



State & Large School District Title IX Gender Equity Coordinators, Methods of Administration Coordinators & other State and District Level Gender Equity Experts

The attached list was developed by the Education Equality Program of the Feminist Majority Foundation¹. It is one way to help build an effective network of Title IX coordinators at all levels of education throughout the U.S. A short **handout**² on "Title IX Coordinators: Key to Fighting Sex Discrimination in Education" is available for widespread distribution.

Title IX is a comprehensive Federal civil rights law that 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 of the Education Amendments of 1972*).

Title IX prohibits discrimination against girls and boys, women and men, including LGBT students and employees, in all levels of education. In accordance with the 1987 Civil Rights Restoration Act, Title IX applies to all institutions with education programs and activities that receive Federal financial assistance directly or indirectly from the US Department of Education or other Federal entities. "If any part of a school district or college receives any Federal funds for any purpose, all of the operations of the district or college are covered by Title IX."³

Recipient institutions with education programs or activities include 50 plus state education agencies (SEAs) (including Washington, DC and US territories and possessions), about 16,500 local school districts (including their regular and public charter pre K-12 schools), 7,000 postsecondary institutions, for-profit education agencies, libraries, museums, vocational rehabilitation agencies, prisons, and a variety of other public and private institutions including scientific laboratories with education activities.⁴

Title IX prohibits sex discrimination related to facilities, resources, recruitment, access to courses, athletic and academic opportunities, career guidance, testing, financial aid, health and insurance benefits, treatment of pregnant and parenting students, discipline, single-sex education, sex-based harassment and violence, employment in educational

¹ For more information please visit: www.feminist.org/education or <http://www.feminist.org/education/TitleIXcoordinatorsNetwork.asp>

² <http://www.feminist.org/education/pdfs/Title-IX-Coordinator-Handout-09172015.pdf>

³ Title IX Resource Guide, page 1, US Department of Education, Office for Civil Rights (April 20015) <http://www.feminist.org/education/pdfs/dcl-title-ix-coordinators-guide-201504.pdf>

⁴ Only a few private postsecondary schools such as Grove City College are not covered under Title IX because they do not receive, or allow their students to receive, federal financial assistance.

institutions, and more. Retaliation against those trying to stop sex discrimination, such as Title IX Coordinators is prohibited.⁵

Title IX regulations⁶ specify that each recipient of Federal financial assistance “designate at least one employee to coordinate its efforts to comply with and carry out Title IX responsibilities” and that names and contact information for Title IX coordinators be made public. In April 2015, the Office for Civil Rights in the US Department of Education issued guidance on the roles and responsibilities of Title IX Coordinators. (See April 24, 2015 **Dear Colleague letter, special letter to Title IX Coordinators**, and the **Title IX Resource Guide**).⁷

This guidance was needed not only to update procedures such as posting Title IX Coordinator email contact information on school websites (websites did not exist in 1975 when the regulation was written) but to reinforce the often neglected broad leadership responsibilities of well trained and supported Title IX coordinators to end all types of sex discrimination in education in institutions covered by Title IX.

If everyone complies with this Title IX Coordinator regulation, there should be over a hundred thousand Title IX Coordinators making sure that all students and staff are informed of their rights and protections against sex discrimination and that these inequities are identified and ended. However, it is difficult to find these Title IX Coordinators, so it is not surprising that a study found that fewer than 20 percent of teachers understand what Title IX covers and only a miniscule percent of students and parents are aware of their rights under Title IX. More Title IX Coordinators doing their job in a proactive way with support from their employers and external advisers can identify and prevent sex discrimination. The 2015 guidance from OCR describes many ways that Title IX Coordinators and other responsible officials and concerned gender equality advocates should help those who have suffered from discrimination file, resolve, and sustain resolution of complaints.

Over the past 40 years (as documented in the National Coalition for Women and Girls in Education’ **“Title IX at 40”** and *Ms. magazine’s “Triumphs of Title IX,”*⁸ there has been substantial progress in ending overt sex discrimination in U.S public education but subtler manifestations of sex discrimination continue. Additionally, interpretations of compliance with Title IX and related civil rights laws have become more sophisticated and complicated. The legal and financial risks for non-compliance have also increased as plaintiffs have won multi-million dollar **settlements**⁹ for damages from sex discrimination at all levels of education.

