



1-10-22

LPS Title IX Policy

20 U.S.C. § 1681 states, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance”

Learning Prep School is committed to the health, safety and welfare of our students and employees. We do not and will not tolerate any form of discrimination on the basis of sex in our educational program or activities. We are required by Title IX not to discriminate in any manner.

I. Definitions

Sexual Harassment under Title IX means verbal, physical, or other conduct that targets a person based on their sex, and that satisfies one or more of the following:

- A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity;
- Any instance of “sexual assault”, “dating violence”, “domestic violence”, or “stalking”, as those terms are defined by the Clery Act and the Violence Against Women Act.

Sexual Violence is a type of sexual harassment, referring to physical sexual acts perpetrated against a person’s will or where a person is unable to give consent.

Gender-Based Harassment is another type of sexual harassment, referring to harassment based on gender identity or nonconformity with sex stereotypes. This type of harassment may not involve conduct that is sexual in nature.

Consent voluntary and knowing agreement. Consent may not be possible due to age or disability.



II. Policy

Under Title IX, all students and employees are protected from sex-based harassment, regardless of the sex of the perpetrator or complainant. Included in such prohibition are claims of discrimination based on gender identity and sexual orientation.

It is our responsibility to be sure any sexual violence does not sufficiently limit or deny any of our student's or employee's ability to participate in or benefit from our educational environment, respond with prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent recurrence, and as necessary remedy its effects.

Upon receiving any information to suggest sexual harassment/discrimination/violence we will immediately begin our investigation or otherwise determine what has occurred (following necessary confidentiality considerations). If such an investigation identifies a hostile environment, we will take necessary steps reasonably calculated to eliminate the hostile environment, prevent recurrence, and as necessary remedy its effects.

We are required under Title IX to protect the complainant and ensure this individual's safety, which may require taking interim steps to protect the individual during the investigation. Interim steps minimizing the burden on the complainant will be determined considering the specific incident and situation currently affecting the complainant. We will provide the complainant with updates on the status of the investigation as it progresses. We will provide the complainant with knowledge of all resources available to him or her and the right to report the incident to local law enforcement.

Our school employees are trained and aware of their obligations under state and local laws in this area. They are also aware of the consequences for failing to satisfy those obligations. We have specific policies in place to ensure employees of our school know they are prohibited from engaging in inappropriate conduct towards our students. Employees are also trained in responding appropriately if problems in this area arise.



When a complainant requests that his or her name not be disclosed to the perpetrator our school will ensure that such information is securely handled. While it may be required to disclose this information to certain parties due to the age of the complainant, the information will still be handled considering their request. It is the responsibility of the school to decide if nondisclosure can be followed, while also considering the necessity of providing a safe and nondiscriminatory environment.

If a complainant requests that the school not investigate or pursue action against the perpetrator, it is our responsibility to inform them that this may limit our ability to respond fully to the incident. In addition, we are required to inform them that Title IX will protect them from retaliation.

If it is determined that we can respect the complainant's request to not disclose or not take action against the perpetrator, we will still limit the effects of the incident and prevent its recurrence. This may be through means of more monitoring, supervision, or security. Additionally, adjustments may be made to our school policy for sexual violence/harassment in response to such conduct.

Professional counselors are not required to report any information regarding an incident of alleged sexual violence under Title IX. Non-professional counselors are also not required to report information without a complainant's consent. However, all will inform the complainant of their rights under Title IX.

Our school has provided necessary training to all employees likely to witness or receive reports of sexual violence. Our trainings inform employees on their obligation to report, who and how to report possible incidents, and the appropriate steps that need to be taken after notification of sexual violence or harassment has occurred.

Our Title IX policy has been distributed and is available for students, families of students, and employees. Any questions concerning Title IX may be directed to our Title IX Coordinator, whose contact information is listed below.

III. Students with Disabilities

Given our student population, any sexual violence towards any of our students may require additional assistance and support. Any sexual conduct will also fall under other federal civil rights laws (Rehabilitation Act of 1973- Section 504 and Title II of the American Disabilities Act of 1990). We will work with our



students to help them better understand our sexual violence, harassment, and discrimination prevention policies and procedures. If a student does experience sexual violence, we will provide supports and assistance as necessary.

