

## **Title IX Policy:**

Homer A. Plessy Community School ("Plessy") does not discriminate on the basis of sex in its educational programs and activities, curricular and/or extracurricular. Accordingly, all staff, teachers, employees and students abide by the requirements of Title IX of the Education Amendments of 1972 and its implementing regulations. Title IX regulations apply to safeguard the rights of students in a wide range of educational settings by requiring Plessy to address such conduct when it occurs on campus or in connection with any educational or extracurricular program, including but not limited to athletic programs.

Sexual misconduct in its many forms involving students is explicitly prohibited, whether such conduct occurs on or off campus, during or after school hours, during or directly related to school-sponsored activities, or at a time and/or place directly related to school functions or an employee's school-related duties.

It is the intent of Plessy to maintain an environment free from sexual misconduct including sexual assault, sexual harassment of any kind, relationship/dating violence, non-consensual sexual conduct, stalking, and child sexual abuse. This policy commands that no student shall be subjected to sexual assault or sexual harassment by other students, Plessy staff or employees, or third party affiliates of Plessy, such as vendors or visitors.

This policy shall be enforced and the accompanying procedures shall be implemented regardless of whether a complaint has been filed with or an investigation has been instituted by any law enforcement agency.

Questions regarding Title IX may be referred to the U.S. Department of Education, Office of Civil Rights (OCR), or to **Plessy's Title IX Coordinator: Adam Campagna**, phone number:(504) 352-8320, and email: adam.campagna@plessyschool.org. Plessy requires that any student complaint of another student engaging in sexual harassment that is reported to a teacher or counselor must immediately be reported to the Head of School. The Head of School is responsible for investigating the complaint. The right to confidentiality, both of the complaining student(s) and of the accused student(s) shall be respected to the extent practicable and appropriate. The Head of School may request assistance of the Assistant Principal or Director of Student Support in investigating student-on-student sexual harassment. If the act or acts involve possible criminal conduct, the appropriate police authorities will be notified. A substantiated complaint of sexual harassment against a student shall subject that student to disciplinary action, including suspension or expulsion, consistent with the provisions of this Handbook.

If the victim of the alleged sexual harassment is a minor student and if the alleged harassment falls within the definition of abuse as found below, then all school employees with knowledge shall be considered *mandatory reporters* and the allegations must be reported to child protection or law enforcement as provided by state law. Such reporting must be made in addition to any procedures for handling sexual harassment complaints.

## **DEFINITIONS**

1. *Sexual harassment* shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of an individual's participation in Plessy programs, activities, employment, promotion or educational status; or
  - B. Submission to or rejection of such conduct or communication is used as a factor in decisions affecting an individual's employment, promotion, or education including any aid, benefits, services or treatment; or
  - C. Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or education, or creating an intimidating, hostile or offensive working or educational environment.
2. *Sexual harassment* may include but is not limited to:
- A. verbal harassment or abuse;
  - B. uninvited letters, telephone calls, or materials of a sexual nature;
  - C. inappropriate and uninvited leaning over, cornering, patting, or pinching;
  - D. uninvited sexually suggestive looks or gestures;
  - E. intentional brushing against a student's or an employee's body;
  - F. uninvited pressure for dates;
  - G. demanding sexual favors accompanied by implied or overt threats concerning an individual's employment, promotion, or educational status;
  - H. uninvited sexual teasing, jokes, remarks, or questions;
  - I. demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment, promotion or educational status;
  - J. any sexually motivated unwelcome touching; or
  - K. physical assaults, such as rape, sexual battery, molestation, or attempts to commit these assaults.

## VIOLATIONS

1. Students and employees are encouraged and expected to immediately report.
2. A report or complaint of an alleged violation of this policy must be sufficiently clear and explicit so that it can be recognized as a legitimate report of sexual misconduct or harassment or retaliation. This means that the report or complaint must, at a minimum, include: (1) a description of an alleged act of sexual misconduct or harassment or retaliatory conduct, including the date, time, and place it allegedly occurred; (2) identity of the alleged victim; (3) identity of the accused; and (4) the identity of the reporting person.

## NON-RETALIATION

Retaliation against any employee or student who makes a sexual harassment complaint or who assists, in any manner, in an investigation is strictly prohibited. The initiation of a complaint of sexual harassment by a student will not reflect negatively on that student nor will it affect the student's academic standing, rights, or privileges. Likewise, any employee or student assisting in the investigation of a sexual harassment complaint will not be adversely affected, discriminated against or penalized as a result.