



**AN INTRODUCTORY MANUAL
FOR
AFFIRMATIVE ACTION OFFICERS**



**NEW JERSEY
DEPARTMENT OF EDUCATION
Division of District and School Improvement
Office of Equity and School Choice**

AN INTRODUCTORY MANUAL FOR **AFFIRMATIVE ACTION OFFICERS**



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PURPOSE

This introductory manual will:

- **Acquaint the newly-appointed Affirmative Action Officer with the roles and responsibilities of the position.**
- **Provide an understanding of what constitutes harassment - sexual, racial and verbal - and the laws and code regarding equity and Title IX.**
- **Help you understand what constitutes being an “equity advocate.”**
- **Provide a sample process for grievance procedures.**
- **Provide you with resources for increasing equity and diversity in your school district and staff development programs for all certificated and non-certificated staff.**



Pre-assessment Questionnaire

The Equity Challenge

Before reviewing this manual, please give your estimate of your level of awareness for each of the following Items:

	Not Aware	Aware	Very Aware
1. Difference between <i>N.J.A.C. 6A:7, "Managing for Equality and Equity in Educational Programs"</i> and Title IX.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Roles and responsibilities of a district Affirmative Action Officer.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Understanding of the forms of discrimination and their impact on you as an equity advocate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Policies and practices which promote a bias-free school environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Process for filing a discrimination/Title IX grievance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Preparation of a comprehensive equity plan and maintaining documentation for monitoring.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Conducting an effective affirmative action/human relations staff development program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INTRODUCTION

This guide is intended to serve as a resource for Affirmative Action Officers as they implement the requirements of *N.J.A.C. 6A:7, Managing for Equality and Equity in Education*, and Title IX, Prohibiting Sex Discrimination in Education. It suggests strategies and approaches that will help school districts comply with the spirit and letter of these regulations.

The first question one often asks is, "What is an Affirmative Action Officer (AAO)?" ***An AAO is a member of the professional staff who has responsibility to coordinate and implement the district's efforts to comply with the regulations of N.J.A.C. 6A:7 and to promote a working and learning environment free of discrimination on the basis of race, color, national origin, religion, gender, sexual orientation, age or disability. This person also serves as the district's Title IX Coordinator.***

Although a specific job description is not required, it is necessary to clearly define an AAO's responsibilities. An AAO does the following:

- Oversees the implementation of the district's affirmative action plan to increase minorities in the district.
- Oversees the development and implementation of the district's comprehensive equity plan as defined in N.J.A.C. 6A:7.
- Monitors implementation of the plan and related strategies for improvement.
- Maintains communication with staff, students, and community.
- Coordinates/provides mandated in-service training for all certified and non-certified staff.
- Has full knowledge of district grievance procedures and employment policies and is the point person for students and staff filing grievance procedures.
- Maintains confidential records and reports data as required.
- Assures that the district maintains fair and impartial hiring practices; frequently sits in on interviews.
- Performs other duties as deemed necessary.

HOW DOES A NEW AAO GET STARTED?

Make sure that your appointment as AAO has been approved by the local board of education. Inform all staff and students, as well as the county office, of your appointment. Make sure that all secretaries and persons who answer district phones know that you are the AAO and know the phone number and address at which you can be reached.

- Read *N.J.A.C. 6A:7 "Managing for Equality and Equity In Education"* <http://www.state.nj.us/education/equity/> and Title IX of the Education Amendments of 1972 <http://www.dol.gov/oasam/regs/statutes/titleIX.htm> **Read the attached information about Title IX, pages 22-25.**
- Read the district's Affirmative Action (AA) file, current comprehensive equity plan, and status of corrective action plans for the three-year cycle.
- Review the district's yearly objective(s) and implementation strategies, and find out what activities have been implemented and which still need to be done.
- If you find that the affirmative action or comprehensive equity plan needs updating, revise it and present it to the board of education for approval (revisions should be made with the assistance of the AA team.)
- Determine who in the district will assist you in fulfilling your responsibilities. You might consider the athletic director, guidance director, elementary and secondary supervisors, or personnel director.
- Attend conferences and training sessions relating to equity issues.
- Contact AAOs in other districts for advice and support.



