



## SHADY SIDE ACADEMY

### TITLE IX COMPLIANCE POLICIES

#### **I. STATEMENT: Notice of Non-Discrimination**

Shady Side Academy, as an educational institution and as an employer, does not discriminate on the basis of disability, race, color, religion, national origin, ancestry, genetic information, marital status, familial status, sex, age, sexual orientation, veteran status or gender identity and expression in its programs and activities. The Academy does not tolerate discrimination, harassment or retaliation on these bases and takes steps to ensure that students, employees, and third parties are not subject to a hostile environment in Academy programs or activities.

The Academy responds promptly and equitably to allegations of discrimination, harassment, and retaliation. It promptly conducts investigations and takes appropriate action, including disciplinary action, against individuals found to have violated its policies, as well as provides appropriate remedies to complainants and the campus community. The Academy is committed to taking prompt action to end a hostile environment if one has been created, prevent its recurrence, and remedy the effects of any hostile environment on affected members of the campus community.

For further information on the Academy's Nondiscrimination Policy or to report suspected discrimination, please contact any member of the **Title IX Coordination Team** or any school counselor, school nurse or head of school.

TITLE IX COORDINATION TEAM				
Name	Title	Office	Phone	Email
Katharine Fredriksen	Chief Financial & Operations Officer; <b>Title IX Compliance Officer</b>	Bayard House 2 <sup>nd</sup> Floor	412-968-3034	<a href="mailto:kfredriksen@shadysideacademy.org">kfredriksen@shadysideacademy.org</a>
Lillian Grate	Director of Equity, Inclusion & Community Relations	Rowe Hall 1 <sup>st</sup> Floor	412-447-2213	<a href="mailto:lgrate@shadysideacademy.org">lgrate@shadysideacademy.org</a>
Debi Mauder	Director of Administration & Planning	Bayard House 1 <sup>st</sup> Floor	412-968-3060	<a href="mailto:dmauder@shadysideacademy.org">dmauder@shadysideacademy.org</a>

## **II. POLICY: Harassment in the Workplace**

### **Sexual Harassment**

Sexual harassment as well as gender-based discrimination is illegal and contrary to the mission, policy, and Guiding Principles of Shady Side Academy. The Academy strives to foster a work environment free of sexual harassment, gender-based discrimination, intimidation, and insult. Sexual or gender-based harassment is a form of misconduct that undermines both personal and professional relationships in the workplace. It creates unacceptable stress for the entire organization, adversely affecting morale, demeans the individual so treated, and could cause potentially devastating costs to the Academy. The Academy believes that courteous, mutually respectful, pleasant, non-coercive interactions among employees will best serve the well-being of each individual and the Academy.

This policy applies to all Shady Side Academy programs and activities whether on- or off-campus as well as to behaviors and interactions away from the Academy that have a significant impact on an employee's work experience.

The Academy prohibits any employee from making unwelcome and unsolicited sexual advances; making unwelcome, offensive, or inappropriate comments regarding an employee's gender; or engaging in other verbal or physical conduct of a sexual or gender-offensive nature, when an individual's submission to that conduct is made explicitly or implicitly a term or condition of that individual's employment; when an individual's submission to that conduct is made explicitly or implicitly a basis of assignment, advancement or other employment decisions; or when that conduct has the purpose or effect of unreasonably interfering with work or creating an intimidating, hostile, or offensive working environment.

Sexual harassment includes but is not necessarily limited to:

- Unwelcome or unwanted sexual advances.
- Requests or demands for sexual favors.
- Verbal abuse, kidding, or physical contact that is sexually oriented and considered unacceptable by the target of the abuse.
- Any type of sexually oriented conduct that interferes with another's work performance.
- Sexually oriented conversations or activities that create a work environment that is intimidating, hostile, or offensive to any staff member.
- Verbal abuse, kidding, remarks or comments that intimidate, ridicule, and maliciously demean an individual's gender.

### **Reporting**

If an employee believes that they have been sexually harassed or offended by another employee, a supervisor or management person, a student or any other person whom the employee encounters in the course of employment (whether the opposite or same sex), or if an employee observes suspected sexual harassment, the employee should report their concerns to the Title IX Coordination Team. The employee may also, if they prefer, report their concerns to their direct supervisor, division head or to any of the four school counselors, who will facilitate a report to the Title IX Coordination Team.

### Retaliation

Shady Side Academy does not tolerate any retaliation, adverse job action or intimidation directed toward anyone who makes a complaint in good faith or who participates in an investigation of a complaint. This applies to personnel who make statements in good faith, even if they misperceived or misunderstood a statement or event, but it does not protect personnel who abuse this policy by knowingly making false or misleading statements in a report, in response to a report or otherwise in the course of investigation.

### Initial Inquiry

Once a report of sexual harassment is made, an initial inquiry will be conducted. The initial inquiry typically includes interviews with the complainant and the respondent (i.e. the accused) and may also include other interviews or review of evidence. In cases where the respondent is a student, the Deans' office and the respondent's parents will also be included in this process. The Title IX Coordination Team will consider several factors including the nature and severity of the behavior, any apparent pattern of behavior, and the wishes of the complainant and the respondent and determine whether to move forward with an informal resolution process or a formal investigation.

### Informal Resolution

The informal process is a way to bring resolution to a complaint through awareness, education and/or facilitated discussion. The Title IX Coordination Team will coordinate this process, which may include meetings with the complainant, respondent, supervisor, counselors and others as appropriate.

