

## **Title IX: Prohibiting Sex-Based Discrimination**

Title IX of the Education Amendments of 1972 (“Title IX”) is a federal law that prohibits sex-based discrimination in all educational programs and activities, including athletic programs. 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 educational program or activity operated by Baldy View Regional Occupation Program (BVROP). Title IX protects all participants in BVROP’s educational programs and activities, including students, parents, employees, and job applicants. BVROP does not discriminate on the basis of sex. Discrimination on the basis of sex can include sexual harassment and sexual violence.

Baldy View Regional Occupation Program and the Title IX Coordinator are aware of and acknowledge the new Title IX regulations released on May 6, 2020 and effective as of August 14, 2020. Our Title IX team received updated training on these new regulations on September 24, 2020, and have [Title IX training materials](#) available online for review. We are in the process of reviewing and revising our Title IX policy and practices, which involves hearing from our stake-holders in order to implement a fair, thorough and impartial Title IX complaint process and COE response. As always, if you want to report a sexual harassment incident, please reach out to our Title IX Coordinator, Lisa Porter, at:

1501 S. Bon View Avenue  
Ontario, CA 91761  
(909) 947-3400  
[Lisa\\_porter@bvro.org](mailto:Lisa_porter@bvro.org)

In addition to Title IX, the California Education Code prohibits discrimination on the basis of sex in schools. (California Education Code §§ 220-221.1.) Other state and federal laws also prohibit discrimination and ensure equality in education. Please refer to an overview of all BVROP’s nondiscrimination policies and the following specific policies and procedures regarding sexual harassment:

- [Non-Discrimination in Employment – Board Policy 4030](#)
- [Non-Discrimination in ROP Programs and Activities – Board Policy 0410](#)
- [Sexual Harassment \(Employees\) – Board Policy 4119.11/4219.11/4319.11](#)
- [Sexual Harassment \(Employees\) – Administrative Regulation 4119.11/4219.11/4319.11](#)
- [Non-Discrimination/Harassment \(Students\) – Board Policy 5145.3](#)
- [Non-Discrimination/Harassment \(Students\) – Administrative Regulation 5145.3](#)
- [Sexual Harassment \(Students\) – Board Policy 5145.7](#)
- [Sexual Harassment \(Students\) – Administrative Regulation 5145.7](#)
- [Uniform Complaint Procedures – Board Policy 1312.3](#)
- [Uniform Complaint Procedures – Administrative Regulation 1312.3](#)

Information provided here applies to every BVROP school site and all BVROP programs and activities.

### **Pupil and Public Rights Under Title IX**

- You have the right to fair and equitable treatment, and you shall not be discriminated against based on your sex.
- You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.

- You have the right to have access to a sex/gender equity coordinator, referred to as the Title IX Coordinator (find contact information below), to answer questions regarding sex/gender equity laws.
- You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on sex/gender equity laws.
- You have the right to file a confidential discrimination complaint with the United States Department of Education Office for Civil Rights or the California Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- You have the right to pursue civil remedies if you have been discriminated against.
- You have the right to be protected against retaliation if you file a discrimination complaint. (California Education Code § 221.8.)

At this time the County Office does not provide the following items related to athletics, but you have the right to receive equitable treatment and benefits in the provision of all of the following if any are provided by the County Office in the future:

- Equipment and supplies;
- Scheduling of games and practices;
- Transportation and daily allowances;
- Access to tutoring;
- Coaching;
- Locker rooms;
- Practice and competitive facilities;
- Medical and training facilities and services; and
- Publicity.

### **Title IX Coordinator**

BVROP's Title IX coordinator oversees compliance with Title IX requirements and promotes sex equity in BVROP programs.

