



Vanguard Classical Schools' Nondiscrimination Policy & Grievance Procedures for Complaints of Sex Discrimination

Table of Contents

1. Introduction	3
2. Non-discrimination Policy	3
2.1. Sex-based Harassment is Prohibited	3
2.2. Retaliation is Prohibited	4
3. Jurisdiction	4
4. Complaints	4
5. Resolution Options & Supportive Measures	7
6. Grievance Procedures for Complaints of Sex Discrimination	8
6.1. General Requirements	8
6.2. Request for Formal Resolution	9
6.3. Acknowledgment of Request and Notification of Responding Party	9
6.4. Notice of Allegations	9
6.5. Dismissal of Complaint	10
6.6. Investigation	10
6.7. Questioning of the Parties and Witnesses by the Decisionmaker	13
6.8. Determination Whether Sex Discrimination Occurred	14
6.9. Disciplinary Sanctions and Remedies	14
7. Appeals Process for Grievance Procedures	15
8. Informal Resolution	16
8.1. Complaints	17
8.2. Purpose and Timing	17
8.3. Process	17
9. Records Retention	17
10. Appendix: Definitions	17

1. Introduction

Vanguard Classical Schools is firmly committed to fostering a safe, inclusive, and equitable educational environment for all members of our community. This Non-Discrimination Policy and Grievance Procedures document outlines our unwavering dedication to preventing and addressing sex discrimination, including sex-based harassment and retaliation, in compliance with the updated 2024 Title IX regulations as outlined in the applicable regulatory requirements in §§ 106.8(b)–(c), and 106.45. We believe that every individual deserves equal access to educational opportunities, free from discrimination and harassment. This document serves as a guide to our community's rights, responsibilities, and the processes available to report and resolve concerns related to sex discrimination. We encourage all members of our community to familiarize themselves with this policy and to promptly report any incidents of discrimination or harassment so we can take swift and appropriate action.

2. Non-discrimination Policy

Vanguard Classical Schools does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admissions and employment. This policy covers all students, employees, and participants in Vanguard Classical Schools's programs or activities. This policy will also apply to concerns or complaints regarding retaliation for having engaged in activity protected by civil rights laws that prohibit discrimination and harassment. Protected activities include:

- Filing a complaint alleging discrimination, harassment, or retaliation;
- Participating in an investigation of discrimination, harassment or retaliation; and
- Opposing conditions that result in discrimination, harassment, or retaliation.

The following are prohibited acts:

2.1. Sex-based Harassment is Prohibited

Sex-based harassment is a form of sex discrimination that is prohibited at Vanguard Classical Schools. For the purposes of this policy, sex-based harassment means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- quid pro quo harassment (e.g., when an employee conditions a benefit on a person's participation in unwelcome sexual conduct);
- specific offenses (e.g. sexual assault, dating violence, domestic violence, and stalking); and/or
- hostile environment harassment.

2.1.1. Hostile Environment Harassment is Prohibited

Hostile environment harassment is defined as unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity.

2.1.2. Sexual Harassment is Prohibited

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different genders. Depending on the circumstances, these behaviors may include: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexuality, or gender; leering, whistling or touching; insulting or obscene comments or gestures; displays of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

2.2. Retaliation is Prohibited

Retaliation, including peer retaliation, is prohibited conduct under this policy. Retaliation is defined as intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or the regulations, or because the person has reported possible sex discrimination, made a sex-discrimination complaint, or participated or refused to participate in any way in a recipient's Title IX process. Peer retaliation, which is defined as retaliation by one student against another student, is also prohibited.

No student, employee or member of the public will be subject to adverse treatment in retaliation for any good faith report of harassment under this policy, or for any other activity protected by the civil rights laws. Violation of this anti-retaliation provision may exist regardless of whether the underlying complaint of discrimination is substantiated.

Individuals who believe that they have experienced retaliation must report their concerns to the Title IX Coordinator or other appropriate Vanguard Classical Schools administrator. When a complaint is made, Vanguard Classical Schools will conduct a prompt inquiry as described in the grievance procedures outlined in this document. An act of retaliation is a violation of this policy and will subject the violator to disciplinary or remedial measures. Vanguard Classical Schools will take all steps necessary to ensure that all participants involved in the discrimination or harassment inquiry are able to participate free from retaliation.

