

## **TITLE VII POLICY**

### **Equal Opportunity Employment Policy**

The School is an equal opportunity employer and will not discriminate against any applicant, contractor, or employee on the basis of age, race, color, religion, sex, gender (including actual or perceived gender identity, gender expression, pregnancy/conditions related to pregnancy or childbirth), sexual orientation, national origin, veteran status, disability, natural hair style, genetic information or other legally protected status, except where it is an occupational qualification. This policy extends to all terms, conditions, and privileges of employment as well as the use of the school's facilities and participation in all activities sponsored by the school. It is also the School's policy to ensure that all employees are treated equally on the basis of merit and performance competence with regard to any and all terms of conditions of employment, including recruitment, hiring, compensation, promotions, demotions, assignments, trainings, layoffs, and terminations.

### **Discrimination, Harassment and Sexual Harassment Policy**

The School is committed to having a community in which every individual is treated with sensitivity and respect, and in which each student and teacher has an equal opportunity to work, learn, and develop to his or her full potential in an atmosphere free from all forms of unlawful discrimination and harassment, including sexual harassment. To that end, the School prohibits any form of harassment or discrimination (including sexual harassment) on the basis of age, race, color, national origin, religion, disability, sex, sexual orientation, gender (including actual or perceived gender identity, gender expression, pregnancy/conditions related to pregnancy or childbirth), or other protected characteristic, whether by a supervisor, administrator, co-worker, volunteer, contractor, student, or non-employee. The purpose of this policy is not to regulate our employees' personal morality. It is to assure that in the workplace, each employee is able to accomplish his or her job without being subjected to harassment.

While it is not easy to define precisely what harassment or discrimination is, it certainly includes verbal, nonverbal, or physical conduct that denigrates, belittles, or puts down an individual or shows hostility, distaste, or a version toward that individual based on that individual's race, color, national origin, religion, gender (including actual or perceived gender identity, gender expression, pregnancy/conditions related to pregnancy or childbirth), sexual orientation, age, disability, veteran status, any other protected class, or participation in a protected activity.

Discrimination involves intentionally treating anyone in an unequal or disparate manner because of that person's inherent or natural personal characteristics, including race, color, national origin, religion, gender (including actual or perceived gender identity, gender expression, pregnancy/conditions related to pregnancy or childbirth), sexual orientation, age, disability, veteran status, any other protected class, or participation in a protected activity, when such

treatment causes the victim to suffer adverse educational, employment, or other school-related consequences.

Harassment is any unwelcome offensive verbal, nonverbal, or physical conduct that is sufficiently severe, persistent, or pervasive as to significantly affect the conditions of one's employment or a student's learning. Harassment includes, but is not limited to the following: slurs, epithets, threats, derogatory comments, unwelcome or abusive jokes, insults, name calling, threats, bullying or intimidation, unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct such as uninvited touching or sexually related comments or the exchange of benefits for performance of sexual or other favors.

Other conduct that can be unlawful harassment includes verbal, nonverbal, or physical conduct that shows aversion, denigration, or hostility because of race, color, religion, national origin, gender (including actual or perceived gender identity, gender expression, pregnancy/conditions related to pregnancy or childbirth), age, disability, sexual orientation, or other protected classification and that:

- Creates an intimidating, hostile, or offensive working environment;
- Unreasonably interferes with an individual's work; or
- Adversely affects an individual's employment opportunities.

### Sexual Harassment

Of the various types of harassment, sexual harassment is worthy of special considerations beyond those applicable under the School's general Discrimination, Harassment and Bullying Policy. No employee, student, volunteer, or contractor shall engage in sexual harassment against any other student, employee, or another person in the School community.

*Sexual harassment* is a form of discrimination involving unwelcome sexual, or sex-based conduct that interferes with the employment of others. Sexual harassment is any unwanted or unwelcomed verbal or physical advances, sexually explicit derogatory statements, requests for sexual favors, or sexually discriminatory remarks made by someone in the workplace which is offensive or objectionable to the recipient or which causes the recipient discomfort or humiliation, or which interferes with the recipient's job performance. Harassing behaviors can be verbal, non-verbal, or physical, range from subtle innuendo of a sexual nature to coerced sexual activity, and other inappropriate verbal, written, or physical conduct of a sexual nature that usually takes place under the following circumstances:

- When submission to such conduct is made, explicitly or implicitly, a term or condition of instruction, participation in school activities, or employment.
- When submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions or benefits; or

- When such conduct has the purpose or effect of substantially interfering with an individual's academic, extracurricular, or work performance, or creating an intimidating, hostile, or offensive school environment or working environment.

