



Book	ECS Board Policies
Section	Community
Title	TITLE IX NON-DISCRIMINATION/ SEXUAL HARASSMENT
Code	
Status	Active
Adopted	September 10, 2019
Last Revised	August 10, 2021
Last Reviewed	August 8, 2023
Prior Revised Dates	8/11/2020

## **TITLE IX OVERVIEW**

Each student and employee has a right to learn and work in an environment that is free from unlawful discrimination. No Excelsior Charter Schools (“Excelsior”) student or employee shall be excluded from participation in, be denied the benefits of, or be subject to discrimination on the basis of actual or perceived sex, sexual orientation, gender, or gender identity or expression.

Title IX of the Educational Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in education. Title IX prohibits discrimination, harassment, exclusion, denial, limitation or separation based on sex or gender. Title IX applies to both male and female students in any educational institution receiving federal funding.

California Education Code Sections 200 through 282 and Excelsior Policy prohibit discrimination on the basis of sex, sexual orientation or gender. Title IX requires that every school or institution have a Title IX Bullying Coordinator to whom concerns or complaints regarding sex discrimination can be made.

## **Complaint Process**

- Students or parents/guardians should report their verbal or written Title IX complaint to the school administrator or Title IX Coordinator within six months from the date the incident occurred. This will begin the informal investigation process which must be completed within 60 days. Complainants have a right to a timely and informal resolution at the school site.
- If the complainant is dissatisfied with the school decision, an appeal of the findings may be made to the California Department of Education - Office of Equal Opportunity.

## **Where Can Students/Parents Obtain Further Information or Assistance?**

- At Your School: Speak to the Administration or Title IX Coordinator using the contact information shown below.

<p>For inquiries about Excelsior policies and procedures related to sexual harassment, including how to file a sexual harassment complaint contact:</p> <p>Name: <b>Jamie Lowe</b>  <b>Asst. Superintendent Student Services</b>  Phone: (760) 245-4262  Mail Address: 15505 Civic Dr,  Victorville CA 92392  Email: <a href="mailto:jamiel@excelsior.com">jamiel@excelsior.com</a></p>	<p>For inquiries or complaints related to employee-to-employee, student-to-employee, or work/employment related discrimination or harassment, contact:</p> <p>Name: <b>Jamie Lowe</b>  <b>Asst. Superintendent Student Services</b>  Phone: (760) 245-4262  Mail Address: 15505 Civic Dr,  Victorville CA 92392  Email: <a href="mailto:jamiel@excelsior.com">jamiel@excelsior.com</a></p>
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## YOUR RIGHTS AND RESPONSIBILITIES UNDER TITLE IX

1. You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
2. You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities and athletics offered by Excelsior.
3. You have the right to inquire of the athletic director or other appropriate Excelsior administrator as to the athletic opportunities offered by Excelsior.
4. You have the right to apply for athletic scholarships, if applicable.
5. You have the right to receive equitable treatment and benefits in the provision of all the following:
  - a. Equipment and supplies.
  - b. Scheduling of games and practices.
  - c. Transportation and daily allowances.
  - d. Access to tutoring.
  - e. Coaching.
  - f. Locker rooms.
  - g. Practice and competitive facilities.
  - h. Medical and training facilities and services.
  - a. Publicity
6. You have the right to have access to our Title IX Coordinator regarding gender equity laws. Please see above for this Coordinator's contact information.
7. You have the right to file a confidential discrimination complaint with the United States Office for Civil Rights or California Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex. See below for more information regarding how to file a complaint.
8. You have the right to pursue civil remedies if you have been discriminated against.
9. You have the right to be protected against retaliation if you file a discrimination complaint.

You can find out more information regarding your rights, Excelsior' responsibilities, and access information on gender equity laws from the following resources:

<p>California Interscholastic Federation:  <a href="http://www.cifstate.org/governance/equity/index">http://www.cifstate.org/governance/equity/index</a></p>
<p>California Department of Education, Office for Equal Opportunity:  <a href="http://www.cde.ca.gov/re/di/eo/dutytoprotect.asp">http://www.cde.ca.gov/re/di/eo/dutytoprotect.asp</a></p>
<p>United States Department of Education, Office for Civil Rights:  <a href="https://www2.ed.gov/about/offices/list/ocr/frontpage/pro-students/sex-pr.html">https://www2.ed.gov/about/offices/list/ocr/frontpage/pro-students/sex-pr.html</a></p>

## HOW TO FILE A COMPLAINT UNDER TITLE IX

1. You can find additional information regarding how to file a complaint as follows:

The United States Office for Civil Rights website: <a href="https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt">https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt</a>
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California Department of Education website: <a href="http://www.cde.ca.gov/re/di/eo/complaint.asp">http://www.cde.ca.gov/re/di/eo/complaint.asp</a>
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Global Education Collaborative's Uniform Complaint Procedures ("UCP") or Title IX Policy. Please contact the Title IX Coordinator or school office manager for a complete copy of these policies.

1. A complaint regarding discrimination or harassment based on sex must ordinarily be filed with the U.S. Office for Civil Rights within 180 days of the last act of discrimination. If your complaint involves matters that occurred longer than this and you are requesting a waiver, you will be asked to show good cause why you did not file your complaint within the 180-day period. If you have questions about your situation, you can contact the California branch of the Office for Civil Rights at the address listed below. A complaint filed with Global Education Collaborative schools under our UCP alleging unlawful discrimination, harassment, intimidation or bullying must be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying.
2. The U.S. Office for Civil Rights has its own policies and procedures for investigating complaints. Please review the above link for more information about this process. A complaint filed with Excelsior under our UCP or Title IX Policy will be investigated in compliance with those policies.
3. There are a variety of ways to file your complaint. You can use the U.S. Office for Civil Rights electronic complaint form filed directly through their website; or mail, email, or send by facsimile your own letter or a completed copy of the Office for Civil Rights Discrimination Complaint Form.