3. Jurisdiction

This procedure applies to any complaints of sex discrimination or sex-based harassment that are brought against Vanguard Classical Schools's students, administrators, faculty, and staff. Vanguard Classical Schools has jurisdiction to address a sex-based hostile environment in its education program or activity in the United States, even when some conduct alleged to be contributing to the hostile environment occurred outside the school's education program or activity or outside the United States. Vanguard Classical Schools also has jurisdiction to investigate complaints if the conduct occurred in conjunction with a Vanguard Classical Schools-sponsored program or activity or if the conduct may have the impact of creating a hostile educational or work environment on the Vanguard Classical Schools campus or a Vanguard Classical Schools-sponsored program or activity.

4. Complaints

A "complaint" is an oral or written request to the school that objectively can be understood as a request for Vanguard Classical Schools to investigate and make a determination about alleged discrimination under Title IX.

4.1. Who May File a Complaint

Complaints of Sex Discrimination Including Sex-based Harassment

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that Vanguard Classical Schools investigate and make a determination about alleged discrimination under Title IX:

- A "complainant," which includes:
 - a student or employee of Vanguard Classical Schools who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
 - a person other than a student or employee of Vanguard Classical Schools who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX

at a time when that individual was participating or attempting to participate in [School's] education program or activity;

- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- [School's] Title IX Coordinator.

A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

Complaints of Sex Discrimination Other Than Sex-based Harassment

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student or employee of Vanguard Classical Schools ; or
- Any person other than a student or employee who was participating or attempting to participate in [School's] education program or activity at the time of the alleged sex discrimination.

Consolidated Complaints

Vanguard Classical Schools may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references to a party, complainant, or respondent include the plural, as applicable.

4.2. Against Whom a Complaint May Be Filed

Under this procedure, complaints may be filed against any person who is enrolled at Vanguard Classical Schools as a student or employed by Vanguard Classical Schools at the time of the alleged violation. For purposes of this procedure, the term "Respondent" or "Responding Party" means a person who is alleged to have violated Vanguard Classical Schools's prohibition on sex discrimination.

4.3. Who Must Report

With the exception of confidential employees, all employees of Vanguard Classical Schools are considered "non-confidential" employees, and are obligated to notify the Title IX Coordinator when they have information about conduct that reasonably may constitute sex discrimination. All state requirements regarding mandatory reporting regarding child abuse are all in full force. Reporting is necessary to ensure that Vanguard Classical Schools learns of possible sex discrimination so it can operate its education program or activity free from prohibited sex discrimination as Title IX requires, as well as ensure that persons who may have been impacted by such conduct receive appropriate services, resources, and information. Reporting by a Vanguard Classical Schools employee will not necessarily result in an official complaint; rather, the Title IX Coordinator or their designee will discuss all options for resolution with the reporting party, assess the information, and determine what action, if any, will be taken. Further, the Title IX Coordinator will determine who within Vanguard Classical Schools has a need to know about the issue and will inform them of the report. Vanguard Classical Schools's Title IX Coordinator is: [Name, email, and phone number].

4.4. Respecting Complainant Autonomy

Confidential Employees

To ensure Vanguard Classical Schools 's education program or activity is free from sex discrimination while also respecting complainant autonomy, Vanguard Classical Schools will provide clear information and training on when their employees must notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination and how students can seek confidential assistance or make a complaint of sex discrimination requiring Vanguard Classical Schools to initiate its grievance procedures. Certain individuals, like counselors or health center staff, may be designated as confidential employees. They are not required to report information disclosed to them in their confidential role. Instead, confidential employees must provide information to anyone who informs them of conduct that reasonably may constitute sex discrimination about: 1.) Their status as confidential for purposes of Title IX; 2.) How to contact the Title IX Coordinator; 3.) How to make a complaint; and 4.) How the Title IX Coordinator can help.

Right to Make a Complaint After Leaving Vanguard Classical Schools

A complainant is protected in their right to make a complaint about sex discrimination they experienced even if they have chosen to leave Vanguard Classical Schools 's education program or activity as a result of that discrimination or for other reasons.

