

Attachment K

It is the policy of the State of California to afford all persons in public schools, regardless of their gender, equal rights and opportunities in the educational institutions of the state.¹ Thus, each charter school is responsible for following the applicable non-discrimination provisions set forth in California law.² Additionally, Title IX of the Education Amendments of 1972³ (“Title IX”) and its implementing federal regulations prohibit sex-based discrimination. The information below highlights some information pertinent to California law and Title IX which expand upon non-discrimination in California’s educational system. We hope that by reviewing the information below closely, your charter school(s) and staff will be supported for success in your service to students.

California Education Code section 221.61 [[Law section \(ca.gov\)](#)]

(a) On or before July 1, 2017, public schools, private schools that receive federal funds and are subject to the requirements of Title IX, school districts, county offices of education, and charter schools shall post in a prominent and conspicuous location on their Internet Web sites all of the following:

(1) The name and contact information of the Title IX coordinator for that public school, private school, school district, county office of education, or charter school, which shall include the Title IX coordinator's phone number and email address.

(2) The rights of a pupil and the public and the responsibilities of the public school, private school, school district, county office of education, or charter school under Title IX, which shall include, but shall not be limited to, Internet Web links to information about those rights and responsibilities located on the Internet Web sites of the department's Office for Equal Opportunity and the United States Department of Education Office of Civil Rights, and the list of rights specified in Section 221.8.

(3) A description of how to file a complaint under Title IX, which shall include all of the following:

A) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred, and how a complaint may be filed beyond the statute of limitations.

B) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including, but not limited to, Internet Web links to this information on the United States Department of Education Office for Civil Rights' Internet Web site.

¹ (Ed. Code, § 200.)

² (ED. Code, §§ 221.5-231.5.)

³ (20 U.S.C. § 1681 *et seq.*)

(C) An Internet Web link to the United States Department of Education Office for Civil Rights complaints form, and the contact information for the office, which shall include the phone number and email address for the office.

(b) On or before April 1, 2017, and annually thereafter, the Superintendent shall send a letter through electronic means to all public schools, private schools that receive federal funds and are subject to the requirements of Title IX, school districts, county offices of education, and charter schools informing them of the requirement specified in subdivision (a) and of their responsibilities under Title IX.

(c) A public school that does not maintain an Internet Web site may comply with subdivision (a) by posting the information specified in paragraphs (1) to (3), inclusive, of subdivision (a) on the Internet Web site of its school district or county office of education.

(d) Nothing in this section shall be construed to require a school or local educational agency to establish an Internet Web site if the school or local educational agency does not already maintain one

Title IX and Discrimination Based on Sex [[eCFR :: 34 CFR 106.8 -- Designation of coordinator, dissemination of policy, and adoption of grievance procedures.](#)]

Title IX was enacted to deal with sex-based educational discrimination. Specifically, Title IX provides, in part, that “[n]o 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.”⁴ The U.S. Department of Education has issued regulations which explicitly outline and enforce the requirements of Title IX.⁵ Title IX is applicable to education programs or activities receiving federal financial assistance.⁶ Sources of Title IX law include federal statute, the implementing federal regulations, and policy guidance from the Office of Civil Rights of the Department of Education, which is tasked with enforcement of Title IX.

Institutions subject to Title IX must take specific steps to ensure compliance with the law regarding trainings of students and employees, reporting procedures, investigations of complaints of covered conduct and disciplinary proceedings. Covered conduct includes sexual harassment, sexual violence, domestic violence, dating violence and stalking. The Title IX regulations outline three key procedural requirements that an educational institution must have in place:

1. Disseminate a notice of nondiscrimination;
2. Designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX; and

⁴ (20 U.S.C. § 1681(a).)

⁵ (34 C.F.R. §§ 106.1 et seq.)

⁶ (*Id.*)

3. Adopt and publish grievance procedures providing for the prompt and equitable resolution of student and employee sex discrimination complaints.⁷

Further, educational institutions remain required to take immediate action to eliminate Title IX covered conduct, prevent its reoccurrence, and redress its effects when it “knows or reasonably should know” that Title IX covered conduct occurred.

34 Code of Federal Regulations section 106.8⁸:

(a) Designation of a Title IX Coordinator.

Each recipient must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this part, which employee must be referred to as the “Title IX Coordinator.” The recipient must notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator pursuant to this paragraph. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

(b) Dissemination Policy.

(1) **Notification of policy.** Each recipient must notify persons entitled to a notification under [paragraph \(a\)](#) of this section that the recipient does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by title IX and this part not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission (unless [subpart C of this part](#) does not apply) and employment, and that inquiries about the application of title IX and this part to such recipient may be referred to the recipient's Title IX Coordinator, to the Assistant Secretary, or both.

⁷ (34 C.F.R. §§ 106.8 (a) & (b).)

⁸ The U.S. Department of Education under the current administration is operating under the 2020 federal regulations consistent with the ruling in *Tennessee v. Cardona*, 762 F.Supp.3d 615 (E.D. Ky. 2025), as amended, (Jan. 10, 2025). This may be subject to change.

(2) ***Publications.***

(i) Each recipient must prominently display the contact information required to be listed for the Title IX Coordinator under [paragraph \(a\)](#) of this section and the policy described in [paragraph \(b\)\(1\)](#) of this section on its website, if any, and in each handbook or catalog that it makes available to persons entitled to a notification under [paragraph \(a\)](#) of this section.

(ii) A recipient must not use or distribute a publication stating that the recipient treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by title IX or this part.

(c) ***Adoption of grievance procedures*** . A recipient must adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by this part and a grievance process that complies with [§ 106.45](#) for formal complaints as defined in [§ 106.30](#). A recipient must provide to persons entitled to a notification under [paragraph \(a\)](#) of this section notice of the recipient's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the recipient will respond.

(d) ***Application outside the United States.*** The requirements of [paragraph \(c\)](#) of this section apply only to sex discrimination occurring against a person in the United States.