Thus, it is now more important for organizations that are covered by Title IX to employ well-trained and proactive Title IX Coordinators to prevent or quickly eliminate all types of sex discrimination. The frequent neglect of Title IX Coordinators and related lack of

⁵ See OCR non-retaliation guidance <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201304.html>

⁶ See <http://feminist.org/education/TitleIXRegCoordinatorSection.pdf>

⁷ See [2015 OCR Guidance on Title IX Coordinators \(Dear Colleague letter\)](#) (PDF), [\(Title IX Coordinator Letter\)](#) (PDF) and [\(Title IX Resource Guide\)](#) (PDF) <http://www.feminist.org/education/pdfs/colleague-201504-title-ix-coordinators.pdf>

⁸ www.ncwge.org and <http://www.feminist.org/education/TriumphsOfTitleIX.pdf>

⁹ See examples of settlements. <http://www.feminist.org/education/consequences.asp>

knowledge of Title IX protections must end. This will help the US in its leadership role in using education to advance gender equality in society. This is especially critical for the most vulnerable student populations that often face discrimination on the basis of sex as well as other characteristics such as race, disability, limited English ability, national origin, and relative poverty. Additionally, there is now more awareness that discrimination on the basis of sex includes sexual orientation, gender identity, or failure to conform to stereotypical notions of masculinity or femininity.

More Expertise is Needed Now than 40 Years Ago to Comply with Title IX

This means more well qualified Title IX Coordinators and team members with gender equity expertise in areas where sex discrimination is common are needed to address the following complexities:

- ***Increasingly subtle discrimination.*** Initially many Title IX violations were overt and seen as accepted practice. For example, girls were routinely denied access to training for male dominated careers and vice versa. Similarly, few questioned why boys were suspended more often than girls for similar infractions. But as official discriminatory restrictions have been identified and generally eliminated, it is harder to end repeated micro-inequities or indirect and unintentional sex discrimination.
- ***Detailed and complicated regulations and official guidance.*** Title IX regulations and guidance from the Federal government, often fine-tuned by state laws and policies, such as State Title IX type laws and legal precedents, help Title Coordinators and gender equality advocates better identify unlawful but sometimes subtle sex discrimination. Federal guidance documents on the FMF [Title IX Defined web page](#)¹⁰, related to preventing sex discrimination in athletics, sexual harassment and assault, career-technical education, pregnancy and parenting, and single-sex education are quite detailed, but may not answer all questions. For example, even the counting of athletic opportunities can be tricky. Does participation by the same athlete in both indoor and outdoor track competition count as one or two participation opportunities? If there is evidence that a school is violating Title IX athletics regulations based on officially submitted data, how should the Title IX Coordinator verify this and related information on sex discriminatory treatment, publicize the need for change, obtain and then monitor that equality is present and sustained for long term compliance with Title IX? How can Title IX Coordinators work with other gender equality advocates to maintain progress and prevent sex discrimination?
- ***Related and overlapping laws and responsibilities.*** To provide adequate guidance on ending sex discrimination, Title IX Coordinators need to understand related federal and state civil rights laws, guidance documents, and legal precedents including interpretations of the U.S. Constitution, such as the Fourteenth Amendment Equal Protection Clause which is especially helpful in providing guidance on why separate is not equal when schools practice sex segregation. Coordinators should also understand

¹⁰ <http://www.feminist.org/education/titleix.asp>

that their State Equal Rights Amendment (or guarantees of equal rights under their state constitution) may provide even better and broader protection than the Federal Title IX.