4.5. How to File A Complaint

Complaints should be made to Vanguard Classical Schools 's Title IX Coordinator identified above in this procedure. During the complaint intake meeting, the Title IX Coordinator will obtain some basic information about the incident, provide information about available policies and processes, and provide the reporting party with information about appropriate resources and supportive measures that are available on campus and in the community.

4.6. Promptness in Filing Complaint

Individuals who feel they have been subjected to sex-based harassment may file a complaint at any time but are encouraged to come forward as soon as possible after the occurrence of the incident. Prompt reporting allows Vanguard Classical Schools to provide the reporting party with support and to conduct a more effective investigation of the allegations. However, Vanguard Classical Schools commits to investigate regardless of when the report is made.

4.7. Anonymous Reports and Requests for Anonymity

Vanguard Classical Schools accepts any complaint submitted anonymously. Investigation of anonymous complaints will be as thorough as possible and appropriate to the allegations.

4.8. Vanguard Classical Schools 's Responsibility to Act

In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator may initiate a complaint only if the conduct presents an imminent and serious threat to someone's health or safety or prevents Vanguard Classical Schools from ensuring equal access based on sex to its education program or activity.

4.9. Concurrent Criminal Proceedings

Certain acts of sex-based harassment may constitute both a violation of Vanguard Classical Schools 's policy and a criminal offense. Vanguard Classical Schools encourages but does not require persons to report alleged criminal acts to appropriate law enforcement authorities, even if they choose to pursue a complaint under this procedure. Please note:

- In cases where a complainant is under the age of eighteen (18), Vanguard Classical Schools officials are required to report allegations of violence or abuse to appropriate law enforcement agencies.
- The standards for finding a violation of criminal law are different from the standards for finding a violation of Vanguard Classical Schools's policies; therefore, in some cases the outcomes of a criminal proceeding may not determine whether a violation of Vanguard Classical Schools's policy has occurred.
- When a student or employee has been charged with a criminal offense, Vanguard Classical Schools may impose an emergency interim suspension in order to comply with a criminal protection order and/or to ensure the safety of the Vanguard Classical Schools campus community.

4.10. Confidentiality

Vanguard Classical Schools treats all complaints as confidential matters and will make reasonable efforts to protect the confidentiality of the complaint process, any investigation or resolution, and all individuals involved with the complaint process. Although full confidentiality cannot be guaranteed, Vanguard Classical Schools will advise the parties regarding the degree of confidentiality that may be possible and the measures that will be taken to try to ensure this confidentiality. It is important to understand that while Vanguard Classical Schools will treat information it has received with appropriate sensitivity, Vanguard Classical Schools officials may nonetheless need to share certain information with those at Vanguard Classical Schools responsible for stopping or preventing the misconduct.

4.11. False Reports/Providing False Information

It is a violation of the Policy to intentionally submit a false complaint or file a complaint that is not made in good faith. Such violations may be subject to disciplinary action under relevant student and employee policies, handbooks, or codes of conduct. Providing false or misleading information in an investigation is also prohibited and shall be subject to disciplinary action under the relevant student and employee policies, handbooks, or codes of conduct.

However, Vanguard Classical Schools will not discipline a party, witness, or other participant for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred. For example, if a student falsely accuses another student of sexual assault, the accusing student cannot be disciplined solely because their accusation was found to be untrue in the Title IX investigation. However, if it is determined that the accusation was intentionally malicious and made in bad faith, Vanguard Classical Schools could take disciplinary action for violating its code of conduct against making false accusations.

4.12. Standard of Proof

The standard of proof is the amount of evidence needed to establish that a violation of the Policy has occurred. In the adjudication of student conduct issues, Vanguard Classical Schools uses a *preponderance of evidence* standard, which means that the evidence demonstrates that it is more likely than not the alleged conduct or policy violation has occurred. The preponderance of the evidence standard is the standard used in all student conduct matters at Vanguard Classical Schools.

