

	Administrative/Board	AB20-0802
	Title IX Policy	ADOPTED DATE: August 18, 2020 REVISED DATE: May 16, 2023 REVISED DATE: September 17, 2024

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., protects students and employees from discrimination based on sex in educational programs or activities that receive Federal financial assistance. Title IX states that:

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient, which receives Federal financial assistance.

This policy reaffirms the commitment of the Howard Gardner Multiple Intelligence Charter School (“Charter School”) to comply with Title IX. This policy covers student on student, employee on student, student on employee and employee on employee sexual harassment. Title IX also applies to third-party conduct affecting students or employees within the educational environment.

For purposes of this policy, “sex” shall be inclusive of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; and will provide an educational environment free from discrimination on the basis of sex.

The School does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission, and employment.

- Sexual Harassment:
 - Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity (i.e., creates a hostile environment).”
 - School employee, agent, or other person authorized by the School to provide an aid, benefit, or service under the School’s education program or activity, explicitly or impliedly conditioning the provision of such aid, benefit, or service, on a person’s participation in unwelcome sexual conduct.
 - “Sexual assault,” as defined in 20 U.S.C. 1092(f)(6)(A)(v) “dating violence,” as defined in 34 U.S.C. 12291(a)(10) “domestic violence,” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

¹ This policy applies to all alleged incidents under Title IX that occur on or after August 1, 2024. This Policy applies to the School’s education programs and activities, including locations, events, or circumstances where the School exercises substantial control over both the Respondent and the context in which the conduct occurred. This Policy also extends to the effects of out-of-school misconduct, including online conduct, when such conduct limits or denies a person’s access to the School’s education program or activities. The School may also extend jurisdiction to out-of-school and/or to online conduct when the conduct affects a substantial Recipient interest.

- Sex Discrimination:
 - Disparate Treatment: Any intentional differential treatment of a person or persons that is based on a person’s actual or perceived sex and that excludes a person from participation in, denies a person benefits of, or otherwise adversely affects a term or condition of a person’s participation in a School program or activity.
 - Disparate Impact: Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate negative impact on the basis of sex. This impact excludes a person from participation in, denies a person benefits of, or otherwise adversely affects a term or condition of a person’s participation in a School program or activity.
- Retaliation
 - Intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient’s education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or this part, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.

Additional sex-based misconduct: Bullying, hazing, online harassment or misconduct, invasion of sexual privacy, etc.

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the School investigate and make a determination about alleged discrimination under Title IX:

1. A “complainant,” which includes: a student or employee of the School who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or a person other than a student or employee of the School who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was
 - a. participating or attempting to participate in the School’s education program or
 - b. activity;
2. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
3. The School’s Title IX Coordinator.

Inquiries about Title IX may be referred to the School’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or both.

The School’s Title IX Coordinator is: Joseph Ross, Chief Executive Officer
joseph.ross@myhgsd.com
 (570) 941-4100

U.S. Dept. of Education-Office for Civil Rights: Lyndon Baines Johnson Department of Education Building
 400 Maryland Avenue, SW
 Washington, D.C. 20202
 1-800-421-3481 ocr@ed.gov

The School’s nondiscrimination policy and grievance procedures can be located at www.howardgardnerschool.com.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to:

Title IX Coordinator
Joseph Ross, Chief Executive Officer
joseph.ross@myhgsd.com
(570) 941-4100

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All employees are expected to report all known details of actual or suspected sex discrimination, sex-based harassment, retaliation, and/or Other Sex-Based Misconduct to appropriate officials immediately.