



**TCA Staff
Mandatory
Training—
Discrimination
and Harassment**

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Staff Interactions

To make TCA a safe and enjoyable place to work, employees are expected to treat one another with courtesy and respect.

"Titans love, respect and protect one another."

--Titans Creed

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TCA Nondiscrimination Statement



The Classical Academy is committed to a policy of nondiscrimination in relation to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, family composition, national origin, religion, ancestry, or need for special education services, or any other legally protected class status. Discrimination against staff members for age, genetic information, marital status, and conditions related to pregnancy is protected by state and/or federal law and will not be tolerated. Respect for the dignity and worth of each individual shall be paramount.

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What Constitutes Discrimination?

"Discrimination" generally occurs when a student, staff member, or community member is denied or limited in the ability to participate in or benefit from the school's services, activities, or opportunities on the basis of their protected class. Discrimination also occurs when the school fails or refuses to hire a staff member, discharges a staff member, or otherwise treats a staff member differently with respect to compensation, terms, conditions, privileges, opportunities, or status on the basis of their protected class. Harassment of a student, staff member, or community member is a form of discrimination.

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Definitions Related to Discrimination



- "Race" includes hair texture, hair type, or a protective hairstyle such as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps, that is commonly or historically associated with race.
- "Sexual Orientation" means an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction.
- "Gender Expression" means an individual's way of reflecting and expressing the individual's gender to the outside world, typically demonstrated through appearance, dress, and behavior.
- "Gender Identity" means an individual's innate sense of the individual's own genders, which may or may not correspond with the individual's sex assigned at birth.

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Impact Matters More Than Intent

- Intent is what you meant to do, but impact is what actually happened. When the two conflict, it is our responsibility to own the outcome.
- Good intentions do not erase the negative impact of discriminatory words or actions.
- It is possible to unintentionally cause harm. When addressing discrimination, prioritizing the impacted person's experience over our own intentions is how we show respect.

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What Constitutes Harassment?

"Harassment" is generally any unwelcome physical or verbal conduct, or any written, graphic, or visual communication directed at a student, staff member, applicant, or member of the public based on their protected class that is objectively offensive to a reasonable individual who is a member of the same protected class, that also:

- **For a student,** it is either made a term or condition of access to educational services, is used or threatened to be used as a basis for educational decisions affecting the student, interferes with a student's ability to participate in the school's educational services, or creates an intimidating, hostile, or offensive educational environment.
- **For a staff member or an applicant,** it is subjectively offensive to the individual alleging harassment, is made a term or condition of employment, is used as a basis for employment decisions affecting the individual, unreasonably interferes with the individual's work performance, or creates an intimidating, hostile, or offensive working environment.
- **For a member of the community,** it is subjectively offensive to the individual alleging harassment and unreasonably interferes with a community member's ability to participate in the school's services, activities, or opportunities.

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Harassment Depends on a Totality of Circumstances

Whether conduct constitutes harassment depends on a number of factors, including, but not limited to:

- The type, frequency, and duration of the conduct;
- The number of individuals involved and their relationships;
- The age and education level of individuals involved;
- The location and context in which the conduct occurred;
- Whether the conduct is threatening or any real or perceived power differential exists;
- Any use of stereotypes, epithets, slurs, or degrading conduct or communication;
- Whether the conduct includes an act of physical violence; and
- The effect on the Complainant's education or employment, if applicable.

Examples include but are not limited to singling out a person, inappropriate jokes, offensive language, physical acts of aggression against a person or property, or hostile acts.

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Sexual Harassment Prohibited Policy GBAA-TCA

Unwelcome sexual advances, requests for sexual favors, or other unwelcome physical or verbal conduct or communication of a sexual nature constitutes sexual harassment if, under the totality of the circumstances:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment, advancement, or educational development.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment, advancement, demotion, or educational decisions affecting an individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile, or offensive working or educational environment.

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Sexual Harassment

- The prohibition against sexual harassment applies whether the harassment is between people of the same or different gender.
- Gender-based harassment is unwelcome conduct based on a person's sex, or harassing conduct based on a person's failure to conform to sex stereotypes.

