

Hmong American Peace Academy Title IX Policy



HAPA
HMONG AMERICAN
PEACE ACADEMY

Table of Contents

TITLE IX SEX DISCRIMINATION PROHIBITED	2
TITLE IX SEX-BASED HARASSMENT PROHIBITED	2
DEFINITIONS	4
MAKING A REPORT	6
INFORMAL RESOLUTION PROCESS.....	6
REVIEWING REPORTED SEX DISCRIMINATION	6
TITLE IX COMPLAINT GRIEVANCE PROCEDURE	8
APPEAL	10
ENFORCEMENT	11
RETALIATION PROHIBITED	12
AUTHORITY	12
CONFIDENTIAL EMPLOYEES	12
CONFIDENTIALITY	12
CONSOLIDATION OF COMPLAINTS.....	13
OTHER AVAILABLE REMEDIES.....	13
NOTICE	13
RECORDKEEPING	13
TRAINING	13

Hmong American Peace Academy

Nondiscrimination on the Basis of Sex in Education Programs or Activities (Title IX)

The Hmong American Peace Academy (“HAPA”) does not discriminate on the basis of sex in any of its education programs or activities and it complies with Title IX of the Education Amendments Act of 1972 (“Title IX”) and its implementing regulations, concerning any individual in the school’s education programs and activities. Pursuant to the school’s Title IX obligations, HAPA prohibits sex discrimination, including sex-based harassment, which is a form of sex discrimination, that occurs within its education programs and activities.

HAPA is further committed to eliminating sex discrimination by taking appropriate action to determine whether sex discrimination has occurred, and if it has, to provide persons who have experienced sex discrimination with supportive measures as reasonably necessary to restore or preserve access to HAPA’s education programs and activities. Where the school has knowledge of conduct that reasonably may constitute sex discrimination, HAPA is committed to responding promptly and effectively.

The process and procedures described herein apply exclusively to reports and complaints brought under this Policy. Both Complainants and Respondents shall be treated equitably under this Policy.

TITLE IX SEX DISCRIMINATION PROHIBITED

No person shall, on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any academic, extracurricular, or other education program or activity operated by the school.

HAPA prohibits the adoption of a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with a person’s gender identity, except as permitted under the Title IX Regulations.

TITLE IX SEX-BASED HARASSMENT PROHIBITED

An individual, including a HAPA employee or agent, a HAPA student, or other third party, engages in prohibited Title IX sex-based harassment whenever that individual engages in conduct that meets the definition of sex-based harassment. “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 satisfies one or more of the following:

- A. A HAPA employee or agent conditions the provision of an aid, benefit, or service of the school on an individual’s participation in unwelcome sexual conduct (“*quid pro quo*”);

B. Unwelcome conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it effectively limits or denies a person's ability to participate or benefit from HAPA's education program or activity ("*hostile environment harassment*"). Whether a hostile environment has been created is a fact specific inquiry that includes consideration of the following:

1. The degree to which the conduct affected the complainant's ability to access the school's education program or activity;
2. The type, frequency, and duration of the conduct;
3. The parties' ages, roles within the school's education program or activity, previous interactions and other factors about each party that may be relevant in evaluating the effects of the conduct;
4. The location of the conduct and the context in which it occurred; and
5. Other sex-based harassment in the school's program or activity; or

C. "Sexual assault", "dating violence", "domestic violence", or "stalking" as all are defined in 34 C.F.R. § 106.2.

1. "Sexual assault" means any offense classified as a forcible or nonforcible sex offense, including rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.
 - a. *Rape* is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - b. *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - c. *Sexual Assault with an Object* is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - d. *Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - e. *Incest* is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
 - f. *Statutory Rape* is sexual intercourse with a person who is under the statutory age of consent as defined by Wis. Stat. §§ 948.02, 948.09, or 948.093 or

whose status as a student prohibits such sexual contact per Wis. Stat. § 948.095.

2. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
3. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:
 - a. A current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim;
 - b. A person with whom the victim shares a child in common;
 - c. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or
 - d. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.
4. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Examples of sex-based harassment include, but are not limited to, touching, crude jokes or pictures/videos, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, and sexual abuse.

This Policy applies to sex-based harassment that occurs under the school's education program or activity, even when some of the conduct alleged to be contributing to the hostile environment occurred outside the school's education program or activity or outside of the United States.

DEFINITIONS

Complainant means an individual who is alleged to be the victim of conduct that could constitute sex discrimination. This includes individuals who are attempting to participate in HAPA's education program or activity at the time of the alleged sex discrimination or sex-based harassment.

Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging sex discrimination against a Respondent and requesting that HAPA investigate the allegation(s).

