

Title IX Non-Discrimination Policy & Grievance Procedures

The School shall not discriminate on the basis of sex, race, color, national origin, disability or age in its programs and activities and will provide equal access to all individuals.

Pursuant to Title IX of the Education Amendment Acts of 1972, no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program, activity, or employment on the basis of sex.

Complaints of sexual harassment will be addressed in compliance with Title IX of the Education Amendments of 1972 regulations related thereto.

Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the School conditioning the provision of an aid, benefit, or service of
2. Unwelcome conduct determined by a reasonable person to be so severe, and pervasive, education program or activity.
3. Sexual assault as defined in the Clery Act 20 U.S.C. 1092(f)(6)(A)(v), dating violence 34 U.S.C. 12291 (a)(10), domestic violence 34 U.S.C. 12291(a)(8), or stalking as defined in the Violence Against Women Act 34 U.S.C. 12291(a)(30).

Title IX Coordinator

efforts to comply with Title IX responsibilities. For any reports or inquiries regarding Title IX concerns, contact the

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School Name: _____

Date Approved: _____

Definitions:

Complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Any person, as well as the Complainant, may report sexual harassment. While parents and guardians do not become Complainants, parents and guardians do have the rights to act on behalf of minor children (including by filing Formal Complaints) in Title IX matters.

Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

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Grievance Reporting

At any time any student, parent/guardian, current or prospective employee, or other individual may report any incidences of sex discrimination or sexual harassment whether the individual has experienced, observed, and/or is aware of the incidence of sex discrimination or sexual harassment. Reports may also be anonymous. However, Formal Complaint

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2. A description of all procedural steps
3. A listing of findings of facts that support the determination
4. Determination of the responsibility, including rationale, any disciplinary sanctions, and remedies
5. A listing of all appeal procedures

Disciplinary Sanctions

The potential sanctions and remedies may include, but are not limited to, the following:

1. Support services that may include no contact orders, academic accommodations, health and mental health services, disability services, confidential counseling, or training.
2. Verbal or written warnings
3. Altered schedules to eliminate interaction opportunities
4. Exclusions from certain school activities
5. Access to recorded class sessions in lieu of live participation
6. Suspension or expulsion

Appeal Procedures

Within thirty days of receiving the final determination, any party may appeal the final determination regarding responsibility based on the following:

1. Procedural irregularity that affected the outcome,
2. New evidence that was not reasonably available at the time the determination of responsibility was made and the new evidence could affect the outcome, or
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the outcome.

Upon receipt of a written appeal request, the Title IX Coordinator shall:

1. Notify all parties in writing;
2. Provide all parties the opportunity to submit a written statement in support of opposition of the appeal;
3. Identify a new, impartial decision-maker to review the original and any newly submitted evidence; and
4. Issue a written decision to all parties within twenty school days.

Informal Resolution

Once a Formal Complaint is filed the School may choose to offer and facilitate information resolution options. These may include mediation or restorative justice. Both parties must provide voluntary, informed written consent to proceed with informal resolution. At any time during the informal resolution, either party may choose to withdraw from informal resolution.

The School will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of Formal Complaints of sexual harassment. At any time

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prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Informal resolution cannot be used if the Complainant is a student and the Respondent is an employee.

Retaliation

Retaliation (intimidating, threatening, coercing, or discriminating) against an individual for filing a complaint or cooperating or refusing to cooperate in an investigation or hearing is prohibited.

Charging an individual with code of conduct violations that do not involve sexual harassment, but arise out of the same facts or circumstances as a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.

Complaints alleging retaliation may be filed according to th

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

Time Frames

The time frames in these procedures are included to provide reasonable promptness. Unless otherwise prohibited by law or regulations, the School will make allowance for short-term, good cause delays or extensions of the time frames.

Confidentiality

The School will keep confidential the identity of Complainants, Respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

Training

The School will ensure that the applicable Title IX personnel will be trained on the definition of sexual harassment, the scope of the S investigation and grievance process including hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.