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TITLE IX POLICY			
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I. Definitions

- A. The terms “discrimination based on gender” and “gender discrimination,” shall include acts of Sexual Harassment or Sexual Violence, as defined below.
- B. Sexual Harassment – Also known as “gender-based harassment” shall include unwelcome sexual advances, requests for sexual behaviors, sexually-motivated physical contact or other verbal or physical contact, conduct or communication of a sexual nature when:
 - 1. Submission to that contact, conduct or communication is made a term or condition, either explicitly or implicitly, of receiving a benefit,
 - 2. Submission to or rejection of that contact, conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
 - 3. The contact, conduct or communication has the purpose or effect of substantially interfering with an individual’s employment or education or creating an intimidating, hostile or offensive workplace or educational environment.
- C. Sexual Violence – Also known as “gender-based violence” shall include any unwanted or inappropriate sexual contact with a student or employee, including consensual sexual relations between an adult and a student. Such violence includes acts of aggression or force or threat thereof that involves the touching of another’s intimate parts or the forced touching of one’s own or another’s intimate parts, including the genital area, groin, inner thigh, buttocks or breast, or clothing covering those areas.

II. General Policy

- A. In accordance with Title IX of the Education Amendments of 1972, Acero’s students are protected from discrimination on the basis of gender. For purposes of this policy, sexual or gender-based harassment or violence constitutes discrimination. In order to prevent incidents of discrimination, as well as to establish procedures in responding to sexual harassment or violence, Acero has adopted the following Title IX Policy to ensure equal educational opportunity for all students.

- B. As a general matter, Acero provides equal educational opportunity for all students and does not unlawfully discriminate on the basis of sex. No student shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school on the basis of sex.
- C. It will be a violation of this policy for any student or Acero employee to discriminate against a student or Acero employee based on their gender. For purposes of this policy, an Acero employee includes members of the Board of Directors, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of Acero.
- D. Acero will investigate all complaints, formal or informal, verbal or written, of harassment or violence of a sexual nature and take immediate steps to redress the discriminatory conduct, including the discipline of any individual found to have violated this policy, up to and including termination or expulsion.
- E. Adoption and implementation of this policy does not negate or otherwise affect Acero's enforcement of its policy against harassment or discrimination based on perceived race, color, creed, national origin, religion, gender, sexual orientation, disability, receipt of public assistance, or marital status or age, as defined by state and federal law.

III. Designation of Title IX Officers

- A. The General Counsel/Designee is designated as Acero's Title IX Coordinator and is responsible for the implementation of this policy.
- B. At each campus, the School Principal is designated as the Title IX Campus Coordinator and shall assist the General Counsel/Designee in enforcing this policy.

IV. General Applicability

- A. This policy shall apply to all of Acero's academic and non-academic (e.g., athletic and extracurricular) programs, regardless of where such programs take place.
- B. For the purposes of this policy, conduct constituting gender discrimination may consist of conduct not directed at any particular student or employee, and includes conduct that creates a hostile environment for students based on gender that interferes or limits the ability of any student to participate in, enjoy or benefit from Acero programs, whether physical, verbal, graphic, written or otherwise.
- C. Sexual Harassment can take place in many forms and can
 - 1. be explicitly unwelcome conduct that a student or employee finds either offensive or undesirable due to its sexual or gender-based nature, or
 - 2. implicitly create a hostile environment that interferes with the learning environment.

- D. A student's submission or failure to complain does not imply that the conduct was welcome.
- F. Acero will consider all circumstances in reviewing complaints.
- G. The report of any investigatory or law enforcement agency shall not relieve Acero of its responsibilities under Title IX, as described below.