Consent refers to words or actions that a reasonable person could understand as an agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is incapable of giving consent.

Day(s) Unless otherwise specifically stated herein, “day(s)” means student attendance days.

Education program or activity refers to all operations of the school over which HAPA exercises substantial control over both the Respondent and the context in which the alleged sex discrimination occurs.

Exculpatory evidence is evidence that tends to clear or excuse a Respondent from allegations of sex discrimination.

Inculpatory evidence is evidence that tends to establish a Respondent’s responsibility for alleged sex discrimination.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination.

Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a complaint or where no complaint has been filed. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, additional supervision or planned accompaniment, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security, supervision, monitoring of certain areas of school grounds, and other similar measures.

Third parties include, but are not limited to, guests and visitors on HAPA property, vendors doing business with or seeking to do business with HAPA or the Board, and other individuals who come in contact with members of the HAPA community at school-related events or activities.

Title IX Coordinator is the individual responsible for coordinating HAPA’s efforts to comply with its obligations under Title IX and Title IX regulations. This Policy will refer to the “Title IX Coordinator” in the singular form. HAPA has two designated Title IX Coordinators, and the singular term as used throughout this Policy can mean either of the coordinators. The Title IX Coordinators are:

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A Title IX Coordinator that has a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent is prohibited from participation in the report or complaint where such conflict or bias is present.

MAKING A REPORT

Any person may report sex discrimination, including sex-based harassment, or retaliation under this Policy, to the Title IX Coordinator or any other HAPA employee with whom the person feels comfortable reporting the allegations to, in person, by mail, by telephone, or by electronic mail. If the report is made to a HAPA employee, they shall forward the report to the Title IX Coordinator within two (2) days. Any HAPA employee who fails to do so may be disciplined, up to and including termination.

In the event that the Title IX Coordinator is the individual alleged to have engaged in sex discrimination, including sex-based harassment, or retaliation under this Policy, a report may be submitted to the Chief Executive Officer or another HAPA employee, who will notify the Chief Executive Officer of the report or complaint. In such cases, the Chief Executive Officer shall serve as the Title IX Coordinator for the purposes of addressing that specific report or complaint.

INFORMAL RESOLUTION PROCESS

At any point before reaching a determination of whether sex discrimination occurred under the grievance procedure, the school may ask the parties if they wish to consider addressing the situation through an informal resolution process facilitated by HAPA. Informal resolution shall be strictly voluntary. Informal resolution will not be an option if there are allegations that a HAPA employee or third-party adult engaged in sex-based harassment against a student, or as otherwise conflicts with state or federal law.

The informal resolution process allows the parties to attempt a resolution without a full investigation and determination of whether sex discrimination occurred. Both the Complainant and Respondent must agree to informal resolution and provide voluntary written consent after being provided with notice of optional informal resolution. In situations where a complaint has been filed and the informal resolution is not successful, HAPA will complete the full investigation and adjudication of the complaint under the grievance procedure. In situations where no complaint has been filed and the informal resolution is not successful, the alleged victim of sex discrimination may elect to file a complaint and trigger the grievance procedure.

REVIEWING REPORTED SEX DISCRIMINATION

When a report of sex discrimination is made and provided to the Title IX Coordinator, the Title IX Coordinator and/or designee will contact the Complainant within four (4) days to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive

measures, inform the Complainant of the availability of supportive measures with or without the filing of a complaint, and explain to the Complainant the process for filing a complaint.

If the Complainant does not file a complaint, the Title IX Coordinator has the authority to sign a complaint and trigger HAPA's Title IX grievance procedure if, after considering the following factors, the Title IX Coordinator determines the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person, or the conduct as alleged prevents HAPA from ensuring equal access on the basis of sex to its education program or activity:

1. The Complainant's request not to proceed with initiation of a complaint;
2. The Complainant's reasonable safety concerns regarding initiation of a complaint;
3. The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
4. The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition or another disciplinary sanction to end the discrimination and prevent its recurrence;
5. The age and relationship of the parties, including whether the Respondent is an employee of HAPA;
6. The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
7. The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
8. Whether HAPA could end the alleged sex discrimination and prevent recurrence without initiating its grievance procedures.

Upon signing a complaint, the Title IX Coordinator does not become a complainant or a party to the complaint, and any Complainant who is identified in relation to the allegations retains their status as a Complainant in connection with the grievance procedure.

Further, the Title IX Coordinator will analyze the report to determine whether the allegations implicate another or additional HAPA policy, which would require another or additional processes. These policies include, but are not limited to: applicable policies in the HAPA Personnel Policies Manual and in the HAPA Discipline Policy.

