



White Pine Charter Schools Title IX Policies and Procedures

I. Purpose

White Pine Charter Schools (WPCS) is committed to maintaining an educational environment free from discrimination, harassment, and retaliation. In accordance with Title IX of the Education Amendments of 1972, WPCS prohibits discrimination on the basis of sex in any education program or activity it operates.

To comply with Title IX, the district maintains two core policies:

1. A policy defining and prohibiting sexual harassment, including a clear complaint pathway; and
2. A detailed complaint procedure, outlining the steps of the Title IX grievance process.

Both policies are publicly accessible on the school website and available upon request in the main office.

II. Scope

This policy applies to all members of the White Pine Charter Schools community, including students, staff, teachers, administrators, contractors, volunteers, and visitors. It covers conduct occurring:

- On school property,
- During school-sponsored events or activities, and
- In circumstances that may affect the educational environment of WPCS.

III. Title IX Coordinator

The school has designated the following individual to coordinate its efforts to comply with and carry out its responsibilities under Title IX:

Title IX Coordinator

Name: Alysa Trust

Contact Information: trustal@wpcscougars.org

Office Location: Main Office

The Title IX Coordinator oversees all reports and complaints under Title IX, ensures prompt and equitable resolution, and monitors compliance with federal and state regulations.

IV. Definitions

- **Sexual Harassment:** Unwelcome conduct on the basis of sex that satisfies one or more of the following:
 - A school employee conditioning aid, benefit, or service on participation in unwelcome sexual conduct (quid pro quo harassment);
 - Unwelcome conduct determined by a reasonable person to be **so severe, pervasive, and objectively offensive** that it effectively denies a person equal access to the school's education program or activity; or
 - Sexual assault, dating violence, domestic violence, or stalking as defined by federal law.
- **Sexual Assault:** Any non-consensual sexual contact or behavior, including sexual intercourse, that is unlawful.
- **Sex-Based Discrimination:** Any adverse action taken against an individual on the basis of sex, gender identity, or sexual orientation.
- **Consent:** A clear, knowing, and voluntary agreement to engage in specific sexual activity. Consent cannot be obtained through force, coercion, or if the individual is incapacitated. Consent can be revoked at any time, and all parties involved should feel comfortable and respected throughout the process.

V. Reporting a Title IX Complaint

1. Reporting Options

Any person may report sexual harassment or sex-based discrimination to the Title IX Coordinator at any time, in person, by mail, phone, or email.

2. Confidentiality

WPCS will protect the privacy of individuals involved in Title IX matters to the fullest extent possible, consistent with the need to investigate and respond appropriately.

3. Responsible Employees

All staff members designated as "responsible employees" must promptly report known or suspected sexual harassment or discrimination to the Title IX Coordinator.

VI. Formal Complaint Process

1. Filing a Formal Complaint

A formal complaint is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment or sex-based discrimination against a respondent and requesting that White Pine Charter Schools (WPCS) investigate the allegations. Formal complaints can be submitted by the complainant in person, via email, or through the school's reporting system.

- A **complainant** is any individual participating in or attempting to participate in a WPCS educational program or activity who believes they have been subjected to sexual harassment or discrimination.
- The **respondent** is the individual alleged to have engaged in prohibited conduct under this policy.

2. Initial Review and Response (within 5 business days)

Upon receipt of a formal complaint, the Title IX Coordinator will conduct an initial review to ensure the complaint meets the required criteria under Title IX. The Coordinator will:

- Provide written notice of the complaint and allegations to both the complainant and respondent within 5 business days of receiving the complaint.
- Offer both parties supportive measures, as appropriate.
- Assign an investigator to the case to conduct a thorough and impartial investigation.

3. Dismissal of a Formal Complaint

A formal complaint must be dismissed under Title IX in the following circumstances:

- **Jurisdiction:** The alleged conduct did not occur in an educational program or activity controlled by WPCS, or it did not occur within the United States.
- **Sexual Harassment Definition:** The alleged conduct, even if proven, does not meet the definition of sexual harassment under Title IX.
- **Complainant:** The complainant is not participating in or attempting to participate in WPCS's educational program or activity at the time the formal complaint is filed.

4. A formal complaint may be dismissed at the discretion of WPCS under the following circumstances:

- **Withdrawal of Complaint:** The complainant notifies the Title IX Coordinator in writing that they wish to withdraw the formal complaint or any specific allegations.
- **Respondent's Inability to Participate:** The respondent is no longer enrolled in or employed by White Pine Charter Schools, making further action unnecessary or impracticable.
- **Insufficient Evidence:** Despite reasonable efforts, the investigator is unable to gather sufficient evidence to support the allegations.

5. Notice of Dismissal (within 5 business days)

If a formal complaint is dismissed, both the complainant and respondent will receive a written notice of the dismissal, including the specific reasons for the dismissal, within 5 business days of the dismissal decision.

