greatly appreciate receiving this update information by **September 28, 2015** so we can post this revised list on our [www.feminist.org/education/TitleIXcoordinatorsNetwork.asp](http://www.feminist.org/education/TitleIXcoordinatorsNetwork.asp) website.

The expanded listings of District Title IX Coordinators come from our research on how state Title IX Coordinators interact with their school district or other Title IX Coordinators in their state. If your state has posted fairly recent listings of district Title IX Coordinators on your websites, please provide the specific website link. So far we only found current lists on websites for Connecticut, Maryland, Utah, and Washington (See \* on list).

We would also love to know if you have and use similar “in-house” contact lists of Title IX Coordinators and other equity experts. We will add this good practice to our current report tentatively named *State and District Title IX Coordinators: An Underused (Resource) Requirement to End Sex Discrimination in Education*. Similarly, if you are a district Title IX Coordinator, we would like to know if you have posted or use similar contact lists for Title IX Coordinators in your schools.

Another key part of our current study is an analysis of Title IX information on state education agency websites. Thus, it is very important for you to provide the best web links in your contact information not only for our study but for your constituents.

So far we have been disappointed to find few SEA websites that provide information or links to recent OCR guidance on Title IX Coordinators, and on responsibilities of the institutions to avoid sex discrimination related to single-sex classes and extracurricular activities, sexual assault, athletics, employment and much more.

Feel free to use (or adapt) information from our FMF website as well as the attached handouts on Title IX Coordinators and Sex Segregation as you revise your own Title IX webpages.

Also feel free to call me if you have suggestions or questions on how we can work together to advance gender equality in US education.

Cordially,  
Sue Klein, Ed. D  
Education Equity Director  
Feminist Majority Foundation  
sklein@feminist.org, 703-522-2214  
[www.feminist.org/education](http://www.feminist.org/education)

## Appendix D: Oakland/Macomb Michigan NOW Title IX Project Summary

Oakland/Macomb, Michigan National Organization for Women (NOW)

### Title IX Project Summary

December, 2015

1. Title IX was identified as a chapter project about five years ago, but it was never executed properly.
2. In Fall 2014, a ten question Title IX compliance survey was emailed to all 51 K-12 public school districts in Oakland and Macomb counties in Michigan. The email was a Freedom of Information (FOI) Request. The FOI request caused a great deal of concern, and each county ISD held a meeting with their districts and advised them that they were not required to respond to an electronic FOI request. In the spirit of partnering with the school districts, Oakland/Macomb NOW rescinded the FOI request and asked districts to provide the information on a voluntary basis.
3. Six out of the 51 districts which was 12% responded. Five districts refused the request. 40 districts did not respond. As a result of the disappointing response, no conclusions or actions could be developed.
4. In August 2015, two high school honor students earning community service, searched each school district's website. They looked for any reference to Title IX, the name of the Title IX coordinator, the coordinator's contact information, and directions for filing a complaint or grievance.
5. 13 districts or 26% had all the information on their website. 19 districts or 37% did not have any information or reference to Title IX. 19 districts or 37% had some or mixed information.
6. Those districts who had Title IX information received "yes" letters thanking them for their commitment to Title IX. Those districts who had none or incomplete Title IX information received "no" letters requesting immediate compliance.
7. Five districts or less than 1% responded stating they would comply and asked for sample language.
8. Three follow-up letters were emailed to all 51 districts. "Yes" districts (those who had the necessary Title IX on their website) received a letter providing links to the OCR Dear Colleague Letter and Title IX Resource Guide. The five districts who requested additional information received a letter with Website Sample Language and the same links to OCR. "No" districts (those who had no Title IX information on their website) received a letter providing links to the OCR, Website Sample Language and highlighted requirements from the Title IX legislation. (In process, not complete).
9. The next step is to have the same high school students search district websites again for compliance. Those districts in compliance will receive a letter thanking them. Those districts not in compliance will have a follow-up meeting with a representative from NOW.

