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ABSTRACT The regulation to implement Title II became effective July 21, 1975. It establishes criteria to which education institutions or agencies receiving federal funds must adhere in eliminating sex discrimination from their education programs and their employment policies and practices. This handbook describes the five general requirements that must be implemented by July 21, 1976: notification of policy; designation of responsible employee; grievance procedures; institutional self-evaluation; and assurance of compliance. Appendices provide a sample program plan for compliance and checklists of procedural steps for ensuring compliance. (JEF)

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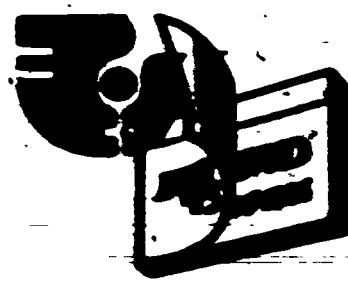
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COMPLYING
WITH

TITLE IX

THE FIRST TWELVE MONTHS

[REDACTED]



U.S. Department of Health, Education, and Welfare
Office of Education

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COMPLYING WITH TITLE IX: THE FIRST TWELVE MONTHS

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DISCRIMINATION PROHIBITED – No person in the United States, shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance, or be so treated on the basis of sex under most education programs or activities receiving Federal assistance.

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COMPLYING WITH TITLE IX: THE FIRST TWELVE MONTHS

Title IX of the Education Amendments of 1972 states 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 education program or activity receiving Federal financial assistance

The Regulation to implement Title IX became effective July 21, 1975; it establishes the criteria to which education institutions or agencies receiving Federal funds must adhere in eliminating sex discrimination from their education programs and their employment policies and practices. The provisions of the Regulation may be organized into four major subject categories:

- general requirements for achieving compliance;
- nondiscrimination in student admissions and recruitment;
- nondiscrimination in student programs;
- nondiscrimination in employment in education programs and activities.

The provisions outlining general requirements for achieving compliance are a unique aspect of the Title IX Regulation. They specify five tasks which must be completed by institutions of higher education and State and local education agencies receiving Federal funds within the first twelve months after the effective date of the Regulation.

Title IX is the first comprehensive Federal nondiscrimination law covering sex discrimination in the programs of education institutions and agencies. Its requirements provide new criteria against which administrators, teachers, parents and students must examine the programs, policies and structures of their institutions, and correct those which may be discriminatory on the basis of sex.

This handbook describes the five basic general requirements which must be implemented by July 21, 1976. (A complementary handbook, *Complying With Title IX: Implementing Institutional Self-Evaluation*, provides additional assistance for ensuring compliance with the fourth general requirement.) It is organized in five sections, each devoted to one of the five general compliance requirements.

Each section includes an italicized citation of the relevant portion of the Title IX Regulation, a discussion of requirements for its implementation, and appropriate implementation aids. The two appendices provide a sample program plan and a checklist of procedural steps for ensuring compliance with each of the five requirements.

Notification of Policy

THE REGULATION

§ 86.9 Dissemination of policy

(a) Notification of policy.

(1) Each recipient shall implement specific and continuing steps to notify applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex in the educational programs or activities which it operates, and that it is required by Title IX, not to discriminate in such a manner. Such notification shall contain such information, and be made in such manner, as necessary to apprise such persons of the protections against discrimination assured them by Title IX, and that inquiries concerning the application of Title IX, to such recipient may be referred to the employee designated, or to the Director [of the Office for Civil Rights, HEW].

(2) Each recipient shall make the initial notification required, within 90 days of the effective date [of the Regulation], which notification shall include publication in: (i) local newspapers; (ii) newspapers and magazines operated by such recipient or by student, alumnae, or alumni groups for or in connection with such recipient; and (iii) memoranda or other written communication distributed to every student and employee of such recipient.

(b) Publications.

(1) Each recipient shall prominently include a statement of the policy, in each announcement, bulletin, catalog, or application from which it makes available to any person of a type described in paragraph (a) of this section, or which is otherwise used in connection with the recruitment of students or employees.

(2) A recipient shall not use or distribute a publication of the type described in this paragraph which suggests, by text or illustration, that such recipient treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by this. [Regulation].

