



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.

¹¹ Amanda.Dallo@ed.gov Tel. 202-260-7841 is the OCR Headquarters Acting Title IX Team Leader David.Berkowitz@ed.gov Tel. 202-453-6026 is the OCR MOA Coordinator.

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

Alabama

THOMAS R. BICE
State Superintendent of Education
& Title IX Coordinator
Alabama Department of Ed.
5114 Gordon Persons Building
P. O. Box 302101
Montgomery, AL 36130-2101
Tel: 334-242-9700
Fax: 3342429708
Email: tbice@alsde.edu
Web: <http://www.alsde.edu>

PETRO JOHNSON
Career-Technical Education, MOA
Coordinator
Alabama Department of Education
5239 Gordon Persons Building
P.O. Box 302101
Montgomery, Alabama
36130-2101
Tel: 334-242-9108
Fax: 334-353-8406
E-mail: pjohnson01@alsde.edu
Web: www.alsde.edu

TRISH JONES
Alabama Community College
System
MOA Coordinator
135 S. UNION ST.
Montgomery, Alabama
36130-2130
TEL: 334-293-4555
Fax: 334-293-4559
E-mail: Trish.Jones@accs.edu
Web: <http://www.accs.cc>

Alaska

FELICIA SWANSON
Title IX and MOA Coordinator
Career & Technical Education
Accountability
Alaska Department of Education &
Early Development
801 West 10th St., # 200
PO Box 110500
Juneau, AK 99811-0500
Tel: 907-465-2980
Fax: 907-465-3240
Email:
Felicia.Swanson@Alaska.Gov

Web:

<https://education.alaska.gov/TLS/CTE/ocr.html>

American Samoa

SALU HUNKIN-FINAU
Director of Education & Title IX
Coordinator
American Samoa Department of
Education
P.O. Box 656
Pago Pago, AS 96799
Tel: 684- 633-5237x222
Email: HunkFins252@gmail.com
Web: <http://www.doe.as>

Arizona

BILLIE BELANGER
Title IX Coordinator, Human
Resources Manager, Arizona
Department of Education
1535 West Jefferson St.
Phoenix, Arizona 85007
Tel: 602-542-3186
Fax: 6025423073
Email: billie.belanger@azed.gov
Web: <http://www.azed.gov>

JEANNE ROBERTS
CTE Grants Program (MOA)
Arizona Department of Ed.
Career and Technical Education
1535 W. Jefferson, Bin #60
Phoenix, Arizona 85007
Tel: 602-364-2211
Fax: 602-364-4035
Email: jeanne.roberts@azed.gov
Web:
<http://www.ade.az.gov/cte/federal/programs/>

NICOLE CLAPECK
Secondary Accountability Specialist
Arizona Department of Ed.
Career and Technical Education
1535 W. Jefferson, Bin #42
Phoenix, Arizona 85007
Tel: 602-542-4754
Email: Nicole.Clapeck@azed.gov
Web: <http://www.azed.gov/career-technical-education/>

Arkansas

OLIVER DILLINGHAM
Title IX Coordinator and Title IV
Contact
Arkansas Department of Ed.
#4 Capitol Mall
Little Rock, AR 72201
Tel: 501-682-4212
Fax: 501-682-5177
Email: Oliver.Dillingham@Arkansas.gov
Web: <http://arkansased.org/>

MARYLENE TATE
Office of Support for Special
Populations (MOA)
Arkansas Department of Workforce
Education
Three Capitol Mall, Luther S.
Hardin Building
Little Rock, AR 72201-1083
Tel: 501-682-1535
Fax: 501-682-1805
Email:
marylene.tate@arkansas.gov
Web:
[http://dwe.arkansas.gov/SpecialNe
eds/EA.html](http://dwe.arkansas.gov/SpecialNeeds/EA.html)

California

SHARON FELIX-ROCHON
Director, Office of Equal
Opportunity
& Title IX, MOA and 504/ADA
Coordinator
California Department of Education
1430 N. St., Suite 4206
Sacramento, CA 95814
Tel: 916-445-9174
Fax: 916-324-9818
Email: sfelix@cde.ca.gov
Web: www.cde.ca.gov/ci/ct

DEBRA G. JONES Ed.D (MOA)
Dean Career Education Practices,
Workforce & Economic Devel. Div
California Community Colleges,
Chancellor's Office
1102 Q Street, Suite 4554
Sacramento, California 95811-6539
Tel: 916-322-6972

Email: djones@cccco.edu
Web: <http://www.cccco.edu/>

Los Angeles Unified School District

BEN NGUYEN
Title IX Coordinator
Educational Equity Compliance
Office - 20th Floor
333 South Beaudry Avenue
Los Angeles, CA 90017
Tel: 213-241-7682
Fax: (213) 241-3312
Email: Bqn028@lausd.net
Web:
http://notebook.lausd.net/portal/page?_pageid=33,1160085&_dad=ptl&_schema=PTL_EP

San Diego Unified School District

MICHELLE CRISCI
Title IX Coordinator, Eugene
Brucker Education Center
4100 Normal Street, Room 2214
San Diego, CA 92103-2682
Tel: 619-725-7225
Fax: 619-725-5529
Email: mcrisci@sandi.net
Web:
<http://www.sandi.net/Page/258>

San Francisco Unified School District

RUTH DIEP
Title IX Coordinator, Office of
Equity Assurance
555 Franklin St., Room 306
San Francisco, CA 94102
Tel: 415-355-7334
Fax: 415-355-7333
Email: DiepR@sfusd.edu
Web: <http://www.sfusd.edu/en/how-do-i.html>

Colorado

LAUREL DAVIES
Title IX Coordinator
Colorado Dept. of Education
Office of Language, Culture and
Equity
201 E. Colfax Ave.
Denver, CO 80203
Tel: (303) 866-6815
Email: daviesL@cde.state.co.us

VICTORIA CROWNOVER
Career and Technical Education
(MOA)

Colorado Community College
System
9101 East Lowry Blvd
Denver, Colorado 80230-6011
Tel: 720-858-2775
Fax: 720-858-2771
Email:
Victoria.Crownover@cccs.edu
Web:
<http://www.cccs.edu/CTE/index.html>

Connecticut

ADRIAN WOOD, PH.D
State Title IX Coordinator and MOA
Coordinator,
Turnaround Office
Connecticut State Department of
Education
165 Capitol Avenue
Hartford, CT 06106
Tel: 860-713-6795
Fax: 860-713-7035
Email: adrian.wood@ct.gov
Web: www.state.ct.us/sde
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320472>
*<http://www.sde.ct.gov/sde/cwp/view.asp?a=2681&q=320488>

Delaware

MARY COOKE, ESQ.
Human Resource Officer
Title IX Coordinator (MOA)
Delaware Department of Education
401 Federal Street, Suite #2
Dover, Delaware 19901-3639
Tel: 302-735-4030
Fax: 302-739-7768
Email: mcooke@doe.k12.de.us
Web: <http://www.doe.state.de.us/>

District of Columbia

TONY D. JOHNSON
Civil Rights and Gender Equity
Coordinator, Interim Title IX and
MOA Coordinator
Office of the State Superintendent
of Education (OSSE)
Director, State Office of Career and
Technical Education
810 First Street, NE, 2nd Floor,
Washington, D.C. 20002-4227
Tel: 202-727-8576
Fax: 202-741-0229
Email: Tony.Johnson@dc.gov
Web: <http://www.osse.dc.gov>

CLARK RAY
Statewide (OSSE) Director of
Athletics DC State Athletic
Association,
DCSAA Office of the State
Superintendent of Education,
810 First Street, NE, 4th Floor
Washington, DC 20002
Tel: 202-654-6115
Cell: 202-277-8395
Fax: 202-724-7656
Email: clark.ray@dc.gov
Web: www.dcsaasports.org

MARIE RUDOLPH
Senior Women's Administrator and
Title IX Coordinator for Athletics,
DCSAA
Office of the State Superintendent
of Education
District of Columbia
810 First Street, NE, 4th Floor
Washington, DC 20002
Tel: 202-724-5383
Email: marie.rudolph@dc.gov
Web: <https://dcaasports.org/programs/title-ix/>