IV. Title IX Coordinator

Our Title IX Coordinator is Gretchen Petersen, Chief Operating Officer, located at 1507 Washington St., W. Newton, MA, 02465, and can be contacted at 617-965-0764 x1208 and gpetersen@learningprep.org.

Our Title IX Coordinator is responsible for overseeing our school's response to all reports and complaints of sex discrimination. Our Title IX Coordinator will investigate facts relevant to a complaint, determine appropriate sanctions against the perpetrator and remedies for the complainant, and determine interim measures for a complainant after learning of the complaint. Their responsibilities also include:

- Ensuring all policies and procedures are in place and followed for working with local law enforcement and other services if an incident occurs
- Evaluating confidentiality requests and determining how to proceed when such requests are made
- Assistance in any training to employees about what conduct constitutes sexual and gender-based harassment and how to respond appropriately to this conduct
- Development of researching methods to survey the campus climate, evaluate if discriminatory attitudes pervade school culture, and decide whether harassment is occurring, where it is occurring, who is responsible for the harassment, who is targeted by the harassment, and how best to remedy these conditions
- Be informed of all Title IX reports and complaints at our school
- Coordination of recordkeeping, monitoring of incidents to help identify any repeat offenses by specific individuals or towards specific individuals, addressing any patterns or systemic problems, and making school administrators aware of any patterns
- Recommending increases in safety measures (monitoring, supervision, security) in any areas where harassment has occurred



- Regular review of effectiveness of our school's efforts to ensure we are free from sexual and gender-based harassment, and using information compiled to recommend future proactive steps that our school can take to comply with Title IX and protect our school community

V. Grievance Policy and Procedures

Title IX requires that our school adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee sex discrimination complaints. Our grievance policy is as follows:

Reporting Process

Any individual who believes they have been the victim of a Title IX violation by a student, teacher, administrator or other school personnel should report the offense immediately to any of the individuals listed below. Learning Prep School will respond with actual knowledge of sexual harassment or allegations of sexual harassment that occurred in Learning Prep School's education or activity programs.

Learning Prep School's Title IX Coordinator, Gretchen Petersen, Chief Operating Officer, is responsible for receiving any complaints or knowledge of Title IX sexual harassment via in person, mail, email or telephone either verbally or in written form. Any adult school personnel who receive a report of a Title IX violation shall inform the Title IX Coordinator immediately. Learning Prep School encourages the reporting party or complainant to use the report form available from the Chief Operating Officer, but oral reports shall be considered complaints as well.

Upon receipt of a report, the Chief Operating Officer must promptly contact the complainant to discuss supportive measures, consider the complainant's wishes regarding supportive measures, and explain the process for filing a formal complaint and notify the school district within two school working days, if related to a student, without screening or investigating the report. The Chief Operating Officer may request but may not insist upon a written complaint.

The Chief Operating Officer can provide supportive measures immediately. The Chief Operating Officer will forward a written statement of the facts, within three school working days, to the District relating to the student. If the report



was given verbally, the Chief Operating Officer shall personally reduce it to written form within three school working days and forward it to the District, relating to the student.

The full grievance process must be completed no later than 90 days from the date a formal complaint is filed with or signed by the Title IX Coordinator.

Informal Resolution

In cases that do not involve an allegation of sexual harassment between a student and a school employee, and if appropriate, the Title IX Investigator may offer for the parties to engage in informal resolution. In order to proceed with the informal resolution process, both parties must enter the process voluntarily; participation in informal resolution may not be imposed upon a party as a condition for students or staff returning to or participating in school activities.

Any informal resolution process will be conducted by the Title IX Investigator who is free from conflict or bias surrounding the parties and the issues contained in the complaint. If the parties are not satisfied with the outcome of the informal resolution process, or if they do not agree to participate in informal resolution, the investigation procedures outlined below should continue.

Investigating Process

Upon receipt of a report or complaint alleging a Title IX violation, the investigators, Amy Plante, Assistant Principal and Susan Smith Powers, Dean of Students, will undertake an investigation regarding student reports and Cate Wilson, Human Resources Director, regarding employee reports. All good faith efforts will be made to complete the investigation within 15 school days of the initiation of the formal complaint, except for good cause, as documented in the investigative file. The Title IX Coordinator may seek additional investigative resources.

