

Title IX Sexual Harassment

Section A: Foundation and Basic Commitments

Policy Title: Title IX Sexual Harassment

Purpose

Title IX of the Federal Education Amendments Act protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Academy of Tucson does not discriminate on the basis of sex and is required by Title IX not to discriminate in such a manner. Academy of Tucson adheres to all conditions established by Title IX by recognizing the right of every student who attends school at Academy of Tucson and every employee who works for Academy of Tucson to do so without the fear of sexual harassment.

Definition: Title IX Sexual Harassment

Academy of Tucson accepts and shall employ the definition of sexual harassment as established by the Title IX regulations. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of Academy of Tucson conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Academy of Tucson's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Academy of Tucson also accepts and shall employ the definition of a complainant as an individual who is alleged to be the victim of conduct that could constitute sexual

harassment, and a respondent as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Academy of Tucson Title IX Coordinator

Academy of Tucson shall designate and authorize an employee as the "Academy of Tucson Title IX Coordinator" to comply with its responsibilities pertaining to sexual harassment under Title IX. Inquiries about the application of Title IX may be referred to Academy of Tucson's Title IX Coordinator.

Reporting Procedures

Any person may report sex discrimination, including sexual harassment, regardless of whether the person reporting is the person alleged to be the victim of the reported conduct or not. A report may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for Academy of Tucson's Title IX Coordinator, or by any other means that results in Academy of Tucson's Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for Academy of Tucson's Title IX Coordinator in Regulation ACAA-R. Academy of Tucson shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with Academy of Tucson, of the name or title, office address, electronic mail address, and telephone number of Academy of Tucson's Title IX Coordinator.

Investigation Procedures

Academy of Tucson will respond promptly when any school employee has notice of sexual harassment. Upon receipt of notice of sexual harassment, Academy of Tucson shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding

collective bargaining or professional agreements with Academy of Tucson, of Academy of Tucson's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how Academy of Tucson shall respond. Academy of Tucson is committed to investigating each formal complaint submitted and to taking appropriate action on all confirmed violations of policy. Academy of Tucson shall follow grievance procedures that provide for the prompt and equitable resolution of complaints from students and employees alleging sexual harassment.

Confidentiality

Academy of Tucson shall, to the extent reasonably feasible, keep confidential the identity of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as is necessary to carry out the grievance process and as may otherwise be permitted by law.

Title IX sexual harassment complaints may include violations covered by Arizona's mandatory reporting statute, A.R.S. §13-3620. Any abuses classified by statute as "reportable offenses" must be reported as such to the authorities because not reporting a reportable offense is classified as a Class 6 Felony.

Retaliation Prohibited

Neither Academy of Tucson nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has in good faith made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination or a report or formal

complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

The Superintendent shall establish procedures to ensure monitoring and compliance with this policy.

ADOPTED: August 25, 2020