## Appendix E: AAUW Web Pages on Providing OCR Title IX Coordinator Resources to Schools

### Title IX Coordinators Have Historic New Resources from Department of Education

April 24, 2015



Image by Paul Hart, Flickr Creative Commons

**Update, January 5, 2016:** Hundreds of AAUW members have pledged to deliver new resources from the U.S. Department of Education to Title IX coordinators at schools in their area. Join us for an all-member conference call to hear the status of those efforts, including recent success stories and tips for overcoming common challenges from those who have already taken action. [Listen now »](#)

Have you ever wondered who is responsible for implementing [Title IX](#), the federal law that prohibits sex discrimination, at your school? Were you curious exactly what this role is and what aspects of student life it involves? The U.S. Department of Education has responded to these questions and more by releasing detailed information for schools (both P–12 and higher education) and Title IX coordinators.

Title IX [requires](#) that every school must designate at least one employee who is responsible for coordinating the school's compliance. This person is sometimes referred to as the Title IX coordinator. Coordinators oversee all complaints of sex discrimination. They also identify and address any patterns or systemic problems at their schools.

#### **We need your help!**

Pledge to deliver brand new resources from the U.S. Department of Education to your school's Title IX coordinator. [Take action now](#)

Instead of giving these coordinators the support, guidance, and training they need to do their work, we've seen time and time again that many schools are without a Title IX coordinator. It is also unfortunately quite common to find coordinators who do not understand the scope of the law.

To remedy this problem, the U.S. Department of Education's Office for Civil Rights has just released [three sorely needed tools](#) that AAUW asked for: a [letter to schools](#) reiterating the importance of Title IX coordinators, a [thank-you letter directly to coordinators](#) reaffirming their roles, and a [free resource manual to guide their actions](#). The information is not a new requirement or regulation but rather a new resource to help Title IX coordinators do their work better.

These tools are a big deal because they stress that:

1. **Title IX coordinators need authority and are independent.** Title IX complaints are up, and so is the stress on Title IX coordinators to be independent. From 2009 to 2012, the Office for Civil Rights received nearly [3,000 Title IX-related complaints](#), more than ever before in a similar period. This guidance gives Title IX coordinators leverage to use in their communities to implement important notices, grievance procedures, and accountability measures that are required under the law. Persons not suited for this type of role, such as athletics directors or administrators with clear conflicts of interest, will have clear direction as well that this may not be the role for them.
2. **Title IX coordinators need resources.** Public awareness of the [broad scope](#) of Title IX issues is finally receiving attention. The law applies to recruitment and admissions; counseling; financial aid; [sexual harassment, including sexual violence](#); [pregnant and parenting students](#); school discipline; single-sex education; and employment. It also ensures that there are reporting options, grievance procedures, and [non-retaliation](#). Title IX coordinators will now have a resource guide to assist educating their communities about all of [Title IX's scope](#).
3. **Title IX coordinators should be recognized and thanked for their invaluable work.** For the first time in 43 years, Title IX coordinators will get an official recognition of the critical work they are doing to uphold civil rights laws. And, as a bonus, they finally get a detailed job description. Imagine having to read a [federal regulation](#) and case law to figure out what your job requires! Now they will have a free and easy-to-read resource guide to pave the way.

AAUW celebrates the long overdue attention being paid to Title IX coordinators. We will be encouraging all of our members to contact local schools — both P-12 and higher education — to make sure they have a Title IX coordinator and that the coordinator has a copy of these new resources.

[Visit Our Title IX Page](#)



By: [Erin Prangley](#) | Issue: [Advocacy](#) | Tags: [Higher Education](#), [K-12 Education](#), [Public Policy](#), [STEM](#), [Title IX](#) | April 24, 2015

<http://www.aauw.org/2015/04/24/title-ix-coordinator-resources/>

Note this and other pages in Appendix E are reprinted from the AAUW website with permission from AAUW.



