

TITLE IX AND GENDER EQUITY

Student Rights under Title IX

Federal Title IX of the Education Amendments of 1972 (“Title IX”), implemented at 34 C.F.R. § 106.31, subd. (a), provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives federal financial assistance. Relevant here, Title IX requires the Newcastle Elementary School District (NESD) to take immediate and appropriate action to investigate when it knows or reasonably should know of a possible Title IX violation.

Title IX Coordinator

In the event of a complaint regarding gender equity or sexual harassment, or discrimination, including harassment, intimidation and bullying because of actual or perceived disability, sex, gender, gender identity, gender expression, nationality, race, ethnicity, color, ancestry, religion, sexual orientation, age, marital or parental status, or association with a person or group with one or more of these actual or perceived characteristics, contact the following Title IX and Nondiscrimination Coordinator:

Title IX and Nondiscrimination Coordinator:

Denny Rush
Superintendent
Newcastle Elementary School District
916-259-2832
drush@newcastle.k12.ca.us
645 Kentucky Greens Way
Newcastle, CA 95658

Filing a Title IX Complaint with NESD

To promote prompt and fair resolution of the complaint, the following linked procedures shall govern the resolution, and details our process and policies step by step. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, and if applicable, the complainant should communicate directly to the employee in order to resolve concerns. If a complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint

to the employee's immediate supervisor or the principal, following the provisions of the district's complaint form.

Policies and Procedures:

[AR 4119.12 Sexual Harassment Complaint Procedures \(Personnel\)](#)

[AR 5145.71 Sexual Harassment Complaint Procedures \(Students\)](#)

[BP 1312.3 Uniform Complaint Procedures](#)

[AR 1312.3 Uniform Complaint Procedures](#)

[BP 1312.1 Complaints Concerning District Employees](#)

[AR 1312.1 Complaints Concerning District Employees](#)

[AR 1312.4 Williams Uniform Complaint Procedures](#)

[E\(2\) 1312.4 Williams Uniform Complaint Procedures Form](#)

Student Rights Pursuant to Education Code Section 221.8

Education Code section 221.8 provides as follows:

The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), may be used by the department for purposes of Section 221.6:

1. You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
2. You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.
4. You have the right to apply for athletic scholarships.
5. You have the right to receive equitable treatment and benefits in the provision of all of the following:
 1. Equipment and supplies.
 2. Scheduling of games and practices.

3. Transportation and daily allowances.
4. Access to tutoring.
5. Coaching.
6. Locker rooms.
7. Practice and competitive facilities.
8. Medical and training facilities and services.
9. Publicity.
6. You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.
7. You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
8. You have the right to file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
9. You have the right to pursue civil remedies if you have been discriminated against.
10. You have the right to be protected against retaliation if you file a discrimination complaint.

Additional Resources

- [United States Department of Education Office for Civil Rights](#)
- [United States Department of Education Office for Civil Rights Complaint Form](#)
 - Contact Information: 1-800-421-3481 or ocr@ed.gov
- [California Department of Education's Office for Equal Opportunity](#)
- [Title IX Training Completed by NESD personnel](#)
- [BP 5145.7 Sexual Harassment \(Students\)](#)