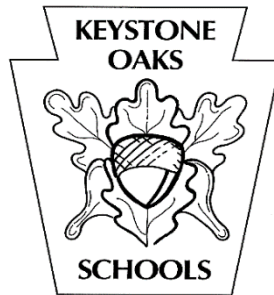


KEYSTONE OAKS SCHOOL DISTRICT

# Policy Guide



Policy No. 103

Section PROGRAMS

Title DISCRIMINATION/  
HARASSMENT AFFECTING  
STUDENTS

Adopted AUGUST 21, 1989

Last Revised OCTOBER 15, 2024

POLICY NO. 103 DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS		
Section 1	<p><b><u>Authority</u></b></p> <p>The Board declares it to be the policy of this District to provide an equal opportunity for all students to achieve their maximum potential through the programs and activities offered in the schools without discrimination on the basis of race, color, age, religious creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, marital status, pregnancy, handicap/disability or any other legally protected category.</p> <p>The Board also declares it to be the policy of this District to comply with federal law and regulations under Title IX prohibiting sex-based discrimination and harassment. Inquiries regarding the application of Title IX to the District may be referred to the Title IX Coordinator, to the Office for Civil Rights of the U.S. Department of Education, or both.</p> <p>The District is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students admission, course offerings, counseling, assistance, services, employment, athletics and extracurricular activities without any form of discrimination, including Title IX sex-based discrimination or harassment. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of the District and is prohibited at or, in the course of, district-sponsored programs or activities and including transportation to or from a school or school-sponsored activities.</p>	<p>SC 1301, 1310, 1601-C et seq. 22 PA Code 4.4, 12.1.12.4, 15.1 et seq. 24 P.S. 5004 43 P.S. 951 et seq. 16 PA Code 41.201 et seq 20 U.S.C. 1681 et seq. 29 U.S.C. 794 42 U.S.C. 2000d et seq., 12101 et seq., 1981 et seq. 34 CFR Part 106 Pol. 103.1 U.S. Const. Amend. XIV</p>

<p><b>Section 2</b></p>	<p style="text-align: center;"><b>POLICY NO. 103 DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p><b><u>Definitions</u></b></p> <p><u>General Definitions</u></p> <p><b>Complaint</b> shall mean an oral or written request to the District that objectively can be understood as a request to investigate and make a determination about alleged discrimination.</p> <p><b>Complainant</b> shall mean a student who is alleged to have been subjected to conduct that could constitute discrimination in accordance with law and this policy, or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination and who was participating or attempting to participate in a district education program or activity at the time of the alleged discrimination.</p> <p><b>Pregnancy or related conditions</b>, as defined in federal law, shall mean:</p> <ol style="list-style-type: none"> <li>1. Pregnancy, childbirth, termination of pregnancy, or lactation;</li> <li>2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, lactation; or</li> <li>3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation or related medical conditions.</li> </ol> <p><b>Pregnancy</b>, as defined in state law, shall include the use of assisted reproductive technology, the state of being in gestation, childbirth, breastfeeding, the postpartum period after childbirth and medical conditions related to pregnancy.</p> <p><b>Respondent</b> shall mean a person who is alleged to have violated the District's prohibition on discrimination in accordance with applicable law and this policy.</p> <p><b>Retaliation</b> shall mean intimidation, threats, coercion or discrimination against any person by the District, a student, employee or other person authorized to provide a district aid, benefit or service, for the purpose of interfering with any right or privilege under applicable law or Board policy, or because the</p>	<p>34 CFR 106.2</p> <p>34 CFR 106.2</p> <p>34 CFR 106.2 Pol. 234</p> <p>16 PA Code 41.204</p> <p>34 CFR 106.2</p> <p>34 CFR 106.2, 106.71</p>
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**POLICY NO. 103  
DISCRIMINATION/ HARASSMENT AFFECTING  
STUDENTS**

person has reported information, made a complaint, testified, assisted, participated or refused to participate in any manner in an investigation, proceeding or hearing, including an informal resolution process or any other actions taken by the District in accordance with applicable law and this policy and procedures. This term shall not include the District requiring an employee or other individual providing a district aid, benefit or service to participate or assist with an investigation, proceeding or hearing in accordance with applicable law and this policy.