FUNCTIONS OF THE AAO

The prime function of an AAO is to oversee district compliance with *N.J.A.C. 6A:7* and Title IX of the Education Amendments of 1972. To effectively carry out this function, the AAO has a number of major responsibilities. A district may appoint more than one AAO. For example, a district might select a curriculum supervisor as the AAO for school classroom practices, and the personnel director as AAO for employment/ contract practices. The AAO, in compliance with *N.J.A.C. 6A:7* must form an affirmative action team to coordinate and implement the requirements as described in preparation of the comprehensive equity plan.

REGULATORY/COMPLIANCE

Specific steps which must be taken on an annual basis are:

Disseminate a notice of nondiscrimination to staff, students, and parents that the district does not discriminate on the basis of race, color, national origin, religion, gender, affectional or sexual orientation, ancestry, or social or economic status. The notice must include the name, address, and phone number of the AAO, and must be disseminated in ALL district publications, including newsletters, student newspapers, employee and student handbooks, on bulletin boards. The notice of nondiscrimination should also be on the district's website. ***Please read the regulatory information and view a SAMPLE notice at the US Department of Education, Office of Civil Rights website:*** <http://www.ed.gov/about/offices/list/ocr/docs/nondisc.html>

Include this notice of nondiscrimination in all course announcement bulletins, catalogues, application forms, and student and employee handbooks.

The grievance procedure must be published and disseminated to all students and employees of the district. Under Title IX, the AAO must investigate any complaint alleging sex discrimination.

Make the affirmative action plan and comprehensive equity plan available for review to all interested parties. A copy of both plans should be available from the AAO, but made available in the superintendent's office, and in each school.

Ensure that the district does not enter into any contract with a person, agency, or organization that discriminates in employment practices or the provision of benefits or services. See the attached sample letter which can be sent to all new vendors before the district agrees to a contract. (This letter need be sent only once to a vendor.)

Oversee implementation of *N.J.A.C. 6A:7* and Title IX and conduct annual district internal monitoring to insure continuing compliance.



IN-SERVICE TRAINING

Each district **must** provide annual, ongoing in-service training for ALL school personnel to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status.

In-service can be incorporated into:

- Special in-service workshops and programs
- Regular faculty meetings (must be ongoing)
- Departmental meetings

The district board of education shall ensure that all new certificated and non-certificated staff are provided with professional development training relating to educational equity issues within the first year of employment. Document such training.

Staff members must be prepared to avoid and correct discrimination and bias. They should understand the rationale and substance of the regulations, the obligation of school systems to comply, and ways to promote equity in the school environment. Before providing in-service training, it is suggested that the district conduct a needs assessment to identify areas of interest and concern.

Some topics to consider are:

- Discrimination and bias awareness
- Multicultural/bias free materials
- Non-sexist career education
- Human relations
- Multicultural curriculum and activities
- Sexual Harassment
- Cultural Diversity
- Bullying and its consequences

Textbook and Materials Review

Ensure that textbook selection criteria reflect sensitivity to the issues of discrimination and bias. Monitor purchases for compliance with AA policies and procedures.

Recruiting, Hiring and Employment Practices

- Monitor district employment goals.
- Develop list of district recruiting sources.
- Serve on screening and interviewing committees where appropriate.

- Notify all labor or professional organizations holding contracts with the district of the district's policy of non-discrimination. **(See attached sample, page 21).**
- Ensure that all employment policies and practices are non-discriminatory; for example, review application forms and questions used during pre-employment inquiries to ensure compliance with the New Jersey Law Against Discrimination.
<http://www.state.nj.us/lps/dcr/law.html>

Student Assignment

- Review course descriptions for sexist language and overall compliance. Identify biases and suggest changes (e.g., change "Bachelor Cooking" to "Cooking for Moderns"). Ensure that course content is changed, when necessary.
- Analyze student classroom assignments. Identify areas showing imbalances of students by sex or race (e.g., a home economics class with 24 girls and 1 boy).

Physical Education and Athletics

- Review individual class enrollments with attention to distribution by sex and race.
- Ensure that all classes are coed. Classes in which students select their activities should not lead to resegregation; e.g., in the fall, two activities are offered and only girls select field hockey and boys select flag football.
- Review athletic programs for boys and girls; look at the number of students in the sports offered, levels of competition (Varsity, J.V, Frosh, etc.).
- Review all other related areas, (facilities, scheduling, equipment, etc.).
- Where inequities are identified, recommend courses of action to correct the problems.
- Conduct a student survey every three years to find out what their sports interests are before planning new programs. **(See attached sample, page 26-27).**

Other Areas

- Examine guidance tests for bias.
- Review work study placements of males and females.
- Identify inequities in club participation, awarding of scholarships, etc.

