



Academy of Arts and Knowledge

Creating an environment in which all students can reach their full potential.

4800 Wheaton Dr. Fort Collins, CO 80525

Phone (970) 226-2800

Title IX policy

Updated 10.2023

NONDISCRIMINATION/EQUAL OPPORTUNITY

Academy of Arts and Knowledge is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. The school is subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, marital status, national origin, religion, ancestry, military or veteran status, or need for special education services. Accordingly, no otherwise qualified student, employee, applicant for employment or member of the public shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any district program or activity on the basis of disability, race, creed, color, sex, sexual orientation, marital status, national origin, religion, ancestry, military or veteran status, or need for special education services. Discrimination against employees and applicants for employment based on age, genetic information and conditions related to pregnancy or childbirth is also prohibited in accordance with state and/or federal law.

For purposes of this policy, these terms have the following meanings:

"Race" includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.

"Protective Hairstyle" includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps.

"Sexual Orientation" means a person's orientation toward heterosexuality, homosexuality, bisexuality, or transgender status or another person's perception thereof.

This policy and supporting regulations will be used to address all concerns regarding unlawful discrimination and harassment. Alleged conduct regarding sex-based discrimination and sexual harassment will follow the complaint and



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investigation procedures specific to this conduct. In keeping with these statements, the following are objectives of this school:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation, and applicable judicial interpretation.
2. To encourage positive experiences in terms of human values for children and adults who have differing personal and family characteristics or who come from various socio-economic, racial, and ethnic groups.
3. To consider carefully, in all decisions made which affect the schools, the potential benefit or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To utilize educational experiences to build each individual's pride in the community in which they live.
5. To initiate a process of reviewing all policies and practices of this school district in order to achieve the objectives of this policy to the greatest extent possible.
6. To investigate and resolve promptly any complaint of unlawful discrimination and harassment.
7. To investigate and appropriately discipline staff and students found to be responsible for incidents of harassment or unlawful discrimination in violation of school policy.

This policy applies to all employees, Board members, visitors, and other persons not affiliated with the district, regardless of their title, position, or gender.

Academy of Arts and Knowledge will take all reasonable measures to prevent unlawful harassment or discrimination and promptly and effectively respond to harassment or discrimination allegations.

Annual Notice:

The school will highlight the written notice on aakelementary.org each school year that advises students, parents, employees and the general public that the educational programs, activities, and employment opportunities offered by the district are offered without regard to disability, race, creed, color, sex, sexual



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orientation, marital status, national origin, religion, ancestry, military or veteran status, or need for special education services. With respect to employment practices, the district will also issue written notice that it does not discriminate on the basis of age, genetic information, or conditions related to pregnancy or childbirth. The announcement will also include the name, address, email address and telephone number of the person designated to coordinate Title IX and Section 504 and ADA compliance activities. The notice will appear on the school's website aakelementary.org, upon request it could be translated into other languages if a bona fide need is identified. It shall also be made available in an appropriate format to persons who are visually or hearing impaired upon request. The notice will appear on a continuing basis in all district media containing general information, including: teachers' guides, school publications, the district's website, recruitment materials, application forms, vacancy announcements, student handbooks, school program notices, summer program newsletters, and annual letters to parents.

Harassment is prohibited:

Harassment based on a person's disability, race, creed, color, sex, sexual orientation, marital status, national origin, religion, ancestry, military or veteran status, or need for special education services is a form of discrimination prohibited by state and federal law. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work, and members of the public can access and receive the benefit of school facilities and programs. All such harassment, by school employees, students, and third parties, is strictly prohibited. All school employees and students share the responsibility to ensure that harassment does not occur at any school property or school-sanctioned activity or event, or off school property when such conduct has a nexus to the school, or any school curricular or non-curricular activity or event.

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written, or physical conduct based on or directed at a person's race, color, national origin, ancestry, creed, religion, sex, sexual orientation (which includes



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transgender), marital or veteran status, disability, or need for special education services that:

- (1) results in physical, emotional, or mental harm, or damage to property; or
- (2) is sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's ability to participate in or benefit from an educational program or activity, or creates an intimidating, hostile, or threatening environment; or
- (3) substantially disrupts the orderly operation of the school. Board policy on sexual harassment will apply to complaints alleging sexual harassment.

