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Linda Mangel, J.D.

Overview of OCR Complaint Process
and Compliance Standards

**Title IX Athletics Participation
"Interests and Abilities"**

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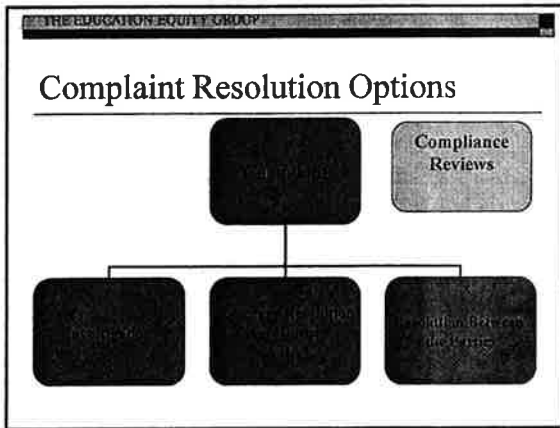
What we'll cover today

- OCR "Interests & Abilities" Complaints.
What's required to show compliance under Title IX.
- OCR Complaint Process.
- OSPI Compliance Review
- Investigation vs. Voluntary Resolution
- Best practices for resolving "Interests and Abilities" compliance problems.

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OCR Complaint

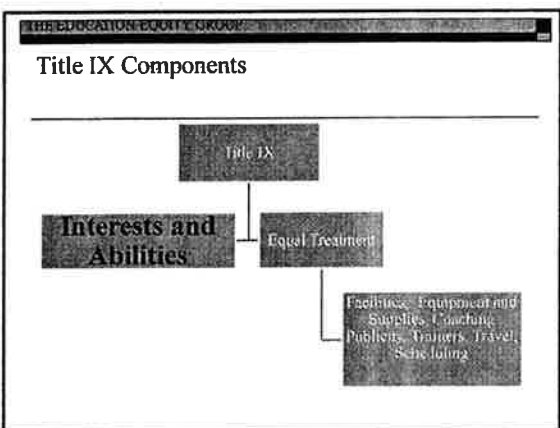
- Anyone can file an OCR complaint against a district.
- They must allege a violation of the law.
- They can request confidentiality and not have their identity revealed to the district.
- OCR will open for resolution if facts suggest a violation – it does not mean they believe a violation has occurred.
- Why did OCR open all of these cases?
- What does it mean now that they are closing them?

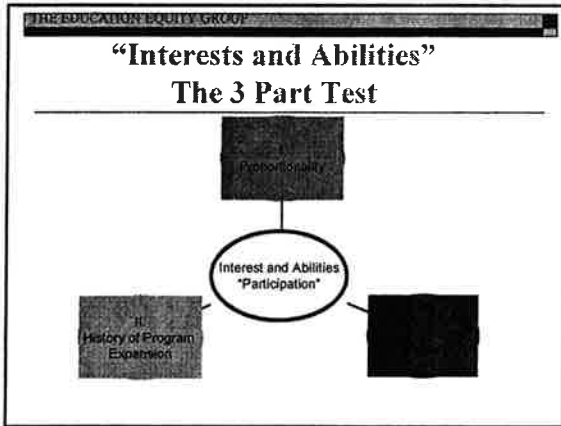


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Investigation vs. VRA

<u>Investigation</u>	<u>VRA</u>
Collect / evaluate documentation: <ul style="list-style-type: none"> ✓ History of adding or cutting sports for past 10 years ✓ Policy or plan for adding sports ✓ Participation data for competitive, club, and intramural sports, including numbers cut or dropped. ✓ Athletics Interest Survey ✓ Other indicators of potential interest. ✓ Interviews with every coach. 	Collect / evaluate documentation: <ul style="list-style-type: none"> ✓ History of adding or cutting sports (negotiable) ✓ Policy or plan for adding sports ✓ Participation data for competitive, club, and intramural sports, including numbers cut or dropped ✓ Athletics Interest Survey ✓ Other indicators of potential interest
Formal Findings	Plan to address disparities: <ul style="list-style-type: none"> ✓ Respond to Unmet Interest ✓ Add squads ✓ Add new sports ✓ Respond to developing interests
Plan to address disparities	





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Prong 1: Proportionality

Providing participation opportunities for male and female students in numbers that are substantially proportionate to their respective enrollment.

- 1. Enrollment Rates – What percentage of the student body is male and female?
- 2. Participation Rates – What is the total number of girls and boys listed on all the rosters? What percentage of the athletic participation opportunities are male and female?
- 3. Check the ratio – % of population : % of participants
Example: Boys' pop 50% : Boys' participation 55%
Girls' pop. 50%: Girls' participation 45%

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Prong 2: Continuing Practice of Expanding Opportunities

- Must show an ongoing record of adding opportunities for girls. Generally, you need to show a 10 year history of expanding girls sports, including no instances of reducing opportunities.

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Prong 3 – Meeting Unmet Interests

- Look at interests surveys
- Girls teams where students were cut
- Intramural and community programs
- Requests to start teams, etc.
- Ask these questions:
 - ✓ Is there any unmet interest among girls?
 - ✓ Are there enough girls to form a team and are there opportunities to compete interscholastically?
 - ✓ A sport **does not need to be WIAA sanctioned to count participants!!**

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Compliance Plans

- Create a Title IX Athletics Committee
- Develop a written plan to track and meet interests:
 - ✓ How many additional opportunities are needed.
 - ✓ Administer a new survey designed to identify genuine interest and likelihood of turnout.
 - ✓ Evaluate which existing teams have potential for expansion.
 - ✓ Investigate teams with uncharacteristically low turnout to identify any barriers (e.g., bad schedule, unpopular coach).
 - ✓ Identify new or emerging sports that have potential for interscholastic competition.
 - ✓ Come up with a plan to add these new sports.

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