Keep in mind that each district should concentrate on those specific areas needing its attention. The suggested list of activities is a sampling of ideas only and should not be construed as covering all relevant topics.

LEADERSHIP/ADMINISTRATION

With the support of the superintendent and the board, the AAO should establish whatever administrative structures are needed to fully implement the regulations. Implementing these regulations will require that the AAO:

Serve as liaison with the New Jersey Department of Education, Division of District and School Improvement, Office of Equity and School Choice, and civil rights agencies.

Maintain a file of all documents and records pertaining to Titles IX and *N.J.A.C. 6A:7*. This file should include copies of the comprehensive equity plan, approved corrective action plans, internal monitoring reports, documentation for county office monitors, annual notices to parents, in-service program information, etc.

Chair the AA team and oversee its progress.

Delegate implementation responsibilities when necessary; e.g., data collection for internal monitoring can be done and synthesized at a building-by-building level under principals, or at a department level under supervisors or department heads.

Provide leadership and training to the building principals and administrators. This can be accomplished during district-wide administrator's meetings or in special prejudice reduction training sessions.

Some districts appoint the principal of each school as the building AAO. That person monitors his or her building for compliance with Titles IX and *N.J.A.C. 6A:7* and reports those findings to the district AAO. Where non-compliance is identified, a plan of corrective action is developed and administered through the building principal. The principal may establish a building AA team to plan in-service training, disseminate information and perform other duties. One team member from each building can serve on the district-wide AA team.

Remember, only through the coordinated efforts of the entire school community can equal educational and employment opportunity be achieved.

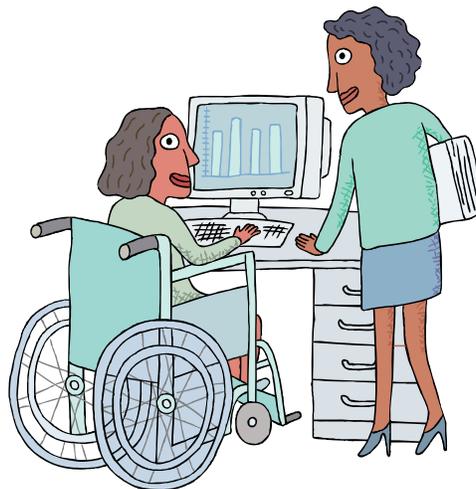


INFORMATION DISSEMINATION

Collect, review, and disseminate relevant information to students and staff. This includes notification of regulation changes and new compliance information.

Provide staff, students, parents and community members with various kinds of relevant information by:

- Writing a column in the district newsletter;
- Speaking to the student council, social studies classes, or other classes about prejudice reduction and how it relates to students;
- Working with parent and community groups planning prejudice reduction programs;
- Disseminating information on conferences, seminars, and training sessions to appropriate personnel;
- Setting up an resource center with the assistance of a librarian or media specialist to help promote equity and diversity in the district;
- Placing suggestion boxes in each school for student and staff input;
- Planning an equal opportunity career conference;
- Placing calendars and biographies of famous women, men and minorities in teachers' mailboxes; and
- Devoting a bulletin board in each school to equity and diversity issues. Post newspaper clippings, children's art and stories, posters, pictures. Ask different classes to be responsible for the bulletin board each month.



HANDLING COMPLAINTS AND GRIEVANCES

Under Title IX, each school district must have a written, publicized grievance procedure for handling complaints alleging sex discrimination. Students, parents, and employees must be fully informed of the steps in the grievance process. It is strongly recommended that discrimination grievance procedures allow for complaints on the basis of race, color, creed, religion, national origin, affectional or sexual orientation, ancestry, socioeconomic status, as well as sex.

Title IX does not specify a particular structure for the grievance procedure; it does require that the procedure provide for the “prompt and equitable resolution of student and employee complaints.” Therefore, all procedures must include reasonable timelines for the initiation and resolution of a grievance.

Any person who believes that he/she has been discriminated against may also file a complaint with the Office for Civil Rights or the Department of Education at the same time a grievance is filed during or after the grievance process, or without using the school district process at all. A person may also file a grievance with the New Jersey Division on Civil Rights.