5. Resolution Options & Supportive Measures

5.1. Resolution Options

When a Title IX Coordinator receives a report, an intake meeting with the complainant will be scheduled immediately upon receipt of the report. A Title IX Coordinator will confirm the complainant

has an understanding of the relevant policy and procedures, confirm the complainant is aware of appropriate resources, and to answer any questions. A Title IX Coordinator will then review the options available to the complainant, including:

- reporting to law enforcement;
- seeking support and resources from Vanguard Classical Schools (“Supportive Measures”);
- requesting for informal resolution through this procedure (“Informal Resolution”);
- filing a complaint for formal resolution through this procedure (“Grievance Procedures”).

The complainant can choose at any time to switch from the informal resolution process to the formal grievance procedures, but it is not possible to switch from the formal back to the informal process. Based on the nature and severity of the incident and/or past violations by the respondent, a Title IX Coordinator may require that the formal grievance procedures be utilized.

5.2. Supportive Measures

Vanguard Classical Schools will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person’s access to School’s education program or activity or provide support during School’s Title IX grievance procedures or during the informal resolution process. For complaints of sex-based harassment, these supportive measures may include:

- Providing referrals for counseling and/or victim’s support services;
- Providing referrals for medical services;
- Arranging a party to retake a course or withdraw from a class without penalty;
- Coordinate class schedules to eliminate or decrease conflicts;
- Moving impacted parties to a different campus housing unit; and
- Providing academic support services, such as tutoring.

6. Grievance Procedures for Complaints of Sex Discrimination

Vanguard Classical Schools has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

6.1. General Requirements

The following are basic requirements of the Title IX Grievance Procedures. Please note that this type of proceeding may lead to administrative sanctions and penalties.

- 6.1.1. Equitable treatment.** Vanguard Classical Schools will treat complainants and respondents equitably.
- 6.1.2. Conflict of interest.** Vanguard Classical Schools requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.
- 6.1.3. Presumed innocent.** Vanguard Classical Schools presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.
- 6.1.4. Timeframe.** In most cases, the grievance procedures should be completed within 60 calendar days of Vanguard Classical Schools’s receipt of the complaint.
- 6.1.5. Extension of timeframe.** If the grievance procedures cannot be completed within sixty (60) calendar days, the complainant and the respondent will be informed in writing of the reasons for the delay and provided an updated estimated date of completion.

- 6.1.6. Privacy protections.** Vanguard Classical Schools will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.
- 6.1.7. Evidence.** Vanguard Classical Schools will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person’s status as a complainant, respondent, or witness.
- 6.1.8. Impermissible evidence.** The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by Vanguard Classical Schools to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:
- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
 - A party’s or witness’s records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless Vanguard Classical Schools obtains that party’s or witness’s voluntary, written consent for use in its grievance procedures; and
 - Evidence that relates to the complainant’s sexual interests or prior sexual conduct, unless evidence about the complainant’s prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant’s prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant’s consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

6.2. Request for Formal Resolution

Complaints utilizing the formal resolution process may be made orally or in writing. There is no required complaint format. However, the complainant or reporting party is encouraged to provide the following elements, which are important to facilitate the investigation process:

- Name and affiliation (e.g., student, staff) of the person filing the complaint;
- Name and affiliation of the parties involved in the complaint, i.e., the alleged complainant and respondent;
- A brief statement of the event or events that are the cause of the complaint, including relevant date(s), locations, etc.;
- Names and affiliation of any witnesses to the event or events;
- A description of the behaviors or actions upon which the complaint is based; and
- A statement of any desired outcome and resolution.

6.3. Acknowledgment of Request and Notification of Responding Party

Within **five (5) calendar days** following the receipt of the formal resolution request, the Title IX Coordinator will send the complainant written acknowledgement of the complaint, as well as written notification to the respondent that will include information concerning the allegations in that complaint that will be the subject of investigation, and the anticipated timeline for such investigation.

6.4. Notice of Allegations

Upon initiation of **Vanguard Classical Schools 's** Title IX grievance procedures, **Vanguard Classical Schools** will notify the parties of the following:

- **[School's]** Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited; and
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. [If **Vanguard Classical Schools** provides a description of the evidence: The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.]

If, in the course of an investigation, **Vanguard Classical Schools** decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, **Vanguard Classical Schools** will notify the parties of the additional allegations.

