Title IX Compliance, Civil Rights, and Diversity Issues

Title IX of the Education Amendments of 1972 (Title IX) was enacted without any reference to athletics, yet it has evolved over time into a law that plays a major role in shaping high school and university sports. Title IX governs not only sponsored athletics, but the entire administration of educational programs.

Attorneys in the Jackson Lewis Collegiate and Professional Sports Industry Group regularly advise academic institutions regarding the full scope and impact of Title IX, as well as the complex web of regulations, guidance, and policy interpretations that surrounds it. We not only counsel clients on effective methods for satisfying Title IX, we also help our clients avoid common pitfalls that could lead to investigations, audits, or potential lawsuits. Should an investigation or dispute arise, our Group draws upon more than 100 years of collective experience representing clients in civil rights audits, administrative hearings, arbitrations, and trials. We also have extensive experience advising clients in diversity and gender equity issues in the public and private sectors.

Because government interpretation of Title IX continues to evolve, we can help clients stay one step ahead by working to raise awareness of their interests before key government officials on anticipated regulatory developments. At all times, we work closely with our clients to identify their needs and to establish sensible action plans that meet their long and short-term objectives. Most importantly, we provide proactive advice and training to prevent violations of Title IX before they occur. Jackson Lewis’ Collegiate and Professional Sports Industry Group can provide the following services to academic institutions:

- Title IX audit avoidance and compliance strategies, including training, monitoring, and implementation of Title IX and affirmative action plans.
- Compliance assessments of existing Title IX plans.
  - Developing appropriate investigation procedures and implementing training to those conducting investigations.
  - Drafting institution-wide policies for handling complaints and providing guidance on addressing reports of potential violations of Title IX.
- Management of government investigations and civil rights reviews.
- Litigation defense and representation before federal agencies, state educational agencies, EEO, and civil rights commissions, including private actions filed by students.
- Legislative advocacy and policy development.
  - Crisis management in the event of a finding of violations.
- Assistance in review and implementation of policies for complying with the Clery Act, the 1990 federal law named for Jeanne Clery, a Lehigh University freshman who was sexually assaulted and murdered by a fellow student. The Clery Act has become a priority for the enforcement arm of the Department of Education, especially after recent events at Penn State University.

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