HEATHER HOLADAY,
DCPS Title IX Coordinator,
Office of Teaching and Learning,
DC Public Schools, 1200 First
Street, NE |
8th Floor, Washington, DC 20002
Tel: 202-645-6073
Fax: 202-442-5523
Email: Heather.Holaday@dc.gov
Web: <http://dcps.dc.gov/>

QUINNE HARRIS-LINDSEY
Interim General Counsel, Office of
the General Counsel,
DC Public Schools
1200 First Street, NE,
Washington, DC 20002
Tel: 202-442-5170
Email: quinne.harris-lindsey@dc.gov
Web: www.k12.dc.us
<http://dcps.dc.gov/DCPS/DCPS+Notice+of+Non-Discrimination+and+Other+Non-Discriminatory+Provisions>

STEPHANIE EVANS
Director of Athletics, DCPS
Tel: 202.729.3288
Email: Stephanie.evans@dc.gov
Michael T. Bryant II
Compliance Coordinator, DCPS

Department of Athletics /DCIAA
3535 V Street NE
Washington, DC 20018
Tel: 202-671-2104
Email: michale.bryant5@dc.gov

RENAE LEE
Human Resources Specialist & Title IX Coordinator
Univ. of the District of Columbia
Office of Human Resources
4200 Connecticut Avenue, N.W.,
Building 38 - Suite 301-14,
Washington, D. C. 20008
Tel: 202-274-5452
Fax: 202-274-6300
Email: rlee@udc.edu
Web: www.udc.edu

Florida

LYDIA SOUTHWELL
*Title IX Coordinator
& Educational Policy Development
Director and MOA*
Equal Educational Opportunity
Office, Division of Public Schools
Florida Department of Education
325 W. Gaines St. Turlington Bldg.,
Rm 644C
Tallahassee, Florida 32399-0400
Tel: 850-245-9556
Fax: 850-245-9454
Email: lydia.southwell@fldoe.org
Web: <http://www.firn.edu/doe/eeop/>

LYNDA EARLS
*Director, Equity & Civil Rights
Compliance, Title IX Coordinator*
Florida Department of Education
Division of Florida Colleges
325 West Gaines Street, Suite
1544, Tallahassee, FL 32399-0400
Tel: 850-245-9468
Fax: 850-245-9468
Email: lynda.earls@fldoe.org
Web: <http://www.fldoe.org>

* [Equity Officers for the FL College System-trained as TIX Coordinators](#)
<http://data.fldoe.org/workforce/contacts/default.cfm?action=showList&ListID=56>

Broward County

Wladimar G. Alvarez
*Director, Equal Educational
Opportunities/ADA Compliance*
600 SE 3rd Avenue
Fort Lauderdale, Florida 33301
Tel: 754-321-2150
Fax: 754-321-2158

Email: wladimir.alvarez@browardschools.com
Web: <http://www.broward.k12.fl.us/eeo/contact.htm>

Duval County

JOSEPHINE JACKSON
Executive Director, Office of Equity
and Inclusion/Professional
Standards & Title IX Coordinator
Duval County Public Schools
1701 Prudential Drive, 4th Floor
Jacksonville, FL 32207-8182
Tel: 904-390-2181
Fax: 904-390-2536
Email: jacksonj4@duvalschools.org
Web: <http://duvalschools.org/Page/9379>

Hillsborough County

MARK WEST
Title IX Coordinator
Division of Human Resources,
901 E. Kennedy Blvd.
Tampa, Florida 33602.
Tel: (813) 272-4227
Email: mark.west@sdhc.k12.fl.us
Web: http://www.sdhc.k12.fl.us/doc/list/empl_oyee-relations/contacts/27

Miami-Dade County

MADELINE RODRIGUEZ
Executive Director
Civil Rights Compliance Office
Title IX Coordinator
Miami Dade County Public Schools
155 NE 15th St
Suite T104E
Miami, FL 33132
Tel: (305) 995-1580
Email: mrodriguez12@dadeschools.net

Orange County

JAMES LARSEN
Title IX Coordinator & Exec. Area
Director (Athletics)
Orange County Public Schools
445 W Amelia St, Orlando, FL
32801
Tel: 407-317-3200 x 2002710
Email: James.Larsen@ocps.net

CARIANNE REGGIO
Sr. Manager EEO and Legal
Services
Tel: 407-317-3200 x 2002955
Email: Carianne.Reggio@ocps.net
Web: <http://www.ocps.net/SiteCollectionDocuments/Docs%20Continually%20Update>

[d/OCPS%20EEO%20Non-Discrimination%20Statement.pdf](http://OCPS%20EEO%20Non-Discrimination%20Statement.pdf)

Palm Beach County

DENEEN WELLINGS
Title IX, EEO and ADA Coordinator
Palm Beach County Schools
3300 Forest Hill Boulevard
West Palm Beach, FL 33406
Tel: 561-982-0905
Email: Deneen.Wellings@palmbeachschools.org
<http://www.palmbeachschools.org/>

Georgia

THERESE MCGUIRE
*Title IX Program
Specialist/Coordinator
Health & Physical Education*
Georgia Department of Education
Suite 1754 Twin Towers East
205 Jesse Hill Jr. Drive SE
Atlanta, GA 30334
Tel: 404-651-7859
Email: tmcquire@doe.k12.ga.us
Web: <http://www.gadoe.org/External-Affairs-and-Policy/Policy/Pages/Equity.aspx>
<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Curriculum-and-Instruction/Pages/Health-and-Physical-Education.aspx>

STEFFANIE MORRISON
*Technical College System of
Georgia, Attorney (MOA)*
Attorney MOA Coordinator
1800 Century Place, Suite 400
Atlanta, Georgia 30345-4304
Tel: 404-327-6833
Fax: 404-679-1615
Email: smorrison@tcsq.edu

DR. RAY ANUKAM (MOA)
Georgia Department of Education
Career, Technical and Agricultural
Education
1752 Twin Towers East
205 Jesse Hill Jr. Drive, Suite 1752
Atlanta, Georgia 30334-5040
Tel: 404-463-5279
Fax: 404-651-8984
Email: ranukam@doe.k12.ga.us
Web: <http://www.gadoe.org>

Cobb County School District

DARRYL YORK
Title IX Coordinator, Exec Director
Policy, Planning & Student Support,
Cobb County School District
514 Glover St., Marietta, GA
Tel: 770-426-3340
Email: Darryl.York@cobbk12.org

Web: www.Cobbk12.org

STEVE JONES
Sports Equity Coordinator/
Athletics Director
514 Glover St.
Marietta, GA 30060
Tel: 678-331-1071
Email: Steve.Jones@cobbk12.org

Gwinnett County Public Schools

JOYCE SPRAGGS
Director of Equity Compliance, Title IX Coordinator
437 Old Peachtree Rd. NW
Suwanee GA, 30024
Tel: 678-301-6811
Email: Joyce_Spraggs@Gwinnett.k12.ga.us
Web: <http://publish.gwinnett.k12.ga.us/gcps/home/public>

Guam

MARGARET CRUZ
Equal Employment Opportunity Officer
EEO/ADA/Title IX Coordinator
Guam Department of Education
500 Mariner Ave.
Barrigada, Guam 96913
Tel: 671-300-1612
Email: mecruz@gdoe.net
Web: www.qdoe.net

*Vacant MOA Coordinator,
Education Equity Officer*
Guam Community College
P.O. Box 23069
GMF, GU 96921-0307
Tel: 671-735-4422
www.Guam_Community_College.edu

ELAINE FACULO-GOGUE
*Institutional Compliance Officer
EEO /ADA & Title IX*
University of Guam
Mangilao, Guam 96923, USA
Tel: 671-735-2244/2971
Fax: 671-734-0430
Email: efgogue@uguam.uog.edu
Web: www.uguam.uog.edu

Hawaii

MICHAEL MURAKAMI
TITLE IX COORDINATOR

Hawaii Department of Education
P.O. Box 2360
Honolulu, HI 96804
Fax: 808-586-3236
Email: Michael_Murakami@notes.k12.hi.us
Web: <http://www.hawaiipublicschools.org/BeyondTheClassroom/SafeSchools/ReportAnIssue/Pages/home.aspx>

RYAN TANAKA
Office of State Director for Career and Technical Ed (MOA)
University of Hawaii
Lower Campus Road
Lunalilo Freeway Portable -Room 4
Honolulu, Hawaii 96822-2489
Tel: 808-956-4052
Fax: 808-956-9096
Email: Ryan.Tanaka@hawaii.edu

