June 4, 2021

**BY EMAIL**

REDACTED

REDACTED

REDACTED

Dr. Karen Gray, Superintendent

Lincoln County School District

PO Box 1110

Newport, OR 97365

Case #2020-SG-14

Dear REDACTED and Superintendent Gray:

This letter is the order on the August 25, 2020, appeal filed by REDACTED (Parents) alleging that Lincoln County School District violated ORS 659.850 (prohibiting discrimination in an education program or service financed in whole or in part by moneys appropriated by the Legislative Assembly) and OAR 581-021-0045 (prohibiting discrimination in certain educational agencies, programs, or services under the jurisdiction of the State Board of Education). To ensure compliance with these laws and rules, the Oregon Department of Education will review school district procedures and make findings of fact to determine whether a violation occurred and what action, if any, should be taken.[[1]](#footnote-1)

**APPELLATE PROCEDURES FOR COMPLAINTS ALLEGING DISCRIMINATION**

On appeal, Parents allege that Lincoln County School District discriminated against their child (Student A) on the basis of sex. Specifically, Parents allege that the district failed to (1) take prompt and effective action to end the sexual harassment of Student A by another student, and (2) failed to remedy the effects of sexual harassment on Student A.

The Oregon Department of Education has jurisdiction to resolve this complaint as specified in OAR 581-002-0003. When a person files with the department an appeal of a complaint alleging discrimination, the department will initiate an investigation to determine whether discrimination may have occurred.[[2]](#footnote-2) If the department determines that a violation of a law or rule described in OAR 581-002-003 occurred, the department must issue a preliminary order to the complainant and the district.[[3]](#footnote-3) The preliminary order must include a reference to the district decision that is on appeal, the procedural history of the appeal, the department’s preliminary findings of fact, and the department’s preliminary conclusions.[[4]](#footnote-4) If the department determines that a violation of law or rule described in OAR 581-002-003 did not occur, the department must issue a final order as described in OAR 581-002-0017.[[5]](#footnote-5) The Director of the Oregon Department of Education may for good cause extend the time by which the department must issue an order.[[6]](#footnote-6)

In this appeal, the department has completed its investigation to determine whether discrimination may have occurred. This letter constitutes the department’s order as to whether discrimination may have occurred.

**PROCEDURAL BACKGROUND**

This is an appeal alleging discrimination by Lincoln County School District.

During the fall semester of the 2019-2020 school year, Student A told Parents about the conduct of another student in their class (Student 1). Student A told Parents that Student 1 had physically assaulted them and attempted to kiss them. On October 1, 2019, Parents met with Student A’s teacher (Teacher 1) to discuss their concerns. Student 1’s harassment of Student A continued. On October 16, Parents met with district administrators to further discuss their concerns. On October 23, 2019, the district completed an investigation of the incidents in accordance with its policies prohibiting bullying and harassment and sexual harassment. The district concluded that Student 1 had violated the policy. The district subsequently informed the district’s Title IX coordinator of the investigation and its conclusions. On November 16, 2019, the Title IX coordinator confirmed that Student 1’s actions constituted sexual harassment and violated district policy.

On July 24, 2020, Parents filed this appeal with the Oregon Department of Education. On July 31, 2020, the department requested Parents provide the department with additional information to determine whether Parents had exhausted the district’s complaint process. Parents provided the additional information on August 11, 2020.

On August 25, 2020, the department sent the district notice of its acceptance of the appeal pursuant OAR 581-002-0005(1)(a)(A) on the basis that the district failed to provide Parents with a written decision within 30 days of Parents submitting their initial complaint.[[7]](#footnote-7)

**FINDINGS OF FACT**

After conducting its investigation, the Oregon Department of Education makes the following findings of fact:

1. At times relevant to this appeal, Student A and Student 1 attended elementary school in the Lincoln County School District. Student A and Student 1 were first graders. Student A and Student 1 were in the same class.
2. The first day of school for the 2019-2020 school year was September 4, 2019.
3. On September 13, 2019, Student 1 punched Student A and another student during recess. The district responded by moving Student 1’s desk away from Student A’s desk. The district also implemented a plan to address Student 1’s behavior at recess.[[8]](#footnote-8)
4. Student 1 was removed from school after the September 13th incident. Student 1 returned to school two weeks later, on September 30, 2019.
5. On September 16, 2019 – before Student 1 returned to school – an administrator at the school (Administrator 1) developed a safety plan for Student 1. The plan included check-in and check-out procedures and several other measures intended to address Student 1’s behavior.[[9]](#footnote-9)
6. On Monday, September 30, 2019, Student 1 attempted to kiss Student A. Student A resisted Student 1. The district responded by moving Student 1’s desk away from Student A’s desk. The district also incorporated new safety measures into Student 1’s safety plan.
7. Following the September 30th incident, Student A told Parents about the incident. Parents contacted Teacher through the district’s messaging application. Parents expressed an interest in meeting with Teacher about the incident. On October 1, 2019, Parents met with Teacher to discuss the incident. Teacher informed Parents about the procedures implemented and measures taken by the district to stop future incidents from occurring.
8. On October 4, 2019, Student 1 chased Student A during recess.
9. On October 7, 2019, Student 1 kissed Student A on the lips in class. Later that day in music class, Student 1 tackled Student A, pinned Student A’s shoulders to the ground, and attempted to kiss Student A. Student A reported the incident to the music teacher. Student A also reported that Student 1 had attempted to kiss them on other occasions. The district responded by giving Student 1 a referral.
10. On October 8, 2019, Student 1 attempted to kiss Student A in class. After failing to kiss Student A in the first instance, Student 1 crawled under classroom tables to where Student A was sitting and kissed Student A on the leg.
11. On October 9, 2019, the district implemented a classroom behavior plan for Student 1.[[10]](#footnote-10) Part of the plan included removing Student 1 from the classroom when Student 1 exhibited certain behaviors.
12. On October 14, 2019, Student 1 attempted to kiss Student A during PE class. The PE teacher intervened to prevent Student 1 from doing so. Student 1 exhibited other disruptive behavior on this occasion. The district responded by giving Student 1 a referral.
13. On October 16, 2019, Student 1 attempted to kiss Student A at lunchtime. Student A blocked Student 1 from doing so, resulting in Student 1 kissing Student A’s arm. Later that day, Parents met with Administrator 1 and another district administrator (Administrator 2) to discuss Student 1’s behavior toward Student A. Following that meeting, Administrator 1 sent an email to relevant district staff outlining a lunch plan for Student 1. Under that plan, Student 1 was not allowed to eat lunch with the class. Student 1 could rejoin the class only after eating. Administrator 1 also sent an email to all relevant teachers, including the music teacher and the PE teacher, directing them to not seat Student 1 near Student A.
14. On October 17, 2019, during lunchtime, after having returned from eating lunch, Student 1 leapt across several tables in an attempt to kiss Student A. In response, the district suspended Student 1 from school for two days. After the incident, Teacher 1 contacted Parents through the district’s messaging application to inform them about the incident.
15. Before Student 1 returned from their suspension, the district moved Student 1 to a new classroom to address Student 1’s behavior toward Student A. The district also contacted the district’s Title IX coordinator about Student 1’s behavior and launched an investigation to determine whether Student 1 had bullied, harassed, or sexually harassed Student A.
16. On October 22, 2019, Student 1 attempted to kiss Student A while students were lining up in the hallway. Student A turned their head away from Student 1, resulting in Student 1 kissing Student A’s neck.
17. On October 23, 2019, the district had completed its investigation of Student 1’s behavior toward Student A and concluded that Student 1 had bullied, harassed, and sexually harassed Student A. In the report, the district found that Student 1 had kissed or attempted to kiss Student A on multiple occasions. The district wrote:

We have been working with [Student 1] and his parents to help him learn about personal space. The issue is that [Student 1] continues to target [Student A] in his class. [Student A’s] parents have expressed concerned to [Teacher 1]. They have also called administration because [Student A] does not want to come to school and comes home crying each day. They have asked to file a report.

The report also included a summary of the procedures implemented and measures taken by the district to intervene on Student A’s behalf.