6. Right to Appeal Dismissal (within 10 business days)

Either party has the right to appeal the dismissal of a formal complaint. The appeal must be filed within 10 business days of receiving the dismissal notice and may be based on the following grounds:

- **Procedural Irregularity:** A procedural error occurred that impacted the dismissal decision.
- **New Evidence:** Significant new evidence that was not reasonably available during the initial investigation has emerged.
- **Conflict of Interest or Bias:** The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the dismissal.

VII. Investigation Procedures

1. Initial Assessment (within 5 business days)

Upon receiving a Title IX complaint, the Title IX Coordinator will conduct an initial assessment to determine whether the allegations fall within the scope of Title IX. If the alleged conduct does not meet Title IX criteria, the matter may be referred to another applicable school policy for resolution. During this stage, the Coordinator will also provide supportive measures to both the complainant and the respondent as needed.

Supportive measures may include, but are not limited to:

- Academic adjustments or schedule modifications
- Counseling services or check-ins with a counselor
- No-contact orders between parties

- Adjustments to classroom or activity participation

These measures are designed to protect the safety and educational access of all parties involved, without being punitive or disciplinary in nature.

2. Formal Investigation (typically completed within 30 business days)

If the complaint proceeds under Title IX, the Coordinator will initiate a formal investigation. The process will aim to be completed within 30 business days of the formal complaint being filed. If a delay is unavoidable (e.g., witness unavailability, school breaks, or complex circumstances), both parties will receive written notice explaining the reason for the delay and an updated timeline. All delays and extensions will be documented in the final report.

a. Notice of Investigation

Within 5 business days of the decision to proceed, the complainant and respondent will receive a written notice of the investigation, including the allegations, potential policy violations, and their rights under this process.

b. Interviews and Evidence Collection

- The investigator will interview all relevant parties and witnesses as soon as possible, typically within 10 business days of the notice of investigation.
- Interviews will not be audio or video recorded. Instead, the investigator will take detailed written notes to ensure accuracy and thoroughness.
- Both the complainant and respondent will have an equal opportunity to present evidence, provide witness names, and review materials collected during the process.

3. Evidence Review (within 10 business days)

Before the final report is written, both parties will be provided all relevant evidence gathered during the investigation—whether or not it is intended to be relied upon in reaching a determination. Each party will have 10 business days to review the evidence and submit a written response.

4. Final Investigative Report (within 10 business days after evidence review)

After the evidence review period, the investigator will prepare a final investigative report summarizing the evidence, findings, and credibility assessments. The report will be completed and shared with both

parties and the decision-maker within 10 business days after the review period concludes.

5. **Determination (within 10 business days after report completion)**

The decision-maker will review the final report and all relevant materials, applying a preponderance of the evidence standard to determine whether a policy violation occurred. The decision-maker's written determination, including the rationale, findings, and any disciplinary actions or remedies, will be provided to both parties within 10 business days of completing the investigation.

- The Title IX Coordinator, investigator, decision-maker, and appeal decision-maker will be separate individuals to ensure a fair and impartial process. No person serving in these roles may have a conflict of interest or bias for or against complainants or respondents generally, or for or against any individual party.

VIII. Hearing Process (Non-Live)

1. **No Live Hearing**

WPCS will not conduct live hearings. Instead, both parties will have the opportunity to submit written, relevant questions for the other party and witnesses to answer in writing.

2. **Timeline**

- Written questions submitted within 5 business days after receiving the final report.
- Responses submitted within 5 business days after receiving questions.
- The decision-maker will issue a written determination within 10 business days of receiving responses.

3. **Determination**

White Pine Charter Schools will use the **preponderance of the evidence** standard to determine responsibility for all Title IX complaints. This means a finding will be made if it is more likely than not that a violation occurred. This standard applies equally to complaints against students and employees.

IX. Appeals

Either party may appeal the outcome or dismissal on the following grounds:

- Procedural irregularity,

- New evidence not previously available, or
- Conflict of interest or bias by the Coordinator, investigator, or decision-maker.

Appeals must be filed within 10 business days of receiving the decision.

X. Disciplinary Actions

If a violation is substantiated:

- Students: May face disciplinary measures such as suspension, expulsion, or behavioral contracts.
 - Employees: May face disciplinary actions including reprimand, suspension, or termination.
- Remedies may include counseling, schedule changes, and no-contact directives.

XI. Retaliation Prohibited

Retaliation against any individual for reporting, participating in, or supporting a Title IX process is strictly prohibited and will result in disciplinary action.

XII. Prevention and Education

WPCS will provide ongoing Title IX training for staff and students, ensuring that all are aware of their rights and responsibilities under the law. Educational programs will emphasize prevention, awareness, and reporting procedures.

XIII. Record Keeping

All Title IX-related records—including complaints, investigation notes, evidence, findings, and training materials—will be maintained for at least seven years.

Any delays or extensions will be documented, with written notice provided to all parties.

XIV. Annual Review and Public Access

The Title IX Coordinator will review all Title IX policies and procedures annually to ensure compliance with federal law.

All Title IX policies, complaint forms, and procedures are publicly accessible on the school's website and available in printed form at the district office upon request.