



TITLE IX POLICY

Keune Academy by 124 (“KAB124”), is committed to providing a safe educational environment free of violence, harassment and discrimination. Therefore, in accordance with the Title IX of the Education Amendments of 1972, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), along with its amendments made pursuant to the Violence Against Women Reauthorization Act of 2013 (“VAWA”), KAB124 has adopted strict policies regarding these matters.

Prevention programming and training will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, sexual harassment, alcohol and drug use, dating violence, domestic violence, stalking, bystander intervention, and reporting. KAB124 is committed to addressing and responding to all reports of sexual discrimination, and will take appropriate action to prevent, correct, and if necessary, discipline behavior that violates this policy.

Statement of Non-Discrimination

The school does not discriminate in its’ policies on the basis of race, religion, color, sex, ethnic origin, age, veteran status or sexual orientation in its admission to the school or treatment in its programs, activities, advertising, training, placement, or employment. The school does not allow or tolerate discrimination of any kind, bullying, harassment or hazing of any sort. If any special accommodations are needed, full disclosure should be given prior to enrollment. Any complaints will be addressed, by the General Manager. Complaints will be resolved and a decision will be provided within seven business days, in writing, by the General Manager.

Scope

This policy applies to any allegations of sexual misconduct against any faculty or staff or student, regardless of where the alleged conduct occurs. The actions of third parties (e.g., contractors, vendors, guests, or visitors) that impact students or employees may also be subject to review under this policy. If a third party is the accused, the matter will be referred to the appropriate authorities for resolution.

Definitions

Community: Students, faculty, and staff, as well as contractors, vendors, visitors and guests

Complainant: An individual who is alleged to have experienced conduct that violates this policy.

Consent: Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation, of another where the respondent knows or reasonably should have known of such incapacitation. Incapacitation prevents a person from having the capacity to give consent, such as due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability. Minors under the age of 16 cannot legally consent under Georgia law.

Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent.

Consent can be withdrawn at any time by a party by using clear words or actions.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such relationship shall be determined based on the totality of the circumstances including, without limitation to: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence

Examples of dating violence include: threats of physical harm by a current or former boyfriend or girlfriend, or sexual acts, up to and including rape, performed against a person's will while they are in a social or dating relationship

Domestic Violence: Violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, or 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 in which the crime occurred.

Examples of domestic violence include: a husband hitting his wife or forcing her to have sex with him against her will, or an ex-live-in girlfriend brandishing a weapon and threatening physical harm of her ex-boyfriend.

Gender-based Harassment: a form of sexual harassment and refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment or acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature.

Incapacitation: The physical and/or mental inability to make informed, rational judgments. It can result from mental disability, sleep or any state of unconsciousness, involuntary physical restraint, status as a minor under the age of 16, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

Nonconsensual Sexual Contact: Any physical contact with another person of a sexual nature without the person's consent. It includes but is not limited to the touching of a person's intimate parts (for example, genitalia, groin, breasts, or buttocks); touching a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts. This provision also includes "Fondling" as defined by the Clery Act

Nonconsensual Sexual Penetration: Any penetration of the vagina, anus, or mouth by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person. This provision also includes "Rape, Incest, and Statutory Rape" as defined by the Clery Act.

Reasonable Person: An individual who is objectively reasonable under similar circumstances and with similar identities to the person being evaluated by the institution

Reporter: An individual who reports an allegation of conduct that may violate this Policy but who is not a party to the complaint.

Respondent: An individual who is alleged to have engaged in conduct that violates this Policy.

Responsible Employees: Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Coordinator. Responsible Employees include any administrator, faculty member, or other person in a position of authority. These are not individuals who can hold information in complete confidence if requested to do so by a student.

Safe Bystander: Individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. They are someone who is present and thus potentially in a position to discourage, prevent, or interrupt an incident.

Sexual Assault: An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting System (WARNING: Some of these definitions are graphic)

1. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim
2. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent
3. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the

victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

4. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. Examples of sexual exploitation may include, but are not limited to, the following:

1. Invasion of sexual privacy;
2. Prostituting another individual;
3. Non-consensual photos, video, or audio of sexual activity;
4. Non-consensual distribution of photo, video, or audio of sexual activity, even if the sexual activity or capturing of the activity was consensual;
5. Intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. Knowingly transmitting an STD or HIV to another individual through sexual activity;
7. Intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or
8. Sexually-based bullying.

