

# **Challenge Charter School Title IX Grievance Procedure**

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex, including Gender-Based and Sexual Harassment discrimination, in educational programs and activities that receive federal financial assistance. This procedure has been developed to ensure compliance with Title IX and the resolution of complaints of sex discrimination or harassment in a prompt and equitable manner. Challenge Charter School (“CHALLENGE”) is committed to maintaining an educational and working environment free of sex discrimination and encourages any individual who believes he or she has been subjected to discrimination on the basis of sex to utilize this procedure.

## **I. Title IX Coordinator**

The name and contact information for the current CHALLENGE Title IX Coordinator is listed in the Parent/Student Handbook and on the Challenge Charter School Website. The Title IX Coordinator can also be reached by contacting the Challenge’s Front Office:

Front Office  
5801 W. Greenbriar Dr., Glendale, AZ 85308

## **II. Definitions**

- A. Complainant: Complainant means a student or employee of CHALLENGE who initiates an informal resolution process or submits a Grievance relevant to Title IX, or an individual or group submitting a Grievance on behalf of a student(s) or employee(s).
- B. Corrective Action: Corrective Action means action which is taken by CHALLENGE to eliminate or modify any policy, procedure or practice found to be in violation of Title IX, and/or to provide redress to any grievant injured by the identified violation.
- C. Gender-Based Harassment: Gender-Based Harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping.
- D. Grievance: Grievance means a complaint alleging any action, policy, procedure, or practice that would be prohibited by Title IX.
- E. 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 prohibited by Title IX.

- F. Title IX: Title IX means Title IX of the Education Amendments of 1972, its implementing regulations, and any memoranda, directives, guidelines, or subsequent legislation that may be issued or enacted.

### **III. Informal Resolution**

A Complainant has the option of attempting an informal resolution of sex discrimination or harassment concerns by bringing these concerns to the attention of the Title IX Coordinator. A Complainant does not need to initiate informal resolution as a prerequisite to filing a formal Grievance. As part of the informal resolution process, the Title IX Coordinator may engage in interviews and other fact finding. Available methods of informal resolution include counseling, advice, targeted training, and mediation. The Title IX Coordinator has the discretion to decline informal resolution for some serious complaints, including complaints of sexual violence, and instead require their formal investigation. If the Complainant is not satisfied with the informal resolution of the complaint, he or she may also file a formal Grievance.

### **IV. Formal Grievances**

Any student or employee, or any individual or group acting on behalf of a student or employee, can initiate the formal Grievance process by submitting a written Grievance with the Title IX Coordinator. Complainants may utilize the Title IX Grievance Report Form; regardless of whether the Form is used, a Grievance must include the nature of alleged violation; names of persons responsible for alleged violation (when known), and any other relevant background information. The Complainant may also provide requested relief or suggested Corrective Action to resolve the Grievance. The Complainant can obtain assistance from the Title IX Coordinator to submit a Grievance upon request. A formal written Grievance must be filed within 60 days of the occurrence of the alleged Title IX violation.

Upon receiving a written Grievance, the Title IX Coordinator will first assess the Grievance and shall dismiss any Grievance that is frivolous on its face or otherwise without merit. The Title IX Coordinator will then conduct a formal investigation of the allegations of any Grievance that is not summarily dismissed, which may include witness interviews, review of relevant documents, and consultation with other staff members as necessary. Both the Complainant and the alleged offender will have the opportunity to present witnesses and other evidence to the Title IX Coordinator. At any time during the investigation, the Title IX Coordinator may recommend interim protections or remedies for the Complainant.

Upon conclusion of the investigation, the Title IX Coordinator will issue a determination that indicates whether there was a violation, based upon a preponderance of the evidence (i.e. whether it is more likely than not that the violation occurred). The Complainant and the alleged offender will be notified of the determination. If the Title IX Coordinator determines a violation did occur, the Title IX Coordinator will take appropriate Corrective Action to bring CHALLENGE into compliance with Title IX, safeguard against recurrence of any sex

discrimination or harassment, and remedy any discriminatory effects on the Complainant and others, as appropriate. These measures may include training, counseling, and/or a referral to disciplinary procedures. The Title IX Coordinator will resolve all Grievances within 60 days.

#### **V. Appeal**

Within 10 days of receipt of the written determination on the Grievance, either the Complainant or the alleged offender may file a written appeal with the [title of Challenge's head officer: Principal?]. The Principal may review the Title IX's Coordinator's determination and any additional information the parties wish to present before making a decision on the appeal. The Principal will decide the appeal within 60 days of its receipt.

#### **VI. Retaliation**

Title IX prohibits retaliation for reporting or participating in an investigation of a report regarding sex discrimination or harassment. No person shall be retaliated against by CHALLENGE in any way or subjected to discharge, suspension, discipline, harassment, or any form of discrimination for having used or helped others use this Grievance process.

#### **VII. Confidentiality**

A Complainant may request of the Title IX Coordinator that a report of sex discrimination or harassment be kept confidential or a Grievance not be investigated. The Title IX Coordinator will consider all requests for confidentiality, but ultimately must take all necessary steps to respond to the report or Grievance in accordance with the requirements of Title IX. CHALLENGE may also have an obligation to report certain complaints to law enforcement.