### Investigation

If the initial inquiry determines that an informal resolution is insufficient to the situation, the Title IX Coordination Team will conduct an investigation to include witness interviews and review of other evidence. The function of the investigation is to determine whether the Policy has been violated and/or to recommend an appropriate consequence.

A range of circumstances will be considered in determining whether behavior deemed offensive by an individual constitutes sexual discrimination or harassment. The Academy's response will be based on the nature, frequency, intensity, location, context and duration of the alleged offensive conduct.

### Consequences

Violations of this policy, whether intended or not, will not be tolerated. When an investigation has determined there was a violation of this policy, a combination of discipline and, if necessary and appropriate, counseling will be initiated as quickly as possible. Disciplinary response will be determined according to the severity of the violation, up to and including dismissal from the Academy.

### Appeal

After an investigation, either party is entitled to a formal appeal. The appeal stage occurs after investigating body has rendered a decision. The formal appeal, composed and signed by the complainant or respondent, must be received in writing by the Chief Financial & Operations

Officer within two school days of the decision.

In cases where the initial decision was rendered by an individual or body other than the Title IX Coordination Team, that body will serve as the Appeal Board. In cases where the initial decision was rendered by the Title IX Coordination Team, the Chief Financial & Operations Officer, in consultation with the President, will appoint an appropriate Appeal Board.

The written appeal **must contain new information pertinent to the investigation**. The Appeal Board will meet to review the appeal and can, at their discretion, consult with or interview individuals they feel will help them in their review of the decision. Within two school days of receiving the appeal letter, the Appeal Board will respond to the appeal request. The Appeal Board can modify the original decision in any way. The decision of the Appeal Board is final.

### Other Harassment

Not all harassment is sexual. Shady Side Academy also prohibits verbal or physical harassment of any person because of their race, color, ancestry, religion, gender identity or presentation, pregnancy, sexual orientation, protected age, national origin, citizenship, disability or other reason, where such conduct is unwelcome and sufficiently severe or pervasive to unreasonably interfere with an individual's work performance or create an intimidating, hostile or offensive working environment. Such conduct is unacceptable and should be reported in a similar manner as sexual harassment. Investigation of and response to such reports will also follow the procedure as outlined above for sexual harassment, as will the appeal process.

Shady Side Academy prohibits unwelcome and offensive conduct of the following types:

- Name-calling, slurs, ridicule, insults or threatening, intimidating or hostile communications or acts made or directed to or about anyone;
- Jokes, stereotyping comments, cartoons, pictures, emails, internet materials or objects that denigrate or insult members of a protected class;
- Verbal or physical assaults and intimidating statements, actions or gestures directed at anyone.

These are just some examples of prohibited conduct. Do not engage in such conduct. If you do, you will risk losing your position or job and may incur legal liability.

### **III. POLICY: Employee Grievance**

Employees who have a job-related complaint, such as the interpretation or execution of any existing policies or rules of Shady Side Academy or concerning those local, state and federal laws to which the Academy is subject, may submit a written description of the problem to their immediate supervisor. In the case of a complaint against the immediate supervisor, the written description of the problem should be submitted your respective Head of School or to the Chief Financial & Operations Officer. A copy of this document may be given to any other party to the grievance, including the subject of the complaint.

If the complaint involves, or may involve, sexual discrimination of any kind including sexual harassment, sexual violence, or discrimination based on sex or gender identity or expression, the Title IX Coordination Team [see below] will address the complaint. For other matters, the receiving administrator, in consultation with others as appropriate, will handle the initial inquiry directly or appoint a small group of appropriate parties as a Review Board.

The initial inquiry typically includes interviews with the complainant and the respondent (i.e. the accused) and may also include other interviews or review of evidence. The investigating administrator or body will consider several factors including the nature and severity of the behavior, any apparent pattern of behavior, and the wishes of the complainant and respondent, and determine whether to move forward with an informal resolution process or a formal investigation.

#### Informal Resolution

The informal process is a way to bring resolution to a complaint through awareness, education and/or facilitated discussion. This process may include meetings with the complainant, respondent, coworkers, supervisors, counselors and others as appropriate, as well as educational opportunities and/or social, emotional, or professional support as needed. Disciplinary consequences may also result from this process.

#### Investigation

The investigating body will conduct an investigation to include witness interviews and review of other evidence. The function of the investigation is to determine whether policy has been violated and/or to recommend an appropriate consequence.

#### Appeal

After an investigation, either party is entitled to a formal appeal. The appeal stage occurs after investigating body has rendered a decision. The formal appeal, composed and signed by the complainant or respondent, must be received in writing by the Chief Financial & Operations Officer within two school days of the decision.

In cases where the initial decision was NOT determined by the Title IX Coordination Team, that body will serve as the Appeal Board. In cases where the initial decision was determined by the Title IX Coordination Team, the Chief Financial & Operations Officer, in consultation with the President, will appoint an appropriate Appeal Board.

The written appeal **must contain new information pertinent to the investigation**. The Appeal Board will meet to review the appeal and can, at their discretion, consult with or interview individuals they feel will help them in their review of the decision. Within two school days of receiving the appeal letter, the Appeal Board will respond to the appeal request. The Appeal Board can modify the original decision in any way. The decision of the Appeal Board is final.