The Title IX regulation requires that the Affirmative Action Officer have primary responsibility for coordinating activities related to the investigation of discrimination complaints. Although Title IX does not spell out those activities, they should include the installation, publication, recordkeeping, and processing of the grievance. If the AAO is a teacher, an administrator must be designated to assist in the process. Although there is no law saying that the Superintendent should not be the Affirmative Action Officer, it is strongly recommended that he/she not accept this position due to a possible conflict of interests.

In summary, the district must do the following:

- Have a procedure by which students and employees may file discrimination complaints;
- Publicize those procedures;
- Involve its AAO in the coordination of grievance procedure activities;
- Maintain records documenting the process; and
- Implement corrective actions when discrimination is identified.



SAMPLE GRIEVANCE PROCEDURE

In keeping with federal/state antidiscrimination legislation, the Board of Education has adopted and hereby publishes the Grievance Procedure provided for the resolution of student, employee, and parent complaints.

PURPOSE: To provide students, employees, and parents a procedure by which they can seek a remedy for alleged violations related to discrimination on the basis of race, color, creed, religion, affectional or sexual orientation, sex, ancestry, national origin, or socioeconomic status.

DEFINITION: Grievance - A formal written complaint.
Grievant - Any student, employee, or parent aggrieved by a decision or condition falling under the guidelines of federal and/or state anti-discrimination laws.

Affirmative
Action Officer- The district employee designated to coordinate efforts with antidiscrimination legislation and charged with the responsibility of investigating complaints.

PROCEDURE:

- Step #1 - The grievant must present the complaint in written form to the responsible person designated as the Affirmative Action Officer. (Use Grievance Report - Form A)
- Step #2 - The Affirmative Action Officer has five working days in which to investigate and respond to the grievant. (Affirmative Action Officer is to use the space provided on Grievance Report - Form A)
- Step #3 - If not satisfied, the grievant may appeal within ten-working days to the Superintendent or designee (not Affirmative Action Officer). (Use Appeal - Form B)
- Step #4 - Response by the Superintendent or designee must be given within five working days. (Superintendent to use space provided for on Appeal - Form B)
- Step #5 - If the grievant is not satisfied at this level, an appeal may be made within ten working days to the Board of Education which will hear the complaint at the next regular meeting or within thirty calendar days. (Use Appeal - Form C) Local

Board hearing shall be conducted so as to accord due process to all parties involved in the complaint such as written notice of hearing dates, right to counsel, right to present witnesses, right to cross-examine and to present written statement. The decision of the Board shall be by a majority of the members at a meeting which shall be public.

Step #6 - The _____ Board of Education shall respond to the grievant within thirty calendar days. (Use space provided for an Appeal - Form C)

Step #7 - If the grievant is not satisfied with Board's decision, the grievant can have it referred to the County Superintendent of Schools.

Step #8 - The grievant maintains the right to by-pass the grievance procedure and submit the complaint directly to any or all of the following agencies:

- 1 . The Commissioner of Education
Bureau of Controversies and Disputes
New Jersey Department of Education
PO Box 500
Trenton, New Jersey 08625
Phone: (609) 292-5705
2. Equal Employment Opportunity
Commission Newark District Office
1 Newark Center, 21st Floor
Newark, New Jersey 07102
Phone: 800-669-4000 or 973-645-6383
3. U.S. Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Phone 646-428-3900 or TDD: 877-521-2172
Email: OCR.NewYork@ed.gov
4. New Jersey Division on Civil Rights
140 East Front Street, 6th Floor
PO Box 090
Trenton, NJ 08625-0090
Phone: 609-292-4605 or TDD 609-292-1785

GRIEVANCE REPORT - FORM A

STEP #1

FROM: _____, Grievant

TO: _____, Affirmative Action Officer

DATE: _____

DESCRIPTION OF HAPPENING:

(Signature)

(This Portion to be used by Affirmative Action Officer ONLY)

STEP #2

Grievance Number _____

TO: _____, Grievant

FROM: _____, Affirmative Action Officer

DATE: _____

RESPONSE TO GRIEVANT:

(Date Grievance Received)

(Affirmative Action Officer)

APPEAL - FORM B

STEP #3

Grievance Number _____

FROM: _____, Grievant

TO: _____, AAO

DATE: _____

"Grievance Report Form A is hereby attached for APPEAL to the Superintendent."