JENNIFER ROSE, JD
Director, University of Hawaii Office of Institutional Equity
Title IX Coordinator for Univ. of Hawaii System
Bachman Hall 109J
2444 Dole St., Honolulu, HI 96822
Tel: 808-956-8629
Email: Jennifer.rose@hawaii.edu or Institutional.equity@hawaii.edu
Web: www.hawaii.edu/titleix/
*Title IX Coordinators for each U. Hawaii Campus
Hawaii.edu/Titleix/coordinators

Idaho

RHONDA HEGGEN
*Title IX Coordinator and Physical Activity,
Nutrition & Tobacco Prevention*
Idaho State Department of Education
650 W. State Street
P.O. Box 83720
Boise, Idaho 83720
Tel: 208-332-6950
Email: rheggen@sde.idaho.gov
Web: <http://www.sde.idaho.gov/site/csh>

AMY LORENZO
*Idaho Division of Professional-Technical Education (MOA)
Planning and Policy Coordinator*
650 West State Street
Suite 324
Boise, Idaho 83720-0095
Tel: 208-429-5535
Fax: 208-334-2365

Email: Amy.Lorenzo@pte.idaho.gov
Web: www.pte.idaho.gov

Illinois

CHERYL BRADLEY
*Title IX Coordinator & MOA
Principal Education Consultant
Title Grant Administration Division*
Illinois State Board of Education
100 North First Street
Springfield, IL 62777-0001
Tel: 217-524-4832
Fax: 217-785-0090
Email: cbradley@isbe.net
Web: <http://www.isbe.net>

BRIAN HOUSER
Gender Equity Advisory Committee
Illinois State Board of Education
Tel: 217-524-4832
Email: bhouser@isbe.net
Web: <http://www.isbe.net>

AMANDA CORSO
Director for Career & Technical Education, Illinois Community College Board (MOA)
401 East Capitol Ave.
Springfield, IL 62701
Tel: 217-785-0068
Fax: 217-785-009
Email: Amanda.Corso@illinois.gov
Web: www.isbe.net

Chicago

ANEITA WILLIAMS
Title IX Compliance Coordinator/Athletics Sports Administration
Chicago Public Schools
54 N. Hermitage Avenue
Chicago, IL 60612
Tel: 773-534-0723 (direct)
773-534-0700 (main)
Fax: 773-534-0706
amwilliams65@cps.edu
A legal team and EOC officers address other aspects of Title IX
<http://ccsd.net/district/info/non-discrimination/>

Indiana

MICHAEL MOORE
Director Legal Affairs & Title IX Coordinator
Indiana Department of Education
151 West Ohio Street

Indianapolis, IN 46204
Tel: 317-232-9001
Fax: 317-232-0744
Email: mmoore@doe.in.gov
Web: <http://www.doe.in.gov/>
DAVIS MOORE
Civil Rights Coordinator (MOA)
Indiana Department of Education
Division of College and Career
Readiness
115 West Washington Street
Suite 600, South Tower
Indianapolis, IN 46204
Tel: 317-232-0512
Fax: 317-232-9121
Email: dmoore@doe.in.gov
Web:
www.doe.state.in.us/octe/welcome.html

Indianapolis Public Schools

Shalom Robertson Dabney
*Coordinator of Employee Relations,
Title IX Coordinator*
120 Walnut St, Rm 125
Indianapolis, IN 46204
Tel: 317-226-3625
Email: dabneys@myips.org
Web:
<http://www.myips.org/site/default.aspx?PageID=1>

Iowa

MARGARET JENSEN CONNET
*Title IX Coordinator & School
Improvement Consultant for Equity
and MOA Coordinator*
Iowa Dept. of Education
Division of Learning and Results
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-0146
Tel: 515-281-3769
Fax: 515-242-5988
Email:
Margaret.JensenConnet@iowa.gov
Web:
<https://www.educateiowa.gov/pk-12/accreditation-program-approval/equity-education>

NICOLE PROESCH
Attorney, Office of the Director
Tel: 515-281-8661
Email: Nicole.proesch@iowa.gov

Kansas

SCOTT GORDON
*General Counsel & Title IX
Coordinator*

Kansas Department of Education
900 SW Jackson, Suite 653
Topeka, KS, 66612-1182
Tel: 785-296-3204
Fax: 785-296-7933
Email: sgordon@ksde.org
Web:
<http://www.ksbe.state.ks.us/Welcme.html>

WENDY COATES
*Program Consultant (MOA)
Career, Standards & Assessment
Services*
Kansas Department of Education,
Civil Rights Secondary
900 SW Jackson, Suite 653
Topeka, Kansas 66612-1182
Tel: 785-296-3860
Fax: 785-296-2294
Email: wcoates@ksde.org
Web: www.ksde.org

ERIC TINCHER
*Kansas Board of Regents (MOA)
Post Secondary Civil Rights*
1000 SW Jackson Street,
Suite 520
Topeka, Kansas 66612-1368
Tel: 785-368-7109
Fax: 785-296-3957
E-Mail: etincher@ksbor.org
Web: www.Kansasregents.org

CONNIE BEENE
*Kansas Board of Regents
Director of Federal Initiatives for
Technical Education (MOA)*
1000 SW Jackson Street, Suite 520
Topeka, Kansas 66612-1368
Tel: 785-296-3958
Fax: 785-296-3957
Email: cbeene@ksbor.org
Web: www.kansasregents.org

Kentucky

LISA K. LANG
*Title IX Coordinator & Assistant
General Counsel*
Kentucky Department of Education
500 Mero Street, Room 822
Frankfort, KY 40601
Tel: 502-564-4474
Fax: 502-564-9321
Email: Lisa.Lang@education.ky.gov
Web:
<http://www.education.ky.gov/KDE/>

ANITRA WILLIAMS
Title IX Compliance Officer

Division of Human Resources
Kentucky Dept. of Education
Tel: 502-564-3716
Fax: 502-564-9321
Email: anitra.williams@education.ky.gov
Web:
<http://www.education.ky.gov/KDE/>

DARREN BILBERRY
*Assistant Commissioner & Title IX
Contact*
KY High School Athletics
Association (Tied to SEA)
Tel: 859-299-5472
Fax: 859-293-5999
Email: dBilberry@KHSAA.org

JIM BURKE
Kentucky Department of Education
Office of Career & Technical
Education (MOA)
20th Floor Capital Plaza Tower, 500
Mero Street
Frankfort, KY 40601
Tel: 502-564-4286
Fax: 502-564-2241
Email:
James.Burke@education.ky.gov

Louisiana

CHRIS FRUGE
*Attorney, Office of the
General Counsel
Title IX Agency Coordinator*
Louisiana Dept. of Ed.
P.O. Box 94064
1201 North Third Street
Baton Rouge,
LA 70804-9064
Tel: 225-342-3572
Email: Chris.Fruge@la.gov
Web:
<http://www.doe.state.la.us/lde/index.html>

JIMMY SAWTELLE
*Sr. Vice President for Workforce
Solutions*
Louisiana Community and
Technical College System
265 South Foster Drive
Baton Rouge, LA 70806
Tel: 225-308-4370
Fax: 225-922-2865
Email: jsawtelle@lctcs.edu
Web: www.lctcs.net
Web: www.louisianaschools.net

PATRICIA FELDER
MOA Coordinator
Louisiana Community and

Technical College System
265 South Foster Drive
Baton Rouge, LA 70806
Tel: 225-922-2809
Email: pfelder@lctcs.edu
Web: www.lctcs.net

TERRY SIMONEAUX
*Office of School Programs
MOA Coordinator*
Louisiana Department of Education
1201 North Third Street,
Baton Rouge, LA 70802
Tel: 225-219-4450
Fax: 225-219-1691
E-mail: terry.simoneaux@lctcs.edu

LINDA TINDALL
Louisiana Department of Education
(MOA)
Federal Program Resolution
Services
1201 North Third Street
Baton Rouge, LA 70802
Tel: 225-342-4141
E-mail: linda.tindall@la.gov
Web: www.louisianabelieves.com
Reports to Lisa French
Deputy Director, Career and
Technical Education

