

IVY PREPARATORY ACADEMY

Board Policy

Discrimination, Harassment, and Retaliation (Generally)¹

Policy

Ivy Preparatory Academy does not discriminate on the basis of race, color, national origin, ethnicity, religion, sex, gender identity, sexual orientation, military status, pregnancy status, genetic information, disability, homelessness, limited English proficiency, or any other characteristic protected by federal, state and local laws in administering its educational policies, admissions policies, employment policies, and the full-range of school-administered programs.

The Governing Board of Ivy Preparatory Academy (“Ivy Prep”) continues its policy of nondiscrimination on the basis of race, color, or national origin (Title VI of the Civil Rights Act of 1964); sex (Title IX of the Educational Amendments of 1972 and other applicable law); or disability (Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act 1990) in education programs or activities receiving federal financial assistance. Ivy Prep also prohibits discrimination and harassment based on any characteristic protected by federal, state and local laws.

English Language Education Program Non-Discrimination Statement:

English Learners are not segregated from their English-speaking peers, except where programmatically necessary, to implement the school’s English Language Education program. English Learners are provided full access to all academic opportunities and supports including but not limited to special education services, 504 accommodation plans, Title I services, advanced educational programs, career and technical education and any other supports outlined in the Ivy Prep curriculum accommodation plan.

Employees, Ivy scholars, and the general public are hereby notified that Ivy Prep does not discriminate in any educational program or activity or in employment practices or policies. The Executive Director, and the following individuals have been designated as the employees responsible for coordinating Ivy’s efforts to implement the nondiscrimination policy:

A. Harris, Title IX Coordinator (scholars)
Ivy Preparatory Academy
1807 Memorial Drive, SE
Atlanta, GA 30317
404-622-2727 ext. 1005
aharris@ivyprepacademy.org

¹ Please refer to Ivy’s Title IX Policy and Grievance Procedures to report discrimination or harassment believed to be a violation of Title IX.

C. Holt, Title IX Coordinator (employees)
Ivy Preparatory Academy
1807 Memorial Drive, SE
Atlanta, GA 30317
404-622-2727 ext. 1000
cholt@ivyprepacademy.org

All other areas, including Title VII, Title VI, Section 504 and ADA- Dr. Charcia Nichols, Executive Director, or designees.

Any questions about this policy and Ivy's practices and commitment to prohibiting discrimination, harassment and retaliation in the employment and educational environment may be directed to these individuals at Ivy Preparatory Academy, **insert address and phone**. If special accommodations are needed, please contact one of the individuals listed above at least one week in advance.

Website Accessibility

Ivy Preparatory Academy is committed to ensuring accessibility of its website for scholars, parents, guardians and members of the community, including those with disabilities. Ivy Prep websites will be maintained in accordance with Section 504 of the Rehabilitation Act ("Section 504") and Title II of the Americans with Disabilities Act ("Title II").

Ivy engages in an ongoing compliance process to ensure that its webpages are accessible to all persons, including those with disabilities. Ivy will work to ensure that all website content or functionality on Ivy's websites shall conform to the Web Content Accessibility Guidelines ("WCAG") 2.0, Level AA standards, and the Web Accessibility Initiative Accessible Rich Internet Applications Suite (WAI-ARIA) 1.0 guidelines.

If you have trouble accessing any of our webpages or documents, please contact us and provide the URL (web address) of the material you tried to access, the problem you experienced, and your contact information. Please address these concerns to:

Chiara Richardson at marketing@ivyprepacademy.org

A scholar, parent, guardian or member of the public who wishes to submit a complaint regarding a violation of Section 504 or Title II related to accessibility of any Ivy webpages that are developed or maintained by Ivy may file a written complaint directed to:

Talisha Stroud, Director of Operations at tstroud@ivyprepacademy.org

Accessibility and Accommodations

Ivy ensures that all programs, activities, and curricular offerings are accessible to everyone, including individuals with disabilities. Reasonable accommodations are provided to support the full participation of every scholar and staff member.

Harassment-Free Environment

Ivy prohibits any form of harassment or bullying based on an individual's race, color, religion, gender, national origin, age, disability, or any other protected status. Ivy maintains and abides by strict policies to prevent harassment and provide a safe educational and employment atmosphere.

Ivy Prep prohibits retaliation against any person who has reported in good faith and/or cooperated with an investigation of discrimination, harassment or retaliation. Acts of retaliation in violation of this policy will result in disciplinary action being taken against an offending employee or contractor up to and including termination, or termination of contract respectively.

Any employee who knowingly makes a false complaint or who makes a complaint in bad faith shall be subject to disciplinary action up to and including termination. The board authorizes the Executive Director to issue administrative regulations to implement this policy.