The Title IX Coordinator may also remove a student Respondent from HAPA's education program or activity on an emergency basis if the Title IX Coordinator finds that the Respondent poses an imminent threat to the health or safety of any student, employee or other individual involved after conducting an individualized safety and risk analysis. If the Respondent is a non-student HAPA employee, HAPA may place the Respondent on administrative leave during the pendency of the grievance procedures. If the Respondent is a third-party, HAPA retains broad discretion to prohibit such persons from school property at any time and for any reason. Any such emergency removal will be in accordance with all relevant HAPA policies and all relevant state and federal law.

TITLE IX COMPLAINT GRIEVANCE PROCEDURE

Before beginning the grievance procedure, the Title IX Coordinator may consider whether there is a basis for dismissal of the complaint or any of the specific allegations. This determination may also be made while the complaint is pending.

The complaint or specific allegations in the complaint must be dismissed if:

1. HAPA is unable to identify the Respondent after taking reasonable steps to do so;
2. The Respondent is not employed by HAPA and is not participating in HAPA's education program or activity;
3. The Complainant voluntarily withdraws the complaint or specific allegations in the complaint, the Title IX Coordinator declines to sign a complaint, and the conduct that remains alleged, if any, would not constitute sex discrimination as defined under Title IX even if proved; or
4. After making reasonable efforts to clarify the allegations with the Complainant, the conduct alleged in the complaint would not constitute sex discrimination as defined under Title IX even if proved.

If the complaint is dismissed, the Title IX Coordinator or their designee will promptly send written notice of dismissal and the reasons for dismissal to the Complainant. If the dismissal occurs after the Respondent has been notified of the allegations, the Title IX Coordinator or their designee will also promptly send written notice of dismissal and the reasons for dismissal to the Respondent. This decision may be appealed through the appeal process described in this Policy.

Additionally, if the complaint is dismissed the Title IX Coordinator will offer supportive measures to the Complainant, as appropriate. The Title IX Coordinator will also offer supportive measures to the Respondent, as appropriate, if the Respondent has been notified of the allegations and if the reason for dismissal is based on Number 3 or Number 4 as stated above. Even where a complaint is dismissed, the Title IX Coordinator must continue to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within HAPA's education program or activity.

If the complaint is not dismissed, HAPA's Title IX grievance procedure must be initiated. HAPA will seek to conclude the grievance procedure promptly and efficiently, but no later than ninety (90) calendar days of receipt of the complaint. The grievance procedures may be followed by an appeal process which will be conducted in a timely manner as described in this Policy.

Any timelines set throughout the grievance procedure shall be reasonably prompt; however, such timelines may be subject to a temporary delay with a reasonable extension for good cause on a case-by-case basis with written notice to the Complainant and the Respondent of the delay or extension and the reasons for such delay. Any temporary delay shall not extend the ninety (90) day timeframe without written agreement between the parties.

HAPA will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of HAPA's grievance procedure, provided these steps do not restrict the ability of the parties to obtain and present evidence, consult with their family members, confidential resources or advisors, or otherwise prepare for or participate in the grievance procedure.

HAPA shall presume that the Respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of HAPA's grievance procedure for complaints of sex discrimination.

Investigation

The Title IX Coordinator will select the investigator for each complaint. Investigators that have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent are prohibited from participation in the investigation process where such conflict or bias is present. During the investigation, both parties have the right to present fact witnesses, present inculpatory and exculpatory evidence, and have others present during any grievance proceeding.

The following types of evidence and questions seeking such evidence are impermissible regardless of relevance: (1) evidence protected by a federal or state privilege or evidence provided to a confidential employee unless the privilege or confidentiality is voluntarily waived by the person to whom the privilege or confidentiality is owed; (2) a party's or witness' records 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 HAPA obtains the voluntary, written consent of the party or witness for use in the grievance procedures; and (3) evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless it is offered to prove 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 offered to prove consent to the alleged sex-based harassment. The fact of prior consensual 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.

Both parties have the right to inspect and review any relevant and permissible evidence obtained as part of the investigation and prior to the completion of the investigative report, the investigator will send each party all evidence subject to inspection and the investigator will establish a timeline for the parties to provide a written response and shall inform the parties of the number of days the parties will have to submit such written response to the evidence, if the parties so choose. The investigator will consider any written response when completing the final investigative report.

Determination of Whether Sex Discrimination Occurred

The Title IX Coordinator will appoint a decisionmaker to then review the investigative report and issue a determination of whether sex discrimination occurred. A decisionmaker that has a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent is prohibited from participation in the decision-making process where such conflict or bias is present. The decisionmaker may be the same person as the Title IX Coordinator or investigator.