~~Each education institution or agency must make notification to students, to parents of elementary and secondary school students, to employers, to applicants for admission and employment, to sources of referral of applicants for admission and employment, and to all unions or professional organizations holding collective bargaining or professional agreements with the institution or agency, that it is the policy of that institution or agency not to discriminate on the basis of sex. Policy notification statements must refer to the institution's or agency's commitment to nondiscrimination on the basis of sex in employment and education programs, indicate the recipient's obligation for compliance with Title IX, and provide a reference for inquiries related to such policy. This requirement, which was to have been initially fulfilled by October 19, 1975, called for publication of the policy in local newspapers, in publications produced by the institution or agency or its students, and in memoranda or other written communications to each student and employee.~~

IMPLEMENTING THE REQUIREMENT

Each education institution or agency must make notification to students, to parents of elementary and secondary school students, to employers, to applicants for admission and employment, to sources of referral of applicants for admission and employment, and to all unions or professional organizations holding collective bargaining or professional agreements with the institution or agency, that it is the policy of that institution or agency not to discriminate on the basis of sex. Policy notification statements must refer to the institution's or agency's commitment to nondiscrimination on the basis of sex in employment and education programs, indicate the recipient's obligation for compliance with Title IX, and provide a reference for inquiries related to such policy. This requirement, which was to have been initially fulfilled by October 19, 1975, called for publication of the policy in local newspapers, in publications produced by the institution or agency or its students, and in memoranda or other written communications to each student and employee.

Although initial notification was to have been made by October 19, 1975, the responsibility for policy notification is ongoing. Policy statements are to be included in announcements, bulletins, application forms, student handbooks, materials used for recruitment of students or employees, and other documents made available to the groups receiving initial notification of the policy. Care must also be taken to ensure that such documents do not suggest, by text or illustrations, differential treatment on the basis of sex except where such treatment is permitted by the Regulation (e.g., sex separation in athletic teams, housing facilities, locker rooms, etc.). Distribution of these publications must be made without discrimination on the basis of sex.

All admission and recruitment representatives of the institution or agency must be informed of the policy and it is the responsibility of the institution or agency to ensure that such representatives are adhering to the policy in implementing their assigned responsibilities.

A review of the initial policy notification statement and its dissemination should be made at this time to ensure that notification was made to all groups specified in the Regulation and that such notification provided the name of the person designated responsibility for compliance with Title IX. If this was not accomplished by October 19, 1975, policy notification should be completed now. Publication of the name, office address and telephone number of designated employee(s)* and distribution of grievance procedures** for resolution of employee and student grievances should be undertaken now if this has not already been accomplished.

IMPLEMENTATION AIDS

Sample Policy Notification Statement

It is the policy of (name of recipient) not to discriminate on the basis of sex in its educational programs, activities or employment policies as required by Title IX of the 1972 Education Amendments.¹ Inquiries regarding compliance with Title IX may be directed to (name, office address and telephone number of the Title IX coordinator) or to the Director of the Office for Civil Rights, Department of Health, Education, and Welfare, Washington, D.C.

¹This policy statement should make reference to nondiscrimination in admissions where the admissions policies and practices of an institution are subject to Title IX coverage.

* See page 7. ** See page 11.

Checklist to Ensure Compliance With Policy Notification Requirement

- Have you developed the nondiscrimination policy statement as required under Title IX and distributed it for publication in:

local newspapers?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
institutional or agency newspapers or publications?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
student publications?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
memoranda or other written notices to students?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
memoranda or other written notices to parents (elementary and secondary)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
notices to labor organizations or groups holding professional agreements with the institution or agency?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
notices to student and employee recruitment representatives?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

- Have procedures been developed to ensure continuing publication of the policy in:

course announcements?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
bulletins or catalogs?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
application forms?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
student recruitment materials?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
employee recruitment materials?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
student handbooks?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
official policy statements?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

- Has a policy directive been issued and procedures specified to ensure that all institutional or agency publications avoid textual or illustrative references to differential treatment on the basis of sex except as such treatment is permitted by the Regulation?

Yes No

- Has a policy directive been issued and procedures specified to ensure that institutional or agency representatives have been informed of the policy of nondiscrimination on the basis of sex and are implementing it in carrying out their assigned responsibilities?

Yes No

Designation of Responsible Employee

THE REGULATION

§ 86.8 *Designation of responsible employee.* . .

(a) *Designation of responsible employee.*

Each recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this . . . [Regulation], including any investigation of any complaint communicated to such recipient alleging its noncompliance with . . . [the Regulation] or alleging any actions which would be prohibited by . . . [the Regulation]. The recipient shall notify all its students and employees of the name, office address and telephone number of the employee or employees appointed pursuant to this paragraph.

IMPLEMENTING THE REQUIREMENT

The second general requirement of the Title IX Regulation, the designation of a responsible employee, ensures the assignment of responsibility and accountability for the coordination and monitoring of compliance activities. Although designation of a responsible person does not diminish the ultimate legal responsibility of the institution's or agency's chief administrative officer, it does emphasize the need for clear assignment of staff responsibility for compliance and for the allocation of sufficient time to carry out this responsibility.

