KIPP Nashville Public Schools

Monitoring:	Descriptor Term:	Policy:	Issued:
Annually	Title IX & Sexual Harassment	6304.1	10/01/20 Revised: 10/6/26

In order to maintain a safe, civil, and supportive learning environment, all forms of sexual harassment and harassment on the basis of sex are prohibited including in the form of quid pro quo harassment, hostile environment harassment, and four specific offenses (sexual assault, dating violence, domestic violence and stalking). It is imperative to note, sex discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity. This applies to all KIPP employees, employees' behaviors, students, and students' behavior while on school property, on school property, at any school-sponsored activity, on school- provided equipment or transportation, or at any official bus stop in accordance with federal law.

Title IX Coordinator

The Title IX Coordinator will respond promptly to all general reports as well as formal complaints of sexual harassment at KIPP Nashville. The Title IX Coordinator shall be kept informed by school-level personnel of all investigations and will provide input on an ongoing basis as appropriate. The Title IX Coordinator may deputize another employee to act as Title IX Coordinator.

Any individual may contact the Title IX Coordinator at any time using the information below:

Name: Lameika Pegues
Mailing address: 3410 Knight Dr. 37207
Attn: Title IX Coordinator
Email: lpegues@kippnashville.org

Definitions:

"Complainant" is an individual (student or employee or a person other than a student or employee) who is alleged to be the victim of conduct that could constitute sexual harassment.

"Complaint" means an oral or written request to the recipient that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX or its regulations.

"Disciplinary sanctions" means consequences imposed on a respondent following a determination under Title IX that the respondent violated the recipient's prohibition on sex discrimination.

“Party” means a complainant or respondent.

“Relevant” means related to the allegations of sex discrimination under investigations as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

“Retaliation” means intimidation, threats, coercion, or discrimination against any person by the recipient, a student or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient’s education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding under the Title IX regulations.

“Respondent” is an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual harassment” is conduct on the basis of sex that satisfies one or more of the following:

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking as defined in state and federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

1. Sexually suggestive remarks;
2. Verbal harassment or abuse;
3. Sexually suggestive pictures;
4. Sexually suggestive gestures;
5. Harassing or sexually suggestive or offensive messages that are written or electronic;
6. Subtle or direct propositions for sexual favors; and
7. Touching of a sexual nature.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

“Supportive measures” are non-disciplinary, non-punitive, individualized services offered to the complainant and the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;
2. Course modifications;

3. Schedule changes; and
4. Increased monitoring or supervision.

Any measures offered will remain confidential to the extent that maintaining such confidentiality would not impair the ability of the authorized representative to provide supportive measures.

Grievance Process

Upon learning of an instance of alleged sexual harassment, even if no formal complaint is filed, the Title IX Coordinator or designee shall:

1. Inform the complainant of the availability of supportive measures;

2. Consider the complainant's wishes with respect to supportive measures; and

3. Explain the process for filing a formal complaint.

While the school district will respect the confidentiality of the complainant and the respondent as much as possible, some information may need to be disclosed to appropriate individuals. All disclosures shall be consistent with KIPP Nashville's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action.

Disciplinary consequences or sanctions shall not be initiated against the respondent until the grievance process is complete. Unless there is an immediate threat to the physical health or safety of any student arising from the allegation of sexual harassment that justifies removal, the respondent's placement shall not be changed. If the respondent is an employee, he/she may be placed on administrative leave or suspension without pay during the pendency of the grievance process. The Title IX Coordinator shall keep the Chief of Schools and the Chief Talent Officer informed of any employee respondents so that they can make any necessary reports to the State Board of Education in compliance with state law.

Complaints

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall report such information to the Title IX Coordinator within 24 hours. Nothing in this policy requires a complainant to either report or file a formal complaint within a certain timeframe. If the report involves the Title IX Coordinator, the report shall be filed with the Chief Talent Officer. If a report involves allegations of child abuse, including child abuse on school grounds, appropriate notification shall be made per the board policy on reporting child abuse.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:

1. Provide written notice of the allegations and the grievance process to all known parties to give the respondent time to prepare a response before an initial interview.
2. Inform the parties of the prohibition against making false statements or knowingly submitting false information.
3. Inform the parties that they may have an advisor present during any subsequent meetings; and
4. Offer supportive measures in an equitable manner to both parties.