### Examples of Sexual Harassment

Workplace behavior that is sexually harassing includes but is not limited to:

- Unwanted sexual remarks or inferences.
- Offensive comments about sex or gender-specific traits.
- Unwelcome sexual propositions, threats, bribes, written notes, or phone calls.
- Unwelcome gestures or sounds or the display of sexually suggestive objects, signals, or pictures.
- Unwanted physical contact of a sexual nature(e.g., touching, pinching, kissing, holding).
- Promise of promotion, favorable performance evaluations, etc. in return for sexual favors, known as “quid pro quo” or “this for that”; or
- Threatening or insinuating, whether explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment.
- Pressure for sexual activity, continued or repeated offensive sexual flirtations, advances, or propositions.
- Continued or repeated verbal remarks about an individual's body.
- Sexually degrading words used toward, or in the presence of, an individual or to describe an individual.

A hostile environment exists if the conduct of a sexual nature is sufficiently severe, persistent, or pervasive to limit a person's ability to participate in or benefit from the educational program or creates a hostile or abusive educational or work environment.

Romantic or sexual advances toward students by employees or romantic or sexual relationships between school employees and students are always prohibited in all circumstances. School employees are prohibited from engaging in romantic or other inappropriate relationships with students and are required to report such relationships or reasonable suspicions thereof, to the CEO or other administrator. Procedures established by the School for reporting suspected sexual harassment shall be followed in any instances involving such conduct.

### Application

Individuals of any gender identity can be sexually harassed by someone of the same or a different gender, and the law protects all individuals equally from this discrimination. This policy applies to sexual harassment by staff, students, volunteers, vendors, and service providers of any gender against someone of the same or a different gender.

### Retaliation is Prohibited

The School prohibits reprisal or retaliation against any person who reports an act of discrimination or harassment or who participates in an investigation as a witness or in any other capacity. Employees should report any such retaliation to the CEO. This policy, however, shall not be used to bring frivolous or malicious complaints.

### Procedure for Complaints of Harassment, Discrimination and Retaliation

- Any person who believes they have been the victim of harassment, sexual harassment, discrimination, or retaliation should immediately discuss and report to their direct supervisor, the CEO, or any other supervisor with whom the person feels comfortable. While the person should report sexual harassment to a supervisor or the CEO, there is no requirement that the person report sexual harassment, discrimination, or retaliation to a particular supervisor.
- Any supervisor receiving a complaint of harassment, sexual harassment, discrimination, or retaliation is required to report such complaint to the CEO at [info@nextgenerationacademy.net](mailto:info@nextgenerationacademy.net). If the CEO is the subject of such complaint, then the supervisor shall report to the Chair of the Board of Directors at (336) 271-9030 or to any other Board member that the supervisor believes is appropriate.
- Any complaint of made under this policy will be investigated thoroughly and promptly. To the maximum extent possible, the School will protect the privacy of the parties involved.
- Any attempt to interfere with or influence the investigation of a harassment, sexual harassment, discrimination, or retaliation complaint is strictly prohibited, and will result in disciplinary action, up to and including immediate termination.
- There will be no adverse action against an employee who acts in good faith and reports an incident, or who participates in or cooperates with an investigation of an alleged incident.

### Disciplinary Action

Any individual found to have engaged in harassment, sexual harassment, discrimination, or retaliation will be subject to disciplinary action up to and including immediate termination. In addition, some forms of sexual harassment, such as sexual relations between an adult and minor, may violate criminal laws. The School will cooperate with local authorities in the investigation of any alleged criminal activity.

### Confidentiality of Records

The School will make every effort to maintain confidentiality and protect the privacy of the parties involved in the investigation of a sexual harassment, discrimination, and retaliation complaint. All written materials related to the investigation of allegations of harassment will be

placed in confidential files, which are separate from student and personnel records. Reasonable efforts will be taken to ensure that access to these records is limited to those persons with a need to know.

Sexual and Other Types of Unlawful Harassment/Discrimination on School Grounds by Contractors, Volunteers or Individuals Who Are Not School Employees

The policies contained in this section, including the reporting procedures and no retaliation policy, regarding harassment, sexual harassment, and discrimination, shall also apply to contractors, volunteers or individuals who are not employees of the School when such individuals are on School property or during School events.

Implementation: Information and Education/Training

- This policy will be distributed to all employees and will be discussed as part of the staff orientation at the beginning of each school year.
- The CEO is authorized and expected to establish training and administrative procedures to help eliminate discrimination and harassment, and to foster an environment of understanding and respect for all individuals.
- This policy will be included in the School's Operation and Board Policy Manual and a summary policy included in the Student/Family Handbook, which is sent to parents and students at the beginning of each school year.