The Regulation requires the designation of at least one person with responsibilities for coordinating and monitoring compliance, including the handling of student and employee complaints of sex discrimination. The person or persons assigned these responsibilities for Title IX compliance should possess administrative skills; knowledge of personnel management; knowledge of student curriculum and policies; and the ability to work with students, employees and community groups. It is important that such employee(s) have the endorsement and support of the chief administrative officer and opportunity for regular access and reporting.

The scope of Title IX coverage suggests the need for designation of at least two persons with complementary expertise. Two major areas of activity are involved—activities relating to ensuring nondiscrimination in the admission and treatment of students and activities relating to ensuring nondiscrimination in employment policies and practices. Responsibility for the implementation of the provisions regarding student admissions and programs should rest with a person possessing

knowledge and experience in student admissions, administrative policies and practices relating to general treatment of students, and the scope of the curriculum provided for students. Job responsibilities of this person would include the coordination and monitoring of the evaluation of possible discrimination and necessary modifications in admissions, curriculum and course offerings, and student policies and services; the provision of technical assistance to staff in achieving compliance; and the development and implementation of the grievance procedure for resolution of student complaints of sex discrimination. The person assigned these job functions might be designated as Title IX Coordinator for Student Admissions and Programs.

A second person, one with knowledge and experience in personnel management, might be designated as the person responsible for the evaluation of possible discrimination and necessary modifications of employment policies and practices, including those relating to recruitment, hiring, promotion, fringe benefits and training, and for the implementation of a grievance procedure for employee complaints of discrimination. A title for the person assigned these job functions might be Title IX Coordinator for Employment.

The number of employees designated should depend on the numbers of students and employees served, the number of identified problems of sex discrimination, the organizational structure of the institution or agency, and other situational factors. If more than one person is designated, it is essential that provisions are made for clear delineation of authority, responsibilities and inter-staff relationships.

IMPLEMENTATION AIDS

Administrative Implementation Steps

Designation of a responsible employee(s) might be effectively accomplished through the following steps:

- Review the Title IX Regulation which establishes the criteria for achieving compliance and provides the parameters for determining the job functions of the designated employee(s).
- Prepare a description of the functions and responsibilities to be performed by the Title IX coordinator(s) in the areas of employment and student admissions and program.
- Consider qualifications (knowledge, experience, and competencies) of staff to be considered for designation.
- Conduct necessary conferences, interviews, or other procedures necessary for the selection of the designated employee(s).
- Make a formal designation of the employee(s) selected.
- Develop a memo for all staff and students which provides notification of the appointment and the name, office address, and telephone number of designee(s).
- Develop a statement regarding the compliance responsibilities of all staff and their relationship to the designated employee(s).
- Design a program plan of the tasks necessary for achieving compliance with Title IX and a timeline for achieving such compliance.
- Establish a schedule for regular reporting and conferences between designated employee(s) and chief administrative officers.
- Evaluate progress of compliance efforts regularly and implement procedures for problem solving as they are identified.

Sample Lists of Job Responsibilities

Responsibilities of Title IX Coordinator for Student Admissions and Programs

- Notification of students, parents of elementary and secondary students, and sources of referral for student admission of the institutional agency nondiscrimination policy and Title IX requirements related to student admissions and programs
- Notification of all contractors or entities providing benefits or services to students (e.g., medical insurance plans, cooperative employment programs, etc.) of the institutional agency nondiscrimination policy and the requirements of Title IX
- Development of a grievance procedure for the prompt and equitable resolution of complaints related to student admissions and programs
- Coordination of the institutional self-evaluation with respect to student admissions and programs, necessary policy modifications and specifications of remedial steps for elimination of the effect of past discrimination
- Provision of assistance to staff in the implementation and monitoring of corrective and remedial actions to achieve compliance with Title IX requirements for student admissions and programs
- Administration of complaints and grievances regarding sex discrimination in regard to student admissions and programs
- Preparation of regular reports for administration, governance, students, community groups and other interested groups concerning identified discriminatory practices, violations of nondiscrimination policies, grievances filed regarding student admissions and programs and the implementation of corrective measures
- Maintenance of records for the evaluation and reporting of compliance efforts
- Maintenance of relationships with student groups, faculty and staff, community groups, and interested individuals for the interpretation and dissemination of nondiscrimination policies and procedures in student admissions and programs