Lisa Porter, Director of Personnel Services  
 Baldy View ROP  
 1501 S. Bon View Avenue  
 Ontario, CA 91761  
 909- 947-3400 | [lisa\\_porter@bvro.org](mailto:lisa_porter@bvro.org)

### **Filing a Complaint**

A complaint alleging unlawful discrimination or retaliation must be filed no later than six months from the date the discrimination or retaliation occurred, or six months from when the complainant first learned of the unlawful discrimination. The Superintendent or designee may extend this timeline by up to ninety days for good cause, upon written request by the complainant setting forth the reasons for the extension.

A student, parent, guardian, employee, individual, or organization may file a written complaint alleging discrimination, harassment, intimidation, and/or bullying on the basis of a protected characteristic under BVROP's Uniform Complaint Procedure by sending a complaint to BVROP's Title IX Coordinator:

Lisa Porter, Director of Personnel Services  
Baldy View Regional Occupational Program  
Ontario, CA 91761  
909- 947-3400 | [lisa\\_porter@bvro.org](mailto:lisa_porter@bvro.org)

Contact Title IX Coordinator for the appropriate form (Uniform Complaint Form).

If you need assistance putting your complaint in writing, please contact Personnel Services at 909-947-3400 or [lisa\\_porter@bvro.org](mailto:lisa_porter@bvro.org). You may file a complaint anonymously, but BVRP's ability to investigate and respond may be limited by a lack of information.

You may also file a discrimination complaint with the U.S. Department of Education Office for Civil Rights. For more information, visit <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>. The electronic complaint form for the Office for Civil Rights is available online at <https://ocrcas.ed.gov>.

Contact the Office for Civil Rights at:  
San Francisco Office  
Office for Civil Rights  
U.S. Department of Education  
50 United Nations Plaza  
San Francisco, CA 94102  
Telephone: (415) 486-5555  
Fax: (415) 486-5570; TDD: (800) 877-8339  
Email: [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov)

For information about how to file other types of complaints and the procedures for those complaints, please contact BVRP's Title IX coordinator.

## How BVRP Investigates Complaints

Complaints filed under BVRP's Uniform Complaint Procedure will be investigated and a decision made within sixty calendar days of the BVRP's receipt, unless the complainant agrees to an extension. BVRP's compliance officer or designee may interview alleged victims, alleged offenders, and relevant witnesses. The compliance officer may review available records, statements, or notes related to the complaint, including evidence or information received from the parties during the investigation. The compliance officer may visit reasonably accessible locations where discrimination is alleged to have occurred. As appropriate, BVRP's compliance officer periodically will inform the parties of the status of the investigation. The complainant will be notified when a decision is made. Complaints that are not filed under BVRP's Uniform Complaint Procedure will be investigated and decided pursuant to the applicable procedure.

### What Happens After the Investigation?

For complaints filed under the Uniform Complaint Procedure, the compliance officer will prepare and send a final written decision to the complainant and respondent, if any, within sixty (60) working days of BVRP's receipt of the complaint (unless this deadline is extended by mutual agreement). The complainant or respondent may appeal BVRP's decision within fifteen calendar days to the California Department of Education. The appeal must specify the reason for the appeal and whether BVRP's facts are incorrect and/or the law is misapplied. The appeal must include a copy of the original complaint to BVRP and a copy of BVRP decision. For more information, visit the California Department of Education's webpage on Uniform Complaint Procedures: <http://www.cde.ca.gov/re/cp/uc/index.asp>.

For complaints alleging unlawful discrimination based on state law, the complainant may pursue available civil law remedies, including seeking assistance from mediation centers or public/private interest attorneys, sixty calendar days after filing an appeal with the California Department of Education. (California Education Code § 262.3.) Note that this sixty-day moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (California Education Code § 262.3.)

Complaints may also be filed with the United States Department of Education, Office for Civil Rights, within 180 days of the alleged discrimination. For contact information, see the section above on “How do I file a complaint of sex discrimination?” For more information, visit <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

If the compliance officer finds that a complaint has merit, BVR0P will take appropriate corrective action.

### **Learn More**

For more information regarding Title IX and sex equity in education or in BVR0P employment, please contact BVR0P’s Title IX Coordinator.