V. Reporting Procedures

- A. The intent of the reporting procedures established under this policy is to ensure that Acero promptly addresses and respond to allegations of gender discrimination.
- D. Reporting procedures are not intended to prevent a person from reporting incidents of discrimination to school officials other than the Title IX and Campus Title IX Coordinators.
- E. Any student who is the subject of gender discrimination that interferes or limits their ability to participate in, enjoy or benefit from Acero programs may file a complaint directly with the Title IX Coordinator or Campus Title IX Coordinator. Any parent or guardian of a student may file a complaint on behalf of the student subject to discrimination based on gender.
- F. Any Acero employee who is the victim of gender discrimination may file a complaint with the Title IX Coordinator, Campus Title IX Coordinator or Deputy Chief of Human Capital.
- G. Students, parents, and employees are encouraged to report any suspected discrimination that interferes or limits the ability of any student to participate in, enjoy or benefit from Acero programs.
- H. When any employee or Campus Title IX Coordinator receives a complaint alleging gender discrimination by a student or Acero employee, the employee or Campus Title IX Coordinator shall report the complaint, in writing, to the Title IX Coordinator within 24 hours. If a complaint is made verbally, employee an employee or Campus Title IX Coordinator shall reduce the complaint to writing before it is submitted to the Title IX Coordinator. After receiving the complaint, neither the employee nor Campus Title IX Coordinator shall screen or investigate the credibility of the report.
- I. When any employee or Campus Title IX Coordinator reasonably believes that a student has been the victim of gender discrimination, whether based on indirect knowledge of circumstances giving rise to a reasonable belief that gender discrimination has occurred through sources such as members of the local community, social networking sites, or the media, the employee or Campus Title IX Coordinator shall report their belief, in writing, to the Title IX Coordinator.
- J. Any report of gender discrimination received anonymously Human Capital should be forwarded by Acero's Human Capital department directly to the Title IX Coordinator.
- K. The Title IX Coordinator may request, but not insist, that a complainant submit a written compliant.

- L. Any complaint should be reported as soon as possible after the alleged discrimination took place or, whenever possible, within 30 calendar days of the alleged discrimination. Acero will accept complaints older than 30 calendar days, but the investigation of such complaints can be made more difficult as a result of the delay.
- M. After receiving a complaint, the Title IX Coordinator shall confer with the Campus Title IX Coordinator to determine the appropriate course of action in responding to the complaint. Acero must take immediate and appropriate steps to investigate any complaint. At any time after a report is made, Acero may adopt any interim measures to protect any student who has been subject to gender discrimination based on sexual harassment or violence. In cases where a student is suspected of being subjected to gender discrimination based on harassment or sexual violence by an employee, Acero may immediately suspend the employee pending the outcome of an investigation.
- N. To the extent possible, Acero will protect the identity of a complainant or any individual subject to gender discrimination. However, Acero may be required disclose the identity of a complainant or victim in a limited number of circumstances to fulfill its obligations under Title IX.

VI. Investigations

- A. Within ten (10) days of receiving a complaint, the Title IX Coordinator shall determine whether an investigation into the matter is appropriate and, if so, initiate an investigation with the cooperation of the Campus Title IX Coordinator. The Title IX Coordinator can designate any neutral third party to conduct an investigation.
- B. Acero's Title IX and Campus Title IX Coordinators shall be primarily responsible for investigating complaints of discrimination under Title IX and making certain that the grievance procedures described below are followed.
- C. Either prior to initiating the investigation or at any time thereafter, Acero may take immediate steps to protect parties involved in the complaint process. Such steps may include reporting alleged conduct to law enforcement authorities or the temporary removal of an alleged perpetrator or complainant from Acero campuses or work locations. The Title IX Coordinator shall consult with the Campus Title IX Coordinators and executive leadership to determine what immediate steps are necessary.
- D. If a complaint is referred to law enforcement or any other administrative agency responsible for investigating instances of child abuse, Acero will cooperate fully with the investigating agency. However, referrals do not relieve Acero of its responsibility to independently investigate each complaint. Acero may delay the investigation of the complaint upon the request of an administrative or law enforcement authority if such authority believes that Acero's investigation could interfere with the course of its investigation.
- E. Unless impracticable, the investigation into any reported discrimination shall be completed within 30 calendar days from receipt of a report. Following 30 days after the receipt of a report, the Title IX Coordinator shall set forth in writing the reason for any delays during the course of an investigation.
- F. Any investigation may consist of personal interviews with the complainant, the individual or individuals against whom the complaint is filed, and others who may have

knowledge of the conduct or circumstances giving rise to the complaint. The Title IX Coordinator or their designee shall investigate using any other methods or documentary procedures deemed prudent. Whenever possible, interviews with students shall be conducted by Campus Title IX Coordinators. In all cases, investigations should provide an opportunity for both the alleging party and the accused party to present witnesses or evidence, as well as afford equal rights to both parties.