## Deliver New Title IX Resources to Your Local Schools



Every school should have at least one employee who is responsible for coordinating the school's compliance with Title IX. This person is sometimes referred to as the Title IX coordinator. The U.S. Department of Education [has just released new resources](#) to help coordinators understand the full scope of their jobs. But not all Title IX coordinators know about these tools, so it's critical that AAUW members help spread the word in their communities. You can help by taking the [pledge to](#)

[deliver the new resources to the schools near you.](#)

**AAUW leaders have met with Title IX coordinators at schools across the country.**

[https://www.google.com/maps/d/viewer?mid=1uvQurNdc9rZ9VwOvMMeb66P\\_RY](https://www.google.com/maps/d/viewer?mid=1uvQurNdc9rZ9VwOvMMeb66P_RY)

[View map on Google My Maps](#)

### Why are these resources important?

Title IX coordinators oversee all aspects of Title IX at their schools including fielding complaints and identifying and addressing any patterns or systemic problems. The U.S. Department of Education's Office for Civil Rights (OCR) [found that some of the most egregious and harmful Title IX violations](#) occur when schools fail to have a Title IX coordinator or when a Title IX coordinator does not have the training or authority to oversee compliance with Title IX. That's why the U.S. Department of Education issued new resources for Title IX coordinators to better understand and perform their important job of ensuring that learning environments are free from sex discrimination. Now, AAUW needs to make sure we put these materials into the hands of as many coordinators as possible.

**What should we deliver?** Print out the following documents:

- [A letter for school leaders](#)
- [A letter for Title IX coordinators](#)
- [A resource guide for Title IX coordinators](#)

*If you would like to deliver [informational materials about AAUW](#), request that those be mailed to you.*

These new resources emphasize something AAUW members know well: [Title IX is more than just athletics](#). Title IX coordinators should be, among other things

- Monitoring the gender ratio in [science, technology, engineering, and math \(STEM\) courses](#)
- Working to monitor and [end sexual harassment and violence](#)
- Supporting [pregnant and parenting](#) students

AAUW members who are part of a branch or state organization can make this a group activity. As a branch, plan to split up the schools in your area and divide into groups to make the deliveries. Look at public K–12 schools as well as colleges and universities — they all need these resources and must be following Title IX.

[Get the Program in a Box to help you turn your Title IX coordinators outreach into an AAUW branch program](#)

## **To whom should we deliver these resources?**

Every school should have a designated a Title IX coordinator, and these resources are designed for that person. Call your local school and ask to be connected to the Title IX coordinator to schedule a meeting to deliver the materials in person. If an in-person meeting is not possible, arrange a phone call to determine whether the resources are best delivered by e-mail or mail. You may also be able to find the name and contact details for a school’s Title IX coordinator on the school website or in the school’s student handbook.

For colleges and universities, the name and contact details of the Title IX coordinator can be found on the U.S. Department of Education’s Campus Safety and Security Data Cutting Tool [online](#). Look up your school using the “Get data for one institution/campus” feature. The Title IX coordinator’s name and contact information are located on the school’s page.

## **What do we say?**

This delivery is a way to introduce AAUW to school officials, talk about what’s at stake with Title IX, and ensure that Title IX coordinators receive these important new resources to help them do their job. Write a quick elevator speech for the occasion and think of it as a way to build a relationship with your community.

Don’t forget to [let us know](#) how your delivery went. As always, if you have any questions please feel free to e-mail [advocacy@aauw.org](mailto:advocacy@aauw.org).

## Next Steps

Once you've met with a Title IX coordinator, write a letter to the editor or distribute a [press release](#) to let your community know about the actions you've taken to ensure that local students' rights are fully protected under Title IX.

Once you've made contact with a Title IX coordinator, maintain the relationship. Invite Title IX coordinators to speak to your branch about their work, either individually or on a panel. Get them involved and use them as a resource in your branch's equity work.

[Download a sample letter to the editor](#)

## What if the school does not have Title IX coordinator?

Designating a single Title IX coordinator for all schools in the district does not meet the spirit of Title IX of the Education Amendments of 1972. AAUW has a sample letter that you can customize and send to the school informing them of their obligation to designate a Title IX coordinator.

[Download a sample letter to the school](#)

Title IX requires that every school have at least one employee who is responsible for coordinating the school's compliance with the law. This person is sometimes referred to as the Title IX coordinator. The U.S. Department of Education [has just released new resources](#) to help coordinators understand the full scope of their jobs. But not all Title IX coordinators know about these tools, so it's critical that AAUW members help spread the word in their communities. You can help by taking the [pledge to deliver the new resources to the schools near you](#).

<http://www.aauw.org/resource/titleixdelivery/> downloaded 9-13-16

## Find Your Title IX Coordinator on This Map



All K–12 schools that receive federal funds must designate at least one employee to coordinate their efforts to comply with and carry out their responsibilities under [Title IX](#). These [Title IX coordinators](#) ensure that every person affected by [sex discrimination](#) in schools — students, parents, and employees — are aware of their legal rights, including [how to file a complaint](#).