Definitions and Guidance

For purposes of this policy, the following definitions and guidance shall apply:

- A. "Complaint" means any complaint or report by an individual alleging or reporting an alleged occurrence of any form of discrimination, harassment, or retaliation prohibited by this policy. All complaints must be reduced to writing, either initially by the complainant or subsequently by another as part of an investigation into the complaint.
- B. "Complainant" means any person who makes a complaint of discrimination, harassment, or retaliation prohibited by this policy.
- C. "Discrimination" means the failure or refusal to hire an applicant; the termination or demotion of an employee; the taking of an adverse action against an employee with respect to compensation or other terms, conditions or privileges of employment; the exclusion of a Scholar from participation in an educational program or activity; or the denial of benefits to a Scholar of an educational program or activity because of the applicant's, employee's, or Scholar's race, color, religion, sex, citizenship, ethnicity, national origin, age, disability, medical status, military status, veteran status, marital status, sexual orientation, gender identity or expression, genetic information, ancestry, pregnancy status or any legally protected status.
- D. "Harassment," generally, means verbal, physical, or graphic conduct that degrades or shows hostility or aversion toward an individual or group on the basis race, color, religion, sex, citizenship, ethnicity, national origin, age, disability, medical status, military status, veteran status, marital status, sexual orientation, gender identity or expression, genetic information, ancestry, pregnancy status or any legally protected status, and that:

- a. Has the purpose or effect of creating an intimidating, hostile, or offensive working or learning environment; or
 - b. Has the purpose or effect of unreasonably interfering with an individual's work or educational performance.
- E. "Hostile environment" means a working or learning environment that both a reasonable person would find hostile or abusive and that the subject of the harassment perceives to be hostile or abusive. Whether the environment is hostile is determined by looking at all of the circumstances, including how often the harassment has occurred, its severity, whether it is physically threatening or humiliating, and if it interferes with an employee's or Scholar's performance, employee's career advancement, or access to Ivy Prep activities and services. Examples of conduct that could create or could contribute to a hostile environment may include but are not limited to:
- a. Offensive comments about disability, race, religion, sex, age, sexual orientation, or other legally protected characteristics, even when such comments were not intended to be offensive but were intended, for example, only to be humorous or an expression of a personal opinion.
 - b. Offensive or degrading physical contact or coercive behavior, including stroking, patting or similar physical contact.
 - c. Pictures, posters, graffiti or written materials displayed in a working or learning environment which are offensive or obscene.
 - d. Excluding individuals from meetings or Ivy Prep activities due to their sex, their religious beliefs, or other legally protected class status.
- F. "Retaliation" means the failure or refusal to hire an applicant; the termination or demotion of an employee; or the taking of an action against an employee with respect to compensation or other terms, conditions or privileges of employment; the exclusion of a Scholar from participation in an educational program or activity; or the denial of benefits to a Scholar of an educational program or activity because the person filed a complaint about or otherwise opposed discrimination, harassment, or retaliation; or provided information relative to a complaint about discrimination, harassment, or retaliation, or was involved in such a complaint in any way; or engaged in an activity protected by the Georgia Whistleblower Statute codified at O.C.G.A. § 45-1-4, or any other applicable law.

- G. "Sexual Harassment" means conduct that involves unwanted sexual advances, requests for sexual favors, or other physical, verbal, or graphic behavior or comments of a sexual nature, when:
- a. The person who is the subject of the harassment believes that they must accept the advances, favors or behavior to keep their job or access an educational program or activity; to receive a reward such as a raise, transfer, selection for training, performance evaluation, benefit, a promotion; or, in the case of Scholars, to receive a grade, award, position or access to an educational program or activity; or
 - b. Submission to or rejection of such conduct by an individual is used as the basis for decisions about employment, promotion, transfer, selection for training, performance evaluations, benefits, or other terms and conditions of employment; or
 - c. The harassing conduct creates or is intended to create an intimidating, hostile, or offensive environment; or
 - d. The harassing conduct unreasonably interferes with an employee's work performance or a student's educational performance

Examples of sexual harassment may include but are not limited to the following:

- 1) Engaging in or threatening any act of sexual violence, including any act of aggression or intimidation of a sexual or sexually suggestive nature.
- 2) Unwanted, intentional physical contact of a sexual or sexually suggestive nature, including stroking, patting or similar physical contact.
- 3) Offensive sexual comments, sexual advances, requests for sexual favors, lewd or sexually suggestive comments, gestures or actions; off-color language or jokes of a sexual nature; graphic or degrading comments or gestures about an individual's body.
- 4) Displaying offensive writings, pictures, drawings, posters, reading materials, calendars, photographs, or other physical objects, that are pornographic, sexual in nature, sexually suggestive, or sexually demeaning.
- 5) Punishing or threatening to punish an individual for refusing to consent to requests for sexual favors.
- 6) Disciplining or retaliating against any individual in any way because he or she has resisted, reported or complained about sexual harassment.