Responsibilities of Title IX Coordinator for Employment

- Notification of all employees of the institutional agency policy of nondiscrimination and the Title IX requirements related to employment policies and practices
- Notification of all contractors or entities providing benefits or services to employees (e.g., medical insurance or other staff benefits) of the nondiscrimination policy and the requirements of Title IX
- Notification of labor or professional organizations holding contracts with the institution or agency of the nondiscrimination policy and Title IX requirements
- Notification of sources of referral for employment of the nondiscrimination policy and Title IX requirements
- Development of a grievance procedure for prompt and equitable resolution of discriminatory complaints related to employment
- Coordination of institutional self-evaluation with respect to employment policies and practices and the identification of instances of discrimination, the modification of such instances and the specification of remedial steps for eliminating the effects of past discrimination

- Provision of assistance to staff in the implementation and monitoring of corrective and remedial actions to achieve compliance with Title IX requirements for employment.
- Resolution of complaints and grievances regarding sex discrimination in employment practices or policies.
- Preparation of regular reports for administration, governance, labor and professional organizations, and interested community groups concerning identified discriminatory practices, violations of nondiscrimination policies, grievances filed regarding employment policies and practices and their resolution, and the implementation of corrective measures.
- Maintenance of records for the evaluation and reporting of compliance efforts.
- Maintenance of relationships with sources of referral and recruitment of employees, labor and professional organizations, and other relevant groups for the interpretation and dissemination of nondiscrimination employment policies and practices.

Grievance Procedures

THE REGULATION

§ 86.6 . *Adoption of grievance procedures.*

(b) Complaint procedure of recipient.

A recipient shall adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by this [Regulation].

IMPLEMENTING THE REQUIREMENT

Meaningful prohibition of discrimination requires the development of procedures for remediation of such discrimination and enforcement of the law. Title IX follows the pattern of other Federal nondiscrimination laws covering education institutions or agencies in that complaints may be filed with the Office for Civil Rights, Department of Health, Education, and Welfare. The Title IX Regulation is unique, however, in that it also requires the development of procedures for the local handling of complaints.

The Regulation requires institutions or agencies to develop a local grievance procedure(s) for prompt and equitable resolution of both student and employee complaints of sex discrimination. The organization and structure of such procedures are not specified within the Regulation but are left to the discretion of the institution or agency. (Exhaustion of these procedures is *not* a prerequisite for the filing of complaints with the Office for Civil Rights.) Criteria which influence decisions regarding the grievance procedures should be explicated by the agency. A primary criterion in both student and faculty grievance procedures is the assurance of due process to all parties concerned. Other criteria might include promptness of handling, ease of accessibility and simplicity of procedures for use.

Where student grievance procedures already exist within student rights and responsibilities programs, these procedures may be extended to the handling of sex discrimination complaints. If they do not exist, mechanisms for the resolution of such grievances must be developed. Frequently, grievance procedures for the handling of employee complaints already exist, either as a condition of collective bargaining or professional agreements or as a general personnel policy. Where such a procedure exists, it is expedient to include the handling of sex discrimination complaints under this mechanism, thus avoiding the need for the development of a new procedure.

The ultimate decision as to the organization of grievance procedures is the prerogative of the education institution or agency. A single procedure may be provided for students and employees; coverage of sex discrimination may be integrated into existing procedures; or new mechanisms may be developed in other ways which are compatible with the institution's or agency's needs and responsibilities. Within local education agencies, grievances may be considered at the individual school level or a centralized mechanism may be developed for handling all sex discrimination complaints within the district. Some districts may wish to develop a two-step grievance procedure which calls for first-level handling of the grievance at the individual school level with a second-level handling of appeals at the central district level. Similar two-step procedures could be developed in institutions of higher education; employee complaints could be handled first at the school or department level, and appeals could be handled at the central administrative level. Student grievances might be handled at the first level by the student affairs office and then appealed to a second administrative level. These organizational decisions are to be made by the individual institution or agency.

It is critical that administrative mechanisms be developed for the correction and remediation of any instances of discrimination or the effects of discrimination which may be identified as a result of the grievance process. Individuals with responsibility for the investigation of grievances must have sufficient access to authority to ensure the correction of identified noncompliance.

Grievance procedures not only provide a mechanism for the resolution and/or remediation of specific allegations or instances of discrimination on a case-by-case basis; they also provide a means of identifying sources of systemic discrimination that might otherwise exist unnoticed by administrators. A record of all complaints and their resolutions provides a data-base from which local education agencies or institutions of higher education may move to correct noncompliance with Title IX.

Regardless of their organization, grievance procedures for students and employees must be published and distributed to each respectively. Efforts should be made to ensure ongoing publication and notification of grievance procedures.

