



Learn. Lead. Serve. Succeed!

**Alma del Mar Charter Schools
Title IX Policy**

A. Purpose

This Policy is established by Alma del Mar Charter Schools (“ALMA DEL MAR”) in adherence with Title IX of the Education Amendments of 1972 (“Title IX”) and all applicable Massachusetts statutes and regulations. Title IX prohibits ALMA DEL MAR from discriminating on the basis of sex (including Sexual Harassment and Sexual Violence) in all facets of its educational programs and activities, including distance learning.

This Policy applies equally to all of ALMA DEL MAR’s students, employees, Authorized Volunteers, parents, and other members of the ALMA DEL MAR community. This Policy applies to conduct At School, at school events, and Away From School in all other instances when ALMA DEL MAR has substantial control over the parties and the context in which the alleged misconduct occurred.

B. Notice of Non-Discrimination

ALMA DEL MAR does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, ethnicity, age, disability, veteran, genetic information, or marital status in the delivery of its education programs and activities. Pursuant to Title IX, this specific policy is limited in scope to instances of alleged discrimination on the basis of sex. Alleged discrimination on bases other than sex fall under [Applicable Policy/ies]. If any member of the ALMA DEL MAR community has any questions or concerns with respect to this Policy and/or Title IX, they may contact ALMA DEL MAR’s Title IX Coordinator and/or the United States Department of Education’s Office for Civil Rights. ALMA DEL MAR’s Title IX Coordinator is identified within this Policy and shall be available to answer all questions concerning this Policy.

ALMA DEL MAR’s policy of non-discrimination in its educational programs and activities extends to employment and admission considerations.

C. Definitions

At School: In a classroom, all school common areas, on or immediately adjacent to

Sarah D. Ottiwell Campus

515 Belleville Ave.

New Bedford, MA 02746

774-206-6827 (phone) | 774-762-4680 (fax)

Frederick Douglass Campus

767 Church Street

New Bedford, MA 02745

774-762-4770 (phone) | 774-202-3791 (fax)

school premises, on school property, on a school bus or other school-related vehicle, at a school bus stop, or at any school-sponsored or school-related activity or event whether or not it is on school grounds.

Authorized Volunteer: Any person who 1) is not employed by ALMA DEL MAR, 2) does not receive any compensation from ALMA DEL MAR, 3) has undergone ALMA DEL MAR -required criminal background checks, and 4) is permitted to provide services approved by ALMA DEL MAR to the community, including students, employees, and other partners.

Away from School: Any location not defined above as “At School” but remaining within substantial control of ALMA DEL MAR

Bystander: Someone who is aware of behavior or conduct “At School” in violation of or reasonably believed to be in violation of this Policy, including Sexual Violence and/or Sexual Harassment

Complainant: Person who is alleged to be the victim of conduct that could constitute discrimination on the basis of sex and/or Sexual Harassment. For students under the age of majority, parents and legal guardians have the legal right to act on behalf of the student Complainant in Title IX matters.

Formal Complaint: A document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the ALMA DEL MAR investigate the allegation of discrimination on the basis of sex and/or Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of ALMA DEL MAR. A document filed by a Complainant is a document or electronic submission that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

Respondent: A person who has been reported to be the perpetrator of conduct that could constitute discrimination on the basis of sex and/or Sexual Harassment. A Respondent can be another student, a teacher, an administrator, any other ALMA DEL MAR employee, or a third party. Respondents will be presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process

Sexual Assault: Includes sexual misconduct that is attempted or perpetrated against a victim’s will or when a victim cannot consent because of age, intellectual disability, or any other disability precluding the victim from forming consent. Sexual assault may involve, but is not limited to, actual or

threatened physical force, use of weapons, coercion, intimidation or pressure, intentional touching of someone in ways that are unwanted, voyeurism, exhibitionism, exposure to pornography, and/or public displays of images that were taken in a private context or when the victim was unaware.

Sexual Harassment: Includes, but is not limited to, degrading remarks, gestures, jokes, notes, graffiti, spreading rumors, indecent exposure, unwelcome touching, grabbing, pinching, or brushing against another in a sexual way. Unwelcome conduct on the basis of sex that satisfies one or more of the following: An employee conditioning the provision of an aid, benefit, or service of the district on the Complainant's participation in unwelcome sexual conduct; unwelcome sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a Complainant equal access to ALMA DEL MAR's education program or activity; or Sexual Assault, dating violence, domestic violence, or stalking.