1. The district subsequently implemented additional safety measures in Student 1’s safety plan.[[11]](#footnote-11) The inclusion of those measures effectively prevented Student A and Student 1 from having contact with one another. After the October 22nd incident, Student A was not subject to any future sexual harassment by Student 1.
2. On November 6, 2019, the district provided Parents with an investigative summary from the district’s Title IX coordinator. In the summary, the Title IX coordinator had concluded that Student 1’s behavior constituted sexual harassment. The Title IX coordinator also concluded that the district had taken appropriate corrective action. The summary included a reference to the district’s appeal procedures.
3. On July 24, 2020, Parents filed this appeal with the Oregon Department of Education. On July 31, 2020, the department requested Parents provide the department with additional information to determine whether Parents had exhausted the district’s complaint process. Parents provided the additional information on August 11, 2020. The department accepted Parents appeal on August 25, 2020.
4. On February 21, 2020, the department interviewed Parents. As part of that interview, Parents stated that incidents involving Student A that had occurred during the 2018-2019 school year – Student A’s kindergarten year – should have put the district on notice about the possibility that similar incidents may occur during the 2019-2020 school year. Parents provided the department with an email sent by them to Administrator 2 on March 13, 2019, listing their concerns about the treatment of Student A by other students.
5. On March 3, 2020, the department interviewed Administrator 1, Administrator 2, the district’s Title IX coordinator, and Teacher 1 about the issues raised on appeal. During these interviews, the district provided the department with evidence that Student 1’s conduct toward Student A constituted only a small portion of Student 1’s problematic behaviors. The district stated that the volume of misconduct exhibited by Student 1 made it difficult to immediately identify the sexual harassment of Student A.
6. During the March 3rd interview, the district provided the department with evidence that the district – shortly after the September 13th incident – began applying the district’s Positive Behavior Intervention and Support policy to Student 1’s behaviors. Under this policy, the district identifies whether problematic behaviors are minor or major.[[12]](#footnote-12) Minor behaviors are managed in the classroom by a classroom teacher. Major behaviors are so disruptive to the learning environment that they are partly managed outside the classroom by administrative staff. During the interview, Administrator 1 provided the department with evidence that the district had documented and addressed Student 1’s behaviors throughout the period in question, first treating them as minor behaviors, then treating them as major behaviors.

**ANALYSIS**

Under Oregon’s anti-discrimination statute,

A person may not be subjected to discrimination in any public elementary, secondary or community college education program or service, school or interschool activity or in any higher education program or service, school or interschool activity where the program, service, school or activity is financed in whole or in part by moneys appropriated by the Legislative Assembly.[[13]](#footnote-13)

For purposes of this prohibition, “discrimination” is defined to mean “any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on race, color, religion, sex, sexual orientation, national origin, marital status, age or disability.”[[14]](#footnote-14)

In applying this prohibition to school districts, OAR 581-021-0045(3) specifically states that a school district may not:

(a) Treat one person differently from another in determining whether such person satisfies any requirement of condition for the provision of such aid, benefit, or service;

(b) Provide different aid, benefits, or services; or provide aids, benefits, or services in a different manner;

(c) Deny any person such aid, benefit, or service;

(d) Subject any person to separate or different rules of behavior, sanctions, or other treatment;

(e) Aid or perpetuate discrimination by joining or remaining a member of any agency or organization which discriminates in providing any aid, benefit, or service to students or employees; [or]

(f) Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

The question on appeal is whether Lincoln County School District – in consideration of the circumstances at hand – violated either ORS 659.850 or OAR 581-021-0045(3)(b), (c) or (f) by denying Student A an aid, benefit, or service, providing Student A with an aid, benefit, or service in a different manner, or otherwise limiting Student A’s enjoyment of a right, privilege, or opportunity.

In analyzing the district’s duties with respect to complaints alleging discrimination, the Oregon Department of Education relies on the federal anti-discrimination laws known as Title IX[[15]](#footnote-15) and the interpretation of those laws by federal courts and the United States Department of Education’s Office for Civil Rights (Office for Civil Rights). Because Title IX has the same intent as ORS 659.850 and OAR 581-021-0045, and because the text of ORS 659.850 and OAR 581-021-0045 allow the statute and rule to be applied broadly, the interpretation of Title IX by federal courts and the Office for Civil Rights is an important tool for the Oregon Department of Education to use in adjudging the application of ORS 659.850 and OAR 581-021-0045.