IMPLEMENTATION AID

Criteria for the Evaluation of Due Process

- Are procedures for the filing of complaints made known to students, employees or other interested groups who may wish to file such complaints?
- Are such complaint procedures readily usable?
- Do grievance procedures require written filing of charges?
- Do grievance procedures require notification of persons against whom allegations of discrimination are made?
- Are all parties involved in allegations of discrimination notified of dates and procedures for hearings of such allegations?
- Do procedures provide for orderly presentation of evidence related to all points of view involved in the allegations of discrimination?
- Are hearings conducted by a neutral third party not directly affected by the outcome of a hearing?
- Are hearings carried out within a reasonable period of time after the allegation of discrimination?
- Do grievance procedures require written notification of all interested parties of the grievance resolution?
- Are appeal procedures available for persons not satisfied with the disposition of complaints?
- Are mechanisms specified to ensure the correction and/or remediation of discrimination identified through grievance procedures?

Institutional Self-Evaluation

THE REGULATION

§ 86.3. . . Self-evaluation.

(c) Self-evaluation.

Each recipient education institution shall, within one year of the effective date of this . . . [Regulation]:

(i) evaluate, in terms of the requirements of this . . . [Regulation], its current policies and practices and the effects thereof concerning admission of students, treatment of students, and employment of both academic and non-academic personnel working in connection with the recipient's education program or activity;

(ii) modify any of these policies and practices which do not or will not meet the requirements of this . . . [Regulation]; and

(iii) take appropriate remedial steps to eliminate the effects of any discrimination which resulted or may have resulted from adherence to these policies and practices.

(d) Availability of self-evaluation and related materials.

Recipients shall maintain on file for at least three years following completion of the evaluation required under paragraph (c) of this section, and shall provide to the Director upon request, a description of any modification made pursuant to subparagraph (c)(ii) and of any remedial steps taken pursuant to subparagraph (c)(iii).

IMPLEMENTING THE REQUIREMENT

The Title IX Regulation recognizes the possibility that sex discrimination or the differential treatment of females and males may be covert and unconscious. The inclusion of the requirement for self-evaluation and maintenance of documentation of program modifications or remedial steps provides a method for systematic assessment and action to ensure compliance with the law.

The required process of self-evaluation is comprised of three major components:

- evaluation and appraisal of current policies and practices and the effects therefrom to determine discrimination or possible effects of discrimination on the basis of sex;
- modification of any policies or practices which are found to be discriminatory and in non-compliance with the Regulation;
- development of remedial steps to eliminate the effects of any discrimination which may have resulted from such policies or practices.

The first two components of self-evaluation (appraisal and modification of discriminatory policies and practices) must be completed within the first twelve months of compliance activities. The remedial steps required in the third component of the self-evaluation process must be delineated and timelines specified during this same period, but implementation will continue beyond this deadline and a description of modifications or remedial steps undertaken as a result of the self-evaluation must be maintained on file for a period of three years. The specification of remedial steps is one means of institutional/agency planning for orderly and progressive elimination of the effects of any discrimination which result or may have resulted from discriminatory policies or practices.

Determination of the method by which institutional self-evaluation will be implemented is left to the discretion of the institution or agency. Effective implementation will necessitate the development of procedures which involve a variety of administrative, supervisory and instructional staff. In some instances, it may be advisable to include students and community groups in the development of selected portions of the self-evaluation.

(Note: Local education agencies seeking further information and assistance regarding this fourth requirement are referred to the companion handbook, *Complying With Title IX: Implementing Institutional Self-Evaluation*.)

IMPLEMENTATION AIDS

**Institutional Self-Evaluation
Summary Report Form**

Compliance area: (taken from Regulation)

Staff member responsible for area coordination: (name, position, office address and telephone)

Policy statement issued: (date)

Policy directive issued: (date)

Data/assurances required

forms, procedures, and timelines issued: (date)

data/assurances received:

from central office staff member – (date)

from building administrators
(specify schools) – (date)

Noncompliance identified:

(list policies, practices or materials found to be in noncompliance)

Modifications taken:

(list any actions taken to correct noncompliance)

(date completed)

Remedial steps taken or planned:

(list any actions taken to eliminate the
effects of identified noncompliance)

(date completed or of planned completion)

Comments:

**Institutional Self-Evaluation—
Summary Report Form**

Completed Sample

Compliance area: Counseling

Staff member responsible for area coordination:

M. Ortega, Director of Counseling and Guidance
Administration Building, Room 401, 833-5426

Policy statement issued: December 1, 1975

Policy directive issued: February 1, 1976

Data/assurances required

forms, procedures and timelines issued: February 1, 1976

data/assurances received: (deadline—May 1, 1976)

from central office staff March 20, 1976

from building administrators—

Reed Junior High School April 1, 1976

Jefferson Junior High School April 10, 1976

Stratford Junior High School May 1, 1976

Central High School March 31, 1976

West High School May 1, 1976

Noncompliance identified:

Hedges Vocational Interest Blank currently in use has separate male and female scoring forms, each listing different occupations.

