

TOP 4 Downloads

#1 **Avoiding FLSA Pay Violations Self-Audit Checklist for Substitute Teachers**

This self-audit form is intended for use by school district employers to assist in determining the exempt or non-exempt status of substitute teachers under the federal Fair Labor Standards Act (FLSA).

#2 **2011 FLSA Self-Audit Checklist**

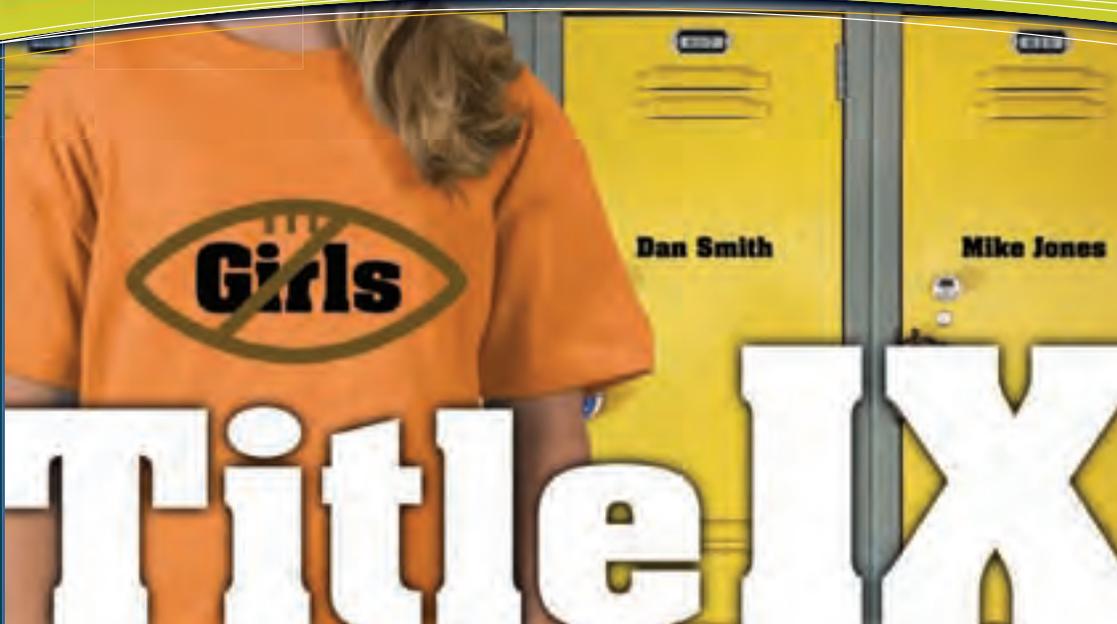
With complaints under the Fair Labor Standards Act on the rise, SLRMA updated our popular FLSA Self-Audit Checklist.

#3 **English Language Learners in Selected States: A District Self-Audit Guide, Special Report From FLIC**

Is your district prepared for the challenges of school-age children whose first language at home is not English? Let SLRMA help with this self-audit guide.

#4 **Bullying: A Real Threat to Your School District and All of Your Students!**

Is your school district prepared to deal with the bullies in your schools? Log in and download the new Anti-Bullying and Anti-Harassment Checklist to help prevent your school from becoming a victim of bullies.



Will The Office of Civil Rights Send Your School District to the Penalty Box For A Failure to Comply with Title IX?

A failure to assess your school district's compliance with Title IX can result in a costly foul ball.

Although most people are familiar with Title IX at the collegiate level, it applies to any school that receives federal funds, including public K-12. Over the past year and half, The U.S. Department of Education's Office for Civil Rights ("OCR") has received numerous administrative class action complaints against several high school districts for alleged violations of Title IX as it applies to those schools athletic programs¹. School districts violating Title IX can be subject to regulatory enforcement action and possibly costly private civil suits for damages.

¹ Although Title IX applies any education program or activity, this article and SLRMA's checklist is limited to a school's athletic programs.

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Self-Audit Checklist for School Compliance with Title IX for Athletics Programs

Publicizing the District's Compliance with Title IX

The district provides regular notice that, as required by Title IX, it does not discriminate on the basis of sex in its athletic programs, in accordance with Federal regulatory requirements

Yes No

The district publicizes the name, office, address, and telephone number of the designated employee who coordinates Title IX compliance efforts

