



The Accelerated Schools
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The Accelerated School (TAS)
Wallis Annenberg High School (WAHS)

Title IX Notice of Nondiscrimination

In accordance with the requirements set forth in Title IX of the Education Amendments of 1972 (Title IX), The Accelerated Schools (“TAS”) provides this notice of nondiscrimination and states that TAS does not discriminate on the basis of sex in its education programs and activities. Questions concerning Title IX may be referred to TAS’s Title IX Coordinator whose contact information is below or to the Office for Civil Rights at the United States Department of Education.

Title IX Coordinator Contact Information:

Lenita Lugo

Director of Access, Equity, and Compliance

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Title IX Nondiscrimination Policy

In accordance with the requirements set forth in Title IX of the Education Amendments of 1972 (Title IX), TAS does not discriminate on the basis of sex in its education programs and activities. TAS is committed to providing an academic and work environment free of unlawful harassment. This Policy defines sexual harassment, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within TAS.

This Policy protects students, employees, unpaid interns, and volunteers in connection with all the academic, educational, extracurricular, athletic, and other programs of TAS, whether those programs take place in TAS’s facilities, a TAS vehicle, or at a class or training program sponsored by TAS at another location.



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Procedures for Responding to Sexual Harassment under Title IX

Introduction

TAS encourages members of the TAS community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. TAS will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using California law and applicable TAS policies and procedures. In implementing these procedures discussed below, TAS will also provide supportive measures, training and resources in compliance with California law, unless they preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to TAS's Title IX Coordinator.

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with state and federal legal requirements or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. The Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX coordinator finds there is a continued risk, the Title IX Coordinator may file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints and Investigations

These Title IX sexual harassment procedures protect students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in a TAS "education program or activity." This includes locations, events, or circumstances over which TAS exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings TAS owns or controls or student organizations officially recognized by TAS own or control; and
- The conduct meets the definition of Title IX "sexual harassment"



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Definitions

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Affirmative Consent: Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
 - Asleep or unconscious;
 - Unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
 - Unable to communicate due to a mental or physical condition.

Decision-Makers: The group of people who will make a determination of responsibility. The Decision-Makers cannot be the Title IX Coordinator or the investigator. The Decision-Makers will be free from conflict of interest or bias, including bias for or against Complainants or Respondents.

The Decision-Makers must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility. The Decision-Makers must receive training on issues of relevance.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint. Parents or guardians with a legal right to act on behalf of a Complainant may sign a Formal Complaint on behalf of a Complainant.



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Parties: As used in this procedure, this means the Complainant and Respondent. Where the Complainant or Respondent is a minor or legally incompetent person, “Party” also includes the Party’s parent(s) or legal guardian(s).

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A TAS employee conditions the provision of an aid, benefit, or service of TAS on an individual’s participation in unwelcome sexual conduct (*quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to TAS’s education program or activity;
- Sexual assault, as defined in 20 U.S.C. 1092(f)(6)(A)(v);
- Dating violence, as defined in 34 U.S.C. 12291(a)(10);
- Domestic violence as defined in 34 U.S.C. 12291(a)(8); or
- Stalking as defined in 34 U.S.C. 12291(a)(30).

Reporting Options

Any individual may report sexual harassment to TAS’s Title IX Coordinator. **All TAS employees with knowledge of allegations of sexual harassment must report the allegations, including the name of the Complainant, the Respondent, and any other witnesses, and the date, time, and location of the alleged incident to the Title IX Coordinator promptly.**

TAS strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, or witness statements. A delay may limit TAS’s ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows TAS to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, TAS will cooperate with the external law enforcement agency, and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.



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Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in person meeting. The Title IX Officer will discuss supportive measures with the Parties.

Timeframe for Reporting

TAS does not limit the timeframe for reporting sexual harassment. However, to promote timely and effective review, TAS strongly encourages individuals to report sexual harassment as soon possible, because a delay in reporting may affect TAS's ability to collect relevant evidence.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. TAS will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to TAS's education program or activity. These measures are designed to protect the safety of all Parties, protect TAS's educational environment, or deter sexual harassment. TAS will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable TAS to provide the service. Supportive measures may include counseling, extensions of deadlines, other class-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. TAS has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency removal

TAS may remove a non-employee Respondent from TAS's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.