6.5. Dismissal of Complaint

Vanguard Classical Schools may dismiss a complaint of sex discrimination if:

- **Vanguard Classical Schools** is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in **[School's]** education program or activity and is not employed by **Vanguard Classical Schools** ;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and **Vanguard Classical Schools** determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- **Vanguard Classical Schools** determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, **Vanguard Classical Schools** will make reasonable efforts to clarify the allegations with the complainant.

6.6. Investigation

Vanguard Classical Schools will provide for adequate, reliable, and impartial investigation of complaints using trauma-informed investigation practices. The burden is on **Vanguard Classical Schools** —not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

6.6.1. Timing

In most cases, the entire process for investigating and resolving complaints should be concluded within thirty (30) calendar days following the receipt of a formal complaint. The length of time of the investigation will vary depending on the complexity of the investigation, the severity and extent of the behavior, the quantity and availability of witnesses, and other factors of

significance. If the investigation and resolution cannot be completed within thirty (30) calendar days, the Complainant Party and the Responding Party will be informed in writing of the reasons for the delay and provided an updated estimated date of completion.

6.6.2. Investigators

Upon receipt of a formal complaint, Vanguard Classical Schools will designate an investigator of its choosing who has specific training and experience investigating allegations of sex-based harassment, including how to perform trauma-informed investigation interviews. Vanguard Classical Schools will maintain a group of trained internal investigators who are available to investigate complaints. Vanguard Classical Schools, in its sole discretion, reserves the right to assign the investigation to confidential, external investigator(s). All investigators will be impartial factfinders throughout the investigation process. This means the investigators will be unbiased and will focus solely on evidence and information surrounding the incident(s).

6.6.3. Single-investigator Model

The single investigator model is a process where one individual is responsible for both investigating a complaint and making a final determination regarding its outcome. This means the same person interviews the parties involved, gathers evidence, analyzes the information, and decides whether a policy violation occurred and what sanctions, if any, should be imposed. Vanguard Classical Schools may choose to utilize the single investigator model in grievance procedures under the following circumstances:

- **Mutual Consent:** When both parties involved in a grievance agree to the use of a single investigator, acknowledging their understanding of the process and its implications.
- **Limited Scope/Complexity:** For grievances that are relatively straightforward, involve a limited number of witnesses or evidence, and do not raise complex legal or factual issues.
- **Time Sensitivity:** When a timely resolution is crucial, and a single investigator can efficiently gather and assess the relevant information.
- **Resource Constraints:** In situations where the charter school's resources are limited, and the use of multiple investigators may pose an undue burden.
- **Specific Expertise:** When a single investigator possesses the specialized knowledge or experience necessary to effectively address the particular nature of the grievance.

If the investigator and decision maker are different individuals, the decision maker will be allowed to question the parties and all witnesses for the purpose of determining credibility when credibility is in dispute and relevant.

In all cases, the investigator will adhere to the highest standards of impartiality, fairness, and due process. The charter school is committed to ensuring a transparent and equitable grievance process for all members of its community.

6.6.4. Presumption of Innocence

The respondent will be presumed innocent of the allegations during the investigation. Investigators will not make a finding of responsibility in the investigation report but will outline the evidence collected and make a finding of whether the evidence collected meets the preponderance of the evidence standard.

6.6.5. Process

The complaint will be investigated as discreetly and expeditiously as possible with due regard to thoroughness and fairness to all parties. Investigators will examine relevant documents, interview witnesses, and may interview other individuals with relevant information who are identified by the parties. Investigators reserve the right to assess the relevance and evaluate the credibility of witnesses offered by the complainant and respondent parties. No investigation under this procedure will include discussion of or inquiry into the complainant's attire on the date of the incident(s) or the complainant's sexual history as a rationale or reason for sex-based harassment.

6.6.5.1. Investigation Interviews. Investigations will normally consist of interviews with the Reporting Party, Responding Party, and factual witnesses who may have knowledge of the alleged behavior, as well as reviews of pertinent communications, electronic records, documents or other available evidence. The investigator may interview other individuals with factual information who are identified by the parties or other witnesses. In all cases, the investigator has the independent authority to evaluate the relevance of witnesses offered by the parties and assess the credibility of witnesses interviewed.

