



- **Title IX: Gender Equity Notification**

Title IX is a federal law that was passed in 1972 to ensure that male and female students and employees in educational settings are treated equally and fairly. It protects against discrimination based on sex (including sexual harassment). In addition, Title IX protects transgender students and students who do not conform to sex stereotypes. State law also prohibits discrimination based on gender (sex), gender expression, gender identity, and sexual orientation. The preamble to Title IX of the Education Amendments of 1972 states that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title IX requires that each school district have at least one person designated as the Title IX Coordinator. Please see coordinator contact information below.

El Dorado Union High School District (EDUHSD) shall implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with EDUHSD, that it does not discriminate on the basis of sex in the educational program or activity which it operates, and that it is required by Title IX and this part not to discriminate in such a manner.

**Title IX Coordinator:**

Tony DeVille, Assistant Superintendent, Human Resources  
El Dorado Union High School District  
4675 Missouri Flat Road, Placerville, CA 95667  
Telephone: (530) 622-5081, ext. 7251 / [tdeville@eduhsd.net](mailto:tdeville@eduhsd.net)

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- **A Policy Against Discrimination Based on Sex**

The El Dorado Union High School District is committed to providing educational programs, activities and services that are free from unlawful discrimination based on actual or perceived legally protected characteristics, or association with a person



or group with one or more of such characteristics, including sex, sexual orientation, gender, gender identity, and gender expression, as required by Title IX of the Education Amendments of 1972. The District's general nondiscrimination/harassment policy is found at BP/AR 5145.3.

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- **The School's Responsibilities**

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in programs and activities of federally funded institutions. School district programs and activities must be operated free from discrimination. Key areas addressed by Title IX include athletics; sexual misconduct; including sexual harassment and sexual violence; pregnant and parenting students; off-campus activities; recruitment and admission; and employment. Schools must protect against discrimination in these areas. Schools must also prohibit retaliation against any person for opposing an unlawful practice or policy, or filing, testifying about or participating in any complaint under Title IX. For more information about schools' responsibilities under Title IX, please visit:

- [California Office of Equal Opportunity](#)
- [United States Department of Education Office of Civil Rights](#)

- **Summary of Student Rights (Education Code section 221.8)**

- You have the right to fair and equitable treatment and to be free from discrimination based on your sex.
- You have the right to an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- You have the right to ask the athletic director of your school about the athletic opportunities offered by the school.
- You have the right to apply for athletic scholarships.
- You have the right to equitable treatment and benefits in:
  - Equipment and supplies
  - Scheduling of games and practices
  - Transportation and daily allowances
  - Access to tutoring
  - Coaching
  - Locker rooms
  - Practice and competitive facilities



- Medical and training facilities and services
    - Publicity
  - You have the right to contact the California Department of Education (CDE) and the California Interscholastic Federation (CIF) for information on gender equity laws.
  - You have the right to file a confidential discrimination complaint with the United States Office for Civil Rights (OCR) or CDE if you believe you have been discriminated against or received unequal treatment on the basis of your sex.
  - You have the right to pursue civil remedies if you have been discriminated against.
  - You have the right to be protected from retaliation if you file a discrimination complaint.
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- **Definition of Sexual Harassment**

The Title IX regulations define sexual harassment as conduct, performed on the basis of sex, that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on a student or individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or,
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 1229(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30). These definitions are also available in AR 5145.7.

California Education Code section 212.5 defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:



1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

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- **Title IX Complaint Procedures:**

A student, parent, guardian, employee, individual, or organization may file a Title IX complaint using the District's Uniform Complaint Procedure (UCP) process by sending a complaint to the Title IX Coordinator (listed above).

The UCP information, including the ability to access District Board Policy/Administrative Regulation 1312.3, is available on our website. Other acceptable forms of complaints include handwritten letters. If you need assistance putting your complaint in writing, please contact the Title IX Coordinator. You may file a complaint anonymously, but the District's ability to investigate and respond may be limited by a lack of information.

### **Timeline**

*Investigation Procedures* – EDUHSD adopts the uniform system of complaint processes specified in [5 CCR 4600-4670](#). Complaints will be investigated and a written report with a Decision will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with our UCP policies and procedures. The complainant has a right to appeal our Decision of



complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the District's decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of the District's decision.

For information about how to file other types of complaints and the procedures for those complaints, please contact the District Office at (530) 622-5081, ext. 7251.

### **OCR Complaint**

The complainant has a right to appeal the District's decision to the [California Department of Education's Office of Equal Opportunity](#) by filing a written appeal within 15 days of receiving the District's findings. A discrimination complaint may also be filed directly with the [U.S. Department of Education's Office of Civil Rights](#).

- [OCR Online Complaint Filing System](#)
- [United States Department of Education OCR Complaint Form](#)

**Time Requirement:** OCR requires complaints to be filed within 180 calendar days of the alleged discrimination. Please contact OCR, if you have any questions about this time requirement.

**Investigation Procedure:** [Information regarding OCR's investigation process.](#)

For information regarding filing a complaint with OCR, please contact the California regional office at:

#### **Office for Civil Rights**

U.S. Department of Education

50 United Nations Plaza

Mail Box 1200, Room 1545

San Francisco, CA 94102

Telephone: 415-486-5555

FAX: 415-486-5570

TDD: 800-877-8339

Email: [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov)



Additional information:

[Office of Civil Rights - Filing a Civil Rights complaint](#)

**Office for Civil Rights Headquarters**

U.S. Department of Health & Human Services

200 Independence Avenue, S.W.

Washington, D.C. 20201

Toll Free Call Center: 1-800-368-1019

TTD Number: 1-800-537-7697