Reporting unlawful discrimination and harassment:

Any student who believes they have been a target of unlawful discrimination or harassment as defined in Board policy and supporting regulations, or who has witnessed such unlawful discrimination or harassment, must immediately report it to an administrator, counselor, teacher, or the district's compliance officer and file a complaint as set forth in the regulation which accompanies this policy. Any employee, applicant for employment, or member of the public who believes they have been a target of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, must file a complaint with the AAK principal either an immediate supervisor or the school's compliance officer. If the individual alleged to have engaged in prohibited conduct is the AAK principal, person designated as the compliance officer, the complaint shall be made to a representative from Minga Education who will designate an alternate compliance officer to investigate the matter in accordance with this policy's accompanying regulation. An alleged target of discrimination or harassment is not required to directly confront any persons who are the source of the issue or closely associated with the person who is the source of such issue. Other various avenues of internal complaint may be used instead. A reasonable effort must be made to bring forward any allegations of unlawful discrimination or harassment so that the school may work to stop such wrongdoing and prevent future occurrences.



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School Action:

All staff members who witness unlawful discrimination or harassment must take prompt and effective action to stop it, as prescribed by the school. The school will take appropriate action to promptly and impartially investigate allegations of unlawful discrimination and harassment, to end unlawful behavior, to prevent the recurrence of such behavior and to prevent retaliation against the individual(s) who files the complaint and/or any person who participates in the investigation. When appropriate, the school will take interim measures during the investigation to protect against further unlawful discrimination, harassment or retaliation. To the extent possible, all reports of unlawful discrimination or harassment will be kept confidential.

Students or employees who knowingly file false complaints or give false statements in an investigation may be subject to discipline, up to and including suspension/expulsion for students and termination of employment. No student, staff member, or member of the public may be subject to adverse treatment in retaliation for any good faith report of harassment under this policy. Upon determining that incidents of unlawful discrimination or harassment are occurring in particular district settings or activities, the school will implement measures designed to remedy the problem in those areas or activities. Any student or employee who engages in unlawful discrimination or harassment will be disciplined according to applicable administrative policies and the district will take reasonable action to restore lost educational or employment opportunities to the target(s). In cases involving potential criminal conduct, the district will determine whether appropriate law enforcement officials should be notified. Academy of Art and Knowledge will make every effort to ensure that those named in a complaint, or are too closely associated with those involved in the complaint, will not be part of the investigative team or efforts. AAK may utilize a neutral third-party investigator to address allegations of work-related discrimination, harassment, or other work-related misconduct.

Notice and training:

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this



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policy to all district schools and departments. The policy and complaint process must be prominently posted on the district's website, referenced in student and employee handbooks, and made otherwise available to all students, staff and members of the public through electronic or hard-copy distribution. Students and district employees will receive periodic training related to recognizing and preventing unlawful discrimination and harassment.

SEXUAL HARASSMENT

Academy of Arts and Knowledge is committed to a learning and working environment that is free from sexual harassment. Sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination. It shall be a violation of policy for any member of the district staff to harass another staff member or student through conduct or communications of a sexual nature.

Any conduct of a sexual nature directed toward students by teachers or others to whom this policy applies, shall be presumed to be unwelcome. This policy applies to all employees of the district and similarly applies to non-employees, such as volunteers, vendors, consultants, or any others, who work under the direction of school authorities. Any conduct of a sexual nature directed toward students by teachers or others, to whom this policy applies, shall be presumed to be unwelcome.

Sexual harassment defined:

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting the individual.



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3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

The prohibition against sexual harassment applies whether the harassment is between people of the same or different gender. Harassing an individual based on their gender identity or sexual preference may be considered sexual harassment. This can include gossip regarding an individual's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess, or other lewd or obscene comments. All employees are expected to conduct themselves in a professional and businesslike manner at all times.

Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

Sexual harassment as defined above may include, but is not limited to:

- Sex-oriented verbal "kidding," abuse, or harassment.
- Pressure for sexual activity.
- Repeated remarks to a person with sexual implications.
- Unwelcome touching, such as patting, pinching, or brushing against another's body.
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status, or similar personal concerns.
- Sexual violence.