(Signature)

(This Portion to be used by Affirmative Action Officer ONLY)

STEP #4

Grievance Number _____

TO: _____, Grievant

FROM: _____, AAO

DATE: _____

RESPONSE TO GRIEVANT' S APPEAL:

(Date Appeal Received)

(Affirmative Action Officer)

SECOND APPEAL - FORM C

STEP #5

Grievance Number _____

FROM: _____, Grievant

TO: _____, AAO

DATE: _____

The attached Grievance Forms A and B, are hereby submitted for the Board of Education's review pertaining to my complaint.

(Signature)

STEP #6

Grievance Number _____

TO: _____, Grievant

FROM: _____

DATE: _____

RESPONSE TO SECOND APPEAL:

(Date Appeal Received)

(Affirmative Action Officer)

State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

RECRUITMENT TIPS

- Allocate a recruitment budget.
- Word all job postings, advertisements, and printed materials in non-sexist language.
Example: maintenance worker vs. maintenance man
- Ensure that pictures appearing in advertisements and bulletins reflect a balance of women/men and racial/ethnic minorities/non-minorities.
- State in all advertising of available positions that the employer is an equal opportunity employer and that all qualified applicants are encouraged to apply.
- Make certain that advertising materials do not contain a preference for applicants of either sex.
- List vacancies with women's and minority organizations, centers, registries, referral agencies.
- Advise college/university placement officers that your district is particularly interested in recruiting black and national origin personnel, female administrators, male elementary teachers, etc., and send notices to historically black colleges and universities with large female and minority enrollments.
- For openings in areas such as education administration, special education, social work, psychology, etc., contact specific departments on college/university campuses for names of recent graduates and outstanding students.
- Contact New Jersey's urban districts.
- Consider women and minority employees in your organization who are qualified for a transfer or promotion.
- Remember that campus affirmative action/Title IX officers often have contact with minority students.
- Contact Equal Opportunity Fund (EOF) personnel, bilingual education directors, and minority students' organizations on college campuses.

- Work with college student-teacher placement offices to recruit student teachers from racial/national origin minority groups.
- Publicize vacancies in materials sent to parents and committee members, to the newspapers, and to the stations.
- Use student newspapers to list job vacancies.
- Announce vacancies at parent meetings.
- Establish teacher exchange programs with minority districts.
- Establish networks among urban, suburban, and rural districts so that an exchange of names of qualified applicants can take place.
- Contact districts that are ridding personnel.
- Identify employees who qualify - or can become qualified - for upward mobility.
- Include women and minorities in the personnel process:
 - on recruiting trips
 - writing job descriptions
 - developing publicity and organizational literature
 - as part of interviewing and selection teams

This list of recruitment tips provides some strategies for recruiting school personnel, especially minorities and women.



SAMPLE LETTER FOR CONTRACTORS

DATE

NAME

ADDRESS

CITY, STATE, ZIP

Dear _____

The _____ Board of Education is an affirmative action employer, and pursuant to federal and state regulations (Executive Order 112246 as amended and N.J.A.C. 6A:7, we must advise you of our intent to negotiate business only with other Affirmative Action Employers. All contractors and subcontractors with whom we contract are obliged to take affirmative action to provide equal employment opportunity without regard to race, color, national origin, age, or sex.

Please complete and sign the form below and return it to us immediately.

Sincerely

Supplier acknowledges receipt of the notice to contractors requiring affirmative action in employment and certifies compliance with that requirement.

_____ Name of Firm
_____ Signature
_____ Title
_____ Address of Firm

_____ Date

Please return to:
(district address)



Title IX Questions & Answers

Title IX is the key federal law prohibiting sex discrimination against students and employees in education programs and activities receiving federal financial assistance. Title IX benefits both males and females, and is at the heart of efforts to create gender equitable education. 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 arenas of schooling: recruitment, admissions, educational programs and activities, course offerings and access, counseling, financial aid, employment assistance, facilities and housing, health and insurance benefits, marital and parental status, scholarships, sexual harassment, and athletics. It may seem hard to believe but prior to 1972 schools routinely discriminated by not admitting girls into traditional “male programs” like shop or engineering and by not admitting boys into traditional “female programs” like home economics or nursing.

No person in the United States shall, on the basis of sex, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. - Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681

The following are frequently asked questions about Title IX. The answers are intended to improve awareness and to encourage educators, students, parents, administrators, coaches, athletes and community members to advocate for these rights. They are based on the 1975 Title IX regulations and subsequent guidance on how to implement Title IX.