Choosing A Career, used for senior high school counseling, has only 4 females shown in illustrations while males are shown in 39. Females are shown only as nurses, teachers, and librarians; text refers to choosing a career which is compatible with responsibilities of motherhood.

Three of four counselors in Reed Junior High School routinely advise all female students to take one semester of personal typing before graduation. No such advice is given to male students.

Vocational education courses in every junior and senior high school have been found to have sexually disproportionate enrollments. Course descriptions in student course catalogs have been found to use stereotyped, sex-linked pronouns in referring to these courses (e.g., "he" when referring to auto mechanics students; "she" when referring to secretarial students).

Modifications taken:

As of March 1, 1976, the Hedges Vocational Interest Blank was replaced by the Martin Career Maturity Inventory.

Choosing A Career will be supplemented by Career Decisions: Planning for Women, until such time as a sound non-sexist career guidance volume can be identified.

A directive regarding legal responsibility for nondiscriminatory counseling has been disseminated to all counselors.

All student course catalogs are in the process of revision; all course descriptions will contain only gender-neutral labels at next publication, now scheduled for March, 1977.

Remedial steps taken or planned:

The following materials have been obtained for use by counselors:

Sex Fairness In Career Guidance: A Learning Kit (from Abt Associates Inc.)

Issues of Sex Bias and Sex Fairness in Career Interest Measurement (from the National Institute of Education)

An agency-wide, 2-day program, "Career Planning for Women," will be held on October 12, 1976.

Comments: Request for inservice training in non-sexist career counseling for all counselors is currently under consideration. Such training might be incorporated in inservice days scheduled for October 4-5, 1976.

TITLE IX COMPLIANCE—SUMMARY REPORT FORM **

Compliance Areas	Date of Policy Issuance	Self-Evaluation—Date Completed	Modifications Taken (Specify)	Remedial Steps (Specify)	Coordination/Implementation Responsibility (Specify Staff Name)	Comments
<p>General Requirements</p> <ul style="list-style-type: none"> ● notification of policy ● designation of responsible employee(s) ● development of grievance procedures ● institutional self-evaluation ● submission of assurances <p>Admissions</p> <ul style="list-style-type: none"> ● schools of vocational education <p>Student Program</p> <ul style="list-style-type: none"> ● access to courses <ul style="list-style-type: none"> — general — physical education — vocational education ● counseling ● treatment of students ● student marital and parental status ● financial assistance ● athletics <p>Employment</p> <ul style="list-style-type: none"> ● recruitment ● hiring and promotion ● compensation ● job assignment/classification ● collective bargaining agreements ● leaves of absence ● benefits and training 						

**** This form is an implementation aid provided for use or adaptation; it is not the official reporting form to be issued by the Office for Civil Rights, HEW.**



Assurance of Compliance

THE REGULATION

§ 86.4 Assurance required.

(a) *General.* Every application for Federal financial assistance for any education program or activity shall as condition of its approval contain or be accompanied by an assurance from the applicant or recipient, satisfactory to the Director [of the Office for Civil Rights, HEW], that each education program or activity operated by the applicant or recipient and to which this . . . [Regulation] applies will be operated in compliance with this . . . [Regulation]. An assurance of compliance with this . . . [Regulation] shall not be satisfactory to the Director if the applicant or recipient to whom such assurance applies fails to commit itself to take whatever remedial action is necessary in accordance with . . . [remedial actions prescribed by the Office for Civil Rights after a finding of discrimination] to eliminate existing discrimination on the basis of sex or to eliminate the effects of past discrimination whether occurring prior or subsequent to the submission to the Director of such assurance.

(c) *Form.* The Director will specify the form of the assurances required by paragraph (a) of this section and the extent to which such assurances will be required of the applicant's or recipient's subgrantees, contractors, subcontractors, transferees or successors in interest.

IMPLEMENTING THE REQUIREMENT

The Title IX Regulation requires the submission of an assurance form developed by the Director of the Office for Civil Rights with all applications for Federal financial assistance. The assurance form has not been released at the time of publication; information may be obtained from the Office for Civil Rights, HEW.

APPENDIX A

Sample Program Plan for Title IX Compliance

To achieve compliance with Title IX, institutions and agencies must develop a systematic plan for compliance activities and assign responsibility and authority for their completion to appropriate persons.