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Emergency removal is not appropriate to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

TAS's Title IX Coordinator or designee will conduct the individualized safety and risk analysis.

If the Title IX Coordinator or designee determines emergency removal is appropriate, he/she/they or designee will provide the person TAS is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of his/her/their removal. The Title IX Coordinator or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative leave

TAS may place an employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. TAS will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

Formal Complaint Grievance Procedures

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing to the known Parties:

- Notice of TAS's Title IX grievance process;
- Notice of the sexual harassment allegations with sufficient detail to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct;
- Statement that the determination of responsibility will not be made until the conclusion of the grievance process;
- Notice that the Parties have a right to an advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which TAS does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a Party or other source; and
- Notice of the any provision in TAS's code of conduct or discipline rules that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.



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If, in the course of an investigation, TAS decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide written notice of the additional allegations to the Parties whose identities are known.

Dismissal of formal complaint

TAS must investigate the allegations in a formal complaint. However, TAS must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in TAS's education program or activity; or
- If the conduct alleged did not occur against a person in the United States.

TAS has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the grievance process the Complainant notifies the Title IX Coordinator in writing that he/she/they would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by TAS; or
- If there are specific circumstances that prevent TAS from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If TAS dismissed the formal complaint or any allegations, the Title IX Coordinator will simultaneously provide the Parties with written notice of the dismissal and reason(s). TAS will also provide the Parties with their right to appeal.

TAS may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

TAS may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant, against one or more Respondents, or by one Party against the other Party where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

TAS's determination of responsibility is a neutral, fact-finding process. TAS will treat Complainants and Respondents equitably such that the procedures will apply equally to both Parties. TAS will not discipline a Respondent until it reaches a determination of responsibility for sexual harassment against the Respondent at the conclusion of the grievance process.



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Statement of Non-Responsibility

The investigation is a neutral, fact-finding process. TAS presumes all reports are in good faith. Further, TAS presumes the Respondent is not responsible for the alleged conduct. TAS makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

TAS's Title IX Coordinator, Investigator(s), Decision-Makers, or any person designated by TAS to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the decision makers in the process. TAS will provide training on bias, conflict of interest, and impartial service to the Title IX Coordinator, investigator, Decision-Makers, and facilitator.

Timeline for completion

TAS will undertake its grievance process promptly and as swiftly as possible. TAS will complete the investigation and its determination regarding responsibility within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180-calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for TAS breaks or vacations, or due to the complexity of the investigation.

TAS will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

Role of advisor

Throughout the grievance process, both the Complainant and Respondent have a right to an advisor of their choice. The role of the advisor is to provide support and assistance in understanding and navigating the investigation process. The advisor may not participate in the process as a witness, obstruct an interview, or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an advisor and take reasonable steps to ensure compliance with this procedure.



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Confidentiality Agreements

To protect the privacy of those involved, the Parties (including a minor Party's parent(s)) and advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in TAS's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of such evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

TAS's grievance procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek, disclosure of information protected under a legally recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Investigations

The Title IX Coordinator is responsible for overseeing investigations to ensure timely resolution and compliance with Title IX and these procedures.

Trained investigators

TAS will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment, how TAS's grievance procedures operate, and trauma-informed investigation techniques. TAS will also ensure that investigators have training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Burden of Gathering Evidence

TAS, and not the Parties, has the responsibility to gather information and interview witnesses. As part of TAS's burden of gathering evidence, the investigator will create an investigative report that fairly summarizes relevant evidence, whether it is inculpatory or exculpatory. The investigator shall not make findings or determinations of law or fact.

Evidence of Past Sexual History

An investigator or Decision-Makers shall not consider the past sexual history of the Complainant except in the limited circumstances described below:

- The investigator or Decision-Makers shall not consider the Complainant's prior sexual history unless such questions or evidence is offered to prove that someone other than the Respondent committed the alleged conduct; or



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- The investigator or Decision-Makers shall not consider the Complainant's prior sexual behavior unless the questions or evidence concern specific incidents of the Complaint's prior sexual behavior with respect to the Respondent and are offered to prove consent.
 - Where the investigator or Decision-Makers allow consideration of questions or evidence about a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent pursuant to this circumstance, the mere fact that the Complainant and Respondent engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual.