Maine

SHAWN LAGASSE
Consultant
Title IX & Interim MOA Coordinator
Maine Department of Education
Career and Technical Education
Team
23 State House Station
Maine Department of Education
Augusta, ME 04333-0023
Tel: 207-624-6743
Fax: 207-624-6821
Email: shawn.lagasse@maine.gov
Web:
<http://www.maine.gov/doe/cte/>

Maryland

RENEE YARBOUGH-WILLIAMS
Agency Equity Officer
Title IX and ADA Coordinator
*Office of Equity Assurance &
Compliance*
Maryland State Department of
Education
200 West Baltimore Street
Baltimore, MD 21201-2595
Tel: 410-767-0426
Fax: 410-767-0431

Email: Renee.yarbough-williams@maryland.gov
Web: http://www.marylandpublicschools.org/msde/programs/equity+assurance/title_IX.htm

PATRICIA MIKOS
*Division of Career and College
Readiness (MOA)*
Maryland State Department of
Education
200 West Baltimore Street
Baltimore, Maryland 21201
Tel: 410-767-0180
Fax: 410-333-2099
Email:
patricia.mikos@maryland.gov
Web:
<http://www.marylandpublicschools.org/MSDE>

Baltimore City Public Schools

LATOSHA BARNES
Manager, EEO & Title IX
Baltimore City Public Schools
200 East North Avenue
Baltimore, Maryland 21202
Tel: 410-396-8542
Fax: 410-396-2955
Email: lbarnes@bcps.k12.md.us

Baltimore County Public Schools

GEORGE A. ROBERTS
Senior Executive Director for
Curriculum and Instruction
Baltimore County Public Schools
105 W. Chesapeake Ave.
Towson, Maryland 21204
Tel: 410-887-3866
Email: groberts2@bcps.org
Web:
https://www.google.com/url?q=https://www.bcps.org/offices/sss/psmanual/ps125.pdf&sa=U&ei=C_aKVdjTHcnR-QG9g5dA&ved=0CAYQFjAB&client=internal-uds-cse&usq=AFOjCNEOX4zHsya84vH5A_2ZtbvkMg6kA

MICHAEL SYE
Coordinator, Office of Athletics
Baltimore County Public Schools
105 W. Chesapeake Ave.
Towson, Maryland 21204
Tel: 410-887-2328
Email: msye@bcps.org
Web:
https://www.google.com/url?q=https://www.bcps.org/offices/sss/psmanual/ps125.pdf&sa=U&ei=C_aKVdjTHcnR-QG9g5dA&ved=0CAYQFjAB&client=internal-uds-

[cse&usq=AFOjCNEOX4zHsya84vH5A_2ZtbvkMg6kA](https://www.google.com/url?q=https://www.bcps.org/offices/sss/psmanual/ps125.pdf&sa=U&ei=C_aKVdjTHcnR-QG9g5dA&ved=0CAYQFjAB&client=internal-uds-cse&usq=AFOjCNEOX4zHsya84vH5A_2ZtbvkMg6kA)

Montgomery County Public Schools

GREGORY BELL
Director, Div. of Diversity
Initiatives
850 Hungerford Drive
Rockville, MD 20850
Tel: 301-279-3298 or 517-5916
Email: Gregory_bell@mcpsmd.org
<http://www.montgomeryschoolsmd.org/info/nondiscrimination/>
Prince Georges County Public Schools
AMANA SIMMONS
EEO Advisor
Prince George's County Public
Schools
14201 School Lane, Room 201F
Upper Marlboro, Maryland 20772
Tel: 240-573-7049
Email: amana.simmons@pgcps.org
Web:
https://www.google.com/url?q=http://www1.pgcps.org/student_rights_responsibilities.htm&sa=U&ei=dMWKVZujIMPX-QGCqL6YCA&ved=0CAYQFjAB&client=internal-uds-cse&usq=AFOjCNE4the3LoMi2Yh-yxBG-4ODBMH9Iw

Massachusetts

PAT MCCARTHY
Title IX Coordinator
Secretariat Human Resources
Director, Executive Office of
Education
Massachusetts Department of
Education
One Ashburton Place, Room 1403
Malden, MA 02148-5023
Tel: 617 979 8354
Fax: 617-979-8358
Email:
patricia.mccarthy@state.ma.us
Web: <http://www.doe.mass.edu/>

LISA SANDLER
*Career/Vocational Technical
Education (MOA)*
Massachusetts Department of
Elementary and Secondary
Education
75 Pleasant Street Malden,
Massachusetts 02148-5023
Tel: 781-338-3956
Fax: 781-338-3950
Email:
lsandler@doe.mass.edu Web:
www.doe.mass.edu/cte

Boston

STEVEN CHEN
*Senior Equity Manager, Interim
Title IX Coordinator*
Office of Equity
2300 Washington St
Boston, MA 02119
Tel 617-635-8305
Tel 617-635-9656
Email:
schen2@bostonpublicschools.org
Web:
bpsequity@bostonpublicschools.org

Michigan

ELIZABETH COLLINS
Title IX & MOA Coordinator
Office of Career and Technical
Education
Michigan Department of Education
P.O. Box 30712
Lansing, MI 48909
Tel: 517-241-2091
Fax: 517-373-8776
Email: collinse2@michigan.gov
Web:
[http://www.michigan.gov/mdcd/0,1607,
7-122-1680_2629_8422---,00.html](http://www.michigan.gov/mdcd/0,1607,7-122-1680_2629_8422---,00.html)

Detroit Public Schools

JEAN-VIERE ADAMS
General Counsel, Acting Title IX
Coordinator
Tel: 313-873-7922
Email: Jean-Vierre.Adams@detroitk12.org
Or contact: Lamont Satchel, Esq.
Chief Innovation Officer,
Detroit Public Schools
3011 W. Grand Blvd
Detroit, MI 48202
Tel: 313-873-7922
Fax: 313-873-3482
Email:
Lamont.Satchel@detroitk12.org
Web: <http://detroitk12.org/>

Minnesota

CAROLYN ELLSTRA
*Division of Compliance and
Assistance (MOA)*
Minnesota Department of
Education
1500 Highway 36 West
Roseville, MN 55113-4266
Tel: 651-582-8366
Fax: 651-582-8725
E-Mail:
Carolyn.Ellstra@State.Mn.Us

Web: www.education.state.mn.us

WHITNEY HARRIS
*Executive Director for Diversity and
Multiculturalism*
Minnesota State Colleges &
Universities
Wells Fargo Place, 30 7th St. E.,
Suite 350, St. Paul, MN 55101-
7804
Tel: 651-201-1746
Fax: 651-492-6687
Email: whitney.harris@so.mnscu.edu

RENEÉ HOGOBOOM
*Associate Director for Diversity and
Equity (MOA)*
Minnesota State College &
Universities
Wells Fargo Place, 30 7th St. E.,
Suite 350, St. Paul, MN 55101-
7804
Tel: 651-201-1592
Fax: 612-296-7590
Email:
renee.hogoboom@so.mnscu.edu

EVA SCATES-WINSTON
Alternate Gender Equity Contact
Specialist, Equity and Collaboration
Minnesota State Colleges &
Universities
30 East 7th St., Suite 350
St. Paul, MN 55101-7804
Tel: 651- 201-1680
Fax: 651-297-1814
Email: [eva.scates
winston@so.mnscu.edu](mailto:eva.scates
winston@so.mnscu.edu)

Mississippi

JOYCE WALLACE
*Division Director, Office of Human
Resources, Title IX Coordinator*
Mississippi Department of
Education
359 North West St.
P.O. Box 771
Jackson, MS 39205
Tel: 601-359-3511
Fax: 601-576-2185
Email: jwallace@mde.k12.ms.us
Web: [http:// www. Mde.k12.ms.us](http://www.Mde.k12.ms.us)

TONYA MCDONALD
*Director, Office of Compliance and
Reporting (MOA)*
Mississippi Department of
Education
Office of Career & Technical
Education

P.O. Box 771
Jackson, MS 39205-0771
Tel: 601-359-3974
Fax: 601-359-6619
Email: tmcdonald@mde.k12.ms.us
Web:
[http://www.mde.k12.ms.us/vocati
onal/OCTE/](http://www.mde.k12.ms.us/vocational/OCTE/)

ED ROBERSON
*MOA Coordinator, Career and
Technical Education Division*
Mississippi State Board for
Community & Junior Colleges
3825 Ridgewood Road
Jackson, Mississippi 39211
Tel: 601-432-6221
Fax: 601-432-6353
Email: eroberson@mccb.edu
Web: www.mccb.edu

Missouri

WILLIAM THORNTON
*General Counsel & Title IX
Coordinator,*
Office of Governmental Affairs
Missouri Department of Elementary
& Secondary Ed.,
205 Jefferson Street P.O. Box 480
Jefferson City, MO 65102-0480
Tel: 573-751-8616
Fax: 573-522-4881
Email:
William.Thornton@dese.mo.gov
Web: <http://dese.mo.gov/>
GAVIN ALLAN
*Director, Methods of Compliance
(MOA)(Civil Rights)*
Missouri Department of Elementary
& Secondary Education
Office of College and Career
Readiness
205 Jefferson Street
P.O. Box 480
Jefferson City, MO 65102-0480
Tel: 573-522-1775
Fax: 573-526-4261
TTY: 800-735-2966
Email: gavin.allan@dese.mo.gov
Civilrights@dese.mo.gov
Web: www.dese.mo.gov

Montana

TOM ANTONICK
*Human Resources Manager and
Title IX Coordinator,*
Office of Public Instruction,
1300 11th Ave.

