

POLICY- TITLE IX COMPLAINTS

Sec. 1) BACKGROUND

- a) The Kentucky Department of Education complies with all Federal laws and regulations prohibiting discrimination, and with all requirements of the U.S. Department of Education and U.S. Department of Agriculture
- b) Any person alleging sexual discrimination by the Kentucky High School Athletic Association (KHSAA) or its staff may file a complaint with the KHSAA administrative offices in Lexington.
- c) Any complaints alleging discrimination by local school districts, schools or their staff should be directed to the local level and handled according to local board policy.
- d) Complaints alleging discrimination by local school districts, schools or their staff that are submitted to the KHSAA will be referred to the Principal and Superintendent of the member school per the policies of the KHSAA Board of Control.
- e) The KHSAA is in compliance with Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq. (Title IX), and its implementing regulation, at 34 C.F.R. Part 106, which prohibits discrimination based on sex. The KHSAA, while not a recipient of federal financial assistance from the United States Department of Education (USDOE) or other entity, voluntarily subjects itself subject to the provisions of Title IX. KHSAA does not discriminate based on gender in employment or in any program or activity that it operates.

Sec. 2) FILING OF COMPLAINTS

- a) Complaints alleging discrimination under Title IX of the Education Amendments of 1972 by the KHSAA or its staff may be filed with:
Compliance Coordinator
Darren Bilberry, Assistant Commissioner
Kentucky High School Athletic Association
2280 Executive Drive
Lexington, KY 40505
Phone: (859) 299-5472
- b) All complaints must be in writing. Complaints must be filed within one hundred eighty (180) days of the alleged discrimination and should contain the following information:
 - (1) Name, address, and telephone number of the complainant if known;
 - (2) The location and name of the entity or person delivering the service;
 - (3) The nature of the incident that led the complainant to feel discrimination was a factor;
 - (4) The basis of the complaint;
 - (5) Names, addresses and phone numbers of people who may have knowledge of the event; and
 - (6) The date or dates on which the alleged discriminatory event or events occurred.

Sec. 3) COMPLAINT PROCESS

- a) Upon receipt of the complaint by an individual or at the time of the compliance coordinator becomes independently aware of the actions that may constitute sexual discrimination, the compliance coordinator shall send an acknowledgment of the complaint and shall direct and investigation of the claim.
- b) The compliance coordinator will render a determination and recommend specific actions to resolve the complaint within ninety (90) days of receipt.
- c) The compliance coordinator shall file a report to the KHSAA Commissioner.
- d) Any complaints received by the compliance coordinator will be maintained in a log including date of receipt, determination, and action taken. The complaint log will be retained for a period of the current school year plus four (4) years.
- e) The complainant shall be notified in writing within thirty (30) days of completion of the investigation the results of the investigation and any actions taken. The KHSAA shall maintain the confidentiality of the complaint and the name of the complainant as allowed by law.
- f) Any corrective actions shall be implemented within thirty (30) days of receipt and acceptance of a final report by the compliance coordinator.

Sec. 4) WITHDRAWAL OF COMPLAINT

- a) The complainant may withdraw his/her complaint at any time during the process by notifying the compliance coordinator in writing.

Sec. 5) APPEALS

- a) The complainant may file a written appeal of the compliance coordinator's resolution of the complaint within thirty (30) days of receipt of the written notice of resolution.
- b) Appeals shall be filed with the KHSAA Commissioner, 2280 Executive Drive, Lexington, KY 40505.
- c) The complainant shall be notified of the final resolution of the appeal within sixty (60) days receipt of the appeal.
- d) This appeal opportunity constitutes the second and final level in the agency's complaint process.