

**TITLE IX NONDISCRIMINATION
ON THE BASIS OF SEX**

Policy Code: **1720/4030/7235**

1 The school system does not discriminate on the basis of sex (including pregnancy, childbirth,
2 sexual orientation, and gender identity) in its education programs or activities and is required by
3 Title IX of the Education Amendments Act of 1972 and federal regulations to not discriminate in
4 such a manner. This requirement extends to admission and employment. The board will not
5 tolerate discrimination on the basis of sex, including any form of sexual harassment as that term
6 is defined under Title IX, in any program or activity of the school system.
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8 **A. INQUIRIES ABOUT TITLE IX**
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10 The board has designated a Title IX coordinator to coordinate its efforts to comply with
11 its responsibilities under Title IX and its implementing regulations. Inquiries about the
12 application of Title IX and its implementing federal regulations may be referred to the
13 Title IX coordinator and/or the Assistant Secretary for Civil Rights in the Office for Civil
14 Rights at the U.S. Department of Education.
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16 The contact information for the Title IX coordinator is as follows.
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18 The Title IX Coordinator is: Dr. Brian Weaver
19 Office Address: Transylvania County Schools
20 225 Rosenwald Lane
21 Brevard, NC 28712
22 Email Address: bweaver@tcsnc.org
23 Phone Number: (828) 884-6173
24

25 The contact information for the Office for Civil Rights with jurisdiction over North
26 Carolina is as follows.
27

28 4000 Maryland Ave, SW
29 Washington, DC 20202-1475
30 Telephone: 202-453-6020 TDD: 800-877-8339
31 FAX: 202-453-6021 Email: OCR.DC@ed.gov
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33 **B. RESOLUTION OF GRIEVANCES**
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35 The board has established grievance procedures that provide for the prompt and equitable
36 resolution of complaints alleging discrimination on the basis of sex (other than sexual
37 harassment) in a program or activity of the school system occurring against a person in
38 the United States. Students and parents or guardians may report such alleged
39 discrimination through the process provided in policy 1740/4010, Student and Parent
40 Grievance Procedure. Employees and applicants may use the process provided in policy
41 1750/7220, Grievance Procedure for Employees.
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43 The board has adopted additional means for reporting sexual harassment specifically.
44 Any person may report alleged sexual harassment in the education program or activities
45 of the school system occurring against a person in the United States in accordance with
46 policy 1725/4035/7236, Title IX Sexual Harassment – Prohibited Conduct and Reporting
47 Process. Those who believe they have been sexually harassed may also file a formal
48 complaint of sexual harassment in accordance with policy 1726/4036/7237, Title IX
49 Sexual Harassment Grievance Process, to initiate a prompt and equitable resolution
50 through a formal investigation and adjudication or through an informal resolution
51 process. The board encourages students, employees, and applicants to first make a report
52 of sexual harassment in accordance with policy 1725/4035/7236 before filing a formal
53 complaint.

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55 **C. RETALIATION PROHIBITED**

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57 Retaliation against any person for the exercise of rights under Title IX or to interfere with
58 those rights in any way is strictly prohibited and will subject the perpetrator to
59 disciplinary action. The identity of any person who has made a report or complaint of
60 sex discrimination or sexual harassment or who is the alleged perpetrator of sex
61 discrimination or sexual harassment will be confidential unless otherwise required or
62 permitted by law. Complaints alleging retaliation may be filed according to the grievance
63 processes established in policies 1740/4010 and 1750/7220. Acts of retaliation may also
64 be subject to policy 1760/7280, Prohibition Against Retaliation.

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66 **D. NOTICE OF THE BOARD’S POLICY OF NONDISCRIMINATION BASED ON SEX**

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68 The superintendent is responsible for providing notice of the board’s nondiscrimination
69 policy to students and their parents or legal guardians, employees, and applicants for
70 admission or employment. The superintendent shall also ensure that each principal or
71 site supervisor makes a copy of this policy available to those persons. In addition, the
72 following must be posted on the school system website and included in all student and
73 employee handbooks: (1) a statement of the board’s policy of nondiscrimination on the
74 basis of sex; (2) contact information for the Title IX coordinator; and (3) a statement that
75 Title IX inquiries may be referred to the Title IX coordinator or to the Assistant Secretary
76 for Civil Rights.

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78 Legal References: Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 *et seq.*;
79 34 C.F.R. Part 106; *Grimm v. Gloucester County School Board*, 972 F.3d 586 (4th Cir. 2020)

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81 Cross References: Title IX Sexual Harassment – Prohibited Conduct and Reporting Process
82 (policy 1725/4035/7236), Title IX Sexual Harassment Grievance Process (policy
83 1726/4036/7237), Student and Parent Grievance Procedure (policy 1740/4010), Responding to
84 Complaints (policy 1742/5060), Grievance Procedure for Employees (policy 1750/7220),
85 Prohibition Against Retaliation (policy 1760/7280), Staff-Student Relations (policy 4040/7310)

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87 *Other Resources: Enforcement of Title IX of the Education Amendments of 1972 with Respect to*
88 *Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton*
89 *County, U.S. Department of Education, Office for Civil Rights (2021)*

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91 Adopted: August 17, 2020

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93 Revised: [DATE]

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