In application, Title IX requires educational institutions[[16]](#footnote-16) to (1) provide students with a learning environment that is free from sexual harassment and (2) remedy complaints alleging sexual harassment. As explained by the Office for Civil Rights:

Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student can deny or limit, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities [that otherwise would be available to the student]. Sexual harassment of students is, therefore, a form of sex discrimination prohibited by Title IX[.][[17]](#footnote-17)

Notably, “a student may be sexually harassed by a school employee, another student, or a non-employee third party (e.g., a visiting speaker or visiting athletes).”[[18]](#footnote-18)

In short: failure by an educational institution to provide students with a learning environment that is free from sexual harassment — whether the source of that sexual harassment is a school employee, another student, or a non-employee third party — and failure by an educational institution to remedy complaints alleging sexual harassment, constitutes, for purposes of ORS 659.850, subjection to discrimination.

The issue on appeal is whether the district appropriately responded to the sexual harassment of Student A by Student 1 and, thereby, provided Student A with a learning environment free of sexual harassment.

The department first finds that the district had sufficient evidence of the sexual harassment of Student A by Student 1 on October 7, 2019, to require district action. On that date, the district knew about three incidents during which Student 1 either kissed or attempted to kiss Student A, the first occurring on September 30, 2019, the second and third occurring on October 7.

The department acknowledges that the district knew about other incidents involving Student A *before* October 7. On March 13, 2019, Parents informed the district that they had concerns about the treatment of Student A by other students. On September 13th, 2019, the district had knowledge that Student 1 punched Student A. On September 30, 2019, the district had knowledge that Student 1 attempted to kiss Student A. On October 4, 2019, the district had knowledge that Student 1 chased Student A at recess. However, it was not until October 7 that there was sufficient evidence of sexual harassment to invoke the requirements of Title IX law. Before that date, the district had evidence of only the following: (1) Parents were generally concerned about the treatment of Student A by other students, (2) Student 1 acted aggressively toward Student A in a nonsexual manner on one occasion, (3) Student 1 attempted to kiss Student A on another occasion, and (4) Student 1 chased Student A during recess. In short, before October 7, the district knew that Parents were worried about Student A, that Student 1 exhibited significant behavioral problems, and that Student 1 attempted to kiss Student A on one occasion.

Beginning on October 7, the district knew about a series of events constituting the sexual harassment of Student A by Student 1. Importantly, the district knew about these events before launching an investigation to determine whether Student 1 had bullied, harassed, or sexually harassed Student A. On October 7, Student 1 kissed Student A on the lips in class. Also on October 7, Student 1 tackled Student A in music class, pinned Student A’s shoulders to the ground, and attempted to kiss Student A. The next school day, on October 8, 2019, Student 1 attempted to kiss Student A in class. After failing to kiss Student A in the first instance, Student 1 crawled under classroom tables to where Student A was sitting and kissed Student A on the leg. Four school days later, on October 14, 2019, Student 1 attempted to kiss Student A during PE class. Two school days later, on October 16, 2019, Student 1 attempted to kiss Student A at lunchtime. Student A blocked Student 1 from doing so, resulting in Student 1 kissing Student A’s arm. Finally, on the next school day, during lunchtime, after having returned from eating lunch, Student 1 leapt across several tables in an attempt to kiss Student A. In summary, prior to investigating whether Student 1 had bullied, harassed, or sexually harassed Student A, the district knew about six incidents where Student 1 kissed or attempted to kiss Student A, occurring on five different days during a time span of nine school days.

The district responded to Student 1’s behaviors after each incident in accordance with its Positive Behavior Intervention and Support policy. Before October 7, Student 1 was removed from school for two weeks. Before Student 1 returned, Administrator 1 developed a safety plan, which included check-in and check-out procedures for Student 1 and other measures intended to address Student 1’s behavior. After Student 1 attempted to kiss Student A on September 30, the district moved Student 1’s desk away from Student A’s desk. The district also incorporated new safety measures into Student 1’s safety plan. After the October 7th and October 8th incidents, the district implemented a classroom behavior plan for Student 1. Part of the plan included removing Student 1 from the classroom when Student 1 exhibited certain behaviors. After the October 14th incident, Administrator 1 sent an email to relevant district staff outlining a lunch plan for Student 1. Under that plan, Student 1 was not allowed to eat lunch with the class. Student 1 could rejoin the class only after eating. Administrator 1 also sent an email to all relevant teachers, including the music teacher and the PE teacher, directing them not to seat Student 1 near Student A. After the October 17th incident, the district suspended Student 1 from school for two days, moved Student 1 to a different classroom, and launched an investigation to determine whether Student 1 had bullied, harassed, or sexually harassed Student A.