P.O. Box 202501
Helena MT 59620-2501
Tel: 406-444-3161
Fax: 406-444-2893
Email: tantonick@mt.gov
Web: www.opi.mt.gov

BRAD KING
Montana Office of Public Instruction
CTE Specialist (MOA)
P.O. Box 202501
Helena, Montana 59620-2501
Tel: 406-444-4451
Fax: 406-444-1373
E-Mail: Bking2@Mt.Gov
Web: www.Opi.Mt.Gov

ERIK ROSE
(MOA) Access and Compliance
Program Manager,
Office of the Commissioner of
Higher Ed.
Montana University System
PO Box 203201, 2500 Broadway
Helena, Montana 59620-3201
Tel: 406-444-0608
Fax: 406-444-1469
Email: erose@montana.edu
Web: www.mus.edu

Nebraska

JOEL SCHERLING
Title IX Coordinator,
Director of Human Resources,
Nebraska Department of Education
Tel: 402-471-4736
Email:
Joel.scherling@nebraska.gov

BONNIE SIBERT
Nebraska Career Education (MOA)
Nebraska Department of Education
301 Centennial Mall South
Post Office Box 98987
Lincoln, Nebraska 68509-4987
Tel: 402-471-4818
Fax: 402-471-0117
Email: bonnie.sibert@nebraska.gov
Web:
<http://www.education.ne.gov/BMIT>

Nevada

MARINA MCHATTON
Title IX Coordinator
Office of Career, Technical & Adult
Education
755 N. Roop Street, Suite 201
Carson City, NV 89701
Tel: 775-687-7285

Fax: 775-687-8636
Email: mmchatton@doe.nv.gov

RANDI HUNEWILL,
M.S., NREMT-I, FF1
MOA Coordinator; Health
Science/Public Safety
Nevada Department of Education
MOA Coordinator & State HOSA
Advisor
755 N. Roop Street, Suite 201
Carson City, Nevada 89701
Tel: 775-687-7284
Fax: 775-687-8636
Email: rhunewill@doe.nv.gov
Web: <http://www.doe.nv.gov>

Clark County

BILLIE RAYFORD
Educational Opportunities Unit
Clark County School District
510 W Sahara
Las Vegas, NV 89121
Tel: 702-799-2668x5520
or 5087 or 8493
Email: bkrayford@interact.ccsd.net
Web: www.ccsd.net
<http://ccsd.net/district/info/non-discrimination/>

TERESA HOLDEN
Director, Athletics and Title IX
Compliance
Educational Opportunities Unit
3950 Pecos-Mcleod
Las Vegas, NV 89121
Tel: 702-799-0756
Fax: 702-799-1642
Email: tjholden@interact.ccsd.net

New Hampshire

LISA HATZ
Title IX Coordinator
New Hampshire Department of
Education,
Office of Guidance,
Counseling and School Psychology
21 South Fruit Street, Suite 20
Concord, NH 03301
Tel: 603-271-7080 or 6691
Email: lisa.hatz@doe.nh.gov

MARIANE GFROERER
MOA Coordinator for Civil Rights;
Supervisor
Office of Guidance & Psychology
Tel 603-271-6691
Email:
Mariane.Gfroerer@doe.nh.gov/Mgfrorer@ed.state.nh.us

Web:
<http://www.education.nh.gov>

New Jersey

KATHRYN ACOSTA
Title IX Coordinator and Legal
Specialist
N.J. Department of Education
100 Riverview Plaza
Trenton, NJ 08625-0500
or Marlene.Leona@doe.state.nj.us
Tel: 609-292-1163
Fax: 609-633-1046
Email:
Kathryn.Acosta@doe.state.nj.us
Web:
www.state.nj.us/education/equity/

DAVID MCNAIR
Division for Student and Field
Services (MOA)
New Jersey Department of
Education
Office of Career and Technical
Education
100 Riverview Executive Plaza
P.O. Box 500
Trenton, New Jersey 08625-0500
Tel: 609-777-3578
Fax: 609-777-4538
Email:
david.mcnair@doe.state.nj.us
Web: www.nj.state.us/education

MICHELE DOUGHTY
New Jersey Department of
Education
Division of Student Services and
Career Readiness (MOA)
Office of Career and Technical
Education
100 Riverview Executive Plaza
P.O. Box 500
Trenton, New Jersey 08625-0500
Tel: 609-633-3874
Fax: 609-984-5347
Email:
michele.doughty@doe.state.nj.us
Web: www.nj.state.us/education

New Mexico

DEAN HOPPER
Title IX Coordinator
Director, Coordinated School
Health and Wellness Bureau
New Mexico Public Education
Department
120 S. Federal Place, Room 206
Santa Fe, Nm 87501

Tel: 505-827-1806
Fax: 505-827-1826
E-Mail: dean.hopper@state.nm.us
Web: <http://www.ped.state.nm.us>

ERIC SPENCER
Director, College & Career
Readiness Bureau (MOA
coordinator)
New Mexico PED
300 Don Gaspar
Santa Fe, NM 87501
Tel: 505-827-6420
Fax: 505-827-6531
E-Mail: Eric.Spencer@State.Nm.Us
Web: www.ped.state.nm.us/ctweb

New York

CAROL LITRIDES
Title IX Coordinator, Office of
Curriculum, Instruction and Field
Services (OCIFS)
Career and Technical Education
Team (MOA)
New York State Education
Department
315 Education Building
89 Washington Ave.
Albany, New York 12234
Tel: 518-486-1547
Fax 518-402-5114
Email: clitride@mail.nysed.gov
Web: <http://www.nysed.gov/>

DAN NICOLAESCU
(Higher Education MOA
coordinator) Associate in Higher
Education, Collegiate Development
Programs Unit
Office of K-16 Initiatives and
Access Programs @ NYSED
Room 960A EBA
89 Washington Ave
Albany, N.Y. 12234
Tel (518) 486-6042
Fax: (518) 474-0060
Email: dnicolae@mail.nysed.gov

New York City Department of Education

SUSAN DOMBROW
Associate Director, Office of Equal
Opportunity & Diversity
Management
65 Court Street, Room 1102,
Brooklyn NY 11201
Tel (718) 935-4960

Email: SDombro@schools.nyc.gov
Web:
Schools.nyc.gov/Offices/GeneralCounsel
/Investigative/OEO/EOCComplaints.htm

JENNIFER BECKER
Title IX Attorney
Office of Equal Opportunity &
Diversity Management
65 Court Street, Room 1102,
Brooklyn NY 11201
Tel (718) 935-4287
Email: JBecker14@schools.nyc.gov
Web:
Schools.nyc.gov/Offices/GeneralCounsel
/Investigative/OEO/EOCComplaints.htm

North Carolina

ELLEN ESSICK
Lead Title IX Coordinator &
NC Healthy Schools Section Chief
North Carolina Dept. of Public
Instruction
Raleigh, North Carolina 27601
Tel: (919)-807-3859
Email: Ellen.essick@dpi.nc.gov
Web:
<http://www.ncpublicschools.org>

BURT JENKINS
Health/PE/Athletics Consultant &
Title IX Coordinator
North Carolina Dept. of Public
Instruction
Tel: 919-807-3637
Email: burt.jenkins@dpi.nc.gov