Discrimination Other Than Title IX

**Discrimination** shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, religious creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, marital status, pregnancy, handicap/disability, or any other legally protected category.

**Harassment** is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

**Religious creed** includes all aspects of religious observance, practice or belief.

16 PA Code 41.205



	<p style="text-align: center;"><b>POLICY NO. 103</b> <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>5. Differences of sex development, variations of sex characteristics or other intersex characteristics.</p> <p><u>Definitions Related to Title IX</u></p> <p><b>Title IX sex-based discrimination</b> includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity.</p> <p><b>Title IX sexual harassment</b> is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex including:</p> <ol style="list-style-type: none"> <li>1. <b>Quid pro quo harassment</b> – a district employee or other person authorized to provide a district aid, benefit or service explicitly or impliedly conditioning the provision of a district aid, benefit, or service on an individual’s participation in unwelcome sexual conduct.</li> <li>2. <b>Hostile environment harassment</b> – 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 a district education program or activity. Determination of whether a hostile environment has been created is a fact-specific inquiry that includes consideration of factors, including but not limited to: <ol style="list-style-type: none"> <li>a. The degree to which the conduct affected the complainant’s ability to access the District’s education program or activity;</li> <li>b. The type, frequency and duration of the conduct;</li> <li>c. The complainant’s and respondent’s ages, roles in the district education program or activity, previous interactions and other relevant factors;</li> <li>d. The location and context in which the conduct occurred; and</li> </ol> </li> </ol>	<p>34 CFR 106.2, 106.10, 106.31</p> <p>34 CFR 106.2</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>e. Other sex-based harassment in the District’s education program or activity.</p> <p>3. Sexual assault, dating violence, domestic violence or stalking.</p> <p>a. <b>Dating violence</b> means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:</p> <p style="padding-left: 40px;">i. Length of relationship.</p> <p style="padding-left: 40px;">ii. Type of relationship.</p> <p style="padding-left: 40px;">iii. Frequency of interaction between the persons involved in the relationship.</p> <p>b. <b>Domestic violence</b> includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.</p> <p>c. <b>Sexual assault</b> means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.</p> <p>d. <b>Stalking</b>, under Title IX means stalking on the basis of sex, for example when the stalker desires</p>	<p>34 U.S.C. 12291</p> <p>34 U.S.C. 12291</p> <p>20 U.S.C. 1092</p> <p>34 U.S.C. 12291</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p style="text-align: center;">to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:</p> <ol style="list-style-type: none"> <li style="text-align: center;">i. Fear for their safety or the safety of others.</li> <li style="text-align: center;">ii. Suffer substantial emotional distress.</li> </ol> <p>Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sex-based discrimination or harassment under Title IX. This includes conduct that is subject to the District's disciplinary authority. An education program or activity includes, but is not limited to, academic, extracurricular, research, occupational training and other education programs or activities of the District. The District is obligated to address a sex-based hostile environment in a district education program or activity, even when some conduct is outside the district's program or activity, or outside of the United States.</p> <p><b>Person in parental relation</b>, for the purposes of this policy and Title IX, shall mean the status of a person who with respect to another person who is under the age of eighteen (18) or who is eighteen (18) or older but is incapable of self-care because of a physical or mental disability, is:</p> <ol style="list-style-type: none"> <li>1. A biological parent;</li> <li>2. An adoptive parent;</li> <li>3. A foster parent;</li> <li>4. A stepparent;</li> <li>5. A legal custodian or guardian;</li> <li>6. In loco parentis with respect to such person; or</li> <li>7. Actively seeking legal custody, guardianship, visitation or adoption of such a person.