With AAUW’s new, interactive maps organized by state, you can now locate the Title IX coordinator nearest to you in just a few clicks. Zoom in and drag the map to your area to find your local Title IX coordinator.

[www.aauw.org/resource/find-your-title-ix-coordinator/](http://www.aauw.org/resource/find-your-title-ix-coordinator/)

[Alabama](#)  
[Alaska](#)  
[Arizona](#)  
[Arkansas](#)  
[California](#)  
[Colorado](#)  
[Connecticut](#)  
[Delaware](#)  
[District of Columbia](#)  
[Florida](#)  
[Georgia](#)  
[Hawaii](#)  
[Idaho](#)  
[Illinois](#)  
[Indiana](#)  
[Iowa](#)  
[Kansas](#)

[Kentucky](#)  
[Louisiana](#)  
[Maine](#)  
[Maryland](#)  
[Massachusetts](#)  
[Michigan](#)  
[Minnesota](#)  
[Mississippi](#)  
[Missouri](#)  
[Montana](#)  
[Nebraska](#)  
[Nevada](#)  
[New Hampshire](#)  
[New Jersey](#)  
[New Mexico](#)  
[New York](#)  
[North Carolina](#)

[North Dakota](#)  
[Ohio](#)  
[Oklahoma](#)  
[Oregon](#)  
[Pennsylvania](#)  
[Rhode Island](#)  
[South Carolina](#)  
[South Dakota](#)  
[Tennessee](#)  
[Texas](#)  
[Utah](#)  
[Vermont](#)  
[Virginia](#)  
[Washington](#)  
[West Virginia](#)  
[Wisconsin](#)  
[Wyoming](#)

## Appendix F: Title IX Coordinators on Campus



# TITLE IX COORDINATORS ON CAMPUS

[WWW.FEMINISTCAMPUS.ORG](http://WWW.FEMINISTCAMPUS.ORG)
[WWW.FEMINIST.ORG/EDUCATION](http://WWW.FEMINIST.ORG/EDUCATION)

## WHAT IS TITLE IX?

Title IX—the landmark federal legislation mandating gender equity in education passed by Congress in 1972—says “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 financial assistance.” Title IX prohibits sex discrimination against students and employees in all levels of education. It covers all aspects of education from athletics to academics, and prohibits discrimination in facilities, benefits, opportunities, career guidance, employment, school climate, sexual assault, testing, discipline, and much more.

## WHO ARE REQUIRED TITLE IX GENDER EQUITY COORDINATORS?

The 1975 Title IX Regulation specifies that each recipient of federal aid is required to “designate at least one employee to coordinate its efforts to comply with and carry out Title IX responsibilities” and “to make the Coordinators’ names and contact information public”. For example, Harvard University has an overall Title IX Officer and about 50 Title IX Coordinators for its many schools.

The US Department of Education (ED) is taking more responsibility to implement this Title IX Coordinator requirement. In April 2015, ED’s Office for Civil Rights (OCR) issued guidance on Title IX Coordinators’ roles and responsibilities<sup>1</sup>. This guidance not only recommended that the Title IX Coordinators be adequately supported by their school, but that they take a proactive role in preventing sex discrimination. Additionally, ED promised to provide public contact information on Postsecondary Education Title IX Coordinators in 2016. Some of this information is already available as part of each institution’s Clery Act campus security report which can be found by using the “Campus Safety and Security Data Analysis Cutting Tool”<sup>2</sup>. Although the Clery report should be updated annually, the contact information on Title IX Coordinators on the institution’s web

<sup>1</sup> <http://www2.ed.gov/policy/rights/guid/ocr/title-ix-coordinators.html>  
<sup>2</sup> <http://ope.ed.gov/security/>

page may not be as current and comprehensive as the required Title IX Coordinator information on the school’s web pages.

