Title IX Policy

A. Nondiscrimination Policy & Notice of Nondiscrimination ((§ 106.8(b)–(c))

Title IX provides 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."

Voyager Academy does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admissions and employment.

It is the policy of Voyager Academy that students should not be subjected to forms of unlawful discrimination or harassment, while at school or school-sponsored activities. Furthermore, the policy's intent is to address the issue in a proactive manner through the establishment of a system for educating students and staff at Voyager Academy regarding the identification, prevention, intervention, and reporting of such anti-social acts. Voyager Academy acknowledges the dignity and worth of all students and strives to create a safe, orderly, caring and inviting school environment to facilitate student learning and achievement. Voyager Academy strives to model an inclusive environment and prohibits discrimination and harassment on the basis of gender or sex, including sexual orientation and LGBTQ+ identification. Voyager Academy will not tolerate any form of unlawful discrimination or harassment in any of its educational or employment activities or programs based on such protected classifications.

Inquiries about Title IX may be referred to Voyager Academy's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both.

The Voyager Academy Title IX Coordinator is Dr. Monique Link, Social Worker and can be reached at 919-433-3301 x 146, mlink@voyageracademy.net, or by mail at Voyager Academy address below:
Dr. Monique Link
Voyager Academy
100 Hock Parc
Durham, NC 27704

Voyager Academy's nondiscrimination policy and grievance procedures can be located at https://www.voyageracademy.net/title-ix/ .

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please submit your information on the form linked at https://forms.gle/18FnZWsdqYkbJKrJ6

B. Purpose

Voyager Academy prohibits discrimination on the basis of sex and gender, including any form of sexual harassment as that term is defined under Title IX, in any education program or activity of Voyager Academy. Voyager Academy takes seriously all reports and Formal Complaints of sexual harassment. Voyager Academy does not discriminate on the basis of sex and gender in its education programs or activities, including admission and employment, in accordance with Title IX of the Education Amendments Act of 1972 and federal regulations.

Any person with questions about this policy should contact Voyager Academy's Title IX Coordinator whose information is listed at https://www.voyageracademy.net/title-ix/

C. Prohibited Behaviors

Students, employees, contractors, volunteers and visitors are expected to behave in a civil and respectful manner. In accordance with Title IX, Voyager Academy expressly prohibits discrimination or harassment, based on sex or gender and prohibits sexual harassment (including sexual violence) and gender-based harassment. Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome conduct on the basis of sex, requests for sexual favors in exchange for benefits (quid pro quo), and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. In accordance with Title IX, Voyager Academy also prohibits gender-based harassment, which is unwelcome conduct based on a student's sex, harassing conduct based on a student's failure to conform to sex stereotypes.

Sex-based harassment can be carried out by school employees, other students, and third parties. All students can experience sex-based harassment, including male and female students, LGBTQ+ students, students with disabilities, and students of different races, national origins, and ages. Title IX protects all students from sex-based harassment, regardless of the sex of the parties, including when they are members of the same sex.

D. Retaliation Prohibited

Voyager Academy prohibits intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. As such, Voyager Academy prohibits reprisal or retaliation against any person for reporting or intending to report violations of this policy, supporting someone for reporting or intending to report a violation of this policy, or participating in the investigation of reported violations of this policy. After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable laws, policies, and regulations, the Head of School or designee shall determine the consequences and remedial action for a person found to have engaged in reprisal or retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under Title IX does not constitute retaliation prohibited under this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

E. Application Of Policy

This policy prohibits unlawful discrimination or harassment by students, employees, volunteers, contractors, and visitors. This policy is intended to apply to student's vis a via other students, faculty, staff, volunteers/visitors, or contractors. This policy also applies to employees, volunteers/visitors, and contractors. This policy applies to behavior that takes place within Voyager Academy's "education program or activity," which includes, but is not necessarily limited to, behavior:

1. in any school building or on any school premises before, during or after school hours;
2. on any bus or other vehicle as part of any school activity;
3. at any bus stop;
4. during any school-sponsored activity or extracurricular activity;
5. at any time or place when the individual is subject to the oversight and authority of school personnel;
6. at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in Voyager Academy's; and
7. while using school or personal electronic communications, including employee and student emails, text messaging, instant messaging, chat rooms, blogging, websites and social networking websites (i.e., Snapchat or Instagram).

