



Einstein Charter Schools empowers all students to achieve financial well-being and embrace the power of choice through equitable educational experiences.

EINSTEIN CHARTER SCHOOLS TITLE IX POLICY AND PROCEDURES

Einstein Charter Schools does not discriminate on the basis of sex in its education programs and activities and, accordingly, requires its staff, teachers, employees and students to abide by the requirements of Title IX of the Educational Amendments of 1972 and its implementing regulations. Sexual harassment is a form of sex discrimination and is explicitly prohibited, whether such conduct occurs on or off campus during or after school hours during or directly related to school-sponsored activities, or at a time and/or place directly related to school functions or an employee's school-related duties. It is the intent of Einstein Charter Schools to maintain an environment free from sexual assault and sexual harassment of any kind; therefore, this policy commands that no student shall be subjected to sexual misconduct, sexual assault or sexual harassment by other students or Einstein Charter Schools staff or employees. This policy shall be enforced and the accompanying procedures shall be implemented regardless of whether a complaint has been filed with or an investigation has been instituted by any law enforcement agency.

Sexual harassment occurs when: education benefits are conditioned upon participation in unwelcome sexual conduct (i.e., Quid Pro Quo); unwelcome conduct occurs that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; and/or sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

Title IX requires Einstein Charter Schools to take steps to prevent and remedy all forms of sexual harassment. Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Title IX also prohibits gender-based harassment, which is unwelcome conduct based on a student's sex, or harassing conduct based on a student's failure to conform to sex stereotypes.

Sex-based harassment can be carried out by school employees, other students, and third parties. All students can experience sex-based harassment, including male and female students, LGBTQ students, students with disabilities, and students of different races, national origins, and ages. Title IX protects all students from sex-based harassment, regardless of the sex of the parties, including when they are members of the same sex.



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Sex-based harassment creates a hostile environment if the conduct is sufficiently serious that it denies or limits a student’s ability to participate in or benefit from the school’s program. When a school knows or reasonably should know of possible sex-based harassment, it must take immediate and appropriate steps to investigate or otherwise determine what occurred. If an investigation reveals that the harassment created a hostile environment, the school must take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.

Questions regarding Title IX may be referred to the U. S. Department of Education, Office of Civil of Civil Rights (OCR) or to Einstein Charter Schools’ email: my_tran@einsteincharterschools.org.

Einstein Charter Schools’ Title IX Personnel consist of the following individuals:

Position	Name	Email	Phone
Title IX Coordinator	My T. Tran	my_tran@einsteincharterschools.org	504.202.1372
Title IX Investigator	Nakeveya Anthony	nakeveya_anthony@einsteincharterschools.org	504.503.0109
Title IX Decision-Maker	Shimon Ancker-Pierce	shimon_ancker@einsteincharterschools.org	504.503.0109
Title IX Appeal	Tara Johnson	tara_johnson@einsteincharterschools.org	504.503.0109

DEFINITION OF SEXUAL HARASSMENT

1. Sexual assault or sexual harassment is unwelcome conduct of a sexual nature.
2. Sexual harassment may include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when at least one (1) of the following occurs:
 - a. Submission to such conduct is made, either implicitly or explicitly, a term or condition of the student’s grades, academic status, or progress or is used to deprive the student of access to the educational opportunities and benefits provided by the Einstein Charter Schools.
 - b. Submission to or rejection of such conduct is used as the basis for academic or other school-related decisions affecting the student.
 - c. Such conduct of a sexual nature is sufficiently severe, persistent, or pervasive and has the purpose or effect of unreasonably interfering with the student’s academic performance or of creating an intimidating, hostile, or offensive educational environment for the student.



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3. Extended Definition of Sexual Harassment which may include but is not limited to:

- Verbal harassment or abuse;
- Uninvited letters, telephone calls, or materials of sexual nature;
- Uninvited or inappropriate leaning over, cornering, patting or pinching;
- Uninvited sexually suggestive looks or gestures;
- Intentional brushing against a student's or school employee's body;
- Uninvited pressure for dates;
- Uninvited sexual teasing, jokes, remarks or questions;
- Any sexually motivated unwelcome touching;
- Any conduct resulting in an intimidating, hostile or offensive educational environment; or
- Attempted or actual rape or sexual assault or sexual battery.

