



State Title IX Gender Equity Coordinators, Methods of Administration Coordinators & other State level Gender Equity Experts

The attached list was developed by the Title IX Action Network and the Education Equity Program of the Feminist Majority Foundation¹. It is one of the ways the Network has started to identify and work with Title IX coordinators at all levels of education throughout the U.S.

Title IX is our federal 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, 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. For example, it prohibits sex discrimination in facilities, access to courses, athletic and academic opportunities, career guidance, student financial aid, health and insurance benefits, employment in educational institutions, and sexual harassment. In addition to schools and almost all of the more than 5000 colleges and universities, it covers scientific laboratories, about 5000 institutions that confer certificates below the associate degree level, prisons, museums, libraries, and a variety of other public and private institutions.²

Title IX regulations <http://feminist.org/education/TitleIXRegCoordinatorSection.pdf> 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. If everyone complies with this law 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. However, it is difficult to find these coordinators so it is not surprising that a recent 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 in

¹ For more information on The Title IX Action Network composed of Title IX coordinators and equity advocates, please visit: www.feminist.org/education or <http://www.feminist.org/education/TitleIXcoordinatorsNetwork.asp>

² Colleges such as Grove City (including their students) do not receive federal financial assistance and are not covered under Title IX. These estimates are from *Ensuring Equal Access to High-Quality Education*, OCR 2011.

addition to helping those who have suffered from discrimination file, resolve, and sustain resolution of complaints.

Over the past 40 years (See "Title IX at 40" www.ncwge.org and Ms. magazine "Triumphs of Title IX" <http://www.feminist.org/education/TriumphsOfTitleIX.pdf>) there has been substantial progress in ending overt sex discrimination in U.S public education but the subtler manifestations of sex discrimination continue and the interpretations of compliance with Title IX and related civil rights laws have become more sophisticated and complicated. Additionally, the legal and financial risks for non-compliance have increased as plaintiffs have won multi-million dollar settlements <http://www.feminist.org/education/consequences.asp>

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 knowledge of Title IX protections must end. This would help the U.S. regain 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, or even gender non-conformity.

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

This means more well trained 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 males 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 micro-inequities, 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** <http://www.feminist.org/education/titleix.asp>, related to preventing sex discrimination in athletics, sexual harassment, career-technical education 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, should the Title IX coordinator be responsible for verifying this and related information on sex discriminatory treatment and for monitoring long term compliance? How can they 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 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.

The U.S. Department of Education (ED) Office for Civil Rights (OCR) is responsible for the implementation of provisions in the Title IX regulation for Title IX coordinators, a similar provision 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.³

Every state except one now has anti-bullying legislation which generally overlaps with Title IX prohibitions against sexual harassment. 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.

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 post secondary education agencies, but we have just started to identify the postsecondary agency Title IX coordinators. States use two basic models for Title IX coordinator responsibilities.

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 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

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of responsibility ranging from the agency's legal or personnel office to physical education and athletics, harassment and bullying, career and technical education, etc. Some states actively identify these experts and create Title IX teams.

The roles and responsibilities of Title IX coordinators and other SEA agency staff with Title IX and related civil rights responsibilities vary widely so some states use both of these models. 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 Title IX coordinators includes a more comprehensive listing of state Methods of Administration (MOA) coordinators than previous Feminist Majority Foundation State Title IX Coordinator directories. 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 in areas such as sexual harassment/bullying, athletics, science, technology, engineering and mathematics (STEM), teen pregnancy and parenting, charter schools, 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, etc. Some states maintain lists of school district or and other Title IX coordinators on their website to provide better access to the public. See asterisk* next to the website.

School District Title IX Coordinators

The school district 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).

Some district Title IX coordinators organize and 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 14,000 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 98,000 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 5000 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 is difficult to find these coordinators on school websites or staff directories.

At all levels of education, in addition to school Title IX gender equity coordinators there may also be other school or school district equity or diversity coordinators. These individuals can share strategies and provide support to address multiple educational equity issues. We encourage them to work with an advisory group of internal and external supporters who know and care about advancing gender equality.

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