- G. Investigations may also include impartial hearings, conducted by the Title IX Coordinator or their designee, at which the complainant alleging that sexual or gender-based discrimination has occurred may present testimony or evidence supporting his or her claim. If the complainant is permitted to present testimony or evidence supporting his or her claim at a hearing, the individual alleged to have discriminated against an Acero student or employee must be afforded an equal opportunity to present testimony or evidence at the hearing. Given the nature of the allegations, the Title IX Coordinator shall determine whether testimony by the complainant or the alleged perpetrator should be heard in the presence of the other, except that the accused shall be made aware of the nature of the claims and testimony prior to being provided an opportunity to present testimony or evidence at a hearing. A student or employee shall have the right to an attorney at any such hearing.
- H. When determining whether alleged conduct constitutes a violation of Acero's anti-discrimination policy, Acero will consider the facts and surrounding circumstances established by the investigation, such as the nature of the behavior, past incidents or continuing patterns of behavior, the severity of the behavior, the nature of the parties involved, and the context in which the alleged incident occurred.
- I. The Title IX Coordinator shall provide notice to both the complainant and individual accused of discriminatory behavior when the investigation has been completed.
- J. Upon completion of the investigation, the Title IX Coordinator, or their designee, shall prepare a written report documenting the findings of the investigation and providing recommendations concerning actions to be taken by Acero. The report should include the facts substantiated by the investigation, a determination of whether the allegations have been substantiated and whether a violation of Acero's anti-discrimination policy has occurred. The standard of proof for such determinations shall be a preponderance of the evidence. The report must include written recommendations for responding to the discrimination, including any steps reasonably calculated to end the discriminatory actions, eliminate the hostile environment, prevent its recurrence, and remedy its effects.
- K. The report shall be filed with the Chief Executive Officer and Chief Education Officer, who shall determine whether to adopt the findings and recommendations included in the report.
 - 1. In cases where the reported conduct alleges discrimination on the part of either the Chief Executive Officer or Chief Education Officer, the report must be filed with Acero's Board of Directors, which shall take formal action to adopt or decline the recommendations of the Title IX Coordinator.
 - 2. Upon concluding an investigation, the Title IX Coordinator shall inform the complainant, or their parent in the case of a student, of his or right to review the written report, in accordance with all law regarding student records or privacy.

- L. At the time the report is filed, regardless of whether the recommendations of the Title IX Coordinator are adopted, Acero must take prompt and effective steps reasonably calculated to end the discriminatory actions, eliminate the hostile environment, prevent its recurrence, and remedy its effects.
- M. Final appeals to investigatory findings or recommendations of the Title IX Coordinator may be made to the Chief Executive Officer or their designee, in writing, within ten (10) school days of the decision of the Title IX Coordinator or the receipt of the findings by the complainant or alleged perpetrator, whichever is later. The appeal must be made in writing and state the reasons why the appealing party believes the resolution of the complaint to be unsatisfactory, including the submission of any new evidence relating to the discriminatory conduct.
- N. If there is a conflict of interest with respect to parties affected by or responsible for carrying out this policy, appropriate accommodations will be made, including contracting with a neutral third party investigator to conduct the investigation or recusal from the process by a person for whom the conflict of interest exists.

VII. Actions Taken as a Result of Discriminatory Conduct and Investigations

- A. Upon receipt of the recommendations and findings of the Title IX Coordinator, or earlier if necessary, Acero shall take appropriate and effective action intended to redress victims of discriminatory conduct and prevent against future discriminatory conduct.
- B. Such action shall include the initiation of disciplinary procedures in accordance with Acero's Student Code of Conduct or, in the case of employees, Acero's employment policies.
- C. If the Title IX Coordinator determined that a violation of the anti-discrimination policy occurred, such action may include but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. When possible, actions should also include restorative justice programs school- or district-wide training, counseling or class transfers. Acero shall comply with the requirements of collective bargaining agreements, state and federal law and school district policies when taking action against any employee.
- D. Acero will take appropriate action against any student, teacher, administrator or other school personnel who retaliates against any person who reports alleged harassment or against any person who testifies, assists, or otherwise participates in an investigation or hearing related to sexual or gender-based discrimination, including the individual alleged to have discriminated.

VIII. Dissemination of Policy and Training

- A. This policy shall be distributed to all employees, students, and parents annually.
- B. This policy must be conspicuously posted at each school buildings in areas open to employees, students, and parents.
- C. This policy must be included in Acero's student handbook on school policies.
- D. This policy will be reviewed annually for compliance with state and federal law.

E. This policy will be posted to Acero's website for easy accessibility.

IX. Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse to discriminatory action, including the filing of charges with administrative agencies, filing a report with a law enforcement agency, or initiating action in state or federal court.

X. Reference

Title IX of the Education Amendments of 1972, 20 U.S.C 1681 et. seq.

XI. Applicability

This policy is applicable to all Acero employees. Failure to comply with this policy may result in disciplinary action, up to, and including termination.