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Reporting, investigation, and sanctions:

Sexual harassment cannot be investigated or corrected by the district until the district is made aware of such harassment. Therefore, it is the express desire of the Board to encourage victims of sexual harassment to report such claims. If you believe there has been a violation of the sexual harassment policy, report the incident to an administrator/supervisor, to the director of human resources or to the district's compliance officer. If your supervisor is the offending person, the report shall be made to the next higher level of authority. You are not required to directly confront any persons who are the source of your complaint or closely associated with the person who is the source of the complaint. Instead, you may utilize any of the other various avenues of internal complaint. You are required to make a reasonable and timely effort to bring forward any allegations of unlawful discrimination or harassment so that the school may investigate and correct any behavior that may be in violation of this policy. The school will investigate the complaint and may utilize a neutral third-party investigator to address allegations of work-related harassment, discrimination or misconduct. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred shall be investigated. If the school determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment, subject to applicable procedural requirements. Conduct of a sexual nature directed toward students shall, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities. Filing of a complaint or otherwise reporting sexual harassment shall not reflect upon the individual's status or affect future employment or work assignments. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated. All matters involving sexual discrimination or harassment complaints shall remain confidential to the extent possible. Notice of this policy shall be circulated to all district employees and incorporated in employee handbooks.



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EQUAL EDUCATIONAL OPPORTUNITIES:

It is the policy of Academy of Arts and Knowledge that every student will have equal educational opportunities regardless of disability, race, creed, color, sex, sexual orientation, marital or veteran status, national origin, religion, ancestry, or need for special education services. This concept of equal educational opportunity will guide the Board and staff in making decisions related to school facilities, selection of educational materials, equipment, curriculum and regulations affecting students. Students with identified physical and mental impairments that constitute disabilities will be provided with a free appropriate public education, consistent with the requirements of federal and state laws and regulations. In order to ensure that district programs are in compliance with applicable laws and regulations, the Board directs the Administration or designee(s) to periodically monitor the following areas:

1. Curriculum and materials – review curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training – provide training for students and staff to identify and alleviate problems of discrimination.
3. Student access – review programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. Student evaluation instruments – review tests, procedures and guidance and counseling materials for stereotyping and discrimination.
5. Discipline – review discipline records and any relevant data to ensure the equitable implementation and application of Board discipline policies.

SEXUAL HARASSMENT:

The Board recognizes that sexual harassment can interfere with a student's academic performance and emotional and physical well-being and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination and thus is a



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violation of the laws that prohibit sex discrimination, as addressed in the Board's policy concerning unlawful discrimination and harassment. Academy of Arts and Knowledge is committed to a learning environment that is free from sexual harassment. It is a violation of policy for any member of the school staff to harass students or for students to harass other students through conduct or communications (verbal, written, social media, or other electronic means) of a sexual nature or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation.

Sexual harassment defined Pursuant to Title IX of the Educational Amendments of 1972, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking. Pursuant to state law, "harassment" means creating a hostile environment based on an individual's sex.

Reporting, investigation, and sanctions:

Students should report all incidents of sexual harassment to a teacher, counselor, or administrator in their school building and file a complaint, through the district's complaint process addressing sex-based discrimination.

All reports and indications from students, district employees, and third parties must be forwarded to the school's Title IX Coordinator . The school will initiate and conduct and investigation in accordance with the appropriate procedures addressing sex-based discrimination and sexual harassment. All matters involving sexual harassment reports must remain confidential to the extent possible as long as doing so is in accordance with applicable law and policy and does not preclude the district from responding effectively to the harassment or



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preventing future harassment. Filing a complaint or otherwise reporting sexual harassment will not reflect upon the individual's academic or employment status, affect grades, nor impact team or activity participation. The school will take appropriate corrective action to: make the harassed student whole by restoring lost educational opportunities; prevent harassment from recurring; or prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

Notice and training:

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy and complaint procedures to all district schools and departments. The policy and complaint procedures must be referenced in student and employee handbooks and otherwise be made available to all students, staff, and members of the public through electronic or hard-copy distribution. All students and school employees will receive periodic training related to recognizing and preventing sexual harassment. School employees must receive additional periodic training related to handling reports of sexual harassment.

STUDENT CONCERNS, COMPLAINTS AND GRIEVANCES:

Decisions made by school personnel whom students believe are unfair or in violation of pertinent Board policies or individual school rules may be appealed to the principal or a designated representative or by following the specific appeal process created for particular complaints. Grievance and investigation procedures are available for students to receive prompt and equitable resolution of allegations of discriminatory actions on the basis of disability, race, creed, sex, sexual orientation, marital or veteran status, national origin, religion, ancestry, or need for special education services.