NO RETALIATION

Retaliation of any nature against any student or teacher, staff, or employee who makes a report or complaint or who participates in any investigation under this policy is a serious violation of Einstein Charter Schools' sexual harassment policy. Such retaliation is considered an act of sexual discrimination itself; therefore, reports and complaints of such retaliation are handled in the same manner as those of sexual harassment. A reference to "sexual harassment" in this policy and the related procedures shall also include retaliation. As such, retaliation against any employee or student who brings sexual harassment charges or who assists in investigating such charges shall be prohibited. Any employee or student bringing a sexual harassment complaint or assisting in the investigation of such a complaint will not be adversely affected, discriminated against or punished because of the complaint.

VIOLATIONS

1. Students and employees are encouraged and expected to immediately report incidences of alleged sexual discrimination or harassment and/or retaliation in accordance with these regulations and procedures.
2. All alleged violations of this policy shall be handled seriously and according to these regulations and procedures.
3. Discipline/Consequences.
 - a. Any student who is determined to have engaged in a sexual assault, sexual discrimination or harassment or retaliation against another individual in violation of this policy may be subject to disciplinary action, up to and including expulsion.
 - b. Any employee who is determined to have permitted, engaged in, or failed to report sexual assault, sexual harassment or retaliation in violation of this policy and the related procedures may be subject to disciplinary action, up to and including termination.



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ENFORCEMENT

Each Principal, staff member, and teacher has the responsibility of taking such reasonable steps necessary and practicable to maintain a work environment and educational environment free of sexual assault and sexual discrimination or harassment. Such steps shall include implementation of the following:

1. All teachers, other staff members, and all employees shall cooperate, as needed, in any formal and informal investigations instituted under this policy. The Title IX Investigator is responsible to investigate any report of sexual discrimination or harassment involving student on student in coordination with the Title IX Coordinator. Reports involving an employee shall also be immediately reported to the Title IX Coordinator.
2. All principals, administrators and staff in charge of discipline of students shall, in accordance with policy and law, take such disciplinary action against any student found to be in violation of the sexual harassment policy as may be appropriate under the circumstances.
3. Within the first week of school each school year, the Title IX Coordinator through each Principal or Building Site coordinator shall ensure that an in-service program addressing the sexual harassment policy and procedures is provided for all teachers, staff and employees.
4. During orientation at the beginning of each school year or at the time of a new student's enrollment, the Principal of the school shall ensure that instruction about sexual harassment, Einstein Charter Schools policy, and its procedures are provided to students.
5. Teachers, counselors, and administrators shall instruct students on the sexual assault, dating violence, or sexual harassment report and complaint procedures within the educational setting on an as-needed basis.
6. The Title IX Coordinator shall ensure that the sexual assault, dating violence, or sexual harassment policy and procedures are provided to all students, parents, and employees by:
 - a. Including a restatement of the policy and procedures in the student handbook;
 - b. Posting an age-appropriate restatement of the policy against sexual assault and sexual harassment, the report and complaint procedures, and notice of the Title IX Coordinator at visible and accessible sites for students, for parents, and for employees;
 - c. Making a copy of the complete policy and procedures available on request for students, parents, and employees at the school office and the central office; and
 - d. Maintaining the policy and procedures on Einstein Charter Schools' website.

TITLE IX COORDINATOR FOR EINSTEIN CHARTER SCHOOLS

Name: My Tran

Title: Director of Human Resources

Phone: 504-202-1372

Email: my_tran@einsteincharterschools.org

APPEAL OF TITLE IX FINDING

Any appeal or grievance related to a Title IX Investigation shall be sent in writing to Einstein Charter Schools CEO, Tara Johnson, at the following address: 4801 Maid Marion Drive, New Orleans, LA 70128 and emailed to: tara_johnson@einsteincharterschools.org.

In reviewing the decision, the CEO may uphold, modify, or reverse the decision of the Title IX Coordinator; however, the CEO of Einstein Charter Schools' review of the Title IX Investigation findings is final.