What school levels are covered by Title IX?

Title IX protects students, faculty and staff in federally funded education programs and activities. Title IX applies to elementary and secondary schools, colleges and universities. It also applies to education programs and activities that receive federal funds (such as internships or School-to-Work programs or research labs, museum programs, and even Department of Justice supported programs for police training). Thus, *Title IX covers education programs that receive support from any federal agencies*. For example, this includes many private schools, correctional facilities, health care entities, unions, businesses as well as schools that receive federal funds.

Who is responsible for enforcing Title IX?

Every recipient of federal financial assistance, by law, is required to designate a Title IX Coordinator and provide grievance procedures. Contact information for the Title IX Coordinator must be readily available to school faculty, staff and students. Title IX coordinators as well as all faculty, students, coaches, and community members can file a complaint of Title IX violation with the Office for Civil Rights or they can use private law suits. Title IX also prohibits institutions from retaliating against any complainant.

Is there a penalty for Title IX non-compliance?

Yes! Schools can lose federal funds for violating the law. Although many institutions are not in full compliance with Title IX, no institution has actually lost any federal money. The U.S. Department of Education, as well as individual students and their parents, may sue schools for Title IX violations. In some cases, federal funding has been delayed and schools have had to pay substantial damages and attorney fees in cases brought to court.

How do athletic activities comply with Title IX?

Title IX requires that schools, which receive federal financial assistance, 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 as applied to athletics:

1) **Participation:** Title IX is not a quota system. Every institution has three options to demonstrate fairness in allowing students to participate on a sports team. Schools can show that they comply with Title IX if they can demonstrate any one of the following:

- Athletic opportunities for male and female athletes which are substantially proportionate to enrollment of male and female students. For example, a school with an enrollment of 50% male students and 50% female students must have approximately 50% of its athletic opportunities for males and 50% for females;
- A history and continuing practice of expanding athletic opportunities for the under-represented sex. For example, creating new teams or enlarging existing team squads;
- 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. For example, consider a college with a total number of athletes of 205, made up of 90 female athletes (90/205-44% of the total) and 115 male athletes (115/205-56% of the total) and a scholarship budget of \$100,000. An equitable distribution of funds would award \$44,000 (44% of the total funds) in scholarship aid to female athletes and \$56,000 (56% of the total funds) to males. However, schools may justify a higher percentage of funds dedicated to the underrepresented sex as a way to demonstrate compliance with the participation aspect of Title IX, mentioned above.

3) **Additional Athletic Program Components:** Title IX mandates equal treatment in the provision of:

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Coaching | <input checked="" type="checkbox"/> Equipment and supplies | <input checked="" type="checkbox"/> Game and practice times |
| <input checked="" type="checkbox"/> Locker rooms | <input checked="" type="checkbox"/> Medical and training facilities | <input checked="" type="checkbox"/> Tutoring opportunities |
| <input checked="" type="checkbox"/> Publicity | <input checked="" type="checkbox"/> Recruitment of student athletes | <input checked="" type="checkbox"/> Method of travel |
| <input checked="" type="checkbox"/> Per diem allowances | <input checked="" type="checkbox"/> Practice & competitive facilities | |

The standard for compliance is one of quality rather than quantity. The actual amount of money spent on women's and men's programs may differ as long as the quality of facilities and services for each program achieve parity. For example, equipment needed for men's football may cost more than equipment needed by women's field hockey. Title IX compliance is achieved as long as both teams are given equipment of comparable quality. However, Title IX is violated if a community builds a state-of-the-art field and locker facilities for males, but requires female athletes to share a field owned by a local community center. In this example, quality of facilities is far from equitable, and Title IX is violated.

Does Title IX require male athletic opportunities be cut?

No, Title IX is designed to create parity in athletic opportunity and quality of experience for men and women. It is a school's choice to cut men's programs in an effort to comply with the law or to meet budget constraints. However, Title IX is not intended to be a zero-sum game. Title IX is intended to ensure equality for both males and females.

Are any single-sex schools, classes, or activities allowed by 1975 Title IX regulations?