</li> </ol>	<p>34 CFR 106.11, 106.31 106.44, 106.45</p> <p>34 CFR 106.2</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p><b>Supportive measures</b> shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent and without fee or charge to the complainant or the respondent in order to:</p> <ol style="list-style-type: none"> <li>1. Restore or preserve access to the District’s education program or activity, including measures designed to protect the safety of the individuals or the District’s educational environment; or</li> <li>2. Provide support during the grievance procedures or during an informal resolution process.</li> </ol> <p>Supportive measures may include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. Counseling</li> <li>2. Extensions of deadlines or other course-related adjustments.</li> <li>3. Modifications of work or class schedules.</li> <li>4. Campus escort services.</li> <li>5. Restrictions on contact applied to one or more parties.</li> <li>6. Changes in class, work, housing or extracurricular or other activities.</li> <li>7. Leaves of absence.</li> <li>8. Increased security.</li> <li>9. Monitoring of certain areas of the campus.</li> <li>10. Training and education programs related to sex-based harassment.</li> <li>11. Assistance from domestic violence or rape crisis programs.</li> </ol>	<p>34 CFR 106.2, 106.44</p> <p>34 CFR 106.44</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b> <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>12. Assistance from community health resources including counseling resources.</p> <p>Supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations and Board policy. The Title IX Coordinator shall consult with the Supervisor of Special Education in the implementation of supportive measures for students with an IEP or Section 504 Service Agreement.</p> <p><b>Section 3</b>      <b><u>Delegation of Responsibility</u></b></p> <p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations the Board designates the Superintendent as the District's Compliance Officer. The Board designates the Assistant to the Superintendent for Operations and the Assistant to the Superintendent for Student Services as the District's Title IX Coordinators.</p> <p>The Compliance Officer can be contacted at:</p> <p style="padding-left: 40px;">Superintendent Address: 1000 Kelton Avenue/Pittsburgh/PA 15126 Email: Stropkaj@kosd.org Phone Number: (412) 571-6005</p> <p>The Title IX Coordinators can be contacted at:</p> <p style="padding-left: 40px;">Assistant to the Superintendent for Operations Address: 1000 Kelton Avenue/Pittsburgh/PA 15216 Email: kubiak@kosd.org Phone Number: (412) 571-6005 and</p> <p style="padding-left: 40px;">Assistant to the Superintendent for Student Services Address: 1000 Kelton Avenue/Pittsburgh/PA 15216 Email: shanna@kosd.org</p>	<p>Pol. 103.1, 113, 113.1, 113.2, 113.3 34 CFR 106.44</p> <p>34 CFR 106.8</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p style="text-align: center;">Phone Number: (412) 571-6013</p> <p>The Compliance Officer and Title IX Coordinators shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures, to monitor and address barriers to reporting and to monitor the implementation of the District's nondiscrimination procedures in the following areas, as appropriate:</p> <ol style="list-style-type: none"> <li>1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.</li> <li>2. Counseling and Classes – Review of counseling and appraisal materials and access to classes and programs for stereotyping, bias and discrimination. If the District identifies that particular classes or courses contain a disproportionate number of individuals of one (1) sex, the District shall conduct a review to determine that the disproportion is not based on discriminatory practices.</li> <li>3. Training – Provide training for students and staff to prevent, identify and alleviate conduct which may constitute discrimination or harassment.</li> <li>4. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to law enforcement, and available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.</li> <li>5. Student Access - Review of programs, activities, facilities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.</li> <li>6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related</li> </ol>	<p>34 CFR 106.44</p> <p>34 CFR 106.34-106.36</p> <p>34 CFR 106.31, 106.34-106.36, 106.41</p> <p>34 CFR 106.33, 106.37 Pol. 150</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b> <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>areas.</p> <p>7. Student Evaluation - Review of assessments, procedures and standards of measurement for stereotyping and discrimination.</p> <p>8. Reports/Complaints - Monitor and provide technical assistance to individuals involved in managing reports and complaints.