Decisionmakers must objectively evaluate all inculpatory and exculpatory evidence that is relevant and not otherwise impermissible and credibility determinations must not be based on a person's status as a Complainant, Respondent, or witness. If the decisionmaker determines that party or witness credibility is in dispute and is relevant to evaluating one or more of the allegations

of sex discrimination, the decisionmaker will conduct interviews of any party(ies) or witness(es) that would assist the decisionmaker with assessing disputed and relevant credibility. The decisionmaker will then issue a written determination of whether sex discrimination occurred.

The determination of whether sex discrimination occurred will be based upon the preponderance of the evidence standard of proof and the written determination will include all of the following:

- A. Identification of the allegations potentially constituting sex discrimination under Title IX;
- B. A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the relevant legal standards, HAPA's Personnel Policies Manual, and HAPA's Discipline Policy (*i.e.*, HAPA's policies and rules that apply to the party in question); and
- E. A statement of, and rationale for, the result as to each allegation, including all of the following:
 - 1. A determination of whether sex discrimination occurred;
 - 2. Any disciplinary sanctions HAPA imposes on the Respondent or, in cases where a particular disciplinary sanction is beyond the direct authority of the decisionmaker, a statement of the disciplinary sanction(s) that the decisionmaker is recommending as an appropriate consequence;
 - 3. Whether HAPA will provide the Complainant with any remedies or supportive measures designed to restore or preserve the Complainant's equal access to HAPA's education program or activity; and
 - 4. HAPA's procedures and permissible bases for the Complainant and Respondent to appeal. If a complaint of Title IX sex discrimination also constitutes a complaint of pupil discrimination under Wis. Admin. Code PI ch. 9, HAPA may also use this notice to inform the Complainant of their right to appeal any adverse final determination of their complaint under state law to the State Superintendent of Public Instruction (DPI), as well as the procedures for making such an appeal to DPI.

APPEAL

Both parties have the right to file a written appeal from a determination of whether sex discrimination occurred or from the Title IX Coordinator's dismissal of a complaint or any allegations therein. A written appeal must be filed with the Title IX Coordinator within five (5) days of the determination of whether sex discrimination occurred or the Title IX Coordinator's dismissal of a complaint. An appeal may be based on any of the following and must have affected the outcome of the matter:

- A. A procedural irregularity;

- B. New evidence that was not reasonably available at the time the determination regarding responsibility was made;
- C. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally, or the individual Complainant or Respondent; and
- D. The decision was substantively erroneous in that the facts did not adequately support the conclusion.

The Title IX Coordinator will notify the parties of any appeal and ensure that the appeal decisionmaker did not take part in an investigation of the allegations or dismissal of the complaint. The appeal decisionmaker will then provide the parties with four (4) days to provide a statement in support of, or challenging, the outcome.

The appeal decisionmaker will issue a written decision to the parties describing the result of the appeal and the rationale for that result. The determination of whether sex discrimination occurred becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the appeal decision-maker's decision is delivered to the Complainant and the Respondent.

ENFORCEMENT

If an individual is found to be responsible for Title IX sex discrimination or retaliation under this Policy at the conclusion of the grievance procedures, HAPA may impose disciplinary sanctions which depend on the nature of the misconduct and the individual's status as an employee, student, or third-party.

Possible disciplinary sanctions available to students include, but are not limited to, suspension or expulsion from school consistent with Board Policies and Wis. Stat. § 120.13(1) or suspension of eligibility to participate in co-curricular activities or other HAPA-sponsored events. HAPA may also restrict or deny permission to be present on school property or at certain school-sponsored events or activities. This provision does not modify any student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.

Possible disciplinary sanctions available to HAPA employees will be imposed in accordance with HAPA's policies and HAPA's Personnel Manual, and include, but are not limited to, a formal reprimand, a demotion or other disciplinary reassignment, suspension from work, contract nonrenewal, termination of employment, or restrictions on permission to be present on HAPA property or at certain HAPA-sponsored events.

Possible disciplinary sanctions available to third parties include, but are not limited to, suspension or termination of a school-authorized role (e.g., volunteer), termination or nonrenewal of third-party contracts, and restrictions on permission to be present on HAPA property or at HAPA-sponsored events or activities.

Any individual making a knowingly false statement or knowingly submitting false information during the grievance procedure, including intentionally making a false accusation regarding sex

discrimination, or by submitting a false complaint will likewise be subject to disciplinary action in accordance with HAPA's Personnel Policies Manual and HAPA's Discipline Policy.

