

TITLE IX INFORMATION

CAP's responsibilities under Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013. Title IX prohibits discrimination on the basis of gender in educational programs and activities that receive federal financial assistance. CAP will consider and investigate student-related concerns of sexual harassment, sexual assault, sexual misconduct, relationship (dating or domestic) violence and stalking involving students, regardless of whether the alleged conduct occurred on or off of campus and regardless of the gender of the parties involved.

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Training Materials

Title IX Policy

I. General Statement Prohibiting Gender-Based Discrimination

Title IX prohibits discrimination on the basis of gender in educational programs and activities that receive federal assistance. As such a recipient, CAP will consider and investigate student-related allegations and complaints of gender discrimination, sexual harassment, assault, or misconduct, relationship (dating or domestic) violence and stalking involving students, regardless of whether the alleged conduct occurred on or off of campus and regardless of the gender of the parties involved.

CAP seeks to provide an equal educational opportunity for all students and does not unlawfully discriminate against individual students on the basis of sex or gender. Consistent with CAP's Anti-Discrimination Policy, no student shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination on the basis of sex or gender in any of CAP's educational programs or activities.

Any CAP student or employee who discriminates against a student or employee based on gender shall be in violation of this policy. Any retaliation against a person for reporting or participating in an investigation of a report gender discrimination will also be a violation of this policy.

The following policy sets forth the definition of certain terms, the designation of CAP's Title IX Officer(s), the scope of the policy, and the procedures for notifying CAP of concerns or grievances involving gender-based discrimination, sexual harassment, assault, or misconduct, relationship violence, or stalking, the investigation and resolution of the same.

II. Definitions

“CAP Employee” means any person employed by CAP, including agents, contractors and other persons subject to the supervision and control of CAP, as well as any member of the governing board.

“Gender-Based Harassment” means a form of sex-based harassment that is based on gender identity or non-conformity with stereotypical notions of masculinity or femininity, and not necessarily involving conduct of a sexual nature.

“Gender discrimination” means the exclusion, separation, denial of benefits to, or otherwise treating differently any person on the basis of sex, sexual orientation, gender identity, or non-conformity with sex-based stereotypes, unless expressly authorized to do under Title IX or other applicable law. It may also include conduct that creates a hostile environment for students or CAP employees that interferes or limits the individual's participation in, enjoyment of, or benefit from CAP programs, whether physical, verbal, graphic, written or otherwise.

“Sexual Harassment” is unwelcome conduct of a sexual nature, such as unwelcoming sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

“Sexual Assault” is a form of sexual harassment that involves physical sexual acts perpetuated against a person’s will or where a person is incapable of giving consent. Sexual assault includes rape, sexual battery, abuse and coercion.

“Sexual Misconduct” is a form of sexual harassment and involves conduct, whether sex-based acts of verbal, nonverbal or physical aggression, intimidation or hostility, that have the purpose or effect of unreasonably interfering with a student’s or employee’s performance or learning conditions on the basis of gender.

“Relationship Violence” is violence perpetuated against a person’s will or where a person is incapable of giving consent by another individual with whom the victim has a relationship. Relationship Violence can be perpetuated against a victim in a dating relationship or a marriage relationship.

III. Designation of Title IX Coordinator

CAP is committed to maintaining an educational and working environment that is free of unlawful gender discrimination. CAP has appointed a Title IX Coordinator, Sueca Reid, to ensure the School’s compliance with Title IX.

The name and contact information for the CAP Title IX Coordinator shall be listed in the Student/Parent Handbook and on the CAP website.

IV. Publication and Distribution of Title IX Policy

CAP will publish a notice of this Title IX Policy prominently on the CAP website and in various locations throughout CAP buildings. The policy itself will also be published in electronic and printed publications as part of the Student/Parent Handbook and a suitable summary of the policy will be published in other materials distributed to parents, students and employees about CAP’s educational program, services and policies.

The Title IX Coordinator will provide training to employees, parents, and students on Title IX compliance, this policy and the procedures for investigating and resolving complaints of gender discrimination.

V. Scope of Policy

This policy covers gender discrimination, including sexual harassment and gender-based harassment, alleged to have been committed against any student or CAP Employee by another student or another CAP Employee. The policy sets forth procedures CAP has established to ensure compliance with Title IX and the reporting, investigation and resolution of concerns, and grievances of gender discrimination. The policy applies to all of CAP’s academic and

nonacademic programs, regardless of where such programs take place.