</p> <p><b><u>Guidelines</u></b></p> <p>When district programs and activities include separation on the basis of sex, in accordance with law and regulations, including but not limited to separate restroom or changing facilities or separate health and physical fitness activities, the District shall not implement such programs or activities in a manner that discriminates on the basis of sex, including an individual's gender identity.</p> <p>Violations of this policy, including acts of retaliation as defined in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures, and in accordance with applicable law and regulations.</p> <p>The Board requires a notice stating that the District does not discriminate in any manner, including Title IX sex-based discrimination and harassment, in any district education program or activity, to be issued to all students, persons in parental relation, employees, applicants for employment or admission, and all unions or professional organizations holding collective bargaining or professional agreements with the District. All discrimination notices and information shall include the name or title, office address, phone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator. The District's notice shall provide information on the location of the Board policy and complaint or grievance procedures, how to report information about conduct prohibited by this policy and how to file a complaint.</p>	<p>34 CFR 106.43</p> <p>34 CFR 106.31, 106.41</p> <p>Pol. 113.2, 218, 233, 817 34 CFR 106.45</p> <p>34 CFR 106.8</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>The complainant or the individual making the report may use the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form (103-AR-1) attached to this policy for purposes of reporting an incident or incidents in writing; however, oral reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed.</p> <p>The building principal shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sex-based discrimination and harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures and reasonable safety concerns.</p> <p>The Title IX Coordinator shall conduct an assessment to determine whether the reported conduct meets the definition of Title IX sex-based discrimination or harassment and the appropriate procedures to address the conduct in accordance with this Board policy and procedures, or other Board policies.</p> <p>If the Title IX Coordinator reasonably determines that the conduct may constitute sex-based discrimination or harassment, the Title IX Coordinator shall take the following steps under Title IX and this Board policy and procedures:</p> <ol style="list-style-type: none"> <li>1. Treat the complainant and respondent equitably.</li> <li>2. Offer and coordinate supportive measures, as appropriate, for the complainant and respondent.</li> <li>3. Notify the complainant or individual who reported the conduct of the grievance procedures and informal resolution process, if available and appropriate.</li> <li>4. If a complaint is made, notify the respondent of the grievance procedures and, if applicable, the informal resolution process.</li> <li>5. Initiate the grievance procedures or informal resolution process, if available and appropriate.</li> </ol>	<p>34 CFR 106.44</p> <p>34 CFR 106.44</p> <p>34 CFR 106.44</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>6. In the absence of a complaint or withdrawal of any or all allegations in a complaint, and in the absence or termination of an informal resolution process, determine whether to initiate a complaint under the grievance procedures, in accordance with law, regulations and the grievance procedures.</p> <p>7. If initiating a complaint under the grievance procedures, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety and the safety of others, including by providing supportive measures.</p> <p>8. Take other prompt and effective steps to ensure that sex-based discrimination and harassment does not continue or recur within the District's education programs or activities.</p> <p><u>Disciplinary Procedures When Reports Allege Title IX Sex-Based Discrimination or Harassment</u></p> <p>When a report alleges Title IX sex-based discrimination or harassment, disciplinary sanctions may not be imposed until the completion of the grievance procedures. The District shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance procedures.</p> <p>When an emergency removal, as described in the grievance procedures, is warranted to address an imminent and serious threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable. The District shall provide the respondent with notice and an opportunity to challenge the emergency removal immediately following the removal.</p> <p>When an emergency removal is not required, disciplinary sanctions shall be considered in the course of the Title IX grievance procedures. Following the issuance of the</p>	
		34 CFR 106.45
		34 CFR 106.44 Pol. 113.1, 113.2, 113.3, 233
		Pol. 113.1, 113.2, 218, 233