## WHY A CAMPAIGN TO ENSURE EFFECTIVE TITLE IX COORDINATORS ON COLLEGE CAMPUSES NOW?

Since Title IX Coordinators have been underutilized in recent years and since their responsibilities have become more complex (especially in areas of sexual harassment and assault where many also help implement Clery Act requirements), it is important to ensure that your school has an active and well trained team of Title IX Coordinators to provide equity leadership in the prevention of all types of sex and gender discrimination, including sexual orientation and gender identity.

Equity organizations such as the Feminist Majority Foundation (FMF) and the American Association of University Women (AAUW) are identifying and posting information on Title IX Coordinators at the State Education Agency level and in K-12 public schools. If each of the 97,000 public schools, 16,000 K-12 school districts, and 7,000 postsecondary institutions had a well-qualified, proactive Title IX Coordinator, there would be over 100,000 gender equity leaders.

## TITLE IX COORDINATOR CHECKLIST

Campus feminists can use this checklist to help ensure that Title IX Coordinators help advance equality.

### Identify, obtain, and use contact information on their school’s Title IX Coordinators and others with gender equity responsibilities.

If no qualified and adequately supported Title IX Coordinator(s) are located on the school’s web page and the Clery report, campus groups can work with their school’s administration to change this. Even private postsecondary institutions whose students receive federal financial aid are required to have Title IX Coordinators.



# TITLE IX COORDINATORS ON CAMPUS

WWW.FEMINISTCAMPUS.ORG

WWW.FEMINIST.ORG/EDUCATION

- Learn if there is easily available information on your school's Title IX web page** including grievance procedures, compliance standards, Clery Act and other Title IX related reports and gender equity resources including student and faculty groups which support equity and diversity. Advise your Title IX Coordinator of missing information.
- Learn about responsibilities of Title IX Coordinators.** Are they aware of and using the 2015 OCR Title IX Coordinator Guidance? Are they well qualified and committed gender equity leaders? Do they have other assignments that conflict with, or limit, their Title IX Coordinator work? Do they address all types of sex discrimination or just sexual harassment and assault or sex discrimination in athletics? Are they well supported by the school's administration and effective? Do they have a budget for their gender equity work? Do all stakeholders know about how their Title IX Coordinators should be helpful in identifying and ending sex discrimination?
- What are the schools' Title IX Coordinators doing to inform all stakeholders on campus about their rights and responsibilities under Title IX?** Would it make sense for your organization to work with their Title IX Coordinators on training or other activities intended to increase Title IX compliance on your campus?
- Become a well-informed Title IX advocate.** Make full use of high quality gender equity resources with special attention to websites of national gender equity organizations such as members of the National Coalition for Women and Girls in Education<sup>3</sup>. Some of these websites such as [www.notalone.org](http://www.notalone.org) and [www.SSAIS.org](http://www.SSAIS.org) provide information on stopping or, if needed, in responding to important violations of Title IX such as sexual assault with legal or other action.
- Are there sex discrimination challenges on your campuses that the Title IX Coordinators should be addressing?** Are Title IX Coordinators collecting information that is easy to analyze by sex and race and other categories such as disabilities or wealth, to help better understand and address disparities?
- What have you learned from your Title IX Coordinator about sex discrimination challenges that you should also be aware of ending?** What data are they analyzing to find gender disparities? Are they able to address complaints in a timely and satisfactory fashion? Are they evaluating the effectiveness of their prevention strategies?
- Are you meeting with the Title IX Coordinators and Gender equity experts to end sex discrimination?** This may be done for specific projects or by forming advisory groups to meet on a regular basis with the Title IX Coordinators to advance gender equality.
- What are you doing to ensure that others on campus know about their rights to be free of sex discrimination and how the Title IX Coordinators could be helpful?** Educate others about Title IX by using social media and personal contacts to press your institution and all other institutions covered by Title IX to stop all illegal sex discrimination both in and through education.
- Report back to your Feminist campus organizer (CampusTeam@feminist.org) or Feminist Majority Foundation Education Equity Director Sue Klein (sklein@feminist.org) on your results.** FMF will provide a format to help you produce insightful reports.