6.6.5.3. Interviews with Complainant and Respondent Parties. Under most circumstances, the complainant and respondent will each be interviewed twice, separately. During the first interview, the investigator will begin preparing a written statement for the interviewee. The investigator will also request that each party provide the following information: 1) any topics they would like the investigator to address with the other party; 2) the identity of other witnesses who should be interviewed as a part of the investigation, and questions they would like asked of other parties and witnesses; and 3) any other relevant information. The investigator will consider the information provided and incorporate it into the appropriate party's written statement. During the second interview, each party will be asked to review, revise if necessary, and sign their written statement. These written statements will be used by the investigator to complete the investigation report.

6.6.5.4. Presenting Witnesses and Evidence. Vanguard Classical Schools will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

6.6.5.5. Confidentiality of Investigative Materials. The investigator will review any available and pertinent documentation or other evidence. The investigator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. All materials and documents prepared or compiled by the investigator during the course of investigating a complaint will be kept confidential to the fullest extent of the law.

6.6.5.6. Failure to Participate in Investigation. Failure of the parties to cooperate with an investigation may result in negative ramifications for that individual, as the investigator will issue a report based on the information they were able to gather. If the respondent, with appropriate notice, does not participate in the investigation, a disciplinary decision may be reached based on the totality of the information related to the allegations available at the time of the investigation.

6.6.5.7. Report of Investigation Findings. Before the conclusion of the investigation, the investigator will prepare a preliminary investigation report that summarizes all of the relevant information obtained during the investigation. The preliminary investigation report will be a summary of the relevant facts and any supporting documentation, which may include statements by the parties, third-party witnesses, or others with information and any physical, written, electronic or other evidence.

Vanguard Classical Schools will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- Vanguard Classical Schools will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If Vanguard Classical Schools provides a description of the evidence: Vanguard Classical Schools will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.;
- Vanguard Classical Schools will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
- Vanguard Classical Schools] will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

After the investigator receives the responses from the parties, the investigator will finalize the report to include their analysis and findings regarding the investigation within ten (10) calendar days of receiving the last response. If the investigator determines that further investigation is required, the investigator will inform a Title IX Coordinator who will notify the parties that further investigation will take place.

The investigator will submit the final investigation report to a Title IX Coordinator and the appropriate decision-maker. [Identify any decision-makers here, include specifics if there will be different decision-makers for students, faculty members, administrators, or staff member.]

After the investigation report has been received, the Title IX Coordinator will provide the complainant and respondent party with a copy of the investigation report. Each party may submit a written response to the investigation report to the the decision maker, within ten (10) calendar days of receiving the final investigation report.

6.7. Questioning of the Parties and Witnesses by the Decisionmaker

Vanguard Classical Schools provides a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination:

- **Identification:** Specific instances where credibility is questioned will be identified.
- **Notice:** Both parties will be notified of these concerns and given a chance to respond.

- **Additional Information:** The decision-maker may request further information or evidence.
- **Demeanor Assessment:** If no live hearing, virtual or in-person meetings may be used to assess demeanor.
- **Corroborating Evidence:** Any supporting or contradicting evidence will be considered.
- **Relevant Factors:** Consistency, plausibility, motive, demeanor, and corroborating evidence will be evaluated.
- **Documentation:** The assessment process and rationale will be thoroughly documented.
- **Notice of Determination:** Both parties will be informed of the credibility decision and the reasoning behind it.

This process ensures fair, impartial, and transparent credibility assessments, considering all relevant information and evidence.

6.8. Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Vanguard Classical Schools will:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a complainant and other people Vanguard Classical Schools identifies as having had equal access to [School's] education program or activity limited or denied by sex discrimination;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within [School's] education program or activity.
- Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

6.9. Disciplinary Sanctions and Remedies

Following a determination that sex-based harassment occurred, Vanguard Classical Schools may impose disciplinary sanctions. All decisions regarding sanctions will be made by the decision maker, or their designee. Both the Reporting Party and Responding Party may provide input to the decision-maker regarding the nature and severity of the sanctions. Sanctions for engaging in sexual harassment are limited by Vanguard Classical Schools' institutional authority and many sanctions imposed under a criminal complaint are not available under Vanguard Classical Schools' policies and procedures.