- 7) Preferential treatment or the promise of preferential treatment for engaging in sexual conduct.

Sexual harassment is not limited to situations where a supervisor of one gender physically or verbally harasses a subordinate employee of another gender. Sexual harassment can happen in many situations, including but not limited to the following:

- 1) Between coworkers.
- 2) Between individuals of the same gender.
- 3) Between employees and Scholars, and between Scholars and Scholars.
- 4) Between employees and contractors, consultants, or volunteers.
- 5) Exposure to offensive physical, verbal, or graphic conduct even where the affected individual was not the direct target of the offensive conduct.

Reporting Discrimination, Harassment, and Retaliation

Ivy Prep is committed to enforcing this policy against discrimination, harassment, and retaliation. However, the school cannot respond to complaints of discrimination, harassment, or retaliation unless it becomes aware of those complaints. Therefore, it is the shared responsibility of all members of the Ivy Prep community including employees, Scholars and family members to report in good faith any incidents of discrimination, harassment, or retaliation prohibited by this policy so that appropriate action can be taken as warranted.

Filing a Report

Any person who believes that they, or another person has been subjected to any form of discrimination, harassment, or retaliation in the working or learning environment, and related activities should report their concerns as soon as possible and preferably not later than the work day or school day immediately following the day on which the misconduct is believed to have occurred.

Any Scholar or family member of a Scholar who believes a Scholar has been subjected to discrimination, harassment, or retaliation in the learning environment should report the concerns to the school principal, , school social worker, counselor, Executive Director, or other members of Ivy's leadership team.

Any individual who believes they have been subject to discrimination, harassment or retaliation should promptly report the incident to any member of administration.

Any person who believes that they, or another person has been subjected to discrimination, harassment, or retaliation in the working environment may report the concerns to their immediate supervisor if they are comfortable doing so; however, the person is not required to do so. The following are also authorized to receive reports of discrimination, harassment, and retaliation on behalf of Ivy Prep:

- Executive Director;
- School Principal(s) and/or Academy Leaders;
- Human Resources;
- The Chair of the Ivy Prep Governing Board, if the subject of the complaint is the Executive Director.

Anyone making a complaint pursuant to this policy may be asked to put their complaint in writing. The person to whom the complaint is made may take notes and may request the complainant to sign those notes.

Retaliation against any individual who makes a good-faith complaint or report of suspected discrimination, harassment, or retaliation, or provides information related to such a complaint or report, is prohibited and will result in appropriate disciplinary action being taken against any employee who engages in such retaliation.

Anonymous Reports

Ivy Prep will investigate to the best of its ability reports of discrimination, harassment and retaliation made anonymously if enough detailed information is provided to do so.

Responsibilities of Administrators

School Administrative Leaders are authorized and expected to intervene immediately to prevent or eliminate discrimination, harassment, or retaliation in working and learning environments of which they are or should be aware, regardless of whether they have received a report of such misconduct.

All administrators and other supervisory personnel have an affirmative obligation to report discrimination, harassment, and retaliation in working and learning environments. Any person receiving reports shall forward them immediately to Human Resources, and the Executive Director. . If the Executive Director is the subject of a report of discrimination, harassment, or retaliation, the report shall be submitted to the Chair of the Ivy Prep Governing Board.

Review of Complaints of Discrimination, Harassment, and Retaliation

Ivy Prep will impartially, thoroughly, and with due diligence review and address as appropriate all complaints and other reports of alleged discrimination, harassment, and retaliation, and take appropriate action to remedy any violations of this and related non-discrimination policies.

Continuous Training and Education

Ivy commits to continuous training for our staff and education for our scholars to foster understanding and respect.

Effective Date: 06/20/2019

Last Revised: 06/20/2019; 09/30/2024

Authority and/or Cross-References:

O.C.G.A. 45-01-0004 Whistleblower

O.C.G.A. 19-07-0005 Reporting child abuse

O.C.G.A. 20-02-1184 Mandatory reporting of students committing certain prohibited acts

42 USC 2000d, Title VII of the Civil Rights Act of 1964

42 USC 2000e-2 Unlawful employment practices

20 USC § 1681 Title IX of the Education Amendments of 1972

42 USC § 1981 Title VI

Title IX Policy and Grievance Procedures