The Investigators must provide written notice to both parties before an initial interview with the respondent and must give sufficient time for the respondent to prepare before an initial interview.

The investigation may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who have knowledge



of the alleged Title IX violation. The investigation may also consist of the evaluation of any other information or documents that may be relevant to the particular allegations.

The Investigators will make a written report with recommendations upon completion of the investigation and will give parties at least 10 days to respond to the evidence in writing before any determination of responsibility. If the complaint involves the Assistant Principal, the report shall be filed with the Dean of Students and the reverse, if applicable. The report shall include a determination of whether the allegations have been substantiated and whether they appear to be in violation of this policy. The Investigators' obligation to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also pending or has been conducted, unless directed by a state agency or law enforcement to not investigate the matter. The respective Investigators shall maintain complete and confidential files.

Decision Making Process

Upon receipt of the investigative report, the Decision Maker, Amy Davis, Principal, regarding student reports and Kurt Moellering, Executive Director, regarding employee reports, must objectively evaluate the relevant evidence and reach conclusions about whether the respondent is responsible for the alleged sexual harassment by a preponderance of the evidence.

The Decision Maker will send written determination to the parties along with information regarding how to appeal.

School Actions

All alleged perpetrators will be ensured full due process rights and all other protections guaranteed them through state and federal statutes.

Upon receipt of a report that a violation has or may have occurred, the Title IX Coordinator will take prompt, appropriate action. Appropriate actions may include but are not limited to:

- Supportive measures can include counseling, extension of deadlines, modifications to work or class schedule, increased security/monitoring in parts of a school campus, mutual restrictions on contact between the parties



- Referrals to support services, counseling, awareness training, parent teacher conferences
- Upon receipt of a report that a violation has or may have occurred, the Title IX Coordinator will take prompt, appropriate action.

School action taken for violation of this policy shall be consistent with the requirements of applicable state and federal laws, and school policies for violations of a similar nature or similar degree of severity.

In the event that the evidence suggests the misconduct is also a crime in violation of any state or federal statutes, the respective Principal shall report the results of the investigation to the appropriate law enforcement agency charged with the responsibility for handling such crimes.

The school's investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties by the school, in accordance with state and federal statutes regarding data or records privacy, and consistent with the privacy rights of the alleged perpetrator, victim and witnesses.

Appeals Process

The parties shall have the right to appeal the decision regarding a complaint, to the Executive Director regarding student reports and Vanessa Craveiro, Chief Financial Officer, regarding employee reports. The parties shall notify the Executive Director or Chief Financial Officer, in writing, of their request for an appeal no later than five school working days following the date of the determination. The Executive Director shall hold an optional live hearing with the student and the student's parent or guardian within three school working days of receipt of the appeal. At the hearing, the student or parent shall have the right to present oral and written testimony and shall have the right to counsel. The Executive Director or Chief Financial Officer shall have the authority to overturn or alter the decision of the Principal or Executive Director. The Executive Director or Chief Financial Officer shall render a decision on the appeal within five school working days of the hearing. Such a decision shall be the final decision of the school with regard to the complaint.



Record Keeping

All records of the school's investigation, including the written determinations; records of any appeal and associated materials; records of any informal resolution process; materials used to train Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators; and records of supportive measures provided in response to a complaint or report of sexual harassment, must be maintained by Learning Prep School for 7 years.

Retaliation

Retaliation against any person for exercising their rights under Title IX is strictly prohibited and is a violation of the Title IX Sexual Harassment Policy. Any member of the school community who believes they, or another school community member, has been the victim of retaliation, should report the conduct or file a complaint. Students may make a report or complaint to any school staff, or an administrator. Reports or complaints of retaliation by any other member of the school community should be to the Title IX Coordinator. Learning Prep School will investigate all reports or complaints promptly and in an impartial and as confidential a manner as possible, to ensure prompt and appropriate action. Nothing in this section shall limit the exercise of rights protected under the First Amendment of the United States Constitution.