

*The school's Director or Supervisor of Special Education must be notified any time a student with an IEP is secluded or physically restrained.*

## **TITLE IX INVESTIGATION**

Title IX of the Educational Amendments of 1972 prohibits sex discrimination in any education program or activity receiving federal financial assistance.

Lafayette Academy Charter School Lower Elementary does not discriminate on the basis of sex in its education programs and activities, curricular and extracurricular and accordingly, all staff, teachers, employees, and schools abide by the requirements of Title IX of the Education Amendments 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 Lafayette Academy Charter School Lower Elementary to address such conduct if it occurs on campus or in connection with any educational or extracurricular program.

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 function or an employee's school related duties.

### ***Definition***

Sexual harassment shall include, but not be limited to, unwelcomed 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 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 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 educational environment.

*Sexual harassment may include but is not limited to:*

- • Verbal harassment or abuse;
- • Uninvited letters, phone calls, or materials of a sexual nature;
- • Inappropriate and uninvited leaning over, cornering, patting or pinching;
- • Uninvited sexual suggestive looks or gestures;
- • Intentional brushing against a student's or 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 sexual motivated unwelcomed touching; or
- Attempted or actual rape or sexual assault.

### ***Violation***

Students and employees are encouraged and expected to immediately report. A report or complaint 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 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 victim; (3) identity of the alleged harasser; and (4) the identity of 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.

We share a common interest in resolving school-related complaints, problems or misunderstandings. Unless your concern involves harassment, discrimination, or retaliation prohibited by our non-discrimination policy, we encourage you to attempt to first informally resolve rising concerns directly with the staff member involved. If you feel a more formal process is necessary to resolve your concern we have instituted a more formal process.