Following the district’s investigation, there was one last incident involving Student 1’s behavior toward Student A. On October 22, 2019, Student 1 attempted to kiss Student A while students were lining up in the hallway. Student A turned their head away from Student 1, resulting in Student 1 kissing Student A’s neck. The district subsequently finished its investigation. After determining that Student 1 had sexually harassed Student A, the district implemented additional safety measures in Student 1’s safety plan. The inclusion of those measures effectively prevented Student A and Student 1 from having contact with one another, thereby ending the sexual harassment of Student A by Student 1.

Under the facts, the district could be deficient in responding to the sexual harassment of Student A and, thereby, not providing Student A with a learning environment free of sexual harassment in *only one respect*: by not immediately launching an investigation on October 7 to determine whether Student A was sexually harassed.

For purposes of this appeal, the fundamental question is whether the district is deficient for not reporting the sexual harassment to its Title IX coordinator until after the October 17th incident. Under Title IX, educational institutions are required to designate a Title IX coordinator and, upon receiving a report of sexual harassment, to inform the Title IX coordinator of the report.[[19]](#footnote-19) Under the law, an educational entity must designate at least one employee to serve as a Title IX coordinator.[[20]](#footnote-20) The Title IX coordinator is responsible for investigating Title IX complaints and coordinating the educational entity’s efforts to comply with Title IX responsibilities.[[21]](#footnote-21)

As mentioned above, the district knew about six incidents where Student 1 kissed or attempted to kiss Student A, occurring on five different days during a time span of nine school days, before contacting the Title IX coordinator. The department finds that the district should have reported the incidents earlier. Making a report after six incidents of sexual harassment occurring over such a short time span is not timely and, thus, a violation of Title IX law.

Even though the department finds that the district is deficient, the department acknowledges that the district did respond to each incident. The district first separated Student A and Student 1 in the classroom. The district then separated Student A and Student 1 during out of class activities. Eventually, the district moved Student 1 to a new classroom. The department acknowledges that the district took these measures in order to achieve the same result as a Title IX investigation: providing Student A with a safe learning environment. However, the district responded to each incident in accordance with its Positive Behavior Intervention and Support policy. It is impossible to know whether reporting the incidents to the Title IX coordinator would have resulted in different interim measures or swifter results. The department cannot assume that the results of a timely Title IX investigation would have led to the exact same result.

The department also acknowledges that certain factors mitigate the district’s deficiency.

First, Student 1’s conduct toward Student A constituted only a small portion of Student 1’s problematic behaviors. The district provided the department with sufficient evidence for the department to find that the volume of misconduct exhibited by Student 1 made it difficult for the district to immediately identify the sexual harassment of Student A.

Second, the district eventually did identify the need to investigate the sexual harassment of Student A shortly after the October 7th incident. As discussed above, the district was not timely in reporting the incidents to its Title IX coordinator. But the district correctly identified that the incidents constituted sexual harassment and demonstrated knowledge that reporting those incidents to a Title IX coordinator was required by law.

Finally, after the October 22nd incident the district implemented new measures to remedy the harassment of Student A. Those measures effectively prevented Student 1 from future contact with Student A, and thereby provided the students from having contact with one another, ending the sexual harassment and, thereby, provided Student A with a learning environment free from sexual harassment.

In consideration of the evidence, the department finds that the district is deficient because it did not timely report incidents of sexual harassment to its Title IX coordinator. However, if any corrective action is issued in this case, the department will consider the district’s actions *as a whole* in determining what corrective action would be suitable.

**CONCLUSION**

In conclusion, the Oregon Department of Education finds that Lincoln County School District violated ORS 659.850 or OAR 581-021-0049(3) by not timely reporting incidents constituting sexual harassment to its Title IX coordinator.

The department encourages Parent and the district to reach an agreement through conciliation. If an agreement cannot be reached through conciliation within 30 days, or at a time otherwise agreed to by the parties, the department will issue a final order.

If Parent or the district wishes to use the department as a resource during conciliation, Parent or the district may contact the department.[[22]](#footnote-22)

If you have any questions, please contact me.