	<p style="text-align: center;"><b>POLICY NO. 103</b> <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>determination and any applicable appeal, any disciplinary action specified in the determination or appeal decision shall be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable.</p> <p><u>Discipline/Placement of Student Convicted or Adjudicated of Sexual Assault</u></p> <p>Upon notification of a conviction or adjudication of a student in this district for sexual assault against another student enrolled in this district, the District shall comply with the disciplinary or placement requirements established by state law and Board policy.</p> <p><u>Confidentiality</u></p> <p>Confidentiality of all parties, witnesses, the allegations, the filing of a report and the investigation related to any form of discrimination or retaliation, including Title IX sex-based discrimination or harassment, shall be handled in accordance with applicable law, regulations, Board policy and procedures, and the District's legal and investigative obligations to carry out the grievance procedures.</p> <p>The District shall not disclose personally identifiable information except in the following circumstances:</p> <ol style="list-style-type: none"> <li>1. When the District has obtained prior written consent in accordance with law.</li> <li>2. When the information is disclosed to a person in parental relation as defined in this policy or other authorized legal representative with the legal right to receive disclosures on behalf of the individual.</li> <li>3. To carry out the requirements of this policy and the accompanying procedures.</li> <li>4. As required or permitted by applicable law or regulations or the requirements of grant funding.</li> </ol>	<p>24 P.S. 1318.1 Pol. 218.3</p> <p>34 CFR 106.45, 106.71 20 U.S.C. 1232g 34 CFR Part 99</p> <p>34 CFR 106.44 20 U.S.C. 1232g Pol. 113.4, 216</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p><u>Retaliation</u></p> <p>The Board prohibits retaliation, including peer retaliation between students, by the District or any other person against any person for:</p> <ol style="list-style-type: none"> <li>1. Reporting or making a complaint of conduct that may constitute discrimination or retaliation, including Title IX sex-based discrimination or harassment.</li> <li>2. Testifying, assisting, participating or refusing to participate in a related investigation, process or other proceeding or hearing.</li> <li>3. Acting in opposition to practices the person reasonably believes to be discriminatory.</li> </ol> <p>The District, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred. The District shall respond to reports of retaliation by initiating the appropriate procedures in accordance with applicable law, regulations and this Board policy. Retaliation that falls under Title IX shall be addressed through the grievance procedures or, as appropriate, through the informal resolution process.</p> <p><u>Title IX Sex-Based Discrimination or Harassment Training Requirements</u></p> <p>The District shall provide training annually to all school employees on:</p> <ol style="list-style-type: none"> <li>1. The District's obligation to address sex-based discrimination and harassment in district education programs and activities.</li> <li>2. The scope of conduct that constitutes sex-based discrimination and harassment, as defined in the law and this policy.</li> </ol>	<p>34 CFR 106.2, 106.71</p> <p>34 CFR 106.71</p> <p>34 CFR 106.8</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>3. Staff responsibility to provide the Title IX Coordinator’s contact information to students or persons in parental relation and to notify the Title IX Coordinator regarding conduct that may constitute sex-based discrimination or harassment, in accordance with this Board policy and procedures.</p> <p>The Compliance Officer and Title IX Coordinator(s), investigator(s), decision-maker(s), or any staff responsible to implement grievance procedures related to Title IX sex-based discrimination or harassment and any staff authorized to modify or terminate supportive measures shall receive the following training annually, as required or appropriate to their specific role:</p> <ol style="list-style-type: none"> <li>1. The District’s obligations under Title IX, including definitions of sex-based discrimination and harassment.</li> <li>2. The grievance procedures used to address Title IX complaints.</li> <li>3. How to conduct an investigation, including examination of evidence, drafting reports and determinations, and handling appeals as applicable.