The electronic complaint form is available at: <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

You can send a completed version of this form or your own letter via email, facsimile, or regular mail to the following addresses:

San Francisco Office, Office for Civil Rights, U.S. Department of Education  
50 United Nations Plaza, Mail Box 1200, Room 1545  
San Francisco, CA 94102  
Telephone: 415-486-5555; FAX: 415-486-5570; TDD: 800-877-8339  
Email: [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov) or [ocr@ed.gov](mailto:ocr@ed.gov)

## SEXUAL HARASSMENT POLICY

Excelsior Charter Schools ("Excelsior") is committed to providing a working and learning environment free from sexual harassment. Excelsior prohibits sexual harassment of or by employees, students, or persons doing business with or for Excelsior on the basis of actual or perceived sex, sexual orientation, gender, gender identity or gender expression. Failure to follow this policy is a violation of state and federal law.

Sexual harassment is defined by California Education Code §212.5 as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.

- The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Upon witnessing an act of discrimination, harassment, intimidation and/or bullying based on actual or perceived characteristics of a protected category (as enumerated above), school personnel are required to take immediate steps to intervene when it is safe to do so. Reporting such conduct to an administrator or Title IX Coordinator can be an appropriate intervention. Once a school or office has notice of discriminatory, harassing, intimidating or bullying conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred. School personnel are to take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created, and prevent the conduct from occurring again. These steps should be taken whether or not an individual makes a complaint or asks the school or office to take action. This policy applies to all acts related to school activity or school attendance within any school or office under the jurisdiction of Excelsior.

Any student or employee of Excelsior who believes that she or he has been a victim of sexual harassment should bring the problem to the attention of the school-site administrator or the school's Title IX Coordinator so that appropriate action may be taken to resolve the problem. Excelsior prohibits retaliatory behavior against anyone who files a sexual harassment complaint or any participant in the complaint investigation process. Complaints must be promptly investigated in a way that respects the privacy of the parties concerned.

**For inquiries about Excelsior policies and procedures related to sexual harassment, including how to file a sexual harassment complaint contact:**

Name: **Jamie Lowe**

**Asst. Superintendent Student Services**

Phone: (760) 245-4262

Mail Address: 15505 Civic Dr,  
Victorville CA 92392

Email: [jamiel@excelsior.com](mailto:jamiel@excelsior.com)

**For inquiries or complaints related to employee-to-employee, student-to-employee, or work/employment related discrimination or harassment, contact:**

Name: Jamie Lowe, Asst. Superintendent Student Services

Phone: (760) 245-4262

Mailing Address: 15505 Civic Dr, Victorville CA 92392

Email: [jamiel@excelsior.com](mailto:jamiel@excelsior.com)

## **NON-DISCRIMINATION STATEMENT**

Excelsior Charter Schools ("Excelsior") is committed to providing a working and learning environment free from discrimination, harassment, intimidation and bullying. Excelsior prohibits discrimination, harassment, intimidation and bullying based on the actual or perceived characteristics set forth in Penal Code § 422.5, Education Code § 220 and actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity it conducts or to which it provides significant assistance.

Discrimination is different treatment on the basis of a protected category in the context of an educational program or activity without a legitimate nondiscriminatory reason and interferes with or limits the individual's ability to participate in or benefit from the services, activities, or privileges provided by Excelsior.

Harassment occurs when: (1) the target is subjected to unwelcome conduct related to a protected category; (2) the harassment is both subjectively offensive to the target and would be offensive to a reasonable person of the same age and characteristics under the same circumstances; and (3) the harassment is sufficiently severe, pervasive, or

persistent so as to interfere with or limit an individual's ability to participate in or benefit from the services, activities, or opportunities offered by Excelsior.

Upon witnessing an act of discrimination, harassment, intimidation and/or bullying based on actual or perceived characteristics of a protected category (as enumerated above), school personnel are required to take immediate steps to intervene when it is safe to do so. Once a school or office has notice of discriminatory, harassing, intimidating or bullying conduct, whether carried out by employees, students, or third parties, it should take immediate and appropriate steps to investigate or otherwise determine what occurred and take prompt and effective steps reasonably calculated to end the conduct, eliminate a hostile environment, if one has been created and prevent the conduct from occurring again. These steps should be taken whether or not an individual makes a complaint or asks the school or office to take action.

This nondiscrimination policy applies to all acts related to school activity or school attendance within any school or office under the jurisdiction of Excelsior.

**For inquiries or complaints related to discrimination, harassment, intimidation and bullying of students based on the actual or perceived characteristics listed above, contact your school's administrator or the school's Title IX Coordinator:**

Name: **Jamie Lowe**

Asst. Superintendent Student Services

Phone: (760) 245-4262

Mail Address: 15505 Civic Dr,  
Victorville CA 92392

Email: [jamiel@excelsior.com](mailto:jamiel@excelsior.com)

**For inquiries or complaints related to employee-to-employee, student-to-employee, or work/employment related discrimination, harassment, or intimidation, contact your school administrator or the school's Title IX Coordinator:**

Name: Jamie Lowe, Asst. Superintendent Student Services

Phone: (760) 245-4262

Mailing Address: 15505 Civic Dr., Victorville CA 92392

Email: [jamiel@excelsior.com](mailto:jamiel@excelsior.com)

[Title IX Discrimination Complaint Form.pdf \(177 KB\)](#)