

Mastery Charter Schools Title IX Notice and Complaint Procedures

I. Notice of Non-Discrimination

1. Mastery Charter Schools ("Mastery"), as set forth in Title IX of the Education Amendments Act of 1972 and its corresponding regulations ("Title IX"), does not discriminate on the basis of sex in its education programs and activities.
2. All questions regarding Title IX and its implementation within Mastery Schools may be referred to Mastery's Title IX Coordinator. The Title IX Coordinator ("Coordinator") for all Mastery Schools is Michael Patron, Senior Director of Compliance. Mr. Patron may be contacted at:
5700 Wayne Avenue, Philadelphia, PA 19144
267-671-2888
michael.patron@masterycharter.org

II. Authority

1. Title IX requires that Mastery maintains an environment for students and employees that is free from unlawful sex discrimination in all aspects of the educational experience, including academics, extracurricular activities, and athletics.
2. The Mastery Charter Schools Board of Trustees ("Board") directs that complaints of sex discrimination shall be investigated promptly, and corrective actions be taken when allegations are substantiated.

III. Definitions

1. **Sexual Violence:** Physical sexual acts perpetrated against a person's will or where a person is unable to give consent because of the person's age, intellectual disability, or due to the use of drugs or alcohol.
2. **Sexual Harassment:** Sexual assault or unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it denies a person access to the school's education program or activity.
3. **Hostile Sexual Environment:** When the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the education programs or activities, or to create a hostile or abusive educational environment.

IV. Title IX Complaint Procedure

1. This complaint procedure applies to all complaints of sex discrimination, sexual violence, or sexual harassment filed by students or on their behalf alleging sexual misconduct carried out by employees, other students, or third parties.
2. **Step 1- Reporting**
 - a. Students, parents and employees may file Title IX Complaints with Mastery's Title IX Coordinator.

- b. If a student reports an act of sexual violence or harassment to an employee of Mastery who is not the Title IX Coordinator, that employee will inform the Title IX Coordinator of the alleged act of sexual violence or sexual harassment.
- c. A student who reports an act of sexual violence or harassment will be informed that they have the right to request confidentiality which the school's Title IX Coordinator or other appropriate school official will consider.

3. **Step 2 - Investigation**

a. Investigations of Title IX Complaints.

- i. In investigating a complaint, The Coordinator will determine:
 - 1. Whether the misconduct occurred; and
 - 2. If the misconduct did occur, the Coordinator will recommend action to end the sexual violence and, if it exists, eliminate the hostile environment, and prevent recurrence. This may include:
 - a. Imposing sanctions on the perpetrator;
 - b. Providing remedies for the complainant and the broader student population.
- ii. The investigation will consider the age and maturity of students when responding to allegations of sexual harassment.
- iii. The Investigation will be adequate, reliable, impartial, prompt, and allow both parties to present witnesses and other evidence.
- iv. If one party is permitted to have an attorney or advisor present at any stage of the investigation, the other party will be allowed the same right.
- v. If one party is permitted to submit third party expert testimony, the other party will have the same right.

b. Interim Measures That Will be Taken to Protect a Student Who Alleges That They Have Been the Victim of Sexual Violence or Sexual Harassment:

- i. Before the Coordinator completes his investigation into an allegation of sexual violence, steps will be taken to protect the alleged victim from the alleged perpetrator and from illegal retaliation.
- ii. The school administration will ensure that the alleged victim continues to have equal access to Mastery's educational programs and activities during the investigation

c. Title IX Prohibits Retaliation:

- i. The school administration will protect any student or person who reports an act of sexual violence or sexual harassment from retaliation for making the report.
 - d. Evidentiary Standard to Use in Determining Whether Allegations Made by the Alleged Victim of Sexual Violence or Sexual Harassment Are True:
 - i. Mastery will determine whether, **by a clear and convincing standard**, the allegations made by the alleged victim of sexual violence or sexual harassment is true.
 - ii. This means the evidence shows that the allegation is highly and substantially more likely to be true than untrue; the fact finder must be convinced that the contention is highly probable.
 - e. Confidentiality and the obligation of Mastery staff to respond and report allegations of sexual violence and sexual harassment:
 - i. If a student requests that their name not be disclosed to the alleged perpetrator or that the school not investigate the allegations, the school administration will:
 - 1. Inform the student that honoring the request may limit the school's ability to respond to the incident, including but not limited to, pursuing disciplinary action against the alleged perpetrator.
 - 2. Inform the student that Title IX includes protection against retaliation.
 - 3. Inform the student that it will take steps to prevent retaliation and if retaliation does occur, the school will take "strong" responsive action.
 - ii. After providing this information, if the student still requests confidentiality, Mastery must determine whether it can honor the request and still provide all students with a safe environment.
 - iii. The Title IX Coordinator or this person's designated representative will then determine whether the request for confidentiality can be honored.
 - 1. If the Coordinator decides he must disclose the name of the alleged victim to the alleged perpetrator, he will first inform the alleged victim before making the disclosure.
 - 2. If the Coordinator determines that he must disclose the alleged victim's name to the alleged perpetrator, necessary interim steps will be taken to protect the alleged victim and to protect the safety of all students.
 - f. Right to file a simultaneous criminal complaint: Any person who files a Title IX complaint with the Coordinator also has his or her rights under civil and criminal law.
 - g. Informal Resolution of Complaints
 - i. If all parties voluntarily agree to participate in an informal resolution that does not involve a full investigation and adjudication after receiving a full disclosure of the allegations and their options for formal resolution and if the school determines that the particular Title IX complaint is appropriate for

such a process, the school may facilitate an informal resolution, including mediation, to assist the parties in reaching a voluntary resolution.

- h. Timelines for completion of an investigation into allegations of sexual violence or sexual harassment:
 - i. Investigations into a complaint of sexual violence will usually be completed within 60 days. Included in this time frame is:
 - 1. Conducting the fact finding investigation;
 - 2. Holding a hearing or engaging in another decision making process to determine whether the alleged misconduct occurred and whether a hostile environment exists;
 - 3. Determining what actions Mastery should take to eliminate the hostile environment and preventing a recurrence, including but not limited to imposing sanctions upon the perpetrator and providing remedies to the complainant and, as needed, to the entire school community.
 - 4. The time frame does not include the appeal process.
 - ii. The 60 days is not a hard fixed timeline, and does recognize that the time to complete the process may take longer because of school breaks or if a parallel criminal investigation is also taking place. If additional time is required because of either or both of these events, the alleged victim and alleged perpetrator will be notified of the need to delay completion of the investigation and the date when the investigation will be completed.
- i. Notice of outcome of the Investigation:
 - i. The Coordinator will inform the alleged victim and alleged perpetrator in writing of the outcome of its investigation into the complaint of sexual violence or sexual harassment.
 - 1. If the allegations are confirmed, the victim will be also be notified of the sanctions taken against the perpetrator that directly relate to the victim, remedies offered to the victim, the steps Mastery will take to prevent a recurrence of sexual violence and sexual harassment against any Mastery student.
 - 2. If the allegations of sexual violence or sexual harassment are confirmed, Mastery will not inform the perpetrator of any remedies offered or provided to the victim.
- j. Appeal Procedure:
 - i. If either the alleged victim or the alleged perpetrator is not satisfied with the outcome of its investigation, s/he may submit a written appeal to the Title IX Coordinator with fifteen (15) days of receiving notice of the outcome of the investigation.

- ii. The Title IX Coordinator will review the investigation and, if deemed necessary, may conduct a further investigation.
- iii. The Title IX Coordinator shall prepare a written response to the appeal within fifteen (15) days. Copies of the response will be provided to the alleged victim, the alleged perpetrator, and the building principal who conducted the initial investigation.

4. **Step 3- Mastery Action**

- a. Remedies for the Victim of sexual violence or sexual harassment:
 - i. If the investigation concludes that a student was the victim of sexual violence or sexual harassment, then the school administration may provide the victim with appropriate remedies.
- b. Potential Sanctions against a perpetrator of sexual violence or sexual harassment.
 - i. Perpetrators of sexual violence and sexual harassment will receive sanctions in accordance with Mastery's student code of conduct.
- c. If it is concluded that a student has knowingly made a false complaint under these procedures, such student shall be subject to disciplinary action.
- d. If it is concluded that a hostile environment existed, the school will take appropriate steps to eliminate the hostile environment so that neither the victim nor any student is subject to illegal sexual discrimination.