This policy is not intended to limit ALMA DEL MAR's authority to address conduct that does not fit the definition of sexual harassment, but that violates other ALMA DEL MAR policy or the student code of conduct. For example, conduct that constitutes harassment based on a protected category other than sex, or unlawful discrimination, hazing, or bullying, or any other violation of the student code of conduct or ALMA DEL MAR workplace rules, will be investigated and addressed under applicable ALMA DEL MAR policy and law.

Sexual Harassment of a Student by an ALMA DEL MAR Employee

Sexual harassment of a student by an ALMA DEL MAR employee includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

An ALMA DEL MAR employee causes the student to believe that the student must submit to the conduct in order to participate in an ALMA DEL MAR program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct, or;

The conduct is of the type that reasonable person would determine is so severe, persistent, pervasive, and objectionably offensive that it

affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Sexual Harassment of a Student (Including Harassment by Another Student)

Includes, but is not limited to, unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is of the type that a reasonable person would determine is severe, persistent, pervasive, and objectionably offensive that it effectively denies a Complainant equal access to ALMA DEL MAR's education program or activity; or Sexual Assault, dating violence, domestic violence, or stalking.

Sexual Harassment of an ALMA DEL MAREmployee or Authorized Volunteer

Sexual harassment of an employee or authorized volunteer by an ALMA DEL MAR employee includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

An ALMA DEL MAR employee causes the employee or volunteer to believe that the student must submit to the conduct in order to participate in an ALMA DEL MAR program or activity, or that the employee will make an educational decision based on whether or not the employee or volunteer submits to the conduct, or;

The conduct is of the type that reasonable person would determine is so severe, persistent, pervasive, and objectionably offensive that it affects the employee or volunteer's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the employee or volunteer's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

**Sexual
Violence:**

Includes, but is not limited to, isolated/individual instances of sexual misconduct and/or aggression, Sexual Harassment, Sexual Assault, and/or rape. In cases of Sexual Violence, the perpetrator may be a stranger, acquaintance, friend, family member, or partner.

Sexual Violence Perpetrated Against a Student

Sexual violence perpetrated against an ALMA DEL MAR student, regardless of the perpetrator, includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

The student is caused to reasonably believe that they must submit to the conduct in order to participate in an ALMA DEL MAR program or activity, or that a perpetrator will make an educational and/or ALMA DEL MAR-related decision based on whether or not the student submits to the conduct.

Conduct constituting “Sexual Violence” need not be repetitive, persistent, or pervasive such that it affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Sexual Violence Perpetrated Against an ALMA DEL MAR Employee or Authorized Volunteer

Sexual violence perpetrated against an ALMA DEL MAR employee or volunteer, regardless of the perpetrator, includes, but is not limited to, both welcome and unwelcome sexual advances; requests for sexual favors; sexually-motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

The employee or volunteer is caused to reasonably believe that they must submit to the conduct in order to participate in an ALMA DEL MAR program or activity, or that a perpetrator will make an educational and/or ALMA DEL MAR-related decision based on whether or not the employee or volunteer submits to the conduct.

Conduct constituting “Sexual Violence” need not be repetitive, persistent, or pervasive such that it affects the employee or volunteer's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or; creates an intimidating, threatening, hostile, or abusive educational environment.

Supportive Measures: Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter Sexual Harassment.

Witness: Someone whose awareness of Sexual Violence compels them to intervene and/or seek help on behalf of the victim.

D. Title IX Coordinator

The Title IX Coordinator's responsibilities shall include, but are not limited to:

- Coordinating ALMA DEL MAR's compliance with Title IX, including ALMA DEL MAR's grievance procedures for resolving Title IX Complaints;
- Drafting and publicizing procedures for reporting possible Title IX violations;
- Overseeing ALMA DEL MAR's prevention of and response to Title IX reports and complaints;
- Ensuring fair, equitable, and prompt resolution of complaints;
- Offering the Complainant supportive measures with or without the filing of a Formal Complaint, considering the Complainant's wishes with respect to supportive measures, and explaining to the Complainant the process for filing a Formal Complaint;
- Identifying and addressing any patterns or systemic problems revealed by such reports and complaints;
- Providing confidential (to the extent possible) written reports to the Executive Director and the Board of Trustees as requested, but at least once every 4 months. If the Executive Director and/or the Board of Trustees serves as a Title IX Decision-Maker or Appellate Decision-Maker, such reports shall exclude information on pending and ongoing matters. Reports shall be kept in a separate and secure Title IX file;
- Providing training to ALMA DEL MAR's employees, Authorized Volunteers, and other members of the ALMA DEL MAR community with respect to Title IX and ALMA DEL MAR's implementation of this Policy.