ROBERT J. WITCHGER (Bob) Ed.D.
Director, Career and Technical
Education (MOA)
North Carolina Community College
System
200 West Jones Street
5016 Mail Service Center
Raleigh, North Carolina 26603-
1379
Tel: 919-807-7126
Fax: 919-807-7173
Email:
witchgerb@nccommunitycolleges.edu

SHANNON BAKER
Consultant, CTE Support Services
(MOA) North Carolina Career &
Technical Education
301 N. Wilmington Street
6359 Mail Service Center
Raleigh, North Carolina 27600
Tel: 919-807-3872
Fax: 919-807-3656

Email: Shannon.Baker@dpi.nc.gov
Web: www.ncpublicschools.org

JULIA HAMILTON
North Carolina Community College
System (MOA)
200 West Jones Street
5016 Mail Service Center
Raleigh, North Carolina 27699
Tel: 919-807-7131
Fax: 919-807-6971
Email:
Hamiltonj@nccommunitycolleges.edu

PAMELA J. SILVERS
Instructor - Computer Technologies
Principal Investigator – NSF-ATE
Grant
Asheville-Buncombe Technical
Community College
Balsam Room 107
340 Victoria Road
Asheville, NC 28801
Tel: 828-398-7249
Email: pamelajsilvers@abtech.edu

Charlotte-Mecklenburg Schools

JANET HAMILTON
Title IX Coordinator
Employee Relations
1901 Herbert Spough Lane
Charlotte NC 28028
Tel: 980-343-7412
Fax: 980-343-5893
Email: janet.hamilton@cms.k12.nc.us
Web: www.cms.k12.nc

Wake County Public School System

DR RODNEY TRICE
Assistant Superintendent for Equity
Affairs and Title IX Coordinator
Wake County Public School System
110 Corning Rd, Cary, NC 27518
Tel: 919-694-0524
Email: rtrice@wcpss.net
Web: [http://www.wcpss.net/non-disc-
policy](http://www.wcpss.net/non-disc-policy)

North Dakota

ROBERT V. MARTHALLER
Assistant State Superintendent,
Title IX Coordinator
ND Department of Public
Instruction
Education & Community Support
600 E. Boulevard Ave.
Bismarck, ND 58505-0440

Tel: 701-328-2267
Email: rvmarthaller@nd.gov
Web: <http://www.dpi.state.nd.us>

MICHAEL NETZLOFF
Curriculum & Standards Specialist
(MOA)
North Dakota Career & Technical
Education
State Capitol Building, 15th Floor
600 E. Boulevard Ave. Dept. 270
Bismarck, ND 58505-0610
Tel: 701-328-3187
Fax: 701-328-1255
Email: mnetzloff@nd.gov

Ohio

DIANE LEASE
Chief Legal Counsel, Title IX
Coordinator
Ohio Department of Education
25 S. Front Street
Columbus, OH 43215-4183
Tel: 614-995-5927
Emails:
diane.lease@education.ohio.gov
Web:
<http://www.education.ohio.gov>

MATT TELFER
Labor & Employee Relations
Manager,
Office of Human Resources
Title IX Contact
Email:
Matt.Telfer@education.ohio.gov
Tel: 614-466-3763
Web:
<http://education.ohio.gov/About/Ohio-Department-of-Education-Compliance>

RAY TIMLIN
*Office of Career, Technical and
Adult Education (MOA)*
Ohio Department of Education
25 S. Front Street, Mail Stop 607
Columbus, Ohio 43215-4183
Tel: 614-644-0627
Fax: 614-466-2573
Email:
Raymond.Timlin@education.ohio.gov

Columbus

Larry Braverman, General Counsel
& Acting Title IX Coordinator
Columbus City Schools
Office of Legal Services
270 East State Street
Columbus, OH 43215
Tel. 614-365-8723
Email: lbraverm@columbus.k12.oh.us

Web: <http://columbuspublicschools.org/>

Oklahoma

BILL CONNOLLY
*Executive Director/Acting Title IX
Coordinator*
Oklahoma State Dept. of Education
2500 N. Lincoln Boulevard, R-111
Oklahoma City, Oklahoma 73105
Tel: 405-522-3319
Email: Bill.Connolly@sde.ok.gov

Web:
<http://sde.state.ok.us/home/default.tie.html>

RANDY FEAGAN
*Oklahoma Dept. of Career and
Technical Education (MOA)*
Federal Legislation Services
1500 West 7th Avenue
Stillwater, OK 74074-4364
Tel: 405-743-5575
Fax: 405-743-6809
Email: rfeagan@okcareertech.org
Web: www.okcareertech.org
Web: <http://www.ode.state.or.us/>

Oregon

KARIN MOSCON
*Civil Rights Specialist &
Title IX Coordinator and MOA*
Oregon Department of Ed. Office
Of Learning Education Equity
255 Capitol Street NE
Salem, OR 97310-0203
Tel: 503-947-5706
Fax: 503-378-5156
Email: karin.moscon@state.or.us
Web:
<http://www.ode.state.or.us/search/results?id=151>
<http://www.ode.state.or.us/search/results/id=151>

WINSTON CORNWALL
*Civil Rights Education,
previous TIX coordinator*
Oregon Department of Education
Office of Learning Equity
Equity Unit
Tel: 503-947-5675
Fax: 503-378-5156
Email:
winston.cornwall@ode.state.or.us
Web:
<http://www.ode.state.or.us/>

Pennsylvania

SUZANNE TALLMAN
Title IX Coordinator
School Services Office
Pennsylvania Department of Ed.
333 Market Street
Harrisburg, PA 17126
Tel: 717-214-8212
Fax: 717.214.4389
Email: Stallman@pa.gov
Web:
<http://www.education.state.pa.us>

CYNTHIA GROSS
Civil Rights and Nontraditional
Programs & MOA Coordinator
Pennsylvania Department of
Education, Bureau of Career &
Technical Education
333 Market Street, Harrisburg, PA
17126
Tel: 717-772-4864
Fax: 717-783-6672
Email: cygross@pa.gov
Web: www.education.state.pa.us

Philadelphia Public Schools

MIKE A. DAVIS
General Counsel, Acting Title IX
Coordinator
Email: madavis@philasd.org
Or contact: Rachel Holzman,
Deputy Chief Office of Student
Rights & Responsibilities
Philadelphia Public Schools
440 North Broad Street
Philadelphia, PA 19130
Tel: 215-400-6865
Email: Rholzman@philasd.org
Web: <http://www.philasd.org>

Puerto Rico

DR JUDITH SANTOS GUISONA
Assistant Sec. Career and Technical
Education, Puerto Rico
Dept. of Education (May be able to
identify Title IX Coordinator.)
Tel: 787 -773-6668
Email: santosgju@de.gobierno.pr

IVONNE OLMEDA PENA
*Vocational Planning Office & Civil
Rights Component (MOA)*
Title IX Coordinator
Puerto Rico Department Of
Education
Post Office Box 190759
San Juan, PR 00919-0759
Tel: 787-753-7275
Fax: 787-759-7143

E-Mail: Olmedapi@De.Gobierno.Pr
Web: www.De.Prstar.Net

Rhode Island

GEORGE M. MUKSIAN
Chief Legal Counsel & Title IX
Rhode Island Department of
Education
255 Westminster Street, Shepherd
Building
Providence, RI 02903-3400
Tel: 401-222-8979
Email:
George.Muksian@ride.ri.gov
Web: <http://www.ride.ri.gov/>

MARILYN MATZKO, Ed.D (MOA)
Rhode Island Department of
Education, Office of Multiple
Pathways
255 Westminster Street Building
Providence, RI 02903-3400
Tel: 401-222-8483
Email: Marilyn.Matzko@ride.ri.gov
Web: www.ride.ri.gov

South Carolina

MICHAEL ADDISON
*Human Resources Director and
Title IX Coordinator*
South Carolina Department of
Education
1429 Senate Street
Columbia, SC 29202
Tel: 803-734-8505
Email: maddison@ed.sc.gov
Web:
<http://ed.sc.gov/agency/os/Human-Resources/>

SUSAN FLANAGAN
*Alternate Gender Equity
Coordinator, Director
Career & Technology Education*
Tel: 803-734-8412
Fax: 803-734-3525
Email: sflanagn@ed.sc.gov

