

What is Title IX?

The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. (*Source*)

Title IX Coordinator

Title IX Coordinator for Rocketship Public Schools:

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Title IX Resources & Your Rights:

- [US Department of Education, Office for Civil Rights](#)
- [Office of U.S. Equal Employment Opportunity Commission](#)

The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), may be used by the department for purposes of Section 221.6:

(a) You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.

(b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.

(c) You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.

(d) You have the right to apply for athletic scholarships.

(e) You have the right to receive equitable treatment and benefits in the provision of all of the following:

- (1) Equipment and supplies
- (2) Scheduling of games and practices.
- (3) Transportation and daily allowances.
- (4) Access to tutoring.
- (5) Coaching.
- (6) Locker rooms.
- (7) Practice and competitive facilities.
- (8) Medical and training facilities and services.
- (9) Publicity. (f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.

(g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.

(h) You have the right to file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.

(i) You have the right to pursue civil remedies if you have been discriminated against. (j) You have the right to be protected against retaliation if you file a discrimination complaint.

How to File a Complaint Under Title IX

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying.

Rocketship shall use the following procedures (derived from Rocketship's Uniform Complaint Policy) when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color or mental or physical disability in any program or activity that receives or benefits from federal

and/or state financial assistance. The Title IX coordinator shall maintain a record of each complaint and subsequent related actions.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the Rocketship.

A complaint alleging unlawful discrimination, harassment, intimidation or bullying shall be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, harassment, intimidation or bullying.

The complaint shall be presented to the Title IX Coordinator, who shall maintain a log of complaints received.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, Rocketship staff shall assist him/her in the filing of the complaint.

Step 2: Mediation

Within three (3) days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make arrangements for this process.

Before initiating the mediation of an unlawful discrimination, harassment, intimidation or bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend Rocketship's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five (5) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint.

A complainant's refusal to provide Rocketship's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Rocketship's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of Rocketship's investigation and decision, as described in Step #5 below, within sixty (60) days of Rocketship's receipt of the complaint.

Step 5: Final Written Decision

Rocketship's decision shall be in writing and sent to the complainant. Rocketship's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

- The findings of fact based on evidence gathered.
- The conclusion(s) of law.
- Disposition of the complaint.
- Rationale for such disposition.
- Corrective actions, if any are warranted.
- Notice of the complainant's right to appeal Rocketship's decision within fifteen (15) days to the CDE and procedures to be followed for initiating such an appeal.
- For unlawful discrimination, harassment, intimidation or bullying complaints arising under state law, notice that the complainant must wait until sixty (60) days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.
- For unlawful discrimination, harassment, intimidation or bullying complaints arising under federal law such complaint may be made at any time to the U.S. Department of Education, Office for Civil Rights.

If an employee is disciplined as a result of the complaint, the decision shall simply state that

disciplinary action was taken and that the employee was informed of Rocketship's expectations. The report shall not give any further information as to the nature of the disciplinary action.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred, and how a complaint may be filed beyond the statute of limitations.

- A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
- A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

How to further pursue a complaint:

Contact any of the following offices:

- U.S. Department of Education Office for Civil Rights Form - [HERE](#) (click at bottom of page)
- U.S. Department of Education, Office for Civil Rights, Lyndon Baines Johnson Department of Education Bldg, 400 Maryland Avenue, SW, Washington, DC 20202-1100, Telephone: 800-421-3481, FAX: 202-453-6012; TDD: 800-877 8339, Email: OCR@ed.gov

- San Francisco Office, Office for Civil Rights, U.S. Department of Education, 50 United Nations Plaza, Mail Box 1200, Room 1545, San Francisco, CA 94102, Telephone: 415-486-5555, FAX: 415-486-5570; TDD: 800-877-8339, Email: ocr.sanfrancisco@ed.gov



DISCRIMINATION, HARASSMENT, INTIMIDATION, AND BULLYING POLICY

California

Rocketship desires to provide a safe school environment that allows all students equal access and opportunities in our schools' academic and other educational programs, services, and activities. Rocketship prohibits, at any Rocketship school or activity, discrimination, harassment, intimidation, or bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. School personnel must take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation or bullying ("DHIB"). This policy shall apply to all acts related to school activity or to school attendance occurring within a Rocketship school. It covers definitions; prohibitions against discrimination, harassment, intimidation, and bullying; free speech protection; duties of school personnel; reporting and investigating complaints; discipline; notification; and bullying prevention efforts.

I. Definitions

"Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Cyberbullying" includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another

person's electronic account and assuming that person's identity in order to damage that person's reputation.

“Electronic act” means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer or pager.

“Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

II. Prohibitions Against Discrimination, Harassment, Intimidation, and Bullying

Rocketship prohibits discrimination, harassment, intimidation, and bullying as defined in this policy. This includes discrimination, harassment, intimidation, or bullying of any student based on the student’s actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Additionally, in accordance with state and federal law, Rocketship will not exclude or deny any student from any educational program or activity because of pregnancy, childbirth, false pregnancy, termination or pregnancy, or recovery therefrom. Rocketship will, as necessary, make reasonable accommodations to a lactating pupil on a school campus. Additionally, Rocketship will adopt curriculum and instructional methods and materials, and electronic communication policies that promote a safe environment free of discrimination and harassment.

