

## **Title IX – Sex-based discrimination is prohibited.**

Title IX of the Education Amendments of 1972 (“Title IX”) prohibits sex-based discrimination in all educational programs and activities, including athletic programs, within educational institutions receiving federal financial assistance. Sex-based discrimination includes sexual harassment and sexual violence. No person shall, on the basis of gender, gender identity, gender expression, or sexual orientation, be excluded from participation in, be denied the benefits of, or be subjected to, discrimination under any educational program or activity operated by the Roseville Joint Union High School District (“District”). Title IX protects all participants in the District’s educational programs and activities, including students, parents/guardians, employees, and job applicants.

In addition to Title IX, the California Education Code prohibits discrimination based on sex in education programs and activities in schools. (Education Code sections 220-221.1)

Other state and federal laws also prohibit discrimination and ensure equality in education.

Title IX information provided here applies to every school site and to all District programs and activities.

## **What are my rights under Title IX?**

You have the following rights under Title IX, to the extent applicable at the District:

- You have the right to fair and equitable treatment and shall not be discriminated against based on your sex.
- You have the right to be provided with an equitable opportunity to participate in all extracurricular activities, including both academics and athletics.
- You have the right to inquire of the athletic director at your school or appropriate district personnel as to the athletic opportunities offered by the school.
- You have the right to apply for athletic scholarships if the District offers any.
- You have the right to receive equitable treatment and benefits in the provision of all the following related to athletics, if any are provided by the District:
  - Equipment and supplies;
  - Scheduling of games and practices;
  - Transportation and daily allowances;
  - Access to tutoring;
  - Coaching;
  - Locker rooms;
  - Practice and competitive facilities;

- Medical and training facilities and services; and
- Publicity.
- You have the right to have access to a sex/gender equity coordinator, referred to as the Title IX coordinator, to answer questions regarding sex/gender equity laws.
- You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on sex/gender equity laws.
- You have the right to file a confidential discrimination complaint with the United States Department of Education Office for Civil Rights or the California Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- You have the right to pursue civil remedies if you have been discriminated against.
- You have the right to be protected against retaliation if you file a discrimination complaint. (California Education Code section 221.8)

The District has the responsibility to respond promptly and effectively to sex-based discrimination complaints, including sexual harassment and sexual violence. If the District knows or reasonably should know about sex discrimination, it must take action to eliminate the sex discrimination, prevent its recurrence, and address its effects. The District must resolve complaints of sex discrimination promptly and equitably. Information on filing a complaint alleging sex-based discrimination is provided below.

- United States Department of Education Office for Civil Rights:
  - <http://www2.ed.gov/about/offices/list/ocr/index.html>
  - <http://www2.ed.gov/policy/rights/guid/ocr/sex.html> (sex discrimination)
  - <http://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.pdf> (prohibition against sexual harassment and sexual violence)
  - <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201104.html> (addressing sexual violence)
  - <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.pdf> (pregnant or parenting individuals)
- California Department of Education Office of Equal Opportunity:
  - <http://www.cde.ca.gov/re/di/eo>
  - <http://www.cde.ca.gov/re/di/eo/genequitytitleix.asp> (Gender Equity/Title IX)
- District nondiscrimination/harassment statements, policies and regulations:
  - Board Policy 4030 – Nondiscrimination in Employment
  - Administrative Regulation 4030 – Nondiscrimination in Employment
  - Board Policy 4119.11 – Sexual Harassment Prevention
  - Administrative Regulation 4119.11 – Sexual Harassment Prevention
  - Board Policy 5145.3 – Nondiscrimination/Harassment
  - Administrative Regulation 5145.3 – Nondiscrimination/Harassment
  - Board Policy 5145.7 – Sexual Harassment
  - Administrative Regulation 5145.7 – Sexual Harassment

## **The District Title IX Coordinator:**

Brad Basham  
Assistant Superintendent, Personnel Services  
Roseville Joint Union High School District  
1750 Cirby Way  
Roseville, CA 95661  
(916) 782-8663  
bbasham@rjuhsd.us

## **How do I file a complaint of sex discrimination?**

A student, parent, guardian, employee, individual, or organization may file a written complaint alleging discrimination, harassment, intimidation, and/or bullying on the basis of a protected characteristic with the District and/or the Office of Civil Rights (“OCR”). If a crime is involved, such as sexual assault or rape, individuals may also file a report with the local law enforcement. A person may pursue one or all of these avenues at the same time. Below is a summary of each process:

### **A. District Complaint**

Individuals may file a written complaint alleging discrimination, harassment, intimidation, and/or bullying on the basis of a protected characteristic under the District’s Uniform Complaint Procedure (“UCP”) process by sending a complaint to:

Brad Basham  
Assistant Superintendent, Personnel Services  
Roseville Joint Union High School District  
1750 Cirby Way  
Roseville, CA 95661  
(916) 782-8663  
bbasham@rjuhsd.us

To access the UCP information, click on one of the following links:

Board Policy 1312.3 – Uniform Complaint Procedures

<http://bit.ly/2xRBCHn>

Administrative Regulation 1312.3 – Uniform Complaint Procedures

<http://bit.ly/2xWvD5X>

Uniform Complaint Form

<http://bit.ly/2xW8iRD>

You may file a complaint anonymously, but the District’s ability to investigate and respond may be limited by a lack of information.