SCOTT WINBURN
*Deputy General Counsel & MOA
Coordinator, Office of General
Counsel*
South Carolina Department of
Education
1429 Senate Street
920 Rutledge Bldg.
Columbia, South Carolina 29201
Tel: 803-734-0070
Fax: 803-734-4384

Email: SWinburn@ed.sc.gov
Web:
<http://ed.sc.gov/agency/official/cate>

SALANDRA BOWMAN (MOA)
Special Projects Coordinator
SC State Board for Technical &
Comprehensive Education
111 Executive Center Drive 125
Columbia, South Carolina 29210-
8424
Tel: 803-896-5359
Email:
bowmans@sctechsystem.edu
Web: www.sctechsystem.edu

ERIC BROWN
SC State Board for Technical &
Comprehensive Education (MOA)
111 Executive Center Drive – Suite
125
Columbia, South Carolina 29210-
8424
Tel: 803-896-5367
Fax: 803-896-5367
Email: browne@sctechsystem.edu
Web: www.sctechsystem.edu

South Dakota

ABBY JAVUREK-HUMIG
*Title IX Coordinator and Director of
Assessment & Accountability*
South Dakota Department of Ed.
800 Governors Drive
Pierre, SD 57501
Tel: 605-773-4708
Cell: 605280-0285
Fax: 605-773-6139
Email: [Abby.Javurek-
Humig@state.sd.us](mailto:Abby.Javurek-Humig@state.sd.us)
Web: <http://doe.sd.us>

ANN LARSEN
Director Division of Educational
Services and Support
Civil Rights Point Person
South Dakota Dept. of Education
800 Governors Drive
2nd Floor, MacKay Building
Pierre, SD 57501-2294
Email: ann.larsen@state.sd.us
Tel: 605-773-4689
Fax: 605-773-3782
Web: doe.sd.gov

CAROL UECKER
*South Dakota Department of
Education, MOA Coordinator*
800 Governors Drive
Pierre, South Dakota 57501-2294
Tel: 605-773-4771

Fax: 605-773-6139
Email: Carol.Uecker@state.sd.us
Web: <http://www.doe.sd.gov/>

Tennessee

ELIZABETH TAYLOR
*Assistant General Counsel for Civil
Rights & Title IX Coordinator*
Tennessee Department of
Education
710 James Robertson Parkway
Andrew Johnson Tower, 9th F
Nashville, TN 37243
Tel: 615-253-1550
Fax: 615-532-2599
Email: elizabeth.taylor@tn.gov
Twitter: @TNedu
Facebook.com/TennesseeEducation
Web:
<http://www.state.tn.us/education/>
[https://www.tn.gov/education/artic
le/civil-rights-title-ix](https://www.tn.gov/education/article/civil-rights-title-ix)

FRANK GOSNELL
*MOA Coordinator, Office of Special
Education*
Tennessee Department of
Education
11th Floor, Andrew Johnson Tower
710 James Robertson Parkway
Nashville, TN 37243
Tel: 615-741-7775
Fax: 615-532-9412
Email: frank.d.gosnell@tn.gov

LEANN HALE BLEVINS
Tennessee Board of Regents
Grants Coordinator (MOA)
Tennessee Colleges of Applied
Technology
1415 Murfreesboro Road, Suite 314
Nashville, Tennessee 37217-2833
Tel 615-366-4459
Fax: 615-366-3999
Email: LeAnn.Blevins@tbr.edu

KATINA GRAYS
Tennessee Department of
Education (MOA)
11th Floor, Andrew Johnson Tower
710 James Robertson Parkway
Nashville, TN 37243
Tel: 615-253-3786
Fax: 615-532-9412
Email: Katina.Grays@tn.gov

RASHEEDA WASHINGTON
Tennessee Department of
Education
*Chief of Staff, Deputy
Commissioner (MOA)*

7th Floor, Andrew Johnson Tower
710 James Robertson Parkway
Nashville, TN 37243
Tel: 615-532-9477
Fax: 615-532-8226
Email:
Rasheeda.Washington@tn.gov

BOBBI PORTER
Tennessee Board of Regents
Diversity and Equity Initiatives
Director (MOA)
Organizational Effectiveness and
Strategic Initiatives
1415 Murfreesboro Road, Suite 314
Nashville, Tennessee 37217-2833
Tel: 615-366-3929
Fax: 615-366-0766
Email: bporter@tbr.edu

Nashville-Davison County

SCOTT LINDSEY
Title IX Coordinator
Metro Nashville Public Schools
2601 Bransford Ave.
Nashville, TN 37204
Tel: 615-259-8636
Email: scott.lindsey@mnps.org
Web: www.mnps.org

Shelby County Schools

DR. ANGELA HARGRAVE
Director, Attendance and Discipline
Shelby County Schools Federal
Rights Coordinator
Including Title IX
2800 Grays Creek
Arlington, TN 38002
Tel: 901-416-6007 for all
Coordinators
Fax: 901-416-8476
Email: hargraveal@scsk12.org
Also THOMAS YOW
yowtj@scsk12.org
(Bullying, Harassment,
Intimidation) &
RODERICK PAYNE
paynerl2@scsk12.org
(CTE Compliance & Bullying,
Harassment, Intimidation)

Texas

DARRELL MCKNIGHT
Title IX Coordinator for school
districts & charter schools
Email:
Darrell.McKnight@tea.state.tx.us
Tel: 512-463-9290
Email: Chris.Maska@tea.state.tx.us

Tel: 512-463-9720

LIZETTE RIDGEWAY
Texas Education Agency
Manager, Program Monitoring and
Interventions
1701 North Congress Avenue
Austin, Texas 78701-1494
Tel: 512-936-0422
Fax: 512-463-3136
Email:
lizette.ramos@tea.state.tx.us

DONNA CARLIN
Workforce, Academic Affairs and
Research Division (MOA)
Texas Higher Ed Coordinating
Board
1200 East Anderson Lane
Austin, Texas 78711
Tel: 512-427-6241
Fax: 512-427-6168
Email:
donna.carlin@theeb.state.tx.us
Web: <http://www.theeb.state.tx.us>

Austin

BEVERLY REEVES
Title IX Coordinator
Austin ISD
1111 West 6th St
Austin TX 78703
Tel: 512-414-9882
Email:
beverly.reeves@austinisd.org

Dallas

MARY MCCANTS
Manager, Office of Legal Services,
Dallas ISD
3700 Ross Avenue, Box 69
Dallas, Texas 75204
Tel: 972-925-3250
Fax: 972-925-3251
Email: mmcants@dallasisd.org
<http://www.dallasisd.org/site/default.aspx?PageID=1>

El Paso

PATRICIA CORTEZ
District Compliance Officer
Director, Employee Relations
Human Resources
El Paso ISD
6531 Boeving Drive
El Paso, Texas 79925
Tel: 915-230-2033
Email: pcortez@episd.org

Fort Worth

RUFINO MENDOZA
Title IX Coordinator

100 North University Drive, NW
130-I
Fort Worth, Texas 76107
Tel: 817-814-2793
Email: rufino.mendoza@fwisd.org

Houston ISD

SHERRIE STICE
Title IX Coordinator
4400 West 18th Street, Level 3 SW
Houston, Texas 770092
Tel: 713-556-6913
Fax: 713-556-6912
Web:
<http://www.houstonisd.org/site/default.aspx?PageID=1>

Cypress-Fairbanks/Houston

DAN MCILDUFF
Assistant Superintendent
Educational Support Services
Cypress-Fairbanks ISD
P.O. Box 692003
Houston, Texas 77269-2003
Tel: 281-897-6416
Email: daniel.mcilduff@cfisd.net
Web: <http://www.cfisd.net/en/>

DEBORAH STEWART

Associate Superintendent for
Human Resources
& Student Services
Cypress-Fairbanks ISD
P.O. Box 692003
Houston, Texas 77269-2003
Tel: 281-897-4030
Email: deborah.stewart@cfisd.net

Northside/San Antonio

LEVINIA LARA
Assistant Superintendent for
Elementary Administration
Title IX Coordinator (elementary
school complaints)
Northside ISD, 5900 Evers Rd.
San Antonio, TX 78238
Tel: 210-397-8640
Email: levinia.lara@nisd.net

STEPHEN DANIEL

Assistant Superintendent for
Secondary Administration
Title IX Coordinator (secondary
school complaints)
5900 Evers Rd.
San Antonio, Texas 78238
Tel: 210-397-8639
Email: stephen.daniel@nisd.net