The following sample program plan provides a general outline which may be useful in delineating objectives and work activities to achieve compliance. Specific plans must be elaborated and adopted to meet specific situational needs.

In order to implement such a program plan, several administrative decisions must be made:

- What authority/responsibility should be delegated and to which staff?
- What specific procedures will be established for accomplishment of activities?
- What timelines must be developed to ensure attainment of objectives?

The delegation of authority/responsibility may be the decision most crucial to effective implementation of the plan. The objectives which follow are written for the chief administrative level of an institution or agency. Although many of the work activities may be delegated to the designated employee or Title IX coordinator, it is critical that responsibility for monitoring and involvement be retained by the chief administrative officer.

Goal—To develop a program for the attainment of compliance with Title IX by July 21, 1976

Objective 1.0

To notify students, employees, parents of elementary and secondary students, applicants for admission, applicants for employment, admission and recruitment representatives and groups holding collective bargaining or professional agreements with the institution/agency of the policy of nondiscrimination on the basis of sex.

Work Activities—Objective 1.0

- 1.1 Review any existing institutional/agency nondiscrimination policies and prepare statement of policy according to Title IX requirements.
- 1.2 Submit statement of policy to chief administrator and institutional governance (school board, board of trustees, policy-making groups) for review and action where appropriate.
- 1.3 Prepare materials for publication of policy notification in local newspapers and newspapers or magazines operated by institution or agency or its students or alumnae; submit for publication.
- 1.4 Prepare and disseminate memoranda or other written communication of policy to students, employees and parents of elementary and secondary students, applicants for admission or employment, institutional representatives and unions or professional organizations holding collective bargaining or professional agreements.

- 1.5 Prepare policy directive and assign responsibility for ensuring continuing inclusion of policy statement in course announcements, bulletins, catalogs, application forms, and recruitment materials.
- 1.6 Specify publication review procedures and staff responsibilities for ensuring that institutional/agency publications do not suggest, by text or illustration, differential treatment of students or employees except where permitted by the Title IX Regulation.
- 1.7 Develop reporting form and timelines for documenting modifications of publications.

Objective 2.0

To designate an employee(s) as the person(s) responsible for coordinating and monitoring activities necessary for achieving compliance with Title IX.

Work Activities—Objective 2.0

- 2.1 Prepare a listing of job responsibilities of the Title IX coordinator(s).
- 2.2 Develop a list of necessary qualifications for the position.
- 2.3 Review qualifications of persons available for Title IX coordination responsibilities.
- 2.4 Select person(s) for Title IX coordinator(s).
- 2.5 Make a formal designation of employee(s) selected; specify job responsibilities and authority, delineate relationships with staff, and assign accountability.
- 2.6 Prepare and disseminate policy directive for employees providing name, office address and telephone number of designated employee(s).
- 2.7 Establish a schedule for regular reporting of activities and progress to chief administrative officer by designated person(s).

Objective 3.0

To develop and publish student and employee grievance procedures for the handling of complaints alleging violations of Title IX.

Work Activities—Objective 3.0

- 3.1 Review existing student grievance procedures, if any.
- 3.2 Review existing employee grievance procedures, if any.
- 3.3 Establish criteria for the development of grievance procedures.
- 3.4 Prepare grievance procedures.
- 3.5 Publish grievance procedures and disseminate to students and employees.
- 3.6 Develop policy directive for administrators and staff specifying procedures and the responsibilities of staff for handling grievances.

- 3.7 Develop grievance reporting system which permits classification, documentation and reporting of grievances and their resolutions.
- 3.8 Implement student grievance procedure.
- 3.9 Implement employee grievance procedure.
- 3.10 Maintain grievance reporting system.
- 3.11 Analyze grievance reports to determine possible areas of noncompliance and necessary modifications or remedial steps.
- 3.12 Prepare regular reports of use of grievance procedures for chief administrator and other relevant persons.
- 3.13 Develop mechanisms/procedures for ensuring that modifications or remedial steps are taken with respect to any instances of noncompliance with Title IX as identified through the grievance process.

Objective 4.0

To develop and implement an institutional self-evaluation procedure to determine institutional or agency compliance with Title IX.