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Examples of Sexual Harassment

1. Sex-oriented verbal "kidding", abuse, or harassment
2. Pressure for sexual activity
3. Repeated remarks to a person with sexual, threatening, or demanding implications
4. Unwelcome written material, posters, drawings, letters, notes, or other graphic writing
5. Unwelcome touching, such as patting, pinching, hitting, or repeated, intentional brushing against another person's body
6. Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, employment status, or similar personal concerns
7. Sexual violence

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Examples of Sexual Violence

Sexual violence is a form of sexual harassment that may include, but is not limited to:

1. Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent
2. Rape
3. Sexual assault
4. Sexual battery
5. Sexual abuse
6. Sexual coercion

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How to Make a Report

- Reports should be made to a staff member's immediate supervisor, Compliance Officers/ Title IX Coordinators Cheri Birkey or David White and/or Director of HR Marta Schulz.
- Reports may be written or verbal.
- TCA cannot address situations unless they are reported.
- Usually the earlier situations are reported, the better.

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Who to Contact

• CHERI BIRKEY COMPLIANCE OFFICER/ TITLE IX COORDINATOR NORTH CAMPUS 3452 CBIRKEY3@TCAATTANS.ORG (719) 488-6209	• DAVID WHITE COMPLIANCE OFFICER/ TITLE IX COORDINATOR NORTH CAMPUS 3453 DWHITE3@TCAATTANS.ORG (719) 488-6220	• MARTA SCHULZ DIRECTOR OF HUMAN RESOURCES NORTH CAMPUS 3460 MSCHULZ@TCAATTANS.ORG (719) 488-6337
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How TCA Addresses Reports

- TCA is obligated to investigate all reports of discrimination or harassment.



- The Principal or appropriate supervisor together with the Compliance Officers/Title IX Coordinators, must promptly investigate and respond appropriately to the report of an incident.

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Informal vs. Formal

- Discrimination reports may be addressed in either an informal or formal resolution process. See policies for details.
- Any party may request formal action at any time.
- An informal resolution process may not be used to process sexual harassment reports involving a staff member.

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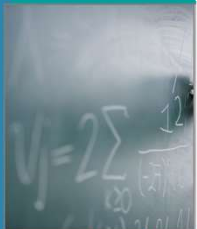
Formal Title IX Appeal Process

- Appeals are only permitted for formal Title IX complaints.
- There are three grounds for an appeal of a Title IX complaint: procedural irregularity, new evidence has become available, or conflict of interest or bias.
- Either party may appeal a written determination or dismissal of a sexual harassment complaint, within ten (10) working days using AC-TCA-F2 Discrimination and Harassment President Level Appeal Form.

Policy AC-TCA-R3

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Consequences



- All staff must understand that there are consequences for actions associated with discrimination or harassment.
- Depending on the severity of the incident, staff found not in compliance with TCA's nondiscrimination policies can anticipate a consequence.

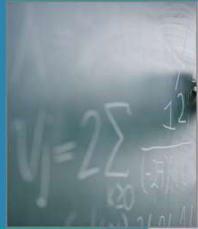
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Consequences (con't)

- Severity is measured as to whether the harassment was directed at a specific person, the number of times it was done, if the person stopped when asked to stop, if it was done in front of others, if students were involved, if it was done during an academic class or school activity, if it was done by a person in authority (e.g., teacher to student), or if it impeded educational or work opportunity for all.
- Consequences may include a variety of disciplinary actions up to and including termination of employment.

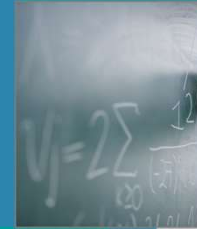
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Consequences — False Reporting

Staff members who knowingly make false reports of discrimination shall be subject to appropriate disciplinary action by TCA and may be subject to civil or criminal legal proceedings.

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Consequences — Retaliation

It is prohibited to retaliate against anyone who reports discrimination or participates in any related proceedings, including witnesses. TCA shall take appropriate action against anyone who retaliates. Retaliation is classified as a distinct and direct form of discrimination.

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TCA Nondiscrimination Policies

Policy AC-TCA	Policy AC-TCA-R2	Policy AC-TCA-R3	The policies are available on the TCA website and in the staff handbook.
Nondiscrimination and Equal Opportunity	Discrimination and Harassment Investigation Procedures for Staff Members	Title IX Sexual Harassment Grievance Procedures	



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TCA Mandatory Staff Training

This completes the mandatory annual staff training requirement for:
DISCRIMINATION AND HARASSMENT

If you have questions, or need clarifications on any of the topics covered here, please contact:

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