F. Title IX Coordinator

The Title IX Coordinator is responsible for monitoring the overall implementation of Title IX for Voyager Academy and coordinating the institution's compliance with Title IX in all areas covered by the implementing regulations. The major responsibility is the prevention of sexual harassment and discrimination. Other major monitoring duties include, but are not limited to, the following recruitment and admissions, educational programs and activities, hiring and employment. Other areas of consideration include:

- Participating in the development and implementation of Voyager Academy's sexual harassment policy.
- Assisting faculty, counselors and administrators in complying with Title IX, and when a need arises, planning remedial actions.
- Making your presence known in the community by disseminating civil rights information or by speaking at parent-teacher group meetings, social or professional organization meetings, and other community functions.
- Serving as a resource on Title IX/gender issues.
- Monitoring and evaluating Voyager Academy's Title IX compliance efforts and making recommendations for any appropriate changes.
- Providing updated information to schools on Title IX implementation and issues.
- Identifying and disseminating information about Title IX educational resources (organizations, individuals, print, internet, and audio-visual)

G. Notice of Nondiscrimination

The designated Title IX Coordinator is responsible for providing effective notice to job applicants, student applicants, students, parents, and employees of the procedures for reporting and investigating complaints of unlawful sex/gender discrimination and harassment. This policy will be posted on Voyager Academy's website, and copies of the policy are available at the front office. Notice of this policy will appear in all job applicant information, admissions information, student and employee handbooks, and in any School publication that sets forth the comprehensive rules, procedures, and standards of conduct for students and employees.

H. Confidentiality

The recipient, whether a School employee, staff member, contractor, or the Title IX Coordinator, must keep confidential the identity of any individual who has made a report or complaint of sex/gender discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA or as required by law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the Title IX grievance procedures.

The Title IX Coordinator shall maintain confidential records of complaints or reports of unlawful discrimination or harassment. The records will identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The Title IX Coordinator also shall maintain records of training conducted and corrective action(s) or other steps taken by Voyager Academy to provide an environment free of unlawful discrimination or harassment. The Superintendent shall report to the Board all verified cases of unlawful discrimination or harassment under Voyager Academy's Title IX Policy.

In the event a formal complaint reveals information requiring mandatory reporting, the School will follow its mandatory reporting policy/procedures.

I. Remedies and Disciplinary Sanctions

When a Respondent is found responsible for sexual harassment, Voyager Academy will offer all remedies needed to eliminate the harm to the Complainant and Voyager Academy community and prevent the recurrence of sexual harassment. Simply sanctioning a Respondent found responsible, in some cases, may be insufficient to eliminate a hostile environment. Rather, in addition to sanctions, Voyager Academy may consider offering appropriate remedies for the broader student/staff population after the final outcome, including the following:

- Training or retraining school employees on Voyager Academy's responsibilities to address allegations of sexual violence and how to conduct Title IX investigations;
- Developing materials on sexual harassment, which should be distributed to all staff and students;

- Conducting bystander intervention and sexual harassment prevention programs with students and/or staff;
- Issuing policy statements or taking other steps that clearly communicate that Voyager Academy does not tolerate sexual harassment and will respond to any incidents and to any student who reports such incidents;
- Conducting, in conjunction with student leaders, a school climate check to assess the effectiveness of efforts to ensure that Voyager Academy is free from sexual violence, and using that information to inform future proactive steps that Voyager Academy will take;
- Targeted training for a group of students if, for example, the sexual harassment created a hostile environment (i.e., on an athletic team);
- When a school is unable to conduct a full investigation into a particular incident (i.e., when it received a general report of sexual violence without any personally identifying information), it should consider remedies for the broader student population in response.

Disciplinary sanctions include:

A. For Students found responsible: verbal warning, written warning, interim suspension, restitution, suspension, exclusion, expulsion, required participation in appropriate training, counseling, required completion of a probationary period without additional infractions, or requiring the respondent to stay away from the complainant for a period of time.

B. For Employees found responsible: sanctions for violations of Title IX vary depending on severity from formal written warning to dismissal.

J. Policy Application

This policy shall remain in effect as long as required by law.

Title IX Grievance Procedures

I. Introduction and Scope

Voyager Academy has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging an action that would be prohibited by Title IX or the Title IX regulations.

These procedures apply to complaints involving alleged violations of Title IX occurring within Voyager Academy's education programs or activities. These procedures shall be used to address incidents occurring on or after August 1, 2024. This procedures may be modified to comply with the law or regulations.

