



## **Statement on Sexual Harassment and Discrimination on the Basis of Sex in Violation of Title IX of the Education Amendments Act of 1972**

La Academia Partnership Charter School prohibits discrimination on the basis of sex in its education programs or activities and is required by Title IX of the Education Amendments Act of 1972, found at 20 U.S.C. 1681, not to discriminate in such a manner. Sexual harassment constitutes discrimination on the basis of sex. La Academia Partnership Charter School also prohibits discrimination on the basis of sexual orientation, pregnancy, race, color, national origin, religion, creed, disability, or any other characteristic protected by law.

The Board of School Directors have established a grievance procedure for complaints alleging discrimination on the basis of sex. The U.S. Department of Education published federal regulations on May 6, 2020 that require the District to update multiple policies and handbooks and to train certain personnel on the updated policies.

This statement is being issued to document the District's good faith effort at compliance with the new regulatory requirements in spite of the monumental operational and logistical burdens caused by the COVID-19 global health emergency. This statement also serves to provide members of the school community with information about how the District will respond to reports and complaints of sexual harassment. Despite the pandemic, the District remains committed to cultivating a school community free from discrimination on the basis of sex.

The current non-discrimination policies and any other policies related to the new regulatory requirements are under review for the purpose of incorporating the new regulatory requirements. The District's policymaking process is compliant with Pennsylvania Law. In the interim, reports and complaints of sexual harassment will be addressed as described below.

For reports and complaints alleging sexual harassment occurring on or after August 14, 2020, the response process described in this document will apply. For all other complaints of discriminatory conduct, the published grievance procedure applies.

### **Making a Report or Complaint Alleging Sexual Harassment**

**The Title IX Coordinator is Tommy Henley.** The Title IX Coordinator can be contacted by email at [thenley@lapcs.org](mailto:thenley@lapcs.org) or by phone at 773-706-8406. The Title IX Coordinator's office is located at 30 North Ann Street, Lancaster, PA 17602.

Reports of sexual harassment can be made verbally (over the phone or in-person) or in writing (using email, by submitting a written statement, or by mailing a written statement).

Anyone may report sexual harassment, including victims, by-standers, families, or members of the school community. The District recommends directing reports to the Title IX Coordinator. All school employees are required to promptly report suspected sexual harassment directly to the Title IX Coordinator.



The reporter's identity will be kept confidential to the extent that the District can respond to the report in a way that is not deliberately indifferent while also maintaining that confidentiality. Retaliation is prohibited. Making false reports is prohibited. Discipline under applicable Board policies will be pursued for engaging in prohibited conduct.

#### Responding to a Report

The Title IX Coordinator will promptly contact the individual reported to have experienced sexual harassment (referred to as "the Complainant"). The Title IX Coordinator must offer supportive measures to a person alleged to have experienced sexual harassment to help restore or preserve that person's equal access to education. The Title IX Coordinator will explain options and next steps to a Complainant.

Unless confidentiality impairs the District's ability to implement supportive measures, the Complainant's identity will be kept confidential.

#### Making a Formal Complaint of Sexual Harassment

A formal complaint must be filed in order to seek a full investigation into alleged sexual harassment, to obtain remedies, or for the school to impose disciplinary or non-disciplinary sanctions when a person has been found responsible for violating this prohibition on sexual harassment.

An individual alleged to have experienced sexual harassment, or that person's legal guardian, signs and files the formal complaint. The Title IX Coordinator must file a formal complaint of sexual harassment when the District's response to the alleged conduct must include a full investigation and adjudication.

Except when an emergency situation arising from allegations of sexual harassment occurs and posing an immediate threat to physical health or safety occurs, discipline is prohibited until after a Title IX decision-maker finds an individual responsible for conduct that constitutes sexual harassment. Employees accused of sexual harassment may be placed on administrative leave pending an investigation.

#### Response to a Formal Complaint of Sexual Harassment

Unless prohibited by law, the District will respond to formal complaints of sexual harassment with an investigation and adjudication process that complies with the new Title IX regulations. While participation in the investigation and adjudication is strongly encouraged, no person will be forced to participate.

In the event that an individual seeks to file a formal complaint, the Title IX Coordinator will provide written information describing the investigation and adjudication process. After the filing of a formal complaint, the Title IX Coordinator will provide both parties with a written notice describing the investigation and adjudication process.

The written notice of the allegations will be provided to both the Complainant and the person who is alleged to have committed sexual harassment (referred to as "the Respondent") simultaneously, but the Title IX Coordinator will provide enough time for the Respondent to prepare a response and secure an



advisor before conducting an initial investigatory interview or directing an assigned investigator to conduct an initial investigatory interview.

Both the Complainant and Respondent are entitled to an advisor. The advisor may be, but is not required to be, an attorney.

### Training

Materials used for training specified personnel on the implementation of the updated policy will be made available on the District's website.

Questions related to this statement of nondiscrimination and interim conduct policy may be directed to the Title IX Coordinator or the U.S. Department of Education's Office for Civil Rights.

Best,

Tommy Henley, Principal / Chief Executive Officer

Dr. Aida Ceara, Board President