Work Activities—Objective 4.0

- 4.1 Review Title IX Regulation and specify relevant areas for self-evaluation.
- 4.2 Develop a self-evaluation plan which includes delineation of required activities and procedures, assignment of staff responsibilities, and specification of format and timelines for the submission of evaluation reports and final assessment of data collected.
- 4.3 Prepare a policy directive for staff outlining the scope, procedures, responsibilities and timelines for implementation and documentation of the self-evaluation and related modifications.
- 4.4 Collect data submitted and review for compliance with Title IX Regulation.
- 4.5 Provide units (schools, departments or colleges) with technical assistance in those instances where there may be question as to evaluation of information, completion of modifications, or the need for remedial steps.
- 4.6 Analyze and compile reports of self-evaluation that have been submitted.
- 4.7 Prepare total self-evaluation and documentation of modifications and remedial steps.
- 4.8 Monitor and provide assistance for development and implementation of modifications and remedial steps.
- 4.9 Prepare regular reports on progress of the self-evaluation and institutional or agency compliance for chief administrator and other relevant persons.
- 4.10 Maintain on file for a three-year period a record of all modifications and remedial steps undertaken to achieve compliance.

Objective 5.0

... activities related to achieving compliance with Title IX which may be helpful for the preparation of assurances of compliance to be submitted with all applications for Federal funds

More Activities - Objective 5.1

... activities related to the identification of policies or practices found to be in non-compliance, the development of remedial steps, and the use of grievance procedures

... activities related to the development of

... activities related to the development of

... activities related to the development of

APPENDIX B

Checklist of Procedural Steps
for Ensuring Compliance with Title IX

Evaluate compliance with the five general provisions by answering the following questions:

Policy Notification

- Has a policy notification been developed containing:
 - a statement of institutional agency responsibility for compliance with Title IX requirements for nondiscrimination in education programs and employment? Yes No
 - a statement that any inquiries regarding Title IX and its application may be referred to the employee designated with responsibility for coordinating compliance or to the Director of the Office for Civil Rights, HEW? Yes No
- Have general guidelines been disseminated to inform staff of the implications of the nondiscrimination policy and its relationship to their job responsibilities? Yes No
- Has an initial notification of policy been made to
 - students? Yes No
 - parents of elementary and secondary students? Yes No
 - applicants for admission? Yes No
 - admissions recruitment representatives? Yes No
 - employees? Yes No
 - applicants for employment? Yes No
 - sources of referral for employment? Yes No
 - employment recruitment representatives? Yes No
 - unions or professional organizations holding collective bargaining or professional agreements with the institution or agency? Yes No
- Has notification of the policy been published in
 - local newspapers? Yes No
 - newspapers or magazines produced by the institution or agency, by students or by alumni groups? Yes No
 - memoranda or other written communication distributed to every student and employee? Yes No
- Has a procedure been developed to ensure ongoing publication of the policy of nondiscrimination on the basis of sex in
 - course announcements? Yes No
 - textbooks? Yes No
 - catalogs? Yes No
 - application forms? Yes No
 - student recruiting materials? Yes No
 - employer recruiting materials? Yes No

- Has a responsibility for publications review been assigned to ensure that institutional or agency publications do not suggest, by text or illustration, differential treatment of applicants, students or employees on the basis of sex except when permitted by the Regulation?

Yes No

Designation of Responsible Employee

- Has an employee(s) been designated as the person(s) responsible for coordinating and monitoring activities necessary for compliance with Title IX?
- Have employees and students been notified of the designation of the responsible person(s) and her/his office address(es) and telephone number(s)?
- Has a policy directive been developed outlining the job responsibilities of the designated person(s) and the procedures for involvement and coordination of her/his job activities with other staff activities and district programs?

Yes No

Yes No

Yes No

Grievance Procedures

- Have grievance procedures been developed or adapted for the handling of student complaints alleging violations of Title IX?
- Have grievance procedures been developed or adapted for the handling of employee complaints alleging violations of Title IX?
- Have administrators, employees and students been fully apprised of the procedures to be utilized in the handling of grievances related to possible Title IX violations in education programs, the treatment of students or the policies and practices covering employment?

Yes No

Yes No

Yes No

Institutional Self-Evaluation

- Has a policy directive outlining the scope and procedures to be followed for institutional self-evaluation and specifying the responsibilities of staff for data collection and review been developed and disseminated to staff?
- Have forms, procedures and timelines been developed to ensure involvement of all institutional or agency units (schools, departments, colleges) in the self-evaluation process?
- Has a procedure been developed for the review of all self-evaluation data to ensure that all necessary modifications and the development of systematic plans for implementing necessary remedial steps are accomplished?
- Has a directive been issued requiring the maintenance of descriptions of all modifications and remedial steps on file for a three-year period?

Yes No

Yes No

Yes No

Yes No

Assurances

- Have the institution's or agency's efforts toward achieving compliance with Title IX been sufficiently well-documented to provide information necessary for assurance statements which must accompany all applications for Federal assistance?

Yes No