VI. Concern and Grievance Procedures

Any person who has a concern that he or she has been subjected to gender discrimination as defined in this policy may seek informal resolution of the matter or may submit a formal grievance. Regardless whether the individual seeks to informal resolution or to make a formal grievance, he or she should contact the CAP Title IX Coordinator to initiate the process. A decision to report a concern and seek informal resolution is not a prerequisite to the filing of a formal grievance.

A. Report of a Concern for Informal Resolution

1. Any report of a concern that one has been the victim of gender discrimination as described in this policy must be directed to the Title IX Coordinator. If the complainant is not prepared to file a formal grievance, the complaint will be treated as a Concern for Informal Resolution unless and until the complainant decides to submit a formal grievance. If a complainant is not satisfied with the Title IX Coordinator's resolution of the concern or proposed resolution, he or she may also file a formal grievance.
2. Upon hearing a Concern for Information Resolution, the Title IX Coordinator may engage in any of the following activities in order to investigate the concern:
 - a. Interview the complainant and other individuals involved or implicated by the complainant's report of a concern consistent with CAP policy
 - b. Conduct fact finding through a variety of methods including document collection and review
 - c. Obtain statements from witnesses or other individuals implicated or involved
 - d. Request that complainant present his or her complaint in writing
 - e. Take appropriate intermediate steps to protect a student or CAP employee with a concern regarding gender discrimination, such as reporting the alleged conduct to law enforcement authorities or temporary removal of an alleged perpetrator or complainant from CAP locations
 - f. Any other activity consistent with CAP policies necessary to complete an investigation of the concern
3. To resolve the concern, the Title IX Coordinator may engage in any of the following:
 - a. Provide informal advice to the complainant regarding the concern and need for submission of a formal grievance
 - b. Require the perpetrator(s) involved to obtain counseling
 - c. Require the perpetrator(s) involved to submit to training or provide

- training to individuals involved
 - d. Conduct a mediation or refer the matter for mediation
 - e. Request that the complainant file a formal grievance
4. The Title IX Coordinator will make every effort to investigate and resolve all concerns within thirty (30) days of the initial report made by the complainant.

B. Formal Grievance Procedure

1. All formal grievances regarding a complaint of gender discrimination as described in this policy must be directed to the Title IX Coordinator as soon as practicable.
2. Upon hearing a formal grievance, the Title IX Coordinator may engage in any of the following activities in order to investigate the concern:
 - a. Interview the complainant and other individuals involved or implicated by the complainant's report of a concern consistent with CAP policy
 - b. Record the details of the complainant's complaint in writing and ask the complainant to review and sign the statement
 - c. Conduct fact finding through a variety of methods including document collection and review and impartial hearings conducted by the Title IX Coordinator or a designee
 - d. Obtain statements from witnesses or other individuals implicated or involved
 - e. Request that complainant present his or her complaint in writing
 - a. Take appropriate intermediate steps to protect a student or CAP employee with a concern regarding gender discrimination, such as reporting the alleged conduct to law enforcement authorities or temporary removal of an alleged perpetrator or complainant from CAP locations
 - f. Any other activity consistent with CAP policies necessary to complete an investigation of the concern
3. Title IX Coordinator Report and Recommendation
 - a. After the Title IX Coordinator has conducted the investigation, he or she will review and analyze all of the evidence gathered.
 - b. The Title IX Coordinator will then prepare a written report documenting the findings of the investigation, including whether a violation of this policy has occurred, and providing a recommendation with regard to the appropriate response.
 - c. If the Title IX Coordinator concludes that a violation of the policy or the Code of Conduct has occurred, the report shall identify the offense and

recommended corrective action.

4. Final Decision

- a. The written report will be provided to CEO or his designee, who shall determine whether to adopt the report findings and recommendations.
- b. The Final Decision with regard to the formal grievance may be appealed to the governing board of CAP.
- c. The complainant, his or her parents or guardians shall be notified of the decision and his or her right to review the final report, consistent with laws regarding student records and privacy, the right to appeal the Final Decision.
- d. All requests that a complainant's identity, the report of discrimination, the investigation or the report and final decision be kept confidential will be considered and carried out to the extent possible under the requirements of Title IX and applicable law.

5. The Title IX Coordinator and CEO will make every effort to investigate the formal grievance and secure a Final Decision within thirty (30) days of the filing of a formal grievance by the complainant.