In general, Title IX prohibits separate sex schools, courses, and activities such as home economics solely for girls and shop solely for boys. However, the 1975 regulations and the 2006 changes to these regulations include some exceptions to the general prohibition of sex-segregation. The key exceptions starting in 1975 allow sex-segregation for human sexuality courses, choral groups where vocal range and quality are a requirement of the type of music or part being performed, and for contact sports. They also include allowing single sex schools, classes, or activities for remedial or affirmative purposes to decrease sex discrimination in desired education outcomes if the single-sex education is more effective than comparable quality coeducation efforts to decrease sex discrimination.

The additional 2006 exceptions are much broader and allow sex-segregation for K-12 non vocational single sex schools, classes, and extracurricular activities in elementary and secondary schools for a variety of vague purposes such as: “the achievement of an important governmental or educational objective”; “to provide diverse educational opportunities”; or to “meet the particular, identified educational needs of its students”. These 2006 changes no longer tie the key justification for allowing this sex segregation to overcoming the effects of sex discrimination, the sole purpose of Title IX.

Does Title IX prohibit bias in textbook content?

No. Because of concern over potential conflict with the First Amendment “freedom of speech” principles and states rights to provide education, the Title IX regulations did not prohibit sexism in curriculum materials. However, to help implement Title IX it is important to avoid bias and stereotyping in instructional practice, content, and materials. Thus, those responsible for advancing gender equity will want to monitor content to ensure that the curriculum promotes understanding of the perspectives of both sexes and their roles in history. To learn how to identify gender bias in textbooks, see <http://www.american.edu/sadker/curricularbias.htm>

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

Yes, sexual harassment (including discrimination relating to perceived or actual sexual orientation) is a form of prohibited sex discrimination, and recipients of this harassment may recover monetary damages. Title IX prohibits sexual harassment by faculty and staff members and by other students in all school programs and activities in school facilities or in other locations when the school is the sponsor of the activity. Discrimination related to sexual harassment of employees is also prohibited under Title VII of the Civil Rights Act of 1964. As in all other areas of Title IX both male and female students and employees are protected from sexual harassment regardless of who is committing the harassing behavior.

Are Title IX rights granted to pregnant students?

Yes. Schools may not discriminate against an enrolled student in academic or non-academic activities because of pregnancy, birth of a child, false pregnancy, miscarriage, or termination of pregnancy. However, a student may opt to participate in an alternate, comparable activity such as a special class for parenting teens.



This Title IX fact sheet was created by Karen Zittleman with modifications by Sue Klein and Kim Kirn and used with permission of Karen Zittleman 10-1-07, See www.feminist.org/education .) Formatting and clarity modifications were made by Mary Conrad, New Jersey Department of Education.

STUDENT INTEREST SURVEY FOR INTERSCHOLASTIC ATHLETIC PROGRAMS

This survey contains no information that identifies you. You do not need to list your name anywhere on the sheet. You are not required to participate in this survey, but we encourage each student to complete this survey to help determine the interest in the athletics program in our school district.

General Information:	Male _____	Current Grade _____
	Female _____	

1. Is the school district offering the sports you want to play?

- Yes.
- No, I want to play _____
- I am not interested in athletics.

2. During the fall season, in which sport would you like to participate?

- Football
- Volleyball
- Boys' Cross Country
- Girls' Cross Country
- Boys' Soccer
- Girls' Soccer
- Other _____
- I would not participate.

3. During the winter season, in which sport would you like to participate?

- Boys' Basketball
- Girls' Basketball
- Wrestling
- Boys' Swimming
- Girls' Swimming
- Other _____
- I would not participate.

4. During the spring season, in which sport would you like to participate?

- Girls' Softball
- Boys' Track
- Girls' Track
- Boys' Golf
- Girls' Golf
- Boys' Tennis
- Girls' Tennis
- Other _____

- I would not participate.

5. Do you participate in intramural sports? If you do, which sport(s)?

- Yes _____
- No

6. Do you participate in club sports? If you do, which sport(s)?

- Yes _____
- No

Are there any sports which interest you that did not appear in questions 2, 3, or 4?