III. Free Speech Protection

This policy shall not be construed to limit pupil rights to free speech as protected by the United States Constitution, the California Constitution, EC §§ 48907 and 48950, and other applicable law.

IV. Duties and Responsibilities of School Employees

If school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate steps to intervene when safe to do so. (EC § 234.1(b)(1))

V. Reporting and Investigating Complaints

Students, parents or other stakeholders have the option of filing a formal complaint of DHIB through Rocketship’s Uniform Complaint Process or General Complaint Policy. If an individual wishes to file a formal complaint, the school will assist the individual in determining the appropriate type of complaint and accessing the appropriate materials. If a formal complaint is filed, Rocketship will investigate in accordance with the procedures set forth in the applicable complaint policy.

The Principal may also become aware of an alleged incident of DHIB through means other than a formal complaint. Any employee who has knowledge of DHIB must inform the Principal of the concern as soon as possible. If the Principal becomes aware of a complaint of DHIB through means other than a formal complaint, the Principal shall investigate in accordance with this section:

Prior to the investigation of a complaint of DHIB, the Principal will take steps to ensure the safety of the alleged victim referenced in reported DHIB incident. These steps will be designed to restore a sense of safety to the victim and to protect them from further incidents if necessary. Examples of such steps taken include designating a staff member to serve as that alleged victim's "safe" person, altering the alleged bully/bullies' seating or schedule to reduce access to the alleged victim or creating a safety plan in consultation with the alleged victim. Once an investigation is concluded, further steps will be taken as needed to assure the continued safety of the victim from additional incidents of DHIB or retaliation.

Once a report of DHIB has been received by the school, the following groups will be notified as needed by the Principal so long as, in the absence of legal imperative, the parent or guardian's written consent is obtained prior to notification.

- Parents and guardians: Rocketship will notify the parents or guardians of victims, bullies, and if appropriate, witnesses to an incident of DHIB behavior about the nature of the incident and the procedures and steps in place for responding to it. The school Principal will determine if parents or guardians should be informed prior to or after the investigation of an incident.
- Law enforcement agencies: If Rocketship determines that the reported incident may involve criminal activity or the basis for criminal charges, information about the incident must be conveyed to the appropriate law enforcement authorities. As part of making this determination, the Principal may wish to consult with either a law enforcement officer or legal counsel. Law enforcement shall only be contacted if all other available remedies have been exhausted.

Rocketship will notify these groups of incidents of DHIB only to the extent allowed by law. Notification will be undertaken solely to ensure that services are provided to victims and bullies and to protect victims from further or sustained victimization. Rocketship will make every effort to protect the confidentiality of those who report bullying incidents.

The school Principal is responsible for investigating reports of DHIB. An investigation of an incident will be initiated no more than one day after the Principal receives a report of DHIB and will conclude no later than 30 days after the receipt of such a report. As part of the investigation, the Principal will interview any involved or relevant parties including alleged victims, bullies, witnesses, staff, parents or guardians.

The school Principal will provide confidentiality as far as possible to relevant parties as part of the investigation, and inform all relevant parties that retaliation for reporting acts of DHIB are prohibited. Written records of the investigation process should be maintained. Where necessary, provisions will be made to include the advice of legal counsel.

In investigating an incident of DHIB, the Principal will seek to ensure that the reported incident is one of victimization, a sign of DHIB, rather than of conflict. Thus when investigating a reported incident the Principal will attempt to determine, through interviewing the victim, what mechanisms the victim had and has access to for halting the incident that occurred, and preventing future such instances. If the victim reports a few or no mechanisms for ending the incident or constructively dealing with future instances, that information will serve as compelling, though not conclusive evidence that the reported incident was an incident of DHIB.

The Principal is charged with making determinations as to whether a reported incident constitutes a

case of DHIB. These determinations will be made in consideration of the totality of the facts and the circumstances surrounding the incident. If the Principal determines that an incident of DHIB has occurred, they should take response steps to prevent the recurrence of an incident and restore the safety of a victim.

If the Principal determines that additional support is needed to conduct a thorough and equitable investigation, he/she may contact Rocketship's Legal team.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Principal or designee also may file a complaint with the Internet site or service to have the material removed.

Rocketship prohibits retaliation against anyone who makes a complaint.

VI. Discipline

Any student who engages in DHIB on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with school policies and regulations.

VII. Notifications

The policy shall be publicized, including information about the manner in which to file a complaint, to pupils, parents, employees, agents of the governing board and the general public. The information shall be translated pursuant to Education Code § 48985. This policy shall be posted in all schools and offices, including staff lounges and pupil meeting rooms. (Education Code §§ 234.1(c) and (d))

VIII. DHIB Prevention

To the extent possible, school strategies shall focus on prevention of DHIB by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of school rules related to DHIB, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of DHIB.

The school may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

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