continued on the next page

Does the district measure its athletic programs for Title IX compliance?	Yes	No
The district monitors expenditures on athletic programs	<input type="checkbox"/>	<input type="checkbox"/>
The district compiles data on the number of male and female students participating in athletic programs	<input type="checkbox"/>	<input type="checkbox"/>
Does the district provide equal back office support to boys and girls' sports?	Yes	No
The district provides equal athletics administrators (in number and quality) to boys and girls' teams	<input type="checkbox"/>	<input type="checkbox"/>
The district provides equal secretarial and clerical assistance to boys and girls' coaches	<input type="checkbox"/>	<input type="checkbox"/>
The district provides equal administrative facilities and supports staff for boys and girls' coaches (e.g., office space, location, and equipment)	<input type="checkbox"/>	<input type="checkbox"/>
The district has a mechanism for monitoring and adjusting policies and practices if needed	<input type="checkbox"/>	<input type="checkbox"/>
Equal Treatment	Yes	No
The district offers equal access/availability (including for exclusive team use) to locker room facilities to male and female students	<input type="checkbox"/>	<input type="checkbox"/>
The district has a complaint procedure to encourage the reporting of defective equipment, supplies, and uniforms	<input type="checkbox"/>	<input type="checkbox"/>
Scheduling	Yes	No
The number of competitive events per sport are equal between boys and girls' teams	<input type="checkbox"/>	<input type="checkbox"/>
Per-diem travel expenses are the same for members of boys and girls' teams	<input type="checkbox"/>	<input type="checkbox"/>
Publicity	Yes	No
Pep bands, cheerleaders, and support groups are equally provisioned to teams of both sexes	<input type="checkbox"/>	<input type="checkbox"/>
Boys and girls' teams receive awards and recognition on an equal basis	<input type="checkbox"/>	<input type="checkbox"/>
Coaches	Yes	No
Boys and girls' teams of similar sizes and sports have an equal number of full and part-time coaches	<input type="checkbox"/>	<input type="checkbox"/>
Coaches are assigned in a sex-neutral fashion		
Funding	Yes	No
Social events and banquets are equal in quality and size	<input type="checkbox"/>	<input type="checkbox"/>

This is a small sample of the Self Audit Checklist for school Compliance with Title IX for Athletics Programs. Log in to SLRMA.org and Download the Self-Audit Checklist in its entirety to use throughout your school district.

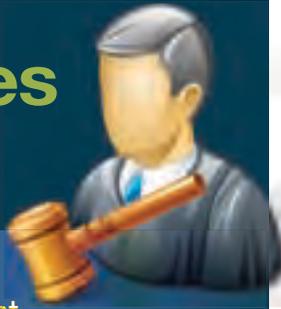
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Given the OCR's increased interest in Title IX compliance at the high school level, SLRMA is pleased to offer its Self-Audit Checklist for School Compliance with Title IX for Athletic Programs. SLRMA's Self-Audit Checklist will help your school district's athletic programs comply with Title IX and help avoid fines and penalties for "*unsportsmanlike conduct*" - failing to offer equal opportunities to boys and girls who play high school sports.

The OCR has made it clear it reads Title IX to equally apply to primary and secondary schools as it does at the collegiate level. In response, the National Women's Law Center has filed several administrative complaints with the OCR against at least a dozen different schools for alleged violations of Title IX. The American Sports Council has taken the opposite approach and filed suit against the OCR regarding its enforcement of Title IX against primary and secondary schools based on the plain language of Title IX. These matters are still pending and we will keep SLRMA members apprised of the developments in these cases.

Nevertheless, **SLRMA's Self-Audit Checklist for School Compliance with Title IX for Athletic Programs** provides a head-start for your school to determine whether the opportunities at your school should be modified to become compliant with Title IX. As a result of the OCR's renewed interest in Title IX, your school district should immediately download and follow the Checklist available at www.slrma.org to avoid any penalty flags thrown by the OCR referees. ■

Recent Dispatches in the Newsroom



Content provided by:

FLIC

Federal Legislation Insurance Committee

Log In and Download The Recent Case Summaries That Impact Your School District And Find Out What You May Be Missing

Lead Renovation, Repair and Painting Rule Enforcement

Address any potential noncompliance with the Lead Renovation, Repair and Painting (“LRRP”) Rule now or the U.S. Environmental Protection Agency may impose penalties of up to \$37,500 per violation per day! The U.S. Environmental Protection Agency has recently announced that enforcement of the LRRP Rule will be one of its top priorities in 2012. In this new Hogan Lovells’ memorandum, find out what the LRRP Rule requirements are and how your school district can and should manage the dangers of lead when renovating, repairing or painting your school facilities.

Park Hill School District v. Dass, 655 F.3d 762 (8th Cir. [MO] 2011)

In this case from the 8th Circuit Court of Appeals governing Nebraska and the other central plains states, the Court discusses the procedural elements necessary for an Individualized Education Plan to be compliant with the Individuals with Disability Education Act and outlines the criteria when such errors in procedure violate IDEA.

Wolfe v. Fayetteville, Ark. S.D., 2011 WL 3444555 (8th Cir. [AR] 2011)

Title IX prohibits discrimination on the basis of sex in federally funded educational institutions. However, the 8th Circuit Court of Appeals, which governs Nebraska and other central plains states, has determined that common bullying and harassment that merely impinges on or creates rumors regarding a victim’s sexuality does not constitute a Title IX violation if such harassment or discrimination is not motivated on the basis of sex. This case provides a good framework to determine whether bullying at your school can lead to liability under Title IX.



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SLRMA UPDATE Issue 1 2012

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