Federal agencies such as the US Department of Education (ED) Office for Civil Rights (OCR) are responsible for the implementation of provisions in the Title IX regulations for Title IX Coordinators. There are similar provisions in Section 504 of the Rehabilitation Act of 1973 for 504 Coordinators, and for state Methods of Administration (MOA) Coordinators to comply with the 1979 Vocational Education Guidelines to address court orders from the Adams v. Califano and Women's Equity Action League (WEAL) cases to improve enforcement of Civil Rights laws to end race, sex, and other types of discrimination in vocational/now career & technical education.¹¹

Most states have anti-bullying or anti-harassment legislation which generally overlaps with Title IX prohibitions against sexual harassment and discrimination. Increasingly these prohibitions include discrimination related to sexual orientation, gender identity and expression.¹² Some of the new state laws designed to decrease sexual harassment and bullying also require a coordinator (often in each school). There is substantial confusion related to anti-bullying laws such as when is bullying a criminal act and/or a civil rights violation? For example, a Regional OCR Office investigated school districts that were treating incidents as bullying when they were actually also Federal Title IX violations involving sexual harassment. There are similar and additional confusions related to Title IX's role in preventing and developing non-discriminatory policies and procedures related to sexual violence and assault as the Federal Clery Act and Federal and state criminal statutes may also be used to help survivors and punish the perpetrators. The Federally sponsored "Not Alone" website and the Department of Justice Center for Changing Our Campus Culture websites¹³ link to many resources on these issues. Many Title IX Coordinators have responsibilities for implementing civil rights laws relating to race, national origin and disability in addition to ending sex discrimination in education.

State Title IX Coordinators

While State Education Agencies (SEAs) are required to designate at least one Title IX Coordinator, some states designate more than one. Many states have separate K-12 and postsecondary education agencies, but FMF has just started to identify the postsecondary agency Title IX Coordinators. States use two basic models for Title IX Coordinator responsibilities.

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¹² See especially the 2014 guidance on single-sex education <http://www.feminist.org/education/pdfs/fags-title-ix-single-sex-201412.pdf> and on sexual assault <http://www.feminist.org/education/pdfs/NotAlone2014Report.pdf>

¹³ <https://www.notalone.gov/> and <http://www.changingourcampus.org/>. These and other websites are listed in www.feminist.org/education/titleIX.asp

1. Some Title IX Coordinators have multiple civil rights responsibilities. For example, the same person may be a Title IX, 504 (disabilities), and MOA Coordinator or even the director of their state's equity or diversity office.
2. In other states there is likely to be a lead or general K-12 Title IX Coordinator plus other SEA staff with some Title IX responsibilities in their substantive area of responsibility ranging from the agency's legal or personnel office to physical education and athletics, harassment and bullying, career and technical education, pregnancy and parenting, etc. Some states actively identify these experts and create Title IX teams. The 2015 OCR Title IX Coordinator guidance calls for a lead Title IX Coordinator to make sure that all aspects of sex discrimination receive informed attention. It also recommends full-time Title IX Coordinators.

The roles and responsibilities of Title IX Coordinators and other SEA agency staff with Title IX and related civil rights responsibilities vary widely. Their roles range from advising their agencies on personnel and education policy issues, to serving as legal experts, or providing leadership in gender equity by identifying, training, assisting, and helping Title IX Coordinators in the school districts, community colleges or postsecondary institutions in their state. Some of these SEA Title IX Coordinators help conduct periodic gender equity assessments or investigate complaints of non-compliance with Title IX often with help from regional OCR offices. Model state Title IX Coordinators provide training, consultation, and oversight to all public school districts in their state as well as extensive web resources including lists of district, and other Title IX Coordinators.

The attached listing of State and Large School District Title IX Coordinators includes a listing of state Methods of Administration (MOA) Coordinators as well as Title IX Coordinators and other state level gender equity experts. The objective of the MOA program is to ensure equal educational opportunity with respect to career and technical education programs regardless of race, color, national origin, sex, or disability. Under the MOA program, state education agencies (specifically, MOA Coordinators) are responsible for conducting targeted compliance reviews of secondary and postsecondary institutions that provide career and technical education based on the Vocational Education Guidelines as well as the regulations implementing Title IX, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act (ADA) of 1990. MOA Coordinators are also responsible for reporting their MOA activities and findings biennially to the OCR in ED. OCR staff provide technical assistance and training to state MOA Coordinators on MOA program requirements, investigative techniques, and requirements of the Vocational Education Guidelines, as well as the Title IX and other civil rights laws. (See the federal documents for vocational education listed on www.feminist.org/education/titleix.asp.)

