

NORTHWOOD ACADEMY CHARTER SCHOOL

Title IX Sexual Harassment Policy

Adopted: September 2020

Northwood Academy Charter School provides an equal opportunity for all students to achieve their maximum potential through the programs and activities offered in the schools regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity, gender expression, ancestry, pregnancy, marital status, disability or national origin/ethnicity.

Title IX, a federal law, and its accompanying regulations under Title IX prohibit sexual harassment, defined as unlawful discrimination on the basis of sex. Such discrimination is known as “Title IX sexual harassment.”

Northwood Academy Charter School recognizes the needs of its students to learn in a safe and welcoming environment. Northwood is committed to maintaining a safe, positive learning environment for all students that is free from discrimination by providing all students course offerings, counseling, assistance, services, athletics and extracurricular activities without any form of discrimination, including Title IX sexual harassment as such discrimination is inconsistent with the rights of students and does not align with Northwood’s mission, vision and goals within our educational environment – in our classrooms and in our programs. Thus, such discrimination is prohibited at or, in the course of, Northwood-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

Title IX violations are prohibited and may result in disciplinary consequences under Northwood Academy Charter School’s Board of Trustees policies and procedures. It is unlawful to engage in any act of retaliation or knowingly providing false information related to reports of Title IX violations, which may also implicate disciplinary consequences per applicable Board policies and procedures.

Inquiries regarding the application of Title IX to Northwood Academy Charter School should be directed to Northwood Academy Charter School’s Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Notice: Northwood Academy Charter School does not discriminate in any manner, including Title IX sexual harassment, in any Charter School education program or activity.

Reporting:

In terms of reporting, Northwood Academy Charter School delineates the following:

Students and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the School's Chief Executive Officer, even if some elements of the related incident took place or originated off of Northwood's premises, school-sponsored activities or transportation to and from School.

A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may also file a report of discrimination.

The student's parents/guardians or any other person with knowledge of conduct that implicates Title IX sexual harassment, other discrimination or retaliation is encouraged to immediately report such matters to the Chief Executive Officer.

A school employee who suspects or is notified that a student has been subject to conduct that implicates Title IX sexual harassment, other discrimination or retaliation constitutes in violation of this policy shall immediately report the incident to the Chief Executive Officer, as well as properly making the required reports as a Mandated Reporter and any other reports required by law.

If the Chief Executive Officer is the subject of the complaint, the student, third party or a reporting employee shall report the incident directly to the Title IX Coordinator.

Northwood Academy Charter School encourages the complainant or the individual making the report in writing. However, verbal reports of an incident or incidents will also be accepted and documented.

The Chief Executive Officer shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The

Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed under the Discrimination Complaint process or if the reported circumstances meet the definition of Title IX sexual harassment is subject to other School policies.

When a report is made that alleges Title IX sexual harassment, the School may not impose discipline until the completion of the process. Northwood Academy Charter School must presume that the Respondent is not responsible for the alleged conduct until a determination has been made at the completion of the process for formal complaints.

If there is an immediate threat to the physical health or safety of an individual, and remote/ alternative settings are not appropriate, immediate removal may occur; however, the procedures, which include due process, for suspension and expulsion will occur for the removal of a student. Those students with disabilities will be provided with the requisite protections under state and federal law.

When an emergency removal is not required, the School will issue discipline, if such course is determined in the course of the Title IX process for formal complaints. After the conclusion of the process, the School will issue a written determination and provide information regarding the appeal process. If a discipline sanction is being recommended, it will be delineated in the written determination or appeal decision and implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability when applicable.

Confidentiality:

The confidentiality of all parties, witnesses, allegations, including the filing of a report, the investigation will be accordance with applicable law and policy.

Retaliation:

Northwood Academy Charter School prohibits retaliation by the School or any other person against any person engaging in the Title IX process, including complainants, witnesses and/or other participants in the Title IX process.

Northwood Academy Charter School, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred.

Definitions:

Discrimination means treating individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, or handicap/disability.

Harassment is a form of discrimination based on the protected classifications race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, or handicap/disability and consists of the use of unwelcome conduct which can include written or electronic means and/or verbal or nonverbal acts.

Examples of harassment can include, but is not limited to: offensive jokes, slurs, name-calling, mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

Supportive Measures are services, such as counseling, offered as appropriate, as reasonably available. Supportive measures are available to the complainant as well as the respondent and are available before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are provided free to charge. Such measures should assist restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including

measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment.

Examples of supportive measures are counseling; modifications of work or class schedule; restrictions on contact between the parties; monitoring on school premises or school-supported activities or conveyances; referral to domestic violence or rape crisis programs.

Title IX Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

1. Conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct that a reasonable person would deem as so severe, pervasive and objectively offensive that it effectively denies equal access to the School's education program or activity.
3. Sexual assault, dating violence, domestic violence or stalking.

Such conduct must have taken place during the School's education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the School exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of the School's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Title IX Coordinator:

The School designates: Principal Cindy Carey as the School's Title IX Coordinator and Compliance Officer.

Contact information: ccarey@northwoodcs.org or 215.289.5606

The Title IX Coordinator/Compliance Officer shall ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the School's nondiscrimination procedures including training, review of educational materials, information for the School community on resources for complainants, the school complaint procedure, the Title IX

procedures, including but not limited to making reports to the police, referrals for available supportive measures, and review of School programs.

The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker(s), or any individual which has responsibility related to Title IX sexual harassment complaint process shall receive the training on Title IX, the investigation process, evidence and application of standard of proof and how to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.

Disciplinary Consequences:

A student who is determined to be responsible for Title IX violation shall be subject to appropriate disciplinary action in accordance with the Student Code of Conduct and may include, depending on the infraction and the relevant Student Code of Conduct provision, may include expulsion.

Employees who violate this policy are subject to disciplinary actions, which may include dismissal and referral to law enforcement.