Please use the space below to comment on what you like or dislike about the district's athletic programs:

HIGHLIGHTS FROM THE AFFIRMATIVE ACTION DISCUSSION MEETINGS
March and April, 2008
SELECTED BEST PRACTICES THAT PROMOTE EQUITY AND DIVERSITY

- Student assembly at beginning and mid-school year defining student expectations regarding equity, diversity, and respect for all. Share consequences of bullying, cyber-bullying, sexual harassment and gang activity.
- Multi-cultural clubs according to interest, not by race/ethnicity (student run).
- Reach out to NYU Equity Assistance Center or local colleges/universities for individuals to conduct workshops for students (or teachers) on issues of tolerance.
- Days of Dialogue where students get together and “rap” about diversity/equity.
- Peer-mentoring or community mentoring programs/community service programs.
- In house diversity/equity councils or human relations committees.
- Staff development programs that may include online training; Diversity Day for staff. Teaching staff incorporate equity/diversity language into classroom discussions.
- PEACE week; Diversity week, Diversity Day (monthly); Celebration of Cultures; Unity Week; World Cultures Program; ERASE Club (Eliminate Racism and Sexism Everywhere); Olympic Days (students take on culture of another country); Character education programs and grants
- Amistad grant through the NJ Department of State, Amistad Commission
See www.state.nj.us/state/menu/grants.html for a list of available grants.
- International Festival for students and parents (on Saturday); International food exchange
- Teaching “education” as a career cluster to students and hiring former high school students as substitutes. As soon as former students have 60 credits, they go through the substitute teacher hiring process and called upon to sub. This is a positive way to entice students, especially minority students, into the teaching profession.
- Interview individual students (or as a small group) to get a sense of racial harmony or problems within their school. Use student vocabulary in equity activities to increase their sense of ownership and engagement.
- Parent education a necessity; Increase and promote home-school communications; get parents involved in equity and cultural activities.
- Ancestry search; students exchange information and research another’s cultural heritage
- Flat Stanley project www.flatstanley.com
- Buddy club where students partner with a disabled student
- Students create and develop vignettes on bullying, harassment – positive and negative.
- Increase minority participation in AP and advanced classes; Magnet schools.
- Teach tolerance through talks with a Holocaust survivor or a victim of genocide
- Follow guidelines as stated in Comprehensive Equity Plan
- Look to California for their ideas and innovations.
- Discipline issues such as bullying are referred to disciplinarian. Student then talks with the AAO for training/explanation of legal ramifications of behavior. District AAO stated that they tend not to see the same kids with the same issues.
- PRIDE initiative; (modeling behavior) Peace, Respect, Inclusion, Diversity and Equity
- Give ownership of global or community cultural project to students; challenge less academic or behavioral students to take leadership.

HOPE FOR THE FUTURE:

- Tolerance, patience, acceptance and value of each individual.
- Greater diversity in faculty and staff. Need more males and minorities. Hope for increased recruitment via minority job fairs colleges/sororities/education associations and hiring former students as subs (see above). Try *alternate route method* and eliminate its stereotype among staff members.
- Increased outreach and participation in school matters from parents
- Increased monies for staff training, diverse textbooks and character education programs
- NJ DOE working to speed up certification process for teachers.

Web resources: www.tolerance.org (Southern Poverty Law Center)
www.ncrc.rutgers.edu [Nontraditional Career Resource Center](http://www.ncrc.rutgers.edu), Parents, Educators, Students explorer, research, and share information on nontraditional careers.
www.steinhardt.nyu.edu/metrocenter/EAC.html
(Equity Assistance Center/NYU)
www.napequity.org (National Alliance for Partnerships in Equity)
www.state.nj.us/education/holocaust (NJ Commission on Holocaust Education)
www.nea.org/webresources/diversitylinks.html (National Education Association.)
www.ushmm.org (U.S. Holocaust Memorial Museum)
www.ed.gov/ocr (US Department of Education, Office of Civil Rights)
www.michaelfowlin.com (NJ actor/psychologist/poet – fee program)
www.njsba.com (New Jersey State Bar Association)
www.adl.org (Anti-Defamation League)
www.ancestry.com

OR google “best practices for equity and diversity in schools”

REMEMBER:

“There are teachers who celebrate small successes with significant numbers of children against enormous odds. They remind us that existing answers are not secrets we need pay big bucks to learn. Their answers are free: It takes hard work and unwavering dedication. It takes committed teachers and administrators willing to set high expectations and offer engaging curricula that make strong personal connections for their students. It takes schools where students are not just prepared to take and pass standardized tests, but where they are taught how to play a conscious, active role in society, how to recognize and combat racism and other institutionalized inequities, and how to work in pursuit of the dream of social and global justice.”

. . . . Anita Perna Bohn, assistant professor, Illinois State University