</li> <li>4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.</li> <li>5. Use of relevant technology.</li> <li>6. Issues of relevance in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance.</li> <li>7. How to address complaints when the alleged conduct does not qualify as Title IX sex-based discrimination or harassment but could be addressed under another complaint process or Board policy.</li> </ol> <p>Staff designated to facilitate the informal resolution process shall receive training annually on the rules and practices</p>	<p>34 CFR 106.8</p> <p>34 CFR 106.8</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b> <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>associated with the informal resolution process and how to serve impartially, including by avoiding conflicts of interest and bias.</p> <p>The Title IX Coordinators and designees shall receive the following training annually, in addition to all other training required by Title IX and this policy:</p> <ol style="list-style-type: none"> <li>1. Specific responsibilities of the Title IX Coordinator, in accordance with law and Board policy and procedures.</li> <li>2. The District's recordkeeping system and requirements for recordkeeping in accordance with Title IX and Board policy and administrative regulations.</li> <li>3. Any other training required to coordinate the District's compliance with Title IX and other applicable laws, regulations and Board policy.</li> </ol> <p>All training materials shall be retained for at least seven (7) years and must be made available for inspection upon request from a member of the public.</p> <p><u>Disciplinary Consequences</u></p> <p>A student whose conduct is determined to be in violation of this policy, including a determination of sex-based harassment, shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include but is not limited to:</p> <ol style="list-style-type: none"> <li>1. Loss of school privileges.</li> <li>2. Permanent transfer to another school building, classroom or school bus.</li> <li>3. Exclusion from school-sponsored and extracurricular activities.</li> <li>4. Detention.</li> <li>5. Suspension.</li> </ol>	<p>34 CFR 106.8</p> <p>Pol. 113.4, 216, 324, 424, 524, 800</p> <p>34 CFR 106.8 Pol. 800, 801</p> <p>113.1, 218, 233</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b> <b>DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS</b></p> <p>6. Expulsion.</p> <p>7. Referral to law enforcement officials.</p> <p>An employee who violates this policy, including a determination of sex-based harassment, shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.</p> <p>All reports of discrimination or Title IX sex-based discrimination or harassment shall be handled in accordance with the Grievance Procedures attached to this policy.</p> <p>Previously Revised: April 18, 2023; October 20, 2020; March 20, 2018; June 26, 2014; February 16, 1998</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1301, 1310, 1318.1, 1601-C et seq.</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.4, 15.1 et seq.</p> <p>Unfair Education Practices – 24 P.S. Sec. 5004</p> <p>Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.</p> <p>Section 504 of the Rehabilitation Act – 29 U.S.C Sec. 794.</p> <p>Americans With Disabilities Act – 42 U.S.C Sec. 12101 et seq.</p> <p>Federal Anti-Discrimination and Civil Rights Laws – 20 U.S.C. Sec. 1681 et seq. (Title IX), 42 U.S.C. Sec. 2000d et seq. (Title VI), 42 U.S.C. Sec. 1981 et seq.</p>	<p>Pol. 817, 817.1</p> <p>34 CFR 106.45</p>
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	<p style="text-align: center;"><b>POLICY NO. 103</b>  <b>DISCRIMINATION/ HARASSMENT AFFECTING</b>  <b>STUDENTS</b></p> <p>Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance – 34 CFR Part 106, 106.8, 106.10, 106.11, 106.31, 106.33, 106.37, 106.34, 106.35, 106.36, 106.41, 106.43, 106.44, 106.45, 106.71</p> <p>Family Educational Rights and Privacy – 34 CFR Part 99</p> <p>Family Educational and Privacy Rights – 20 U.S.C. Sec. 1232g</p> <p>Violence Against Women – 34 U.S.C. Sec. 12291</p> <p>Provisions Related to Student Assistance Programs – 20 U.S.C. Sec. 1092</p> <p>U.S. Const. Amend. XIV, Equal Protection Clause</p> <p>Title 16, Protected Classes – 16 PA Code Sec. 41.201, 41.204, 41.205, 41.206, 41.207</p> <p>Board Policy – 103.1, 113, 113.1, 113.2, 113.3, 113.4, 150, 216, 218, 218.3, 233, 234, 324, 424, 524, 800, 801, 805.1, 806, 817, 817.1</p>	
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