RETALIATION PROHIBITED

HAPA prohibits any form of retaliation, including peer retaliation, occurring in HAPA's education program or activity. Therefore, retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this Policy, is prohibited. Retaliation means intimidation, threats, coercion, or discriminatory treatment. Complaints alleging retaliation may be filed according to the grievance procedures, or where appropriate, through the informal resolution process set forth under this Policy.

Any individual who retaliates against other for reporting or complaining of violations of this Policy or for participating in any manner in this Policy will be subject to disciplinary action, up to and including discharge, with regard to HAPA employees, suspension and expulsion, with regard to students, and all remedies available to the Board, with regard to third parties.

AUTHORITY

The Board has the authority to appoint Title IX Coordinators, who have the responsibility of selecting appropriately trained individuals to carry out the requirements of Title IX and act as an investigator, advisor, informal resolution facilitator, decisionmaker, or appeal decisionmaker.

CONFIDENTIAL EMPLOYEES

For the purposes of Title IX, a "confidential employee" is defined as a HAPA employee whose communications are privileged or confidential under federal or state law, however, a confidential employee's status for Title IX purposes applies only to information the employee receives while the employee is functioning within the scope of duties to which privilege or confidentiality applies. A list of HAPA's confidential employees for Title IX purposes shall be included on HAPA's website.

CONFIDENTIALITY

HAPA will keep confidential the identity of any individual who has made a report or filed a complaint alleging Title IX sex discrimination or retaliation, including any Complainant, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act and its implementing regulations, or as required by any state or other federal law, or to carry out the purposes of the federal Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising under the federal Title IX regulations.

CONSOLIDATION OF COMPLAINTS

The Title IX Coordinator may choose to consolidate complaints as to allegations of discrimination against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sex discrimination arise out of the same facts or circumstances.

OTHER AVAILABLE REMEDIES

Nothing in this Policy precludes an individual from filing a criminal complaint with outside law enforcement agencies. Further, nothing within this Policy shall preclude individuals from filing a discrimination complaint or request for enforcement directly with the U.S. Department of Education's Office for Civil Rights, as authorized by federal law.

NOTICE

HAPA will provide notice of this Policy by making it available on HAPA's website and in HAPA's Personnel Policies Manual, HAPA's Discipline Policy, and in any other handbook, catalog, announcement, bulletin, or application form that HAPA makes available to persons entitled to a notification.

RECORDKEEPING

HAPA will maintain all records required by state and federal law which have been created or obtained in response to a report, the informal resolution process, or a complaint of sex discrimination or retaliation under this Policy for seven (7) years. The Title IX Coordinator will further maintain records related to notifications received by the Title IX Coordinator of conduct that reasonably may constitute sex discrimination under Title IX along with documentations of the actions HAPA took to meet its obligation to respond promptly and effectively.

TRAINING

HAPA will provide annual training in accordance with the Title IX regulations. This includes prompt training to all HAPA employees, upon hire or change in position that alters their duties under Title IX. HAPA will make the training materials available upon request for inspection by members of the public.

Specifically, all HAPA employees will be trained on the: (1) HAPA's obligation to address sex discrimination; (2) scope of conduct that constitutes Title IX sex discrimination; and (3) applicable notice and information requirements. In addition to the aforementioned training, informal

resolution process facilitators must also be trained on the rules and practices associated with the HAPA's informal resolution process and how to serve impartially, including by avoiding conflicts of interest and bias.

In addition to the general HAPA employee training, investigators, decisionmakers, and others responsible for implementing HAPA's grievance procedures or who have the authority to modify/terminate supportive measures are required to have additional training on: (1) HAPA's obligations to respond to sex discrimination; (2) the HAPA's grievance procedures; (3) how to serve impartially, including avoiding prejudgment of facts, conflicts of interest, and bias; and (4) the meaning and application of the term "relevant" relating to questions and evidence, and types of evidence that are impermissible regardless of relevance.

In addition to all of the aforementioned trainings, Title IX Coordinators (and their designees, if any) must also be trained in the Title IX Coordinator specific responsibilities related to: (1) pregnancy or related conditions; (2) HAPA's compliance obligations under Title IX; (3) Title IX supportive measures; and (4) HAPA's recordkeeping requirements.

LEGAL REF.:

- 20 U.S.C. § 1681 et seq., Title IX of the Education Amendments Act of 1972
- 34 C.F.R. Part 106
- Wis. Stat. § 111.32(13)
- Wis. Stat. § 118.13
- Wis. Stat. § 120.13(1)
- Wis. Admin. Code PI ch. 9

CROSS REF.:

- Equal Opportunity Employment/Non-Discrimination Policy (Personnel Policies Manual)
- Anti-Harassment Policy (Personnel Policies Manual)