Before allowing the consideration of any evidence proffered pursuant to this section, the investigator or Decision-Makers shall provide a written explanation to the Parties as to why consideration of the evidence is consistent with this procedure.

Notice of Investigative Interview

TAS will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to Party who participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have 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 the evidence upon which TAS does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, TAS make available 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 will have at least ten days to submit a written response, if desired. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint;
- A description of the procedural steps taken during the investigation, including individuals contacted and interviewed;
- A summary of the testimony of each witness the investigator interviewed;
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents;



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- A table of contents for any report that exceeds 10 pages; and
- Any other information deemed appropriate by TAS.

The investigator will not make a determination regarding responsibility.

The investigator may redact information that is not directly related to the allegations or that is privileged. However, the investigator will keep a log of information that is not produced to the Parties. The log will be provided only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

TAS will send to the Parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review. Upon receipt of the investigation report, the Parties will have at least 10 days to review the report and provide a written response, if desired.

Opportunity to Submit Questions

After TAS provides the investigative report to the Parties and their advisors, if any, and before reaching a determination regarding responsibility, TAS will allow the Parties an opportunity to submit written, relevant questions that a Party wants asked of any Party or witness. TAS will provide relevant questions to the Party or witness and set a deadline of no less than 10 calendar days to submit a response. TAS will provide each Party with the submitted responses and allow the Parties to submit additional, limited follow-up questions within 10 calendar days. TAS will provide each Party with the submitted responses. The Decision-Makers must explain to the Party proposing the questions any decision to exclude a question as not relevant.

Determinations of Responsibility

When the Decision-Makers make a determination of responsibility or non-responsibility, the Decision-Makers will issue a written determination regarding responsibility, no later than 30 calendar days after the deadline for the Parties to submit a written response to the investigative report.

When making a determination regarding responsibility, the Decision-Makers will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. The Decision-Makers may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Makers will use a preponderance of the evidence standard. Thus, after considering all the evidence, the Decision-Makers will determine whether it is more likely than not that sexual harassment occurred.

The Decision-Makers will issue a written determination that will include the following:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;



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- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation gave notifications to the Parties. The determination will also state when, where, and date the investigator interviewed Parties and witnesses, conducted site visits, and the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence;
- Findings of fact supporting the determination. In making these findings, the Decision-Makers will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of TAS's code of conduct or relevant rules to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- Whether TAS will provide remedies designed to restore or preserve equal access to TAS's education program or activity to the Complainant.
- A statement of, and rationale for, any disciplinary sanctions TAS imposes on the Respondent,
- TAS need not disclose to the Respondent remedies that do not impact him/her/them as part of the written determination. TAS can inform the Respondent that it will provide remedies to the Complainant. However, TAS will inform the Complainant of the sanctions against the Respondent.
- TAS's procedures and permissible bases for the Complainant and Respondent to appeal.

TAS will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that TAS provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be considered timely.

Disciplinary Sanctions and Remedies

TAS must have completed the grievance procedures (investigation and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Makers determine the Respondent was responsible for conduct that constitutes sexual harassment, TAS will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.



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Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal TAS's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within five business days from the date of the notice of determination of responsibility or from the date of TAS's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

In filing an appeal of TAS's determination regarding responsibility or TAS's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time TAS's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- TAS's Title IX Coordinator, investigator, or Decision-Makers had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.



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Appeal Procedure

If the Complainant or Respondent submit an appeal to TAS, TAS will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Party at least ten business days of receipt of the appeal to submit a written response in support of, or challenging, the outcome.

TAS will identify an individual to server as the Decision-Maker on appeal. The Decision-Maker on appeal will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within suggest 45 days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The Decision-Maker for the appeal shall not be the same person as the Decision-Maker that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator. TAS will provide notice of the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the Decision-Maker on appeal explaining the need for the extension and the proposed length of the extension. The Decision-Maker on appeal will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal Resolution

If TAS determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

TAS will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

TAS must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, TAS does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student or any allegations of sexual violence.



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Retaliation Prohibited

TAS prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation or proceeding. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

File retention

TAS will retain on file for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- TAS's determination regarding responsibility;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. TAS will make these training materials publicly available on its website.

TAS will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.