If the Title IX Coordinator dismisses a formal complaint, written notice, including the reasons for dismissal, shall be provided to both parties simultaneously.

Dismissal of a Formal Complaint

The school may dismiss a Formal Complaint, or any allegations contained therein, in accordance with applicable federal Title IX regulations.

Mandatory Dismissal

The school shall dismiss a Formal Complaint with regard to any allegations that, if proven, would not constitute Sexual Harassment as defined by applicable Title IX regulations, did not occur against a person in the United States, or did not occur within the school's education program or activity.

A dismissal under this section is a dismissal for purposes of Title IX and does not preclude the school from taking action under another applicable school policy, code of conduct, or disciplinary process, to the extent permitted by law.

Permissive Dismissal

The school may dismiss a Formal Complaint or any allegations contained therein if:

1. the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations contained therein;
2. the Respondent is no longer enrolled or employed by the school; or
3. specific circumstances prevent the school from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations contained therein.

The school will exercise its discretion under this section consistent with its obligation to provide an equitable and appropriate response to allegations of Sexual Harassment.

Notice of Dismissal

Upon dismissal of a Formal Complaint or any allegations contained therein, the Title IX Coordinator shall promptly provide written notice of the dismissal simultaneously to the parties. The written notice shall:

- identify the allegations or Formal Complaint being dismissed;
- state the reason(s) for the dismissal;

- explain that the dismissal is being made pursuant to the school's Title IX grievance procedures and applicable federal regulations;
- inform the parties whether the dismissal applies to the entire Formal Complaint or only to specified allegations; and
- inform the parties of their right to appeal the dismissal and the procedures and permissible grounds for such an appeal.

Continuing Authority to Address Conduct

A Title IX dismissal is not a determination that the alleged conduct did not occur and does not prohibit the school from addressing the same or related conduct under another applicable school policy or procedure, including policies addressing bullying, harassment, discrimination, sexual misconduct, employee misconduct, or student conduct, provided that such action is otherwise permitted by law.

Appeal of Dismissal

Either party may appeal the school's dismissal of a Formal Complaint or any allegations contained therein in accordance with the appeal procedures established in this policy.

The appeal shall be reviewed by an individual who is not the Title IX Coordinator, investigator, or decision-maker in the matter and who does not have a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent.

The appeal process shall provide the parties with an equal opportunity to submit a written statement in support of or challenging the dismissal, consistent with the school's applicable Title IX grievance procedures.

The appeal decision shall be provided simultaneously in writing to both parties.

Investigations

For Formal Complaints of sexual harassment, the Title IX Coordinator shall assign an investigator responsible for investigating formal complaints in an equitable manner that involves an objective evaluation of all relevant evidence. Any designated investigator may be required by the Title IX Coordinator to participate in the Title IX grievance process. The burden of obtaining evidence sufficient to reach a determination rests on KIPP Nashville Public Schools.

Once a complaint is received, the investigator shall initiate an investigation within forty-eight (48) business hours of receipt of the complaint. If an investigation is not initiated within forty-eight (48) business hours, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.

All investigations shall be handled in a timely manner. In case of delay, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation has not been delayed or not completed.

All investigations shall:
1. Provide an equal opportunity for the parties to present evidence;

2. Not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence;

3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;

4. Provide the parties with the same opportunities to have others present during any grievance proceeding;

5. Provide to parties whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

6. Provide both parties an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint (see Inspection and Review of Evidence procedure below);

7. Allow each party the opportunity to submit written questions that they want asked of any party or witness prior to the determination of responsibility; and

8. Result in the creation of an investigative report that fairly summarizes relevant evidence.

Within the parameters of the federal Family Educational Rights and Privacy Act, the Title IX Coordinator shall keep the complainant and the respondent informed of the status of the investigation process. At the close of the investigation, a written final investigative report will be delivered to the parent(s)/guardian(s) of the complainant and of the respondent.

