



## State Education Agency (SEA) Responsibilities

- Utah Code and USBE governance
  - Provide impartial technical assistance to citizens, educators, students, and other stakeholders, answer questions, and provide training and resources.
  - Respond to allegations of sex discrimination reported to the USBE public hotline<sup>1</sup>. Complainants are provided with information on the Title IX grievance process and directed to the appropriate authority. Title IX discrimination claims are resolved at the district/school level or with the assistance of the U.S. Department of Education Office for Civil Rights (OCR).
  - Training requirements in statute - [53G-8-802](#). State Safety and Support Program — State board duties Training for administrators on rights and prohibited acts under (C) Title IX of Education Amendments of 1972, 20 U.S.C. Sec. 1681 et seq.
  - Managed by Student and Family Rights Specialist, in collaboration with other USBE staff when needed (e.g., Special Education and Prevention). USBE-assigned AAGs serve as advisors for internal staff. We DO NOT provide legal advice to LEAs.
- USBE Title IX Resources
  - Training
    - [Title IX Coordinator Training](#) — September 19th, 2022
    - [Title IX Regulations](#) (Updates for Title IX Coordinators) — June 23, 2020
    - [Title IX Rights and Responsibilities](#) — August 28, 2020
    - [Title IX Decision-Maker](#) (Offered through Utah Division of Risk Management (UDRM) — November 10, 2020
    - Upcoming Title IX Investigator Training — June 27 & 28, 2023
    - Training opportunities on various Title IX topics (e.g., *athletics*, pregnancy, NPRM) coordinated through other reputable sources (e.g., atIXa, UDRM, WEEAC, and ICS)
  - Technical Assistance
    - Model policy checklists, forms, and sample documents
    - OCR updates (e.g., Dear Educator letters and guidance documents)
    - Quarterly Title IX coordinator meetings
    - Resources, training opportunities, and updates sent through the Title IX

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<sup>1</sup> Note: Since 2020, less than 1% of Title IX complaints submitted to the USBE were related to sex-based discrimination in athletics.

listserv (approx. bimonthly)

- Coordinator Directories (updated annually)
- Compliance surveys
- Federal requirement
  - The USBE is federally obligated to ensure USBE's *internal* Title IX compliance only, which is managed through Human Resources.
  - Local Education Agencies (LEAs) are required to ensure their own Title IX compliance.

### **Local Education Agency (LEA) Responsibilities**

- Assign Title IX Coordinator to oversee compliance with Title IX regulations
- Develop Title IX policy, including grievance procedures
- Obtain training for Title IX Coordinator, Investigator, and Decision-Maker
- Oversee Title IX grievance process
- Train personnel on Title IX responsibilities

### **U.S. Department of Education Office for Civil Rights (OCR)**

- The OCR enforces Title IX of the Education Amendments Act of 1972 which prohibits sex-based discrimination in programs or activities that receive federal financial assistance from the Department of Education.
  - Develop and maintain regulations, Dear Educator letters, and guidance documents.<sup>2</sup>
  - Responds to sex-based [discrimination complaints](#). OCR offers an informal Facilitated Resolution Between the Parties (like mediation) and a formal investigation process.

### **U.S. Department of Justice Civil Rights Division (DOJ)**

- The Educational Opportunities Section of the DOJ is responsible for enforcing Title IV of the Civil Rights Act of 1964, which gives the Attorney General authority to address [certain complaints of discrimination](#) alleging denials of equal protection to students based on race, color, national origin, sex (including pregnancy, sexual orientation, and gender identity), and religion by public schools and institutions of higher learning. They also oversee the Equal Educational Opportunities Act of 1974 and Title II of the Americans with Disabilities Act.

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<sup>2</sup> Note: 2020 Title IX regulations did not address athletics. The updated regulations were intended to clarify that sexual harassment is a form of sex discrimination, tighten up policies and investigation procedures, hold schools accountable for ensuring a more consistent and equitable response to sexual misconduct allegations, ensure fairness in due process proceedings between both parties, require the school to offer survivors supportive measures, and to ensure educational access for both parties.