The Title IX Coordinator shall understand and have knowledge of the Title IX requirements and ALMA DEL MAR's own policies and procedures on sex discrimination, anti-bullying,

anti-retaliation, school place violence, and Sexual Harassment. ALMA DEL MAR shall require that the Title IX Coordinator, as well as Investigators and adjudicators, be free of any conflict of interest or bias for or against Complainants or Respondents, generally, or an individual Complainant or Respondent. Any training materials for Title IX Coordinators, Investigators, adjudicators, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of Formal Complaints of Sexual Harassment.

Each and every report or complaint filed with ALMA DEL MAR pursuant to Title IX or reasonably related to Title IX must be provided to the Title IX Coordinator to achieve their mission.

Effective upon adoption of this Policy by the Board of Trustees, the Title IX Coordinator shall be:

Emily Darrow
515 Belleville Ave
New Bedford, MA 02746
(508) 205-9211
emilydarrow@almadelmar.org

E. Sexual Violence and Sexual Harassment

Sexual Harassment and Sexual Violence, including but not limited to Sexual Assault, are prohibited and will not be tolerated. ALMA DEL MAR expressly prohibits Sexual Harassment and Sexual Violence At School of or by a student to another student; a student of or by a member of the staff; and/or of or by any other person who is any way associated with ALMA DEL MAR. This Policy also prohibits Sexual Harassment and/or Sexual Violence At School by and among ALMA DEL MAR employees and Authorized Volunteers. To this end, ALMA DEL MAR commits its staff to the implementation of a comprehensive and preventive approach that addresses the underlying reasons for this behavior and helps to create a better school community that supports learning and teaching for students and adults.

F. Grievance Procedure

To facilitate the prompt and equitable resolution of any and all Title IX complaints, ALMA DEL MAR adopts the following grievance process. For the purpose of Title IX complaints and investigations, ALMA DEL MAR will apply a preponderance of the evidence standard of review. Complainants may choose to submit a written grievance to ALMA DEL MAR's Title IX Coordinator using the Title IX grievance form included as Appendix A of this Policy. ALMA DEL MAR shall respond to all Title IX complaints promptly and in a manner that is not deliberately indifferent, that is, in a way that is not clearly unreasonable in light of the known circumstances.

- A formal grievance process is initiated when:
 - A Complainant submits a written statement alleging discrimination prohibited by Title IX to the Title IX Coordinator or
 - When the Title IX Coordinator receives a report of a suspected Title IX violation from another ALMA DEL MAR student, employee, volunteer, or other community member.
- Upon the Title IX Coordinator's receipt of a grievance or other complaint pursuant to this policy, or the Title IX Coordinator's initiation of the grievance process, a Title IX Investigator, shall commence and conduct an investigation pursuant to the procedures set forth within this Policy. The Title IX Coordinator may serve as an Investigator or may designate another trained Title IX Investigator from within or outside of ALMA DEL MAR to conduct investigations.
- The Title IX Coordinator will provide written notice of the investigation to all parties. The notice will include, among other things, a copy of this policy and a sufficiently detailed description of the allegations. The notice will specify the identities of the parties involved, the conduct allegedly in violation of Title IX, and the date and location of the incident(s), if known.
- Following an investigation (described in further detail under Section H below), a Decision Maker, who is neither the Title IX Coordinator nor Investigator, shall determine whether the Complainant was excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of sex with respect to any ALMA DEL MAR program or activity.

Hearings are not required under Title IX for complaints involving elementary and secondary school students, and there is no right to a hearing under ALMA DEL MAR's standard grievance procedure. If a party requests a hearing, the Title IX Coordinator will determine, in their sole discretion, whether to grant the request. The Title IX Coordinator's decision in this regard is not subject to appeal.