Inspection and Review of Evidence

Prior to completion of the investigative report, the school shall provide each party and the party's Advisor, if any, with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the school does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained from a party or another source.

The school shall send to each party and the party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties shall have at least ten (10) calendar days to inspect, review, and respond to the evidence.

Each party may submit a written response to the evidence. The investigator shall consider any timely written response before completing the investigative report.

The school is not required to provide access to evidence that is not directly related to the allegations raised in the Formal Complaint. The school may also restrict or redact information as necessary to comply with applicable federal and state law, including FERPA, privacy protections, legal privileges, and the requirements governing evidence concerning a Complainant's sexual predisposition or prior sexual behavior.

The school shall make the evidence subject to inspection and review available to the parties in a manner that provides each party with an equal opportunity to access and respond to the evidence. The school shall not restrict a party's ability to inspect and review evidence based on whether the school intends to rely upon the evidence in reaching a determination regarding responsibility.

Determination of Responsibility

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The preponderance of the evidence standard shall be used in making this determination.

The decision-maker shall receive the final investigative report. Any designated decision-maker may be required by the Title IX Coordinator to participate in the Title IX grievance process. Within ten (10) calendar days of receiving answers to all written questions, the decision-maker shall make a determination regarding responsibility and provide the written determination to the parties simultaneously along with information about how to file an appeal.

A substantiated charge against a student may result in corrective or disciplinary action up to and including expulsion or remand. A substantiated charge against an employee shall result in disciplinary action up to and including termination.

After a determination of responsibility is made, the Title IX Coordinator or designee shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment.

Appeals

Either party may appeal from a determination of responsibility based on a procedural irregularity that affected the outcome, new evidence that was not reasonably available at the time of determination

that could affect the outcome, or an alleged conflict of interest on the part of any personnel chosen to facilitate the grievance process. Appeals shall be submitted to the Title IX Coordinator within ten (10) business days of a determination of responsibility.

Upon receipt of an appeal, the Title IX Coordinator shall:

1. Designate and inform an Appeals Officer within five (5) business days of receipt of the appeal; and

2. Notify the parties in writing.

During the appeal process, the parties shall have a reasonable, equal opportunity to submit written statements. Within ten (10) business days, the designated Officer to hear Appeals shall issue a written decision describing the result of the appeal and the rationale for the result. The written decision shall be provided simultaneously to both parties.

Retaliation

Retaliation against any person who makes a report or complaint or assists, participates, or refuses to participate in any investigation of an act alleged in this policy is prohibited. Retaliation may result in further disciplinary action being warranted.

Recordkeeping

The school shall maintain records related to Title IX in accordance with applicable federal law and for a period of not less than seven (7) years.

The school shall maintain records of:

1. Each Title IX investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the school's education program or activity;
2. Any appeal and the result of the appeal;
3. Any informal resolution and the result of the informal resolution;
4. Materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process. Training materials shall be made available for public inspection in accordance with applicable law;
5. Records of actions taken in response to each report or Formal Complaint of Sexual Harassment, including supportive measures provided to the Complainant or Respondent; and
6. Documentation of the basis for the school's conclusion that its response to a report or Formal Complaint was not deliberately indifferent and that the school took measures designed to restore or preserve equal access to its education program or activity.

If the school does not provide a Complainant with supportive measures, the school shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Records maintained under this section shall be maintained in a manner that preserves their confidentiality and protects the privacy of the parties and witnesses to the extent required by applicable law. Records shall be maintained in accordance with applicable federal and state student privacy laws, personnel-record requirements, and the school's applicable records-retention policies, provided that no applicable retention schedule shall result in the destruction of records required to be maintained under Title IX before the expiration of the required seven-year period.

Nothing in this section shall be construed to require the school to disclose confidential information or records when disclosure is prohibited by applicable law.

Training Materials

Title IX Compliance Training for KIPP Nashville schools.

Owner	Contributor	Final Approver & Date	Last Revised by & Date
HR	Compliance	HR - 10/6/26	10/6/26