Sexual Harassment (Student on Student): Unwelcome verbal, nonverbal, or physical conduct based on sex (including gender stereotypes), determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to participate in or to benefit from an institutional education program or activity in violation of Title IX

Sexual Harassment (Other than Student on Student): Unwelcome verbal, nonverbal or physical conduct, based on sex (including gender stereotypes), that may be any of the following:

1. Implicitly or explicitly a term or condition of employment or status in a course, program or activity;
2. A basis for employment or educational decisions; or
3. Is sufficiently severe, persistent or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from an institutional program or activity.

KAB124 also prohibits unwelcome conduct determined by a Reasonable Person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a KAB124 education program or activity in violation of Title IX

Sexual Misconduct: Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, nonconsensual sexual penetration, sexual exploitation, sexual harassment and stalking.

Sexual Violence: a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion; domestic violence; dating violence; and stalking.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes surveils, threatens, or communicates to or about a person, or interferes with person's property
2. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.

Examples of stalking include: sending repeated, unwanted emails to a person that cause that person to reasonably fear for their safety, or an ex-girlfriend who had previously threatened harm to her ex-boyfriend physically showing up at her ex-boyfriend's residence repeatedly after being instructed to stay away.

Prohibited Conduct

This policy strictly prohibits sexual or other unlawful harassment or discrimination as well as sexual violence, as defined above. Sexual or other unlawful harassment or discrimination includes any verbal, physical or visual conduct based on sex, race, age, national origin, disability or any other legally protected basis if:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual's education or employment; or
3. It creates a hostile or offensive work environment, which means the alleged conduct is sufficiently serious to limit or deny a student's ability to participate or benefit from the student's education program.

Unlawful harassment or discrimination may include racial epithets, slurs and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, national origin, age, disability, marital status or other legally protected categories

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same-sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented “kidding” or “teasing,” practical jokes, jokes about or displays of obscene printed or visual material, questions about sexual fantasies, preferences or history, and physical contact such as patting, pinching, or intentionally brushing against another person’s body.

Gender-based harassment, including acts of verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping are strictly prohibited, even if those acts do not involve conduct of a sexual nature.

Safe Bystander Intervention

1. Being aware of comments and behaviors from others that would indicate they were intent on having sexual intercourse even if the partner was unwilling. If you suspect that is someone’s intent, try to re-direct one or both individuals to a safe place or activity. Call 911 if you believe someone is in danger and needs help, rather than hoping someone else does.
2. Notice if someone seems intent on having sexual intercourse with a partner who is incapacitated. If you suspect that is someone’s intent, try to re-direct one or both individuals to a safe place or activity. Don’t allow the incapacitated person to be alone with that person.
3. Don’t pressure or encourage friends to drink or have sex as often or with as many people as possible.
4. Open up a conversation with a friend who you think may be in an abusive relationship and offer help.
5. Don’t joke about sexual assault; comments and jokes that are meant to “ease the tension” or are “just kidding around” can trivialize the severity of the behavior.
6. Know your level of comfort with conversations and talk about sexual behavior. If you find groups or individuals who joke about a woman’s body or blame a rape victim, for example, that are not in sync with how you feel, state your discomfort rather than remaining silent.
7. Many perpetrators are unaware that what they have done is a crime. “They may say, “Yeah, that was messed up, but it was fun.”) Let them know that what they did was not right and was against the law
8. Cooperate in reporting an incident of sexual violence or offering witness or other information necessary to conduct an investigation.

If you become aware that a sexual assault has occurred or are told of an assault occurring:

1. Believe the person
2. Do not blame the victim (what he/she was wearing, that he/she drank too much).
3. Encourage a report (to local police, the Title IX Coordinator or other Responsible Employee). Realize however, there may be reasons why the person does NOT want to report. Respect that decision.
4. Don't pry or try to get information out of the person if he/she is unwilling to be forthcoming with information...be ready to listen when the individual is ready to talk.
5. If you learn of the perpetrator's identity, don't suggest physical or any other form of retaliation
6. Know available resources
7. Listen
8. Be patient

Risk Reduction Tips

Reducing Risk of Non-Consensual Acts

- If you have limits, make them known as early as possible
- Tell a sexual aggressor "NO" clearly and firmly
- Try to remove yourself from the physical presence of a sexual aggressor
- Find someone nearby and ask for help
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are questioning a decision. Respect them when they do

Reducing Risk of Committing Unwanted Sexual Acts

If you find yourself in the position of being the initiator of sexual behavior, you owe respect to yourself and your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct.