II. Definitions.

The terms below have the following definitions:

Complainant means 1) A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or (2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the recipient's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the recipient (i.e., Voyager Academy) 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).

Decisionmaker means an individual or individuals who assess the relevant evidence, including party and witness credibility, to determine whether Voyager Academy has met its burden of proof showing the respondent to be responsible for the alleged sex-based discrimination.

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

Recipient means any State or political subdivision thereof, or any instrumentality of a State or political subdivision thereof, of any public or private agency, institution, or organization, or other entity, or any person, to whom Federal financial assistance is extended directly or through another recipient and that operates an education program or activity that receives such assistance.

Remedies means measures provided as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the recipient's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after a recipient determines that sex discrimination occurred.

Respondent means an individual who has been alleged to have violated the recipient's prohibition on sex discrimination.

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, or hearing under the Title IX regulations.

Sex-based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

(1) Quid pro quo harassment. An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

(2) Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment); or

(3) Sexual assault as defined in the Clery Act, or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent to restore or preserve the party's right to access the education program/activity or to provide support during the grievance procedures or during an informal resolution process.

Title IX Coordinator is the employee designated by Voyager Academy to coordinate its efforts to comply with the Title IX responsibilities.

Days shall be school days.

III. Requirements of Title IX Grievance Procedures

A. Voyager Academy will treat complainants and respondents equitable.
B. Voyager Academy requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual; complainant or respondent. The decisionmaker may be the same person as the Title IX Coordinator or Investigator.
C. Voyager Academy presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.

D. Voyager Academy has established timeframes for the major stages of the grievance procedures set forth below.
E. Voyager Academy has also established process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that include the reason for the delay.
F. Voyager Academy will take reasonable steps to protect the privacy of the parties and witnesses during the grievance procedure. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consulting with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

IV. Timeframes and Extensions of Time.

Generally, Voyager Academy will adhere to the following timelines for the major stages of grievance process:

1. Evaluation - The Title IX Coordinator will determine whether to dismiss a complaint or investigate it within 10 days of receiving the complaint.

2. Investigation - The investigator will generally complete the investigation within 30 days of the Title IX Coordinator's decision to investigate the complaint. Once the Title IX Coordinator or investigator provides the parties with access to the evidence or description of the evidence, the parties will have 5 days to respond to the evidence.

3. Determination - After the parties submit their response or the 5-day timeline for doing so expires, the appointed decisionmaker will have 10 days to consider the relevant (and not impermissible) evidence and issue a determination as to whether sex discrimination occurred.

4. Appeal - Either party may appeal the decisionmaker's determination, in writing, within 5 days of receiving the determination. Appeals of dismissal of the complaint must be filed within 5 days of receiving notice of dismissal. Whether the respondent will be notified of the dismissal and the right to appeal will depend on whether the dismissal occurs before or after the respondent receives notice of the allegations.

The above timelines may be extended for good cause, with approval from the Title IX Coordinator and written notice to both parties. The notice to the parties will include the reason for the delay. Thereafter, the Title IX Coordinator will keep the parties informed on a regular basis.

Whether there is good cause for an extension is determined at the discretion of the Title IX Coordinator. An ongoing criminal investigation involving the conduct that is the subject of the complaint may be good cause to extend the above timelines. While Voyager Academy will not wait for the conclusion of a criminal investigation or criminal proceeding to being its own Title IX investigation, it may temporarily delay the investigation while the police are gathering evidence and actively investigating.

V. Evidence.

The following types of evidence and questions seeking that evidence are impermissible, meaning regardless of whether they are relevant, they will not accessed or considered, except by Voyager Academy to determine whether one of the exceptions listed below applies:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless Voyager Academy obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

VI. Filing a Complaint

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that Voyager Academy investigate and make a determination about alleged discrimination under Title IX:

- A "complainant," which includes:
    - a student or employee of Voyager Academy who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX;
    - a person other than a student or employee of Voyager Academy who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in Voyager Academy education program or activity;
    - A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
    - Voyager Academy's Title IX Coordinator.

Reports can be made in person, via telephone, or by emailing the Title IX Coordinator. Formal complaints can be submitted on the form linked at https://forms.gle/18FnZWsdqYkbJKrJ6

Voyager Academy may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances.