**EDUCATION EQUALITY PROGRAM**  
TITLE IX ACTION NETWORK  
WWW.FEMINIST.ORG/EDUCATION

<sup>3</sup> <http://www.nowge.org>

## Appendix G: How Families Can Obtain Help from Title IX Coordinators in their Communities

This is from the Stop Sexual Assault in Schools website: <http://stopsexualassaultinschools.org/wp-content/uploads/2015/07/How-families-should-work-with-Title-IX-coordinators.pdf>

Stop Sexual Assault in Schools (SSAIS.org) asked Dr. Sue Klein, Feminist Majority Foundation's Education Equity Director, for suggestions on how families can ensure that students' Title IX rights are upheld.

- How can families advocate for proper training of the Title IX coordinator?
- How should families reach out to the Title IX coordinator when there have been Title IX violations?
- Should families demand Title IX compliance as a part of their Parent--Teacher organizations?

### How Families Can Obtain Help from Title IX Gender Equity Coordinators in their Communities

#### What is Title IX?

Title IX—the landmark federal legislation mandating gender equity in education passed by Congress in 1972—says "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 financial assistance." Title IX prohibits sex discrimination against students and employees in all levels of education at all institutions with education programs and activities that receive federal financial assistance. It covers all aspects of education from athletics to academics, and prohibits discrimination in facilities, benefits, opportunities, career guidance, school climate, sexual assault, testing, discipline, and much more.

#### Who are Title IX Gender Equity Coordinators?

The 1975 Title IX Regulations specified that each organizational recipient of federal financial assistance is required to "designate at least one employee to coordinate its efforts to comply with and carry out Title IX responsibilities" and "to make the Coordinators' names and contact information public". The US Department of Education (ED) is taking more responsibility to implement this Title IX Coordinator requirement. In April 2015 its Office for Civil Rights (OCR) issued guidance on Title IX Coordinators important roles and responsibilities. This guidance not only recommended that the Title IX Coordinators be adequately supported by their school but that they take a proactive role in preventing sex discrimination. They should also make sure that the Title IX Coordinators' contact information is posted on their institution's web sites.<sup>96</sup> Additionally, ED promised to provide public contact information on K-12 School District and Postsecondary Education Title IX Coordinators in 2016. Equity organizations such as FMF and the American Association of University Women (AAUW) are also identifying and posting information on Title IX Coordinators at the State Education Agency Level and in K-12 public schools. If each of the 97,000 public schools, 16,000 K-12 school districts, and 7,000 postsecondary institutions had a well-qualified, proactive Title IX Coordinator, there would be over 100,000 gender equity leaders. They will be increasingly effective as they are supported by a Title IX infrastructure composed of vertical and horizontal networks of other Title IX Coordinators and gender equity advocates including parents.

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<sup>96</sup> This OCR guidance is found in a letter to school district superintendents or college presidents <http://www.feminist.org/education/pdfs/colleague-201504-title-ix-coordinators.pdf>), a second letter to Title IX Coordinators <http://www.feminist.org/education/pdfs/dcl-title-ix-coordinators-letter-201504.pdf>, and a *Title IX Resource Guide* <http://www.feminist.org/education/pdfs/dcl-title-ix-coordinators-guide-201504.pdf>. These documents are also available on <http://www.ed.gov/ocr>.

**Why are gender equity organizations renewing their efforts to increase support for Title IX Coordinators?**

In their first two decades, Title IX Coordinators helped end much of the overt sex discrimination in schools. Their work was often supported by funding that created networks of Coordinators, who became gender equity leaders in their states, school districts, and postsecondary institutions. They trained teachers and administrators and developed proactive strategies to advance gender equity. But during the next 20 years support for Title IX Coordinators was greatly diminished even though sex discrimination became increasingly subtle and complicated.

Helped by increased knowledge of what is needed to end sex discrimination in education and increased attention to Title IX and its Coordinators by ED's OCR, gender equity organizations are developing a campaign to reinvigorate and increase the support of proactive and effective Title IX Coordinators. Well trained and internally and externally supported Title IX Coordinators are essential in providing leadership to end subtle and often unintended sex discrimination and to properly implement the complicated regulations and guidance from federal and state governments to comply with Title IX and other civil rights laws.