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you
- Understand and respect personal boundaries
- Don't make assumptions
 - About consent
 - About someone's sexual availability
 - About whether they are attracted to you
 - About how far you can go or about whether they are physically and/or mentally able to consent
 - If there are any questions or ambiguity, then you DO NOT have consent

- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading each other. Your partner may not have figured out how far he or she wants to go with you yet. You must respect the timeline for sexual behaviors with which your partner is comfortable.
- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender, size, or position in an organization. Don't abuse that power
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and nonverbal communication and body language.

Reporting Policies and Protocol

KAB124 encourages the reporting of all Sexual Misconduct as soon as possible. While there is no statute of limitations on an institution's ability to respond to a report, the ability to respond diminishes with time as information and evidence may be more difficult to secure.

Any member of the KAB124 community may report conduct that may constitute sexual harassment or discrimination under this policy. In addition, administrators and other employees are responsible for taking whatever action is necessary to prevent sexual misconduct, to correct it when it occurs, and to report it promptly to the Title IX Coordinator.

KAB124 recognizes that sexual harassment frequently involves interactions between persons that are not witnessed by others or cannot be substantiated by additional evidence. Lack of corroborating evidence or "proof" should not discourage individuals from reporting sexual harassment under this policy. However, making false charges of sexual harassment is a serious offense. If a report is found to have been intentionally false or made maliciously without regard for truth, the claimant may be subject to disciplinary action. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

An institutional report occurs when the institution has notice of a complaint. That notice occurs in two instances:

1. When a Responsible Employee receives a complaint; or
2. When the Title IX Coordinator or their designee receives a complaint

The report may be made directly to the Coordinator in multiple formats including: writing, email, phone, interview, and by the digital form on the website. There is no specific information

required to constitute a report; yet, the report should contain as much information as can be provided. For example, the complaint should include:

1. The type of misconduct alleged
2. Details of the incident or incidents (dates, times, location)
3. Name and contact information of the individuals accused of misconduct
4. Name and contact information of any individuals with knowledge of the incident
5. Whether any tangible evidence has been preserved
6. Whether a criminal complaint has been made to authorities

If you are victim of sexual violence, including sexual harassment, dating violence, domestic violence, or stalking, your first priority should be to get to a place of safety. You should then obtain any necessary medical treatment. Information about the alleged offense should be provided to the Title IX Coordinator as soon as possible.

Law Enforcement Reports

Because Sexual Misconduct may constitute criminal activity, a Complainant also has the option, should the Complainant so choose, of filing a report with local police, for the Complainant's own protection and that of the surrounding community. KAB124 may assist the Complainant in reporting the situation to law enforcement officials. Filing a criminal report does not automatically constitute an institutional report

To initiate a criminal investigation, reports of sexual violence should be made to "911" or local law enforcement. The criminal process is separate from KAB124's disciplinary process.

KAB124 strongly advocates that a victim of sexual violence reports the incident to police in a timely manner. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. The victim has the right at all times to decline to notify police of the incident

Filing a police report will:

- Ensure the victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution or establishing a no contact order, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet or change clothing prior to a medical/legal exam); and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention

Complaint Consolidation

KAB124 may consolidate complaints as to allegations of Sexual Misconduct against more than one Respondent by more than one Complainant against one or more Respondents, or cross-complaints between parties, where the allegations of sexual misconduct arise out of the same facts or circumstances

Parties shall have the opportunity to request or object to the consolidation; however, KAB124 shall have the authority to make the final determination. For the purpose of this Policy consolidation may occur during the investigation and/or the adjudication phases of the sexual misconduct process.

Complaint Dismissal

KAB124 is permitted, but not required, to dismiss complaints on the following grounds:

1. The alleged conduct, even if proved, would not constitute sexual misconduct;
2. The Complainant notifies the Coordinator in writing that they would like to withdraw the complaint;
3. The Respondant is no longer enrolled or employed by the institution; or
4. There are circumstances that prevent the institution from gathering evidence sufficient to reach a determination regarding the complaint.

