

Sexual Harassment under Title IX

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- ✓ Understand student protections under Title IX
- ✓ Understand your role and responsibility in sexual harassment complaints and investigations
- ✓ Understand the process of sexual harassment notification



- Overview of Title IX
- Roles and Responsibilities of Title IX
- Staff and Student Notification
 - Student to Student
 - Staff to Student
- Investigation Process
- Campus staff notifications and communications
- Confidentiality

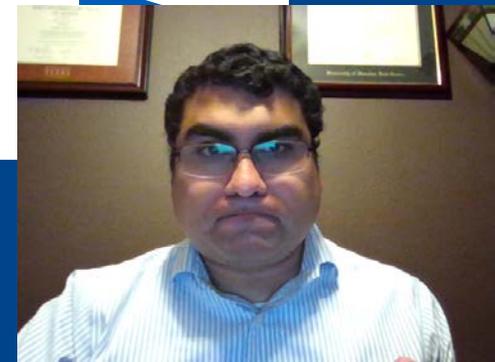


Overview

- Title IX - Legislation that lays out protections and protocols for students that have been a victim of sexual harassment
- Significant changes to YES's obligations when responding to reports of sexual harassment
 - The Department of Education will hold YES accountable for failing to respond equitably and promptly to incidents of sexual misconduct.



- Sexual harassment is *now* defined to include:
 - A school employee saying they will only help, teach, or serve the student only if the student participates in unwelcome sexual conduct;
 - Unwelcome conduct that a reasonable person thinks is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the YES's educational program or activities; or
 - Sexual assault, dating violence, domestic violence, or stalking as those terms are defined in federal law.



YES Prep Sexual Harassment Student Policy

Sexual harassment of students is defined as welcome or unwelcomed sexual advances, welcomed or unwelcomed requests for sexual favors, and other welcomed or unwelcomed verbal or physical conduct of a sexual nature when involving persons of a different sex or persons of the same sex.

The following interactions or communications with students will be considered sexual harassment of students:

- Making sexually demeaning comments to a student;*
- Making comments about a student's potential sexual performance;*
- Requesting details of a student's sexual history;*
- Engaging in conversations regarding the sexual problems, preferences, or fantasies of either party.*



YES is required to respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment.

IMPORTANT

THE MOMENT ANY SCHOOL OFFICIAL FINDS OUT OF THE POTENTIAL OF SEXUAL HARRASMENT, THE STATUTE IS TRIGGERED AND OUR OBLIGATIONS ARE TRIGGERED



Campus Roles and Responsibilities

Student to Student Report

- Title IX Coordinator
 - Secondary: DSS
 - Elementary: AP

Student Reporting on Staff Member

- Title IX Coordinator
 - Principal



Home Office Roles and Responsibilities

Student to Student Report

- Title IX Coordinator: Bina Dao

Amir Roohi oversees all compliance

Student Reporting on Staff Member

- Title IX Coordinator: Sarah Adda

Amir Roohi oversees compliance



Student Report of a Student Protocol

1. Students (or families) report incidents by:
 - Emailing an incident report (to the AP, DSS or DOS)
 - Filling out a SAF
 - Calling and reporting (to the AP/DSS)
 - *Students will learn reporting options during Student Orientation lessons*
2. If a report is received by a DOS or SSC (via incident report or SAF), the DOS/SSC must report the incident immediately to the AP/DSS as the Title IX Coordinator
3. AP/DSS informs Principal of the concern
4. AP/DSS ensures concern is logged via SAF in Purple

Students may also end up sharing information with a confidant that is not a Principal, AP, DSS, DOS, or even SSC. If that is case, **the employee should immediately report this to the AP/DSS.**

***Next Steps – Campus ensures their staff know next steps when students share sexual harassment references or behavior they have experienced.**



Student Report of a Student Protocol

Student Investigation

- AP/DSS completes the investigation per YP protocols
- AP/DSS follows discipline protocol and Code of Conduct as appropriate
- AP/DSS creates safety and support plans as appropriate
- AP/DSS closes case in Purple



Student Report of Staff Member Protocol

When an incident comes forward, below is the progress of next steps...

1. Student reports via incident report to the DSS/AP or SAF
 2. DSS/AP immediately informs the Principal
 3. Principal will report incident to Sarah Adda to determine what next steps need to happen
- Students may also end up sharing information with a confidant that is not a Principal, DSS, AP, DOS, or even SSC. If that is case, **the employee should immediately report this to the DSS/AP and/or Principal** and follow/continue the steps above.

***Next Steps – Principal and/or DSS/AP ensures campus staff know next steps when students share sexual harassment references or behavior they have experienced**



Student Report of Staff Member Protocol

Staff Investigation

When a report, allegation, or complaint is made, Principals will be working quickly with Talent (Sarah Adda) to quickly determine what happened, who is involved, why did it happen, and whether it can be resolved.

While all of these details may not be answered from the initial report/allegation/complaint, we will gather necessary details to provide accurate decision-making when determining whether to launch a **formal investigation under the YES Prep's Investigations Framework.**



Student Report of Staff Member Protocol

Scenario

A student let's Teacher Robert know during after-school tutorials that they've felt uncomfortable around another Teacher on campus. When Teacher Robert asks the student a follow-up question, they find out this other Teacher has made comments on this student's appearance that suggests sexual interest.

What should happen next?



Confidentiality and Retaliation

YES must keep confidential the identity of complainants, respondents, and witnesses, except as permitted by FERPA, as required by law, or as necessary to carry out Title IX proceedings.

Retaliation (including actions related to a report or investigation of sexual harassment for the purpose of interfering with any right or privilege secured by Title IX) is PROHIBITED.

Complaints alleging retaliation may be filed according



Coordinator Contact Accessibility

YES must notify students, employees, applicants for admission and employment, and parents or legal guardians of students of the name or title, office address, e-mail address, and telephone number of the Title IX Coordinator(s).

Reports may be made in person, by mail, by telephone, or by e-mail, or by any other means that result in the Title IX Coordinator receiving the person's written or verbal report.

Reports may be made at any time, **including non-business hours**, by using the Title IX Coordinator's listed telephone number or e-mail address.



NEXT STEPS

- Complete this session survey to confirm completion of training
- Make sure all campus staff are aware of who to go to if they receive an allegation/notice of sexual harassment
- Follow reporting structures if incidents occur on your campus
- If you have additional questions, reach out to Amir Roohi