**How can individual parents and groups of parents help identify and support their Title IX Coordinators?**

Ideally it should be easy to find the Title IX Coordinators in your communities, but often it is not. If everyone takes the spirit of Title IX seriously, every school should have at least one designated Title IX Coordinator to ensure full compliance. If you can't find Title IX Coordinators on your schools' websites or by calls or visits, ask your school district Title IX Coordinator for help. (Some state Title IX Coordinators maintain lists of school district Title IX Coordinators on their State Education Agency websites and the US Department of Education (ED) should be making some of this contact information available soon.<sup>97</sup>)

In addition to contacting your Title IX Coordinators, parents and families with specific concerns about sex discrimination should contact gender equity organizations in their community or nationally (such as members of the National Coalition for Women and Girls in Education [www.ncwge.org](http://www.ncwge.org)<sup>98</sup>). This is especially important if the Title IX Coordinator is not able to be fully responsive in addressing and correcting the sex discrimination and if the Title IX Coordinator needs long term help.

In summary, families and equity advocates should work together to help identify and support Title IX Coordinators throughout the US by:

- Making sure that your schools appoint qualified Title IX Coordinators who follow the OCR guidance. If this has not happened and the school leaders have not given assurances that it will happen, the families, in collaboration with equity advocacy organizations, should put pressure on school leaders and elected and appointed officials to hire and train their Title IX Coordinators.
- Meeting with the Title IX Coordinators and making sure that they have copies of the OCR guidance and that they develop specific accountability and action plans to identify and remediate sex discrimination in their school. They should insure the collection and analysis of accountability information disaggregated by sex, race and other pertinent characteristics needed to assure equity.
- Ensuring that all your communities' schools have contact information on their Title IX Coordinators and appropriate information on Title IX on each of their websites as well as on the school district website. This appropriate information should include information on Title IX compliance resources, complaint procedures and Title IX Coordinator decisions. Information on these decisions should include requests and resolutions related to single sex classes or extra-curricular activities, sexual harassment or assault complaints, gender disparities in athletics and much more. All this information should be posted on the relevant school and school district websites to insure transparency and accountability.

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<sup>97</sup> See <http://www.feminist.org/education/pdfs/StateTitleIXCoordinators12-10-2015> and Civil Rights Data Collection (CRDC) <http://www2.ed.gov/about/offices/list/ocr/data.html?src=rt/>

<sup>98</sup> See Organizations and Handouts Related to Title IX: <http://feminist.org/education/pdfs/TitleIXResources12914.pdf>

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- Meeting with and inviting Title IX Coordinators to talk about their work and plans in community meetings such as PTO, City Council, and School Board meetings. Where feasible, representatives of equity organizations should be key participants.
- Forming advisory groups to meet on a regular basis with the Title IX Coordinators to address and prevent sex discrimination. The advisory groups may be established for multiple schools and should include relevant gender equity experts as well as equity advocates within the schools such as union representatives or supportive school board members.
- Ensuring that interested family members and other equity advocates participate in Title IX training sessions with the Title IX Coordinators and other educators.
- Making full use of high quality gender equity resources with special attention to websites of national gender equity organizations such as members of the National Coalition for Women and Girls in Education [www.ncwge.org](http://www.ncwge.org). Some of these websites such as [www.SSAIS.org](http://www.SSAIS.org) provide a wealth of information on stopping important violations of Title IX such as sexual assault and in following up with legal or other action if the Title IX Coordinator and other decision makers need help.
- Making sure that all the school stakeholders (students, parents, educators and community members) understand their rights and responsibilities under Title IX.
- Using public media to press the schools and governmental agencies to stop all illegal sex discrimination both in and through education.

Please participate in this campaign by sharing your experiences and suggestions with Dr. Sue Klein, Education Equity Director, Feminist Majority Foundation [sklein@feminist.org](mailto:sklein@feminist.org), 703-522-2214 and check out our web resources at [www.feminist.org/education](http://www.feminist.org/education).

Appendix H: Photos of Feminist Majority Foundation (FMF) Researchers



Allison Butler, Nicole Carroll, Chris DiCesare,  
Summer 2013 Researchers



Elana Margosis and Rachel Clay,  
Summer 2015 Researchers



Lina Wu,  
Summer 2015  
Researcher



Rosemary Barber, Emily Stephens, Rachel Stivers, Jay Tran, and Bridget  
Reardon, 2016 Writers and Editors



Sharon Mutwiwa,  
Fall 2015 Researcher



Theresa Green and Lauren Morris,  
Summer 2016 Writers and Editors