The parties shall receive simultaneous written notice of the dismissal and the reason(s) for the dismissal. The parties shall have a right to appeal the institution's decision to dismiss the complaint.

Retaliation

Anyone who has made a report or complaint, provided information, assisted, participated or refused to participate in any manner in the Sexual Misconduct Process, shall not be subjected to retaliation.

KAB124 will not retaliate against you for filing a complaint, and will not tolerate retaliation by students or employees. If you believe you have been retaliated against, you should promptly notify the Title IX Coordinator. Any person found to have engaged in retaliation in violation of the Policy shall be subject to disciplinary action.

False Complaints

Individuals are prohibited from knowingly making false statements or knowingly submitting false information to a Responsible Employee or the Title IX Coordinator. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a

hearing, in violation of this Policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated under the appropriate institutional process.

Amnesty

Individuals should be encouraged to come forward and to report Sexual Misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by a student during an investigation concerning the consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate. Nevertheless, these students may be required to meet with staff members in regards to the incident and may be required to participate in appropriate education program(s). The required participation in an education program under this Amnesty procedure will not be considered a sanction.

Nothing in this Amnesty provision shall prevent KAB124 staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

Responding to Reports of Sexual Misconduct

KAB124 takes all reports seriously and will provide a prompt and equitable response to all reports of sexual harassment.

A prompt and equitable response may include:

1. An early resolution of the issue
2. A formal investigation; and/or
3. Targeted training or educational programs designed to prevent recurrence of any sexual misconduct

Mediation will not be used to resolve sexual assault complaints. If an investigation is warranted, KAB124 shall maintain confidentiality for all parties to the extent permitted by law. However, complainants should be aware that in a formal investigation due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with the alleged harassment. Nonparty witnesses who participate in sexual harassment investigations shall not share with involved parties, other witnesses, or any other, information revealed to them during the investigation.

The time necessary to conduct an investigation will vary based on complexity but generally KAB124 will conduct an investigation within 60 days of receipt of the complaint. Every complainant will have the right to present his or her case, which includes the right to an adequate, reliable, and impartial investigation of the complaint. Parties will be given an equal opportunity to present witnesses and evidence. The preponderance of the evidence standard will apply to investigations, meaning that KAB124 will evaluate whether it is more likely than

not that the alleged conduct occurred. Both parties will be given periodic status updates and will receive written notice of the outcome of the complaint. During the investigation, KAB124 will provide interim measures, as necessary, to protect the safety and well-being of students and/or employees involved. Either party may file an appeal, if applicable

If KAB124 determines that unlawful harassment or other prohibited behavior has occurred, immediate appropriate corrective action will be taken in accordance with the circumstances involved and will take steps to prevent the recurrence of any harassment or discrimination. Any employee determined by the institute to be responsible for unlawful harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. Remedies for student-related claims may include, but are not limited to, an order to stay away, suspension, or expulsion.

Live Hearings & Cross-Examination

- At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility
- If a party does not have an advisor present at the live hearing, the school must provide, without fee or charge to that party, an advisor of the school's choice who may be, but is not required to be, an attorney to conduct cross examination on behalf of that party
- Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally
- Schools must create an audio or audiovisual recording, or transcript, of any live hearing
- The decision-maker must issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant.
- The written determination will be sent simultaneously to the parties along with information about how to file an appeal.

Appeals

Once KAB124 has responded to a report of sex/gender-based harassment, discrimination or sexual misconduct, either party has the ability to petition for appeal by written request to the Title IX Coordinator within five (5) business days of the date of the decision.

The written request for appeal must be based on at least one of the following reasons listed below and must include justification for that reason:

- Procedural irregularity that affected the outcome of the matter
- Newly discovered evidence that could affect the outcome of the matter

- Title IX personnel had a conflict of interest or bias, that affected the outcome of the matter.
- A school may offer an appeal equally to both parties on additional bases

Interim Measures

Interim measures may be implemented at any point after the institution becomes aware of an allegation of sexual misconduct and should be designed to protect any student or other individual in the KAB124 community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter Sexual Misconduct and retaliation. Interim measures must be provided consistent with the provisions in applicable policies and procedures.

Interim measures may include, but are not limited to:

1. Issuance of a “no contact” directive
2. Changes to academic schedules or supervision
3. Interim suspension
4. Revocation of certain campus privileges
5. Other measures designed to promote the safety and well-being of the parties and the KAB124 community.