Sanctions imposed by Vanguard Classical Schools may include, but are not limited to, the following:

- mandatory attendance at relevant awareness and prevention training programs or seminars;
- mandatory attendance at other training programs;
- oral reprimand and warning; written reprimand and warning; student probation, suspension, expulsion;
- educational sanctions;
- restitution; and
- prohibition of entering the Vanguard Classical Schools campus or attending Vanguard Classical Schools' sponsored events. Sanctions will be based on the severity of the infraction. For example, sanctions for non-consensual sexual acts involving penetration will likely involve the severest of sanctions, including suspension and expulsion.

7. Appeals Process for Grievance Procedures

Vanguard Classical Schools offers the following process for appeals from a determination whether sex discrimination occurred. This appeal process will be, at a minimum, the same as Vanguard Classical Schools offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.

Both the complainant and the respondent have the right to file an appeal of the decision made by the decision-maker. [Identify position that will hear appeals]. An appeal must be filed in writing and submitted to the [position that will hear appeals]. An appeal request will only be considered if it includes: 1) the specific aspect of the decision being appealed; 2) the grounds for an appeal; and 3) the rationale that supports the selected grounds.

7.1. Grounds for Appeal

Not all decisions can be appealed. An appeal is not appropriate for the simple reason that a party disagrees with the decision. The three items listed below are the only acceptable grounds for an appeal. Except as required to explain and support an appeal based on new information, an appeal shall be limited to a review of the investigation record and supporting documents for one or more of the following purposes:

- **New Information:** To consider information or other relevant facts sufficient to alter a decision because such information and/or facts were not known to the person appealing at the time the investigation was concluded.
- **Due Process:** To determine whether the investigation and decision-making process were conducted fairly and in conformity with these procedures so that the parties had a reasonable opportunity to prepare and present information about the alleged policy violation. Minor process deviations that do not materially affect the outcome are not a basis for sustaining an appeal. Alleged due process violations may be appealed, but in cases where process errors are identified, the outcome is limited to referral to correction of the process error(s).
- **Unsupported Decision:** To determine whether the decision reached was supported by the evidence.

7.2. Submitting an Appeal Request

Decisions reached by the decision maker, or their designee may be appealed by the respondent and/or the complainant. The individual may file an appeal by submitting a written appeal to Executive Director by the date stated within ten (10) calendar days of the date of the decision notification. It is the obligation of the party submitting the appeal to complete the form in its entirety and provide any and all materials that the party wishes to have considered at the time of the appeal request submission. If the appeal request form is not received within the required time frame, the original decision is final and no further appeal is permitted.

7.3. Sanctions and Conditions during a Pending Appeal

Throughout the appeal process, all parties must continue to comply with all conditions and/or sanctions of the original decision. However, if the respondent is a student, they may request and receive approval from a Title IX Coordinator to continue to attend classes and required academic activities while the appeal is pending. Such approvals are within the sole discretion of the Title IX Coordinator and may include alternative protective measures.

7.4. Appeal Review

Within ten (10) calendar days of receipt of the appeal request form, Executive Director hearing the appeal will review the appeal and submitted materials to determine if the appealing party has identified acceptable grounds for an appeal and whether the appeal has been filed by the deadline. Following the review, Executive Director will make a decision consisting of one of the following actions:

- a. **Deny the appeal** on the basis that the appeal and supporting information do not establish an acceptable basis for appeal and/or the appeal was not submitted by the appeal deadline. If the appeal is denied, the original decision is final and is considered binding upon all parties.
- b. **Allow the appeal to proceed.** The appeal information submitted meets one of the grounds for appeal and the appeal request form was submitted by the appeal deadline.

The Executive Director will then notify a Title IX Coordinator of their decision in writing. The Title IX Coordinator will then notify the complainant, respondent, and the decision maker in writing of the decision to deny or allow the appeal.

7.5. Appeal Decision

If and when it is determined that the appeal will be allowed to proceed, the decision maker will provide the Executive Director all information regarding the incident that was relied upon by the decision-maker. Within ten (10) calendar days of receiving the information from the decision-maker, Executive Director will review the materials and make one of the following decisions:

- **Affirm the decision:** Signifying that the Executive Director agrees that the information supports the original decision.
- **Reverse the decision:** Signifying that the Executive Director does not agree that the information supports the original decision. This option is not available when the respondent is appealing due process errors.
- **Refer the matter for further consideration:** Signifying that Executive Director believes that additional review and consideration should be made by the decision-maker, including addressing process violation(s) that were identified through the appeal process.

