

Board policy 114

Nondiscrimination & Harassment

The Board is committed to an environment of nondiscrimination on the basis of race, color, religion, sex, age, national origin, economic status, union affiliation, disability and other human differences. No person shall be excluded from participation in, or denied the benefits of, any academic or extracurricular program or educational opportunity or service offered by the District. The District will comply with applicable statutes, regulations, and executive orders adopted by Federal, State, and Municipal agencies. The District notes the concurrent applicability of the Individuals with Disabilities Act, Title II of the Americans with Disabilities Act and the relevant disability provisions of Alaska law.

Office for Civil Rights

The Office of Civil Rights in the U.S. Department of Education is charged with enforcing the civil rights and regulations in education. The OCR is staffed by a group of attorneys, investigators and support personnel working as case resolution teams from each of the agency's twelve enforcement divisions. Each OCR division is charged with investigating and resolving cases of alleged illegal discrimination. Alaska is serviced in the Western Division:

Western Division

Serving: Arizona, Colorado, Montana, New Mexico, Utah, Wyoming
OCR_Denver@ed.gov

Serving: California

OCR_SanFrancisco@ed.gov

Serving: Alaska, Hawaii, Idaho, Nevada, Oregon-Pacific Region, Washington
OCR_Seattle@ed.gov

Reporting

Title IX inquiries or complaints should be reported immediately to the school principal or department supervisor.

Complaints not resolved at the school or department level may be reported to the Equal Employment Opportunity Director, who also serves as the Title IX Coordinator:

Equal Employment Opportunity Director

ASD Education Center
5530 E. Northern Lights Blvd.
Anchorage, Alaska 99504-3135

Phone: (907) 742-4132

Fax: (907) 742-4226

www.asdk12.org

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Concerns may also be reported to any of the following external agencies: Alaska State Commission for Human Rights, Anchorage Equal Rights Commission, U.S. Equal Employment Opportunity Commission or Department of Education, Office of Civil Rights.

Other ASD Problem-solving Options

The following options may be used to address any discrimination issue, including Title IX:

1. Student Grievance Process
2. EEO Complaint Process
3. Citizens Complaint Process

Title IX complaints must be filed within 30 days of the alleged act, and will be concluded within 5 school days of the complaint date. Follow the timelines in the student handbook for all other grievances.



Anchorage School District

Educating All Students for Success in Life

Title IX

Assuring Gender Equity in Education



No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational programs or activity receiving federal financial assistance.

-From the preamble to Title IX of the Education Amendments of 1972

What is Title IX?

Title IX was the first comprehensive federal law to prohibit sex discrimination against students and employees of educational institutions. Title IX benefits both males and females, and is at the heart of efforts to create gender equitable schools. The law requires educational institutions to maintain policies, practices and programs that do not discriminate against anyone based on sex. Under this law, males and females are expected to receive fair and equal treatment in all areas of public schooling: recruitment, admissions, educational programs and activities, course offerings and access, counseling, employment assistance, facilities and housing, health and insurance benefits, marital and parental status, scholarships, sexual harassment, and athletics

What school levels are covered?

Title IX protects students, faculty and staff in federally funded education programs. Title IX applies to all elementary and secondary schools, colleges and universities. It also applies to programs and activities affiliated with schools that receive federal funds (such as internships or School-to-Work programs) and to federally funded education programs run by other entities such as correctional facilities, health care entities, unions and businesses.

Who Benefits from Title IX?

Everyone benefits from Title IX. Title IX prohibits institutions that receive federal funding from practicing or allowing gender discrimination in educational programs or activities. Because almost all schools receive federal funds, Title IX applies to nearly everyone.

Is there a penalty for Title IX non-compliance?

Yes! Schools can lose federal funds for violating the law. School districts have, however, had to pay substantial damages and attorney fees in cases brought to court.

Are male students protected under Title IX?

Yes, both male and female students are protected from harassment regardless of who is committing the harassing behavior.

How does Title IX impact what courses a school offers?

Institutions may not provide separate courses and activities based on sex and may not require or prohibit participation in these programs based on gender. Some exceptions to this, however, are allowed. Sex education and human sexuality courses at the elementary and secondary levels may be, but are not required to be, offered separately. Generally, physical education classes may not be segregated. Separation is permitted within classes during wrestling, boxing, rugby, ice hockey, football, basketball, and other activities involving significant bodily contact. In intramural sports, separate teams for each sex are permissible in contact sports.

Does Title IX protect only students?

No. Title IX protects everyone from discrimination, including, students, parents, employees and vendors.

Are schools responsible for addressing sexual harassment?

Yes. When schools become aware that sexual harassment has occurred, they must take immediate action to stop the harassment, hold all parties accountable and take steps to prevent future harassment.

Under Title IX, are students and teachers protected from sexual harassment?

Yes, sexual harassment is a form of prohibited sex discrimination, and both students and teachers are protected. Title IX prohibits sexual harassment in all school programs and activities in school facilities or in other locations when the school is the sponsor of the activity.

How must athletic programs comply with Title IX?

Title IX requires that schools, which receive federal funding, provide equal opportunities for members of both sexes. It addresses the availability, quality and kind of benefits, and the opportunities and treatment that athletes receive. There are three basic aspects of Title IX that apply to athletics:

1. **Participation:** Title IX is not a quota system. Educational institutions have three options to demonstrate equity and fairness in athletic opportunities. Schools can show that they comply with Title IX if they can demonstrate any *one* of the following:
 - a. Substantially proportionate athletic opportunities for male and female athletes;
 - b. A history and continuing practice of expanding opportunities for the under-represented sex;
 - c. Full and effective accommodation of the interests and abilities of the under-represented sex. Schools do not necessarily need to offer identical sports, yet they do need to provide an equal opportunity for females to play in sports of interest.
2. **Scholarships:** The total amount of athletic aid must be substantially proportionate to the ratio of female and male athletes.
3. **Additional Athletic Program Components:** Title IX also mandates equal treatment in the provision of:
 - a. Coaching staff
 - b. Game and practice times
 - c. Medical and training facilities
 - d. Publicity
 - e. Recruitment opportunities
 - f. Travel per diem allowances
 - g. Equipment
 - h. Locker rooms
 - i. Practice and competitive facilities
 - j. Tutoring opportunities