Jurisdiction

Emergency removal should only occur where necessary to maintain safety and should be limited to those situations where the Respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk

KAB124 shall take necessary and appropriate action to protect the safety and well-being of its community. Sexual misconduct allegedly committed is addressed by this Policy when the misconduct occurs on institution property, or at institution-sponsored or affiliated events, or off-campus, as defined by student conduct policies.

Advisors

Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party’s choosing at the party’s own expense. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process, including

providing questions, suggestions and guidance to the party, but may not actively participate in the process except through Informal Resolution. All communication during the Sexual Misconduct process will be between KAB124 and the party and not the advisor. With the party's permission, the advisor may be copied on all communications.

If a party chooses not to use an advisor during the investigation, KAB124 will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party.

Formal Complaints

A formal complaint is a written document filed by the Complainant or signed by the Coordinator alleging sexual harassment, as defined by Title IX and its implementing regulations, against a Respondent and requesting that the institution open an investigation. In order to file a formal complaint, the Complainant must be participating in or attempting to participate in the education program or activity of the institution occurring within the United State at the time of the filing.

Informal Resolutions

Allegations of Sexual Misconduct may be resolved informally. The Complainant, the Respondent, and the institution must agree to engage in the informal resolution process and to the terms of the informal resolution. The Complainant(s) and the Respondent(s) have the option to end informal resolution discussions and request a formal process at any time before the terms of an informal resolution are reached. However, matters resolved informally shall not be appealable.

Formal Complaints may be resolved informally, except in the instance of an allegation by a student against an employee. The following must be met in order to proceed with the informal resolution process:

1. The parties have received written notice of the allegations
2. The parties have received written explanation of the informal process to include, but not limited to:
 - a. Written agreement of the parties to initiate the informal resolution process;
 - b. Written notice that the parties may withdraw from the process at any time prior to the agreement of the terms of the resolution;
 - c. Written notice that the final resolution precludes any further Institutional actions on the allegations.
3. The institution has agreed to engage in the informal resolution process.

Role of the Title IX Coordinator

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations at 34 C.F.R. Part 106, KAB124's Title IX Coordinator has primary responsibility for coordinating KAB124's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of the institution, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. Sexual misconduct against students, including sexual harassment, sexual assault, rape, and sexual exploitation, can be a form of sex discrimination under Title IX. The Title IX Coordinator oversees the institution's response to reports and complaints that involve possible sex discrimination to monitor outcomes, identify and address any patterns, and assess effects on the campus climate, so the institution can address issues that affect the wider school community.

A student should contact the Title IX Coordinator to:

- Seek information or training about students' rights and courses of action available to resolve reports or complaints that involve potential sex discrimination, including sexual misconduct;
- File a complaint or make a report of sex discrimination, including sexual misconduct;
- Notify the institution of an incident or policy or procedure that may raise potential Title IX concerns;
- Get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual misconduct; and
- Ask question about the institution's policies and procedures related to sex discrimination, including sexual misconduct

Melody Jaggar, Director of Education, is KAB124's Title IX Coordinator and can be reached in person at 755 Lawrenceville Suwanee Road, Suite 1300, Lawrenceville, GA 30043, by telephone at 678.735.4765, or via email at mjaggar@keuneacademyby124.edu

Alan Van Hassel, General Manager, is KAB124's Deputy Title IX Coordinator and can be reached in person at the above address, by telephone at 678.735.4764, or via email at avanhassel@keuneacademyby124.edu

Inquiries or complaints that involve potential violation of Title IX may also be referred to the U.S. Department of Education's Office for Civil Rights, by mail at 400 Maryland Avenue, SW, Washington, D.C., 20202-1328, by phone at 800.421.3481, or by email at ocr@ed.gov. Regional office contact information can be found at <https://wdcrobcop01.ed.gov/cfapps/OCR/contactus.cfm>

Additional Information

Employees should contact Human Resources for more information or any questions related to this policy. Students may contact the Title IX Coordinator with any questions related to this policy. In addition, the U.S. Department of Education Office for Civil Rights (“OCR”) investigates complaints of unlawful harassment of students in educational programs or activities. This agency may serve as the neutral fact finder and will attempt to facilitate the voluntary resolution of disputes with the parties. For more information, visit the OCR website at <http://www.hhs.gov/ocr/>.