Title IX

Aurora Academy Charter School is dedicated to creating a safe learning and working environment for all students and employees. Our school plays a critical role in ensuring Aurora Academy complies with Title IX.

Aurora Academy Charter School Title IX Designees:

Olive May (Assistant Principal) Franky Wade (Assistant Principal) Amy Tracy (Principal) Christine Smith (Counselor) Board of Directors Coordinator Investigator Decision Maker Informal Resolution Facilitator Appeals Panel

Definition:

The Department of Education defines sexual harassment to include sexual assault, dating violence, domestic violence, and stalking, as unlawful discrimination on the basis of sex. It is required that the definition is used as it was developed by the Office of Civil Rights.

- Sexual Harassment means conduct on the basis of sex that satisfies one of the following:
 - an Employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
 - Unwelcome conduct determined by a Reasonable Person to be so severe, pervasive, and offensive that it effectively denies a person equal access to the recipient's Education Program or Activity
 - Under the Clery Act-Violence Against Women Act, sexual assault, violence, domestic violence or stalking.
- These reference to Employee/Employee, Employee/Student, and Student/Student allegations of sexual harassment and discrimination.
- These reference to the empowering of survivors to make decisions about how a school responds to incidents of sexual harassment. Additionally, requires schools to offer survivors supportive measures. Aurora Academy Charter School is responsible for ensuring that supportive measures are offered to the Complainant and Respondent that are reviewed throughout the process and resolution.

Procedures:

- Procedures after a report is made by someone other than the Complainant.
 - Coordinator responds promptly and confidentially to contact the Complainant.
 - Discussion includes: availability of supportive measures
 - Consideration of Supportive Measures
 - Informs Complainant that all supports are available regardless of a formal complaint being made.
 - Explains the process for filing a formal complaint.
 - It is not mandatory for a Complainant to file a formal complaint.

- The Coordinator completes the Exhibit 1 form for each actual knowledge report.
- Procedures for a formal complaint.
 - Any person may report sexual harassment at any time in person, via mail, email, or phone.
 - The report must include:
 - Nature of the violation
 - Names of the person(s) responsible. (If known)
 - Relevant background information
 - A complaint may be signed by a complainant, the guardian of the complainant, or the coordinator.
 - The complainant must be participating in, or attempting to participate in, the school's academic or activity program as either a student or employee.
 - The Coordinator must provide the Complainant and Respondent with Supportive Measures.
 - The Complainant will complete the Exhibit 2 form. The form is not required to file a complaint.
 - Once a report is submitted the Complainant and Respondent will have the opportunity to present witnesses and other evidence to the Investigator.
 - Evidence must be provided within 21 days of the written formal complaint.
 - The Investigator will meet with each party and give them 24 hours' advance written notice of the date, time, location and purpose of the meeting.
 - Both parties will be given the opportunity to review all evidence directly related to the allegations of the formal complaint.
 - The Decision Maker will review the complete investigative report and allow limited follow up questions by both parties.
 - A decision will be made no sooner than 10 days after the distribution of the investigative report.
 - The decision will be based on facts.
 - Written Decision will include;
 - A statement of allegations, summary of the process including notes, finding of facts, conclusion, a statement of rationale, and a statement of the appeal process/bases for appeal.
- Alternative Dispute Resolution
 - If a formal complaint is filed and does not concern the alleged harassment of a student by a school employee.
 - The parties may voluntarily agree in writing to an alternative or informal resolution.
 - Informal resolution may include but are not limited to;
 - Restorative justice
 - Mediation
 - Fact finding

- Arbitration
- Written agreement by all parties without objection by the Coordinator is binding by its terms.
 - The Coordinator may disapprove of alternative dispute resolution for certain complaints.
- The matter may return to formal investigation if the informal resolution is unsuccessful.

Appeals Framework

The Decision Maker, upon receiving a notice of appeal, shall provide a notice to both Parties that the appeal has been filed and that each Party has five calendar days to file a brief written statement supporting or challenging the outcome. The Decision Maker shall initiate the formation of an Appeals Panel (Board of Directors). The Appeals Panel shall be provided copies of the notice of appeal, statements of the parties challenging or supporting the decision appealed, the formal complaining and, as appropriate, either the summary dismissal or the investigative report and determination of responsibility. Either Party may attach other documents produced during the process to their statement supporting or challenging the outcome. The Appeals Panel shall provide a written decision describing the appeal and the rationale for its decision simultaneously to the Parties. If the Appeals Pane is evenly divided on the proper outcome to the appeal the summary dismissal or determination of responsibility shall be upheld.

Resources

For more information regarding Title IX or the information provided here please contact a school administrator. Information can also be found at <u>Colorado Department of Education Title IX</u>.