

## **Title IX**

*Publication (for handbooks, website, other documentation provided to parents and students, applicants, unions, and professional organizations)*

**Title IX (Nine)** is designed to eliminate discrimination on the basis of sex in any education program or activity including locations, events, or circumstances over which TCMSD exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

**Definition:** "Sexual Harassment"- means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
3. Sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

### **How to report or file a formal complaint on sexual harassment and how the District will respond:**

The Title IX Coordinator is the compliance officer. Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person on the basis of sex should file a complaint with the Title IX Coordinator's Office using the following information:

**Title IX Coordinator Name: Alicia Degase**

**Title IX Coordinator Address: 910 N. Date St.**

**Phone: 575-894-8156**

**e-mail: [adegase@torcschools.net](mailto:adegase@torcschools.net)**

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment.

### **Grievance Procedure:**

Upon a report regarding sex discrimination or sexual harassment relayed to the Title IX Coordinator, the coordinator shall;

1. promptly contact the complainant,
2. discuss the availability of supportive measures, Supportive measures as indicated above may include: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and consider the complainant's wishes with

respect to supportive measures, administrative leave while a grievance is pending, emergency removal (following an individualized safety and risk analysis), and other similar measures. In responding to a report or formal complaint the District must treat complainant and respondent equitably by offering both supportive measures.

3. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint,
4. explain to the complainant the process for filing a formal complaint, and
5. have reports investigated and document those filed pursuant to this regulation as soon as reasonable.

In investigating the report, confidentiality will be maintained to the extent reasonably possible. All parties will have opportunities for due process before the hearing officer determine the findings of the allegation(s).

Any student or employee of the School District who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any School District education program or activity on the basis of sex in violation of Board of Education Policy, may file a report of sex discrimination or a formal complaint with the Title IX Coordinator.

The following are not covered by Title IX if: The involved is not a student or participant, conduct occurred outside the U.S., and conduct occurred on a property that is not part of a school program.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

A report may be made to any District employee and that employee shall make the report to the Title IX Coordinator within one (1) school day of receipt. All employees are obligated to report any and all sex discrimination activity of which they are directly aware or are made aware to the Title IX Coordinator, Superintendent, or Supervising Administrator of their work site. Failure to make such a report upon its receipt shall expose the employee to disciplinary action in accord with District policies.

The District is committed to investigating each report and to taking appropriate action on all confirmed violations of policy.