



TITLE IX POLICY ON SEXUAL HARASSMENT, DISCRIMINATION, AND MISCONDUCT

Introduction

Lake Forest Charter School (LFC) community, guests, and visitors have the right to be free from all forms of sex/gender harassment, discrimination, and misconduct, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All LFC community members are expected to conduct themselves in a manner that does not infringe upon the rights of others. LFC believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

Title IX Investigations Procedures:

LFC does not discriminate on the basis of sex in its educational programs and activities, curricular and extracurricular, and, accordingly, all staff, teachers, employees, and students abide by the requirements of Title IX of the Education Amendment of 1972 and its implementing regulations. Title IX regulations apply to athletic programs and to safeguard the rights of students in a wide range of educational settings by requiring LFC to promptly address such conduct when it occurs on campus or in connection with any educational program or activity within the United States.

Sexual misconduct in its many forms involving students is explicitly prohibited, whether such conduct occurs on or off-campus, during, or after school hours, during or directly related to school-sponsored activities, or at a time and/or place directly related to school functions or an employee's school-related duties. The policy also applies to LFC staff and employees. It is the intent of LFC to maintain an environment free from sexual misconduct including

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sexual assault, sexual harassment of any kind, relationship violence, non-consensual sexual conduct, dating violence, stalking, and child sexual abuse. This policy commands that no student shall be subjected to sexual assault or sexual harassment by other students or LFC staff or employees or third parties such as vendor(s) or visitor(s).

This policy shall be enforced and the accompanying procedures shall be implemented regardless of whether a complaint has been filed with or an investigation has been instituted by any law enforcement agency.

Questions regarding Title IX may be referred to the U.S. Department of Education, Office of Civil Rights (OCR), or to LFC's Title IX Coordinator: Bernell St. Cyr (contact information: (504) 826-7140 and bstcyr@lakeforestcharter.org). LFC has also identified the following individuals as its Title IX personnel: Ms. Christa Watson (contact information: (504) 826-7140 and cwatson@lakeforestcharter.org) or Wyane Colbert (contact information: (504) 826-7140 or wcolbert@lakeforestcharter.org).

LFC shall require any complaint or witness of any student (or adult) engaging in sexual harassment reported to any LFC staff or employee to be immediately reported to the Title IX Coordinator. The Title IX Coordinator is responsible for having the complaint investigated by the Title IX investigators and may assist in the same. The right to confidentiality, both of the Complainant and Respondent shall be respected. Mr. Bernell St. Cyr shall serve as the Decision-Maker and review all evidence and materials gathered and presented by the Title IX Personnel and Investigators.

If the act or acts involve possible criminal conduct, the appropriate police authorities should be notified. A substantiated charge against a student or employee shall subject that individual to disciplinary action, including suspension or expulsion (or termination of school staff/employee), consistent with the provisions of this Handbook.

If the victim of the alleged sexual harassment is a minor student and if the alleged harassment falls within the definition of abuse as found below, then all school employees with knowledge shall be considered mandatory reporters and the allegations must be reported to child protection or law enforcement as provided by state law. Such reporting must be made in addition to any procedures for handling sexual harassment complaints.

Definition

Under the revised Final Rule of the U.S. Department of Education - Title IX sexual harassment now includes any of three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect: any instance of Quid Pro Quo harassment by a school's employee; any unwelcome conduct that a

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reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

Examples include, but not limited to:

1. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
 - Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, of promotion, or of a student's education; or
 - Submission to or rejection of such conduct or communication is used as a factor in decisions affecting an individual's employment or promotion or a student's education including any aid, benefits, services or treatment; or
 - Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or education, or creating an intimidating, hostile, or offensive working or education environment.
2. Verbal harassment or abuse; uninvited letters, telephone calls, or materials of a sexual nature; inappropriate and uninvited leaning over, cornering, patting or pinching; uninvited sexually suggestive looks or gestures; intentional brushing against a student's or an employee's body; uninvited pressure for dates; demanding sexual favors accompanied by implied or overt threats concerning an individual's employment, promotion, or educational status; uninvited sexual teasing, jokes, remarks, or questions; demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment, promotion or educational status; any sexually motivated unwelcome touching; or attempted or actual rape or sexual assault or battery.

Violations

Students and employees are encouraged and expected to immediately report.

A report or complaint (verbal or written) of an alleged violation of this policy must be sufficiently clear and explicit so that it can be recognized as a legitimate report of sexual misconduct or harassment or retaliation. This means that the report or complaint must, at a

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minimum, include: (1) a description of an alleged act of sexual misconduct or harassment or retaliatory conduct, including the date, time, and place it allegedly occurred; (2) identity of the alleged victim; (3) identity of the alleged harasser; and (4) identity of the reporting person.

Non-Retaliation

Retaliation against any employee or student who brings sexual harassment charges or who assists in investigating such charges shall be prohibited. Any employee or student bringing a sexual harassment complaint or assisting in the investigation of such a complaint will not be adversely affected, discriminated against, or punished because of the complaint.

LFC uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. Resolution proceedings, legal terms like "guilt, "innocence" and "burdens of proof" are not applicable, but LFC never assumes a responding party is in violation of this policy. Resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

Appeal Procedure:

Each party has a right to appeal the final written decision and findings of the Decision-Maker. Specifically, both parties have the right to appeal from a determination regarding responsibility, and from LFC's dismissal of a formal complaint or any allegations therein, on the following bases: procedural irregularity that affected the outcome of the matter, newly

discovered evidence that could affect the outcome of the matter, and/or Title IX personnel had a conflict of interest or bias, that affected the outcome of the matter. All appeals should be sent in writing to the Founding Chief Executive Officer ("CEO") of LFC at nearly@lakeforestcharter.org. All decisions made by the Founding CEO are final.