To help continually improve this directory and the full coverage of Title IX issues by state Title IX Coordinator teams, FMF requests that SEA Title IX Coordinators identify any other state education agency staff with substantial Title IX related expertise and responsibilities such as avoiding sex discrimination in areas such as: employment; sexual harassment/bullying/sexual violence; athletics; science, technology, engineering and mathematics (STEM); teen pregnancy and parenting; equitable non stereotypic treatment related to single-sex classes and schools in pre K-12, and postsecondary education. It

would also help if a lead state education agency Title IX Coordinator is identified to establish networks to communicate with Title IX Coordinators and equity advocates in their state's school districts, post-secondary schools, museums, PTA'S/PTO'S, etc. Some states maintain lists of school district and other Title IX coordinators on their website to provide better access to the public. See asterisk* next to these websites.

School District Title IX Coordinators

The school district (or Local Education Agency/LEA) Title IX Coordinators are often district office employees with related human resources or diversity office assignments. Ideally they network with each other across the state and work with the state Title IX Coordinator(s) as well as all their local school Title IX Coordinators. The Civil Rights Data Collection (CRDC) should be reporting on specific contact information and email addresses for at least one public school district Title IX Coordinator by 2016. This FMF list includes contact information on Title IX Coordinators in large school districts obtained from FMF 2013 and 2015 research on Title IX Coordinators.

Some school district Title IX Coordinators organize, train, and provide assistance to Title IX Coordinators in each school in their district and maintain web information on Title IX requirements. When they do so, they can create networks of Title IX Coordinators across their district and also provide opportunities to work with gender equity experts and advocates. The district Title IX Coordinators should also be responsible for verifying the Title IX related information such as on athletic participation and single-sex classes requested in the mandatory OCR Civil Rights Data Collection. They should be proactive in identifying and addressing sex discrimination to ensure that their district is advancing gender equality.

As in state education agencies, teams of Title IX experts may also be used in the more than 16,500 school districts. Many school districts have athletic directors with Title IX Coordinator responsibilities. In addition to state legislation in NY to prevent bullying and harassment, the New York City school district has legislation that designates the appointment of a specific person in each public school to prevent sexual harassment, bullying and other demeaning behaviors. Since many of these behaviors relate to violations of Title IX, it is reasonable for these harassment/ bullying coordinators to also be part of the district Title IX team and for some of these experts to be given broader responsibilities as Title IX Coordinators. ED and DOJ have specific guidance for Title IX Coordinators at the K-12 and the postsecondary levels to prevent sexual harassment and assault.

School Level Title IX Coordinators

There are 97,000 US public elementary and secondary schools, but we do not know how many have designated Title IX Coordinators. School level Title IX Coordinators are often interested teachers or staff with related assignments such as the school Title I coordinator, anti-sexual harassment coordinator, or even the principal.

Although almost all of the 7,000 public and private postsecondary institutions should have one or more Title IX Coordinators (often in human resources, athletics, or equal opportunity or diversity offices), it has been difficult to find these coordinators on school websites. However, this and related Title IX information is required by the 2015 Title IX coordinator guidance. *Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault*, April 2014 promised that the ED would identify and disseminate public information on postsecondary Title IX coordinators by 2015.¹⁴

Summary

FMF and the OCR 2015 Title IX coordinator guidance recognize that effective, proactive Title IX coordinators must not work in isolation. They must receive support from their institution's leaders and involve their community of stakeholders especially equity experts. FMF recommends Federal leadership in the development of a strong and comprehensive infrastructure or network of Title IX coordinators and equity supporters. The network would provide substantial long-term funding and leadership support for Title IX implementation networks of Title IX coordinators working vertically- from State Education Agencies to school district to schools and horizontally - where Title IX coordinators would work with each other in neighboring schools and districts as well as with stakeholders ranging from gender and other equity experts in specific topics such as athletics, STEM, or sexual assault prevention. This infrastructure would also include the establishment of advisory groups of internal and external supporters who know and care about advancing gender equality.

¹⁴ Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault, April 2014. <https://www.notalone.gov/assets/report.pdf> p. 18

State and Large School District Title IX Gender Equity Coordinators, Methods of Administration Coordinators, & other State level Gender Equity Experts

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Notes

* These State websites maintain lists of Title IX coordinators (for school districts and/or other categories)

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