VII. Notice of Allegations

Upon initiation of the Title IX grievance procedures, Voyager Academy will notify both parties of the following:

- Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited; and
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence.

If, in the course of an investigation, Voyager Academy decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, Voyager Academy will notify the parties of the additional allegations.

VIII. Dismissal of a Complaint

Voyager Academy may dismiss a complaint of sex discrimination if:

- Voyager Academy is unable to identify the respondent after taking reasonable steps to do so;
- if the respondent is not participating in Voyager Academy's education program or activity and is not employed by Voyager Academy;
- the complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and Voyager Academy determines that without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX, even if proven; or
- Voyager Academy determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, Voyager Academy will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, Voyager Academy will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, Voyager Academy will also notify the respondent of the dismissal and the basis for dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

Voyager Academy will also notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of the complaint. If the dismissal occurs after the respondent has been notified of the allegations, then Voyager Academy will also notify the respondent that the dismissal may be appealed.

Dismissals may be appealed on the following grounds:

- A procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and/or
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, Voyager Academy will do the following:

- Notify the parties of any appeal, including noticed of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for all parties;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equitable opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the results.

When a complaint is dismissed, Voyager Academy will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, also offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur with Voyager Academy's education program or activity.

IX. Investigation

Voyager Academy will provide for adequate, reliable, and impartial investigation of complaints. The burden is on Voyager Academy—not the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. The investigation may include but it not limited to documentary evidence, interviews, statements, video, photos and any other relevant information not otherwise impermissible

Voyager Academy will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible. Voyager Academy will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

Voyager Academy will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- Voyager Academy will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. [If Voyager Academy provides a description of the evidence, Voyager Academy will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.];
- Voyager Academy will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
- Voyager Academy will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

X. Questioning the Parties and Witnesses

Nothing in this provision shall require an Investigator who is also serving as the Decisionmaker to reinterview any party or witnesses.
If the investigator and decisionmaker are two separate individuals, the decisionmaker will have the opportunity to question the parties and witnesses to adequately assess a party's or witness' credibility, to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. If the investigator and decisionmaker are the same person, then the decisionmaker will have already had the opportunity to question the parties and witnesses during the investigation.

XI. Determination

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Voyager Academy will:

- Use the preponderance of the evidence standard to determine whether sex discrimination occurred. The decisionmaker must evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that sex discrimination occurred.
- Notify the parties in writing of the determination of whether sex discrimination under Title IX occurred, including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable:
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
    - Coordinate the provision and implementation of remedies to a complainant and other people Voyager Academy identifies as having had quality access to Voyager Academy's education program or activity limited or denied by sex discrimination;
    - Coordinate the imposition of any such disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
    - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur with Voyager Academy's education program or activity.
- Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent, and
- Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred.

XII. Appeal of Determination

Voyager Academy offers the following process for appeals from a determination of whether sex discrimination occurred.
If either party disagrees with the decisionmaker's determination, the party may file an appeal, in writing, within 5 school days of receiving the written determination.

A party may appeal the determination only on the following bases:

1. Procedural irregularity that would change the outcome;
2. New evidence that would change the outcome and that was not reasonably available when the determination was made; and
3. The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally, or bias for or against the individual complainant or respondent, which would change the outcome.

The complainant may not challenge the ultimate disciplinary sanction/consequence imposed. No new evidence may be submitted during the appeal process.

If a party appeals the determination, the Title IX Coordinator will:

1. Notify the parties of the appeal;
2. Implement appeal procedures equally for the parties;
3. Appoint an appeal decisionmaker, who shall not be the same person as the Title IX Coordinator, investigator, or decisionmaker;
4. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the determination;
5. Provide the appeal decisionmaker with relevant and not otherwise impermissible evidence, any responses submitted to the investigator related to the evidence, and the decisionmaker's written determination; and
6. Notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale. If a party files an appeal, the appeal decisionmaker will establish a timeline for each party to submit a statement in support of their position that they want the appeal decisionmaker to consider in making a decision. Once the appeal decisionmaker receives the statements or the timeline for submitting such statements expires, the appeal decisionmaker will have 10 days to issue a decision. The decision will be issued in writing and sent to the parties and Title IX Coordinator.

XIII. Informal Resolution

In lieu of resolving a complaint through Voyager Academy's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Voyager Academy does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary or secondary school student, or when such a process would conflict with federal, state or local law.

