



## SECTION II: STUDENT POLICIES 2060

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### Title IX Grievance Policy and Procedures

#### **Commitment to Non-Discrimination**

Oklahoma Virtual Charter Academy is committed to providing an environment that is free from all forms of sex discrimination, which includes gender-based discrimination, sexual harassment and sexual violence, as regulated by Title VII and Title IX, and to insuring the accessibility of appropriate grievance procedures for addressing all complaints regarding all forms of sex discrimination and sexual harassment. Oklahoma Virtual Charter Academy reserves the authority to independently deal with sex discrimination and sexual harassment whenever becoming aware of their existence, regardless of whether a complaint has been lodged in accordance with the grievance procedure set forth below.

#### **Information and Assistance**

##### **Definition of Sex Discrimination and Sexual Harassment (for Students):**

- Sex discrimination occurs when a person, because of his or her sex, gender identity and/or gender expression, is denied participation in or the benefits of any education program or activity that receives federal financial assistance.
- Sexual harassment is conduct that: 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program or activity. Sexual harassment can be verbal, nonverbal or physical.

##### **Definition of Sex Discrimination and Sexual Harassment (for Employees):**

- Sex discrimination occurs when a person who is qualified for a position, raise or promotion is subjected to an adverse employment action because of his or her sex.
- Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made a term or condition of employment; 2) submission to or rejection of the conduct is used as a basis for employment decisions affecting the individual; or 3) the conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

Any individual, who believes he/she may have experienced any form of sex discrimination or sexual harassment, or who believes that he/she has observed such actions taking place, may receive information and assistance regarding the School's policies and reporting procedures from any of the following:

1. **Title IX Coordinator:** Angie Foust, [afoust@okvirtual.org](mailto:afoust@okvirtual.org), (405) 259-9478 ext 2069
2. **Deputy Head of School:** Audra Plummer, [aplummer@okvirtual.org](mailto:aplummer@okvirtual.org), (405) 259-9478 ext 2041
3. **Head of School:** Sheryl Tatum, [shtatum@okvirtual.org](mailto:shtatum@okvirtual.org), (405) 259-9478 ext 1010

## **Grievance Procedure**

Any student, parent/guardian, current or prospective employee or other individual within the school community who believes he/she has experienced and/or observed sex discrimination or sexual harassment (“grievant”) should promptly report the matter to the school’s Title IX Coordinator, a school counselor, principal or other school administrator. A Title IX grievant is requested to complete a complaint form. Complaints of alleged sex discrimination, including sexual harassment, brought forth by students, parents/guardians, current or prospective employees, and other members of the school community will be promptly investigated in an impartial and in as confidential a manner as reasonably possible, so that corrective action can be taken if necessary.

The grievance procedures will be as follows:

1. It is the express policy of Oklahoma Virtual Charter Academy to encourage the prompt reporting of claims of sex discrimination and/or sexual harassment. Timely reporting of complaints facilitates the investigation and resolution of such complaints. A form for such purpose can be found on our website and will also be provided to grievant. As it pertains to students, in appropriate circumstances, due to the age of the student making the complaint, a parent/guardian or school administrator may be permitted to fill out the form on the student’s behalf.
2. At the time the complaint is filed, the grievant shall be given a copy of these grievance procedures. It is the responsibility of the Title IX Coordinator or designee to explain these procedures and answer any questions anyone has. In addition, if the grievant is a minor student, the Title IX Coordinator should consider whether a child abuse report should be completed in accordance with Oklahoma Virtual Charter Academy’s policy on the Reports of Suspected Child Abuse or Neglect of Children.
3. The Title IX Coordinator or designee shall investigate the complaint as promptly as practicable but in no case more than ten (10) working days from the date the complaint was received. The Title IX Coordinator or designee shall have the complete cooperation of all persons during the investigation.
4. The Title IX Coordinator or designee shall meet with all individuals reasonably believed to have relevant information, including the grievant and the individual(s) against whom the complaint was lodged, and any witnesses to the conduct. The investigation shall be carried on discreetly, maintaining confidentiality insofar as reasonably possible while conducting an effective investigation.
5. If after an investigation, the Title IX Coordinator or designee determines that there is reasonable cause to believe that sex discrimination or sexual harassment has occurred, Oklahoma Virtual Charter Academy shall take appropriate corrective action in an effort to ensure that the conduct ceases and will not recur. The Title IX Coordinator or designee shall also provide and or arrange for confidential counseling or training where appropriate. In addition, the Title IX Coordinator or designee shall seek an informal agreement between the parties which is consistent with Oklahoma Virtual Charter Academy’s Title IX principles and goals.
6. If no agreement satisfactory to the parties can be reached within twenty (20) working days from receipt of the complaint, the Title IX Coordinator or designee shall make a report to the School Board within thirty (30) working days from receipt of the complaint.

Source: OVCA Board Policy adoption 2/16/2017

7. The School Board should review the case within fifteen (15) calendar days after receiving the grievance, and make its recommendation to the Title IX Coordinator within two business days of its review of the grievance.

The Title IX Coordinator shall make provisions to maintain all records of complaints and their disposition.

Retaliation against an individual for filing a complaint or cooperating in an investigation is strictly prohibited, and Oklahoma Virtual Charter Academy will take actions necessary to prevent such retaliation.

### **Dissemination of Information**

Oklahoma Virtual Charter Academy shall notify applicants for admission and employment, students, parents/guardians of elementary and secondary school students, employees, and sources of referral of applicants for admission and employment, that it does not discriminate on the basis of sex in the educational programs or activities which it operates, and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.