San Antonio ISD

TONI THOMPSON
Title IX Coordinator

Associate Superintendent
San Antonio ISD
141 Lavaca Street
San Antonio, Texas 78210
Tel: 210-554-8410
Email: tthompson@saisd.net

Utah

RICHARD GOMEZ
*Coordinator Education
Equity Section*
Utah State Office of Education
250 East 500 South
P O Box 144200
Salt Lake City, Utah
Tel: 801-538-7643
Fax: 801-538-7596
Email: rgomez@schools.utah.gov
*Web: [http://www.schools.utah.gov/eq
uity/Civil-Rights-Information/Title-
IX.aspx](http://www.schools.utah.gov/eq
uity/Civil-Rights-Information/Title-
IX.aspx)

MURRAY MESZAROS
Utah State Office of Education
*Career and Applied Technology
Education (MOA)*
Tel: 801-538-7870
Fax: 801-538-7868
Email:
murray.meszaros@schools.utah.gov

Vermont

CLARE L. O'SHAUGHNESSY, Esq.
Staff Attorney, Title IX Coordinator
State of Vermont Agency of
Education
219 North Main Street; Suite 402
Barre, VT 05641
Tel: 802-479-1761
Email:
clare.oshaughnessy@state.vt.us
Web:
<http://www.state.vt.us/educ/>

JAY RAMSEY
*CTE Workgroup and MOA
Coordinator (MOA)*
State of Vermont Agency of
Education
High School and Adult Division
219 North Main Street; Suite 402
Barre, VT 05641
Tel: 802-479-1343
Email: Jay.Ramsey@state.vt.us

Virginia

Rebecca Marable
Human Resources Department
P.O. Box 2120
101 North 14th Street, 25th Fl
Richmond, Virginia 23218-2120
Tel: 804-225-2810
Email:
rebecca.marable@doe.virginia.gov
Web: <http://www.pen.k12.va.us>

VANESSA WIGAND
*Specialist for Health, Physical
Education & Driver Education*
23rd Floor
Tel: 804-225-3300
Vanessa.Wigand@doe.virginia.gov

SCOTT KEMP
*Workforce Development Services &
MOA Coordinator*
Virginia Community College
System
101 North 14th Street 17th Floor
James Monroe Bldg.
Richmond, VA 23219
Tel: 804-819-4968
Fax: 804-819-1699
Email: skemp@vccs.edu
Web: www.vccs.edu

WILLIAM HATCH
Virginia Department of Education
*Office of Federal Program
Monitoring (MOA)*
P.O. Box 2120
101 North 14th Street, 20th Fl
Richmond, Virginia 23218-2120
Tel: 804-225-3077
Fax: 804-530-4560
Email:
william.hatch@doe.virginia.gov

Fairfax County

KEVIN SILLS
*Director, Office of Equity and
Employee Relations and Title IX
Coordinator, Fairfax County Public
Schools*
8115 Gatehouse Road, Suite 2500
Falls Church, VA 22042
Tel: 571-423-3070
Fax: 571-423-3057
Email: kasills@fcps.edu
Web: www.fcps.edu/hr/eeer

Virgin Islands

KIMALEE EMANUEL

*US Virgin Islands Department of
Education:
Career, Technical and Adult
Education (MOA)*
1834 Kongens Gade,
Charlotte Amalie
St Thomas, VI 00803
Tel: 340-776-3484
Fax: 340-776-3488
Email: kemanuel@doe.vi
Web:
<http://www.usvi.org/education/>
or www.vide.vi or name@doe.vi

Washington

CALANDRA SECHRIST, ED.D.
Equity & Civil Rights Director
Office of Superintendent
of Public Instruction
Old Capitol Building
P.O. Box 47200
Olympia, WA 98504-7200
Tel: 360-725-6162
Fax: 360-664-2967
Email:
calandra.sechrist@k12.wa.us
Web:
<http://www.k12.wa.us/Equity/default.aspx>
<http://www.k12.wa.us/Equity/ContentList.aspx>

DEIFI STOLZ
*Office of State Supt. of Public
Instruction MOA
MOA Career & Technical Education*
Old Capitol Building
Post Office Box 47200
Olympia, Washington 98504-7200
Tel: 360-725-6254
Fax: 360-586-9321
E-Mail: Deifi.Stolz@K12.Wa.us
Web: [Http://www.K12.Wa.us](http://www.K12.Wa.us)

DAVID BISHOP
*Audit Coordinator, Washington
State Board for Community and
Technical Colleges (MOA)*
1300 Quince St. SE
PO Box 42495, Olympia,
Washington 98504-2495
Tel: 360-704-4389
Fax: 360-704-4417
Email: dbishop@sbctc.edu &
bishsax@gmail.com
Web: <http://www.sbctc.edu/>

TERRI COLBERT
*Washington Workforce Training &
Education Coordinating Board, MOA*
128 10th Avenue, S.W.

PO Box 43105, Olympia,
Washington 98504-3105
Tel: 360-709-4623
Fax: 360-586-5862
Email: terri.colbert@wtb.wa.gov
Web: www.wtb.wa.gov

Seattle Public Schools

LARRY DORSEY
Compliance Coordinator
2445 3rd Ave. S, Seattle, WA 98134
Tel: 206-252-0707
Email: ldorsey@seattleschools.org

BRENT JONES
Title IX Officer
Tel: 206-252-0027
Email: bjones@seattleschools.org
Title.IX@seattleschools.org

West Virginia

JULIAN WOODS
Coordinator & Title IX Coordinator
Office of Human Resources
West Virginia Department of Ed.
1900 Kanawha Boulevard East,
Building 6, Room 264
Charleston, WV 25305-0330
Tel: 304-558-2702
Fax: 304-558-0882
Email: julian.woods@k12.wv.us
Web: <http://wvde.state.wv.us>

CAROLYN SUPPA
Office of Career & Technical
Instruction (MOA)
West Virginia Department of
Education
1900 Kanawha Boulevard, East
Building 6, Room 243
Charleston, WV 25305-0330

Tel: 304-558-2348
Fax: 304-558-3946
Email: Csuppa@K12.Wv.Us
Web: [Http://Careertech.K12.Wv.Us](http://Careertech.K12.Wv.Us)
JUNE HECKEL
West Virginia Council for
Community &
Technical College Ed (MOA)
1018 Kanawha Blvd. East, #700
Charleston, WV 25301
Tel: 304-558-0265
Fax: 304-558-1646
Email: heckel@wvctcs.org

Wisconsin

MICHAEL THOMPSON,
Deputy State Superintendent
Wisconsin Dept. of Public
Instruction
125 S. Webster St.
PO Box 7841
Madison, WI 53707-3584
Tel: 608-266-3584
Email:
michael.thompson@dpi.wi.gov

SARA BAIRD
Assistant Director, Career &
Technical Education (MOA)
Wisconsin Department of Public
Instruction
125 South Webster Street
PO Box 7841
Madison, Wisconsin 53703
Tel: 608-266-9609
Fax: 608-267-9275
E-Mail: Sara.Baird@Dpi.Wi.Gov
Web:
[Http://www.dpi.wi.gov/Cte/Crc/Crcindex.html](http://www.dpi.wi.gov/Cte/Crc/Crcindex.html)

KELLY GALLAGHER
Associate VP Management Services
Wisconsin Technical College
System Board
4622 University Avenue
PO Box 7874
Tel: 608-266-2947
Email: Kelly.gallagher@wtcsystem.edu

Wyoming

KENYA HAYNES
Title IX, Title I Part D Program
Manager
Wyoming Dept. of Education
2300 Capitol Avenue
Hathaway Building, 2nd Floor
Cheyenne, WY 82002-0050
Tel: 307-777-3672
Email: kenya.haynes@wyo.gov
Web: www.edu.wyoming.gov
RANDALL BUTT
Technology, Careers & Data Unit
(MOA)
Wyoming Department of Education
Hathaway Building, 2nd Floor
2300 Capitol Avenue
Cheyenne, Wyoming 82002-0050
Tel: 307-777-5329
Fax: 307-777-6234
Email: randall.butt@wyo.gov

Notes

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

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Please send updates to: Dr. Sue Klein, Education Equity Director, sklein@feminist.org**