Before initiating the process, Voyager Academy must provide notice to the parties that explains:

1. The allegations;
2. The requirements of the informal resolution process;
3. That prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and initiate or resume Voyager Academy's grievance procedures;
4. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
5. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and

6. What information Voyager Academy will maintain and whether and how Voyager Academy may disclose such information for use in grievance procedures, if the grievance procedures are initiated or resumed.

The person who facilitates the informal resolution process shall not be the same person who serves as the investigator, decisionmaker, or appeal decisionmaker with respect to this particular complaint. Any person designated to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent.

Potential terms that may be included in an informal resolution agreement include, but are not limited to: 1. Restrictions on contact; and 2. Restrictions on the respondent's participation in one or more of Voyager Academy's programs or activities, including restrictions Voyager Academy could have imposed as remedies or disciplinary sanctions had Voyager Academy determined at the conclusion of the grievance process that sex discrimination occurred. Even if the parties reach an informal resolution agreement, the Title IX Coordinator must, to the extent necessary, also take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Voyager Academy's education program or activity.

XIV. Emergency Removal and Administrative Leave

Voyager Academy may remove a respondent from Voyager Academy's education program or activity on an emergency basis during the grievance process or informal resolution process, if Voyager Academy undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Voyager Academy's authority to remove a respondent on an emergency basis does not modify any rights the respondent may have under Section 504 of the Rehabilitation. Voyager Academy may place an employee respondent on administrative leave during the grievance process.

XV. Disciplinary Sanctions and Remedies

Following a determination that sex-based harassment occurred, Voyager Academy will take prompt and reasonable steps to end the sex discrimination, prevent its recurrence, and remedy its effects.

Voyager Academy may impose disciplinary sanction as set forth in the Student Code of Conduct, school policy. and state and federal laws, as applicable. For Employees, Voyager Academy may impose the full range of discipline, including nonrenewal or termination, as set forth in the Employee Handbook, School Policy, and state and federal laws, as applicable.

XVI. Students with Disabilities

If a party to a complaint is a student with a disability, the Title IX Coordinator must consult with one or more members of the IEP Team or Section 504 Team throughout the grievance process, including before any emergency removal of the student and when determining appropriate supportive measures and remedies. Voyager Academy will comply with the requirements of the IDEA and Section 504 in implementing this Policy, including the requirement that a manifestation determination review be conducted within 10 days of a decision to change the placement of a student with a disability because of a violation of a code of student conduct. See 34 CFR § 300.530.

XVII. Training

1. All employees – All Voyager Academy employees must be trained on:

a. Voyager Academy's obligation to address sex discrimination in its education program or activity;
b. The scope of conduct that constitutes sex discrimination under Title IX;
c. All applicable notification and information requirements under Title IX, including: (i) When a student or a person with the legal right to act on behalf of the student informs any employee of the student's pregnancy or related conditions, the employee's responsibility to provide the person with the Title IX Coordinator's contact information and inform the person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to Voyager Academy's education program or activity; and (ii) The employee's responsibility to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX.

2. Investigators, decisionmakers, and other persons who are responsible for implementing the grievance procedures or who have the authority to modify or terminate supportive measures – In addition to the training for all employees, these individuals must be trained on the following topics to the extent related to their responsibilities, including:

a. Voyager Academy's obligations under § 106.44, including the obligation to respond promptly and effectively when Voyager Academy has knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity;
b. Voyager Academy's grievance procedures;
c. How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
d. The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance.

3. Facilitators of informal resolution – In addition to the training for all employees, all facilitators of informal resolution must be trained on the rules and practices associated with Voyager Academy's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

4. Title IX Coordinators and designees – In addition to the training for all employees, the Title IX Coordinator and designees must be trained on their specific responsibilities under Title IX, Voyager Academy's recordkeeping system, the recordkeeping requirements under Title IX, and any other training necessary to coordinate Voyager Academy's compliance with Title IX.

XVIII. Recordkeeping Requirements

Voyager Academy must maintain for a period of at least 7 years:

1. For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures and the resulting outcome;
2. For each notification the Title IX Coordinator receives of information about conduct that may reasonably constitute sex discrimination under Title IX, records documenting the actions Voyager Academy took to meet its obligations under Title IX; and
3. All training materials must also be made available to members of the public upon request.

Board Approved on 9/26/24