If a matter is returned to the decision-maker for further consideration, the reconsideration will take place and the decision communicated in writing to the parties within ten (10) calendar days of the matter being returned. The decision is final and shall be considered binding upon all involved, from which no additional appeals are permitted.

8. Informal Resolution

In lieu of resolving a complaint through the school's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Participation in informal resolution must be voluntary. Vanguard Classical Schools does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

A complainant may wish to pursue an informal resolution as described below. This type of proceeding will not involve an administrative investigation and will not result in a suspension or other significant sanction. Although informal, this is an official resolution process of Vanguard Classical Schools. At any point during the informal process, the complainant may request to move to the formal process.

8.1. Complaints

Complaints utilizing the informal adjudication and resolution process may be made orally or in writing. There is no required complaint format. However, the complainant or reporting party is encouraged to provide these when possible:

- Name and affiliation (e.g., student, faculty, staff, community member) of the person filing the complaint;
- Name and affiliation (if any) of the alleged complainant
- Name and affiliation of the responding party;
- A statement of the event(s) that are the cause of the complaint, including relevant date(s), location(s), etc.;
- A description of the behaviors or actions upon which the complaint is based; and
- A statement of the complainant's desired outcome and resolution.
- A statement consenting to the informal resolution process.

8.2. Purpose and Timing

Under certain circumstances, an informal resolution process may be appropriate, effective and desirable for a variety of reasons. Further, it may provide a more expedient path to resolution than the formal process entails. The informal resolution efforts will be focused on bringing the complainant's concerns to the attention of the responding party and obtaining the voluntary cooperation of the parties to address and resolve the matter. If a complaint is made informally, the process is expected to be completed in a relatively brief period of time, usually within ten (10) calendar days of the date the complaint is received. If additional time is needed for the informal process, the Title IX Coordinator will communicate this to the complainant and responding party in writing, citing the reasons for the additional time.

8.3. Process

If the complainant desires to informally resolve the complaint, a Title IX Coordinator will try to resolve the complaint expeditiously to the satisfaction of all concerned. A variety of possible means to resolve the complaint may be used at the discretion of a Title IX Coordinator. Examples of the method and means used to try to achieve resolution may include, but are not limited to:

- Having a meeting between the complainant and a Title IX Coordinator to communicate receipt of the complaint and establish a set of behavioral expectations to end the behavior(s) at issue;
- Working with staff members, coaches, or other employees with whom the complainant is comfortable to address the concerns;
- Providing assistance to supervisory and advisory personnel to address the matter with the complainant;
- Providing advice to the complainant regarding ways to handle the situation directly; and/or

- Any other mutual agreements between the parties.

9. Records Retention

Title IX Coordinators are the custodian of all records of sexual harassment complaints filed under the Policy, including documentation regarding complaint investigation and internal adjudication. Such records will be maintained separately from student or employee files.

10. Appendix: Definitions

Complainant means:

- 1) A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
- 2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the recipient's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the recipient that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Disciplinary sanctions mean consequences imposed on a respondent following a determination under Title IX that the respondent violated the recipient's prohibition on sex discrimination.

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

Remedies means measures provided, as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the recipient's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after a recipient determines that sex discrimination occurred.

Respondent means a person who is alleged to have violated the recipient's prohibition on sex discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. Quid pro quo harassment. An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
2. Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - a. The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
 - b. The type, frequency, and duration of the conduct;
 - c. The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the recipient's education program or activity; or
3. Specific offenses.
 - a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
 - b. Dating violence meaning violence committed by a person:
 - i) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - ii) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (1) The length of the relationship;
 - (2) The type of relationship; and
 - (3) The frequency of interaction between the persons involved in the relationship;
 - b) Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
 - ii) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - iii) Shares a child in common with the victim; or
 - iv) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
 - c) Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - i) Fear for the person's safety or the safety of others; or
 - ii) Suffer substantial emotional distress.

Supportive measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

1. Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or

-
2. Provide support during the recipient's grievance procedures or during an informal resolution process.