- After reviewing the Investigator's report and any submissions of the parties, and following a hearing, if such hearing is requested and granted, the Decision Maker shall prepare a written report setting forth their findings, conclusions, and actions to be taken, if any, and will determine with whom to share the report.
- The Title IX Coordinator shall, as necessary, take appropriate action(s) to ensure that ALMA DEL MAR implements any remedies called for in the decision and otherwise complies with Title IX in a manner that is prompt and equitable to the

parties.

- If any of the parties wish to appeal the decision(s) of the Decision Maker, that party must make a written appeal to the Board of Trustees within ten (10) business days. Appeals will only be allowed for the following reasons:
 - Procedural irregularity that affected the outcome of the matter; or
 - New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter; or
 - The Title IX Coordinator, Investigator, hearing officer, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual complaint or Respondent that affected the outcome of the matter.
- If/when an appeal is allowed, parties will be notified in writing and will have the opportunity to submit a written statement in support of or challenging the decisions of the Decision Maker. Appeals will be decided by the Board of Trustees.
- The Board of Trustees shall issue a written report within ten (10) business days of the deadline for the submission of written statements by the parties. The Board of Trustees' written report shall include a notice to the parties of their further appellate rights.

To the extent possible, ALMA DEL MAR strives to complete all Title IX investigations, from date of report to final hearing and notice of outcome, within 60 days.

G. Reporting Responsibilities

The Title IX Coordinator shall establish—and prominently publicize to students, employees, volunteers, and parents—procedures concerning how to report conduct believed to violate this Policy and how such reports will be acted on. Anyone who experiences and/or witnesses conduct that is or is reasonably believed to be in violation of this Policy, and/or anyone who has information that such actions have occurred may file a report.

All ALMA DEL MAR employees, other than ALMA DEL MAR counselors and psychologists who are required to maintain the confidentiality of the information shared with them, shall report incidents of alleged violations of this Policy to the Title IX Coordinator as soon as they learn of or have actual knowledge of any conduct allegedly in violation of this Policy. Employees shall report all relevant details that the victim Complainant shared or that the employee observed, including, but not limited to, the names of the alleged Respondent and Complainant (or a victim who does not wish to file a

Complaint), the date, time, and location of the alleged conduct, and the circumstances surrounding the alleged conduct. **An ALMA DEL MAR employee's failure to report a violation of this Policy of which they have actual knowledge shall result in disciplinary action, including termination of employment.**

Students who witness alleged violations of this Policy, or parents whose children inform them of alleged violations of this Policy, shall report incidents to the Title IX Coordinator. Whether victims of alleged Title IX violations choose to file a Complaint or not, they shall not be disciplined for failing to report an alleged violation of this Policy themselves. All reports from students or parents/guardians will be maintained in confidence to every extent possible.

Although ALMA DEL MAR cannot discipline or sanction parents or guardians who elect not to report violations of this Policy, particularly Sexual Violence and/or Sexual Harassment, when they learn of any such conduct, ALMA DEL MAR **strongly encourages** parents or guardians to contact the Title IX Coordinator as soon as practicable with any and all relevant information that they receive.

All reports will remain confidential, to every extent possible. ALMA DEL MAR may, however, have a legal obligation to share information received during an investigation. For example, ALMA DEL MAR is required to report known and suspected cases of child abuse to the Department of Children and Families. ALMA DEL MAR may also have an obligation to report known or suspected violations of the law to law enforcement.

No individual who exercises their Title IX rights shall be subject to retaliation. Neither ALMA DEL MAR nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. ALMA DEL MAR shall keep confidential the identity of Complainants, Respondents, and witnesses, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), or as required by law, or as necessary to carry out a Title IX proceeding. Complaints alleging retaliation may be filed according to the Grievance Procedures in this Policy. By filing a Title IX complaint, no student, employee, volunteer or parent making such a report shall extinguish their right to file criminal or civil complaints concerning the same conduct.

Reports must be acted upon by those persons receiving the report and the Title IX Coordinator (upon receipt of a report), whether made orally or in writing. Knowingly filing false reports shall result in the taking of disciplinary measures.

Upon receiving a credible report of an alleged violation of this Policy, ALMA DEL MAR will take all necessary measures to ensure the safety of all parties (e.g., separate the Complainant/student-victim from the Respondents; provide alternative schedules to one or both parties; provide necessary support services to the Complainant/student-victim, etc.) and will provide the Complainant/student-victim and the Respondents and their respective parent(s) or guardian(s) with regular updates as to the status of the investigation.