### **1. Time Requirement**

A complaint alleging unlawful discrimination or retaliation must be filed no later than six (6) months from the date the discrimination or retaliation occurred, or six (6) months from when the complainant first learned of the unlawful discrimination. The Superintendent or designee may extend this timeline by up to ninety (90) days for good cause, upon written request by the complainant setting forth the reasons for the extension.

## **2. Investigation Procedure**

Complaints, related to a potential Title IX violation, filed under the District's UCP process, will be investigated and a written decision will be made within sixty (60) calendar days of the District's receipt of the complaint, unless the complainant agrees in writing to an extension. The District's compliance officer or designee may interview alleged victims, alleged offenders and relevant witnesses, as well as review available records, statements or notes related to the complaint, including evidence or information received from the parties during the investigation. The compliance officer may visit reasonably accessible locations where discrimination is alleged to have occurred. The complainant will be notified in writing when the decision is made.

The District will also take steps to protect all complainants from retaliation and ensure all parties are treated fairly throughout the District's investigation process. As part of its Title IX obligations, the District also takes steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the complainant and others, as appropriate.

## **3. Appeal Rights**

If the complainant or respondent is not satisfied with the decision, the complainant or respondent may, within five (5) business days, file an appeal in writing to the District's Board of Trustees. The Board of Trustees may consider the matter in closed session at a regularly scheduled board meeting.

The complainant or respondent also has the right to appeal the Board's decision to the State Superintendent of Public Instruction, California Department of Education ("CDE"), within fifteen (15) calendar days of receipt of the decision. When appealing to CDE, the complainant or respondent must specify the reason(s) for the appeal and whether the District's facts are incorrect and/or the law is misapplied. The appeal must include a copy of the original complaint to the District and the District's decision. For more information, visit the CDE's webpage on Uniform Complaint Procedures at <http://www.cde.ca.gov/re/cp/uc/>.

For complaints alleging unlawful discrimination based on state law, the complainant may pursue available civil law remedies, including seeking assistance from mediation centers or public/private interest attorneys, sixty (60) days after filing an appeal with CDE (California Education Code section 262.3). The sixty (60) day moratorium does not apply to complaints seeking

injunctive relief in state courts or to discrimination complaints based on federal law. (California Education Code section 262.3)

## **B. OCR Complaint**

You may also file a discrimination complaint with the United States Department of Education Office for Civil Rights (“OCR”). For more information, visit <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

The electronic complaint form for OCR is available online at <https://ocrcas.ed.gov>.

You may contact the OCR at:

San Francisco Office  
Office of Civil Rights  
U.S. Department of Education  
50 United Nations Plaza  
Mail Box 1200, Room 1545  
San Francisco, CA 94102  
(415) 486-5555  
Fax: (415) 486-5770; TDD: (800) 877-8339  
Email: [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov)

### **1. Summary**

In summary, the OCR complaint form requires the name of the person subjected to the alleged Title IX violation, the name of the person filing the complaint, the name of the education institution, a description of the alleged Title IX violation, a report of any retaliation suffered by the person filing the complaint, the date of the last act that violated Title IX, and any attempt to address the alleged violation through another avenue, including the education institution’s internal grievance procedure or a court filing. Note that anyone may file a complaint with OCR. The person or organization filing the complaint need not be a victim of the alleged discrimination but may complain on behalf of another person or group.

### **2. Time Requirement**

OCR requires that the complaint be filed within 180 calendar days after the alleged violation. As set forth in OCR’s complaint form, the reporter can request a waiver of this requirement by explaining why the complaint was delayed. Please contact OCR, or visit the websites above, if you have any questions or concerns about this time requirement.

### **3. Investigation Procedure**

Upon receipt of any complaint related to a potential Title IX violation, OCR first determines if it can investigate the incident by determining if the alleged action

constitutes a violation of Title IX. OCR also assesses whether the complaint was filed within the 180 day requirement or provides a legitimate reason to waive this requirement. OCR may also seek more information from the person filing the complaint if needed to further assess the complaint.

If OCR determines that it will investigate the complaint, it will issue letters of notification to the complainant and the education institution. OCR may use a variety of fact-finding techniques in its investigation of a complaint. These techniques may include reviewing documentary evidence submitted by both parties, conducting interviews, and/or making site visits. At the conclusion of its investigation, OCR will determine with regard to each allegation whether the education institution failed to comply with Title IX. If the complainant disagrees with OCR's determination, he/she may submit a written appeal to OCR.

### **C. Police Report**

As discussed above, if a crime is involved, such as sexual assault or rape, individuals may also file a report with the local law enforcement at:

Roseville City Police Department  
1051 Junction Blvd., Roseville CA 95678  
Non-Emergency Phone: 916-774-5000

Placer County Sheriff's Office  
2929 Richardson Dr., Auburn, CA 95603  
Non-Emergency Phone: 530-889-7800

Sacramento County Sheriff's Department  
711 G Street, Sacramento, CA 95814  
Non-Emergency Phone: 916-874-5115