Sincerely,



Mark Mayer, Complaint and Appeals Coordinator

Office of the Department

1. The administrative rules governing the Oregon Department of Education’s appeals process are OAR 581-002-0001 to 581-002-0023. [↑](#footnote-ref-1)
2. OAR 581-002-0009. [↑](#footnote-ref-2)
3. OAR 581-002-0009(3)(a)(A). [↑](#footnote-ref-3)
4. *Id*. [↑](#footnote-ref-4)
5. OAR 581-002-0009(3)(a)(B). [↑](#footnote-ref-5)
6. OAR 581-002-0009(3)(b). [↑](#footnote-ref-6)
7. *See* OAR 581-002-0005(1)(a)(B) (“[A]n appeal must be from a final decision by a district. A decision is a final decision by a district if . . . [i]n a complaint process with more than one step, the district fails to render a written decision within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer period of time for that step[.]”). [↑](#footnote-ref-7)
8. Student 1 exhibited problematic behaviors throughout the 2019-2020 school year, some of which were directed at Student A, most of which were not. This order does not specifically discuss behaviors not directed at Student A. However, in analyzing whether the district discriminated against Student A, the department gives weight to the fact that plans implemented by the district to address Student 1’s behaviors necessarily had to incorporate both measures to protect Student A and measures to address other behaviors. This order only provides the details of the plans insofar as they apply to the protection of Student A. This order does not provide the details of plans that apply to the other behaviors. [↑](#footnote-ref-8)
9. *See supra* note 8. [↑](#footnote-ref-9)
10. *See supra* note 8. [↑](#footnote-ref-10)
11. *See supra* note 8. [↑](#footnote-ref-11)
12. Lincoln County School District, *PBIS Staff Handbook*, Module 4: LCSD Behavior Data Collection, pg. 30. [↑](#footnote-ref-12)
13. ORS 659.850(2). OAR 581-021-0045(2) applies this prohibition specifically to the types of schools regulated by the Department: “No person in Oregon shall be subjected to discrimination in any public elementary or secondary school, educational program or service, or interschool activity where the program, service, school, or activity is financed in whole or part by monies appropriated by the Legislative Assembly.” [↑](#footnote-ref-13)
14. ORS 659.850(1). OAR 581-021-0045(1)(a) uses an identical definition for “discrimination” for purposes of the Department’s regulatory authority over public elementary and secondary schools. [↑](#footnote-ref-14)
15. *See* Education Amendments of 1972, Public Law No. 92-318, Title IX, §§ 901-907 (codified at 20 U.S.C. §1681 *et seq.*). [↑](#footnote-ref-15)
16. Federal laws, regulations, judicial opinions, and documents published by the Office for Civil Rights interpreting those laws, regulations, and documents use different terms to describe schools and the other educational entities to which they apply. This order uses the term “educational institution” in lieu of those terms in order to communicate the content of the laws, regulations, and documents in an easy to understand manner. [↑](#footnote-ref-16)
17. United States Department of Education Office for Civil Rights, *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, 2 (2001), a*vailable at*: <https://www2.ed.gov/about/offices/list/ocr/docs/shguide.html#_ednref6>. *See* Franklin v. Gwinnett County Public School, 503 U.S. 60, 63 (1992) (finding kissing and sexual intercourse to be sexual harassment and subject to protections of Title IX). *See also* Davis v. Monroe County Board of Education, 526 U.S. 629, 653 (1999) (finding “numerous acts of objectively offensive touching” to be sexual harassment and subject to protections of Title IX). [↑](#footnote-ref-17)
18. *Id.* [↑](#footnote-ref-18)
19. *See* 34 C.F.R. § 106.8 (requiring educational entities to designate at least one employee to serve as a Title IX coordinator and making Title IX coordinators responsible for investigating Title IX complaints and coordinating educational entities’ efforts to comply with Title IX responsibilities). [↑](#footnote-ref-19)
20. 34 C.F.R. § 106.8. [↑](#footnote-ref-20)
21. *Id*. [↑](#footnote-ref-21)
22. The department’s Title IX expert is Katherine Hildebrandt. She may be reached at: [Katherine.Hildebrandt@ode.state.or.us](mailto:Katherine.Hildebrandt@ode.state.or.us). [↑](#footnote-ref-22)