ALMA DEL MAR shall implement appropriate interim supportive measures on a case-by-case basis and shall not rely upon any fixed rules related to any such measures. Supportive measures shall be designed to restore or preserve equal access to ALMA DEL MAR's education program or activity, protect student and employee safety, and deter sexual harassment. Examples of supportive measures include, but are not limited to, counseling, extensions of time or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, and other similar measures.

ALMA DEL MAR will provide Complainants/student-victims with the contact information for available resources outside of ALMA DEL MAR, including but not limited to, victim assistance organizations, law enforcement, mental health services, legal assistance, and or counseling services. If the Respondent is a ALMA DEL MAR employee and the Complainant is a ALMA DEL MAR student, ALMA DEL MAR will report the alleged misconduct to the appropriate law enforcement agencies.

H. Investigation

The Title IX Coordinator shall oversee all Title IX investigations at ALMA DEL MAR. Depending on the nature of the alleged violation of this Policy, an investigation may include, but is not limited to conducting interviews with the Complainant and the Respondent; conducting interviews with witnesses; conducting interviews with the parent(s) or guardian(s) as necessary; reviewing law enforcement investigation documents, as applicable; reviewing student and personnel files; and gathering information from all other available outside sources.

All investigations shall commence once the Title IX Coordinator receives notice of the alleged violation of this Policy. Therefore, it is essential that ALMA DEL MAR employees, students, parents, guardians, and/or Authorized Volunteers immediately report suspected misconduct as soon as practicable once they have actual knowledge about such misconduct.

When commencing an investigation that may lead to disciplinary action against the Respondent, the Title IX Coordinator shall provide written notice to the Respondent (and/or their parents/guardians) of the allegations constituting a potential violation of this Policy, including sufficient details with sufficient time to prepare a response before any initial interview. The written notice shall also include a description of the Formal Complaint

process; a statement that the Respondent is presumed innocent until a determination of responsibility has been made; a notice of the Respondent's right to review evidence and right to an advisor; and the prohibition against false statements or providing false information during Formal Complaint process.

All investigations shall be conducted impartially and in an adequate, reliable, and impartial manner. The designated Title IX Investigator shall analyze and document the available evidence to support reliable decisions, interview and objectively evaluate the credibility of parties and witnesses, synthesize all available evidence—including both inculpatory and exculpatory evidence—and take into account the unique and complex circumstances of each case. The investigation shall result in a written report summarizing the relevant exculpatory and inculpatory evidence.

Throughout the investigation, the Respondent and the Complainant shall be permitted to, at a minimum:

- Receive written notice in advance of any interview or hearing with sufficient time to prepare for meaningful participation;
- Have equal and timely access to all witness statements and other documents/reports gathered by ALMA DEL MAR during the investigation.
- Present relevant witnesses and evidence, including expert witnesses;
- Retain counsel, at the parties own expense;
- Request a hearing (available only at the discretion of the Title IX Coordinator)
- If a hearing is granted, parties may cross-examine witnesses as necessary.

Information gathered during the investigation shall be kept confidential to the extent possible. All evidence directly related to the allegations will be provided to the parties, or the parent(s) or guardian(s) of the parties and their advisors, as applicable, for inspection and review, and the parties will have ten (10) days to provide a written response to the Investigator. The Investigator will consider any such responses prior to issuing the final Investigation Report.

After ALMA DEL MAR has sent the investigative report to the parties and before reaching a determination regarding responsibility, the Decision Maker(s) must afford all parties ten (10) days to submit any written, relevant questions that they may wish to have asked of any party or witness. The Decision Maker shall review the parties' written questions, and if they deem a question to be irrelevant, that question shall not be transmitted to the intended party, and the Decision Maker will apprise the questioning party in writing of the reason(s) the

question was deemed to be irrelevant. If relevant questions are submitted, the Decision Maker will convey those to the party/ies, provide each questioning party with each responding party's answers, and may allow for additional, limited follow-up questions from each party.

ALMA DEL MAR shall make all determinations using a "preponderance of the evidence" standard. If allegations are found to be credible, appropriate disciplinary sanctions, subject to ALMA DEL MAR's due process procedures, shall be imposed. ALMA DEL MAR shall specifically inform the reporting party (and/or their parents/guardians) whether it found that the alleged conduct occurred, any individual remedies offered to the reporting party or any sanctions imposed on the responding party that directly relate to the reporting party, and other steps the school has taken to eliminate the hostile environment, if one was found to exist, and to prevent its recurrence, as appropriate.

Whenever conduct determined to meet the definitions of Sexual Violence and/or Sexual Harassment in this Policy also may have involved conduct that that may violate state or federal criminal law, the police or other necessary agency(ies) shall be notified.

I. Option for Informal Resolution

Where appropriate in light of the nature of the allegations and facts involved, ALMA DEL MAR may offer the parties the option to pursue an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. All parties must voluntarily agree to pursue informal resolution after receiving a full written disclosure of the allegations and their options for formal resolution. ALMA DEL MAR will not offer an informal resolution process to resolve allegations that an employee sexually harassed a student.

J. Dismissal of Formal Complaint

ALMA DEL MAR will dismiss a formal complaint if the conduct alleged in the formal complaint: (i) would not constitute sexual harassment even if proved; (ii) did not occur on school grounds or at a school-sponsored activity; or (iii) took place outside of the United States.

ALMA DEL MAR may, in their discretion, dismiss a formal complaint or allegations therein if the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein, if the respondent is no longer enrolled or employed by the school, or if specific circumstances prevent the school from gathering sufficient evidence to reach a determination.

If ALMA DEL MAR dismisses a formal complaint, all parties will be notified. A party may

appeal ALMA DEL MAR decision to dismiss a formal complaint by following the Appeals Process set forth below. The complaint may also be referred for investigation and possible disciplinary action pursuant to other applicable ALMA DEL MAR policies.

K. Disciplinary Sanctions

Students: Disciplinary sanctions any violation of this Policy may include, but are not limited to, loss of privilege to participate in extracurricular activities including athletics and school social events; loss of school bus transportation; assignment of additional schoolwork or community service; and—depending on the extent of involvement in the prohibited activity—suspension or removal from school.

Employees: Disciplinary sanctions for any violation of this Policy may include, but are not limited to, suspension, termination, or filing of criminal charges as warranted.

Volunteers/ Parents: Disciplinary sanctions for any violation of this Policy may include, but are not limited to, denial of access to school premises, school-related events, or school-sponsored events; suspension or termination of volunteer activities; or filing of criminal charges as warranted.

L. Prevention

The Title IX Coordinator shall ensure that students and staff are instructed on how to identify, prevent, and report violations of this Policy. The Title IX Coordinator, in conjunction with the Executive Director and the Board of Trustees, shall also ensure that ALMA DEL MAR's health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner. School staff shall model correct and courteous behavior to each other, to students, parents and to visitors. Abusive or humiliating language or demeanor shall not be accepted.

M. Enforcement Agencies

Nothing in this Policy is intended to prohibit or discourage individuals from contacting the applicable state and/or federal enforcement agencies with complaints or concerns, including but not limited to:

Office for Civil Rights
Boston Office U.S. Department of Education
5 Post Office Square
8th Floor Boston, MA 02109-3921
Tel: 617-289-0111 E-mail: OCR.Boston@ed.gov

Equal Opportunity Employment Commission (EEOC)
John F. Kennedy Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Tel: 800-669-4000 TTY: 800-669-6820

APPENDIX A

**ALMA DEL MAR
Title IX Grievance Form**

Today's Date _____

Complainant's Name(s) _____
Last Name First Name Middle Initial

Home address _____

City _____ State _____ Zip Code _____

Telephone Number _____ Email Address _____

Parent(s)/Guardian(s) _____
Last Name First Name Middle Initial

Parent(s)/Guardian(s) Contact information _____
Home Address

_____ Phone Number Email Address

Circle One: Student Parent on Behalf of Student Employee Volunteer

1. Alleged Perpetrator(s) (if more than one perpetrator include information below on back).

Name: _____

Address (if known): _____

Contact Information: _____

2. Specifics of Complaint Describe below, including any dates of alleged discrimination, identities of alleged perpetrators, and specific circumstances of alleged discrimination. Attach extra pages if necessary.

3. Witnesses. Include names, any known contact information, and brief description of each witnesses' knowledge of events. Attach extra pages if necessary.

4. Corrective Action. If you wish, please describe any corrective action you would like to see taken with regard to the alleged misconduct. Attach an extra page if necessary.

Signature of Complaint or
Parent/Guardian on Behalf of Complainant

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