

TITLE IX FACT SHEET

Title IX requires 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...” As such, Title IX of the Education Amendments of 1972 prohibits discrimination based on the gender of students and employees of educational institutions that receive federal financial assistance. Asheville School (“THE SCHOOL”) is governed by Title IX.

TITLE IX COORDINATOR FOR THE SCHOOL

The Title IX Coordinator at THE SCHOOL is:

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WHO IS COVERED BY TITLE IX?

All educational institutions that receive federal financial assistance are affirmatively required to adhere to Title IX regulations. Even if only one of the institution’s programs or activities receives federal funding, all of the programs within the institution must comply with Title IX regulations.

FACTS ABOUT TITLE IX

Athletic departments are not the only component of Asheville School governed by Title IX. The regulations prohibit sex discrimination in regard to all programs, including:

- Course offerings, classroom access, grading, and other academics
- Student counseling and academic support
- Hiring and retention of employees (staff, faculty, and administration)
- Job related benefits and leave
- Pregnancy

In addition to sex discrimination, Title IX also prohibits sexual misconduct (which includes sexual harassment, gender harassment, and sexual violence). Additional information regarding what behaviors may constitute sexual harassment and other forms of sexual misconduct is available in THE SCHOOL’S Title IX Policy located on its website and in its student, faculty, and employee handbooks.

Title IX serves to protect the rights of men and women. Title IX requires that males and females receive fair and equal treatment in all educational and employment areas.

Title IX also protects individuals who report sex discrimination and sexual misconduct from retaliation by individuals or by institutions. The reporting of incidents of discrimination is integral to the effective enforcement of Title IX law. Therefore, the protection of complainants, as well as the accused, is important. *Retaliation against any individual who reports or makes a complaint about a Title IX violation will not be tolerated at THE SCHOOL. The SCHOOL will impose appropriate corrective action against any individual found to have engaged in acts or threats of retaliation.*

COMPLIANCE WITH TITLE IX – WHO IS RESPONSIBLE?

Certain employees of the SCHOOL are required to report instances of alleged violations of Title IX. Without exception, if an employee is not sure if a situation warrants reporting, he/she must seek guidance from the Title IX Coordinator. It is essential that institutions receiving federal financial assistance operate in a nondiscriminatory manner. To ensure the SCHOOL's compliance with the law, adherence to Title IX regulations is everyone's responsibility. The penalty for failure to comply with Title IX, in the most extreme circumstances, can include the termination of all or part of an institution's federal funding including grants and student loans. It can also result in the termination of a SCHOOL employee or the dismissal of a student.

REPORTING COMPLAINTS UNDER TITLE IX

Any member of the SCHOOL community who believes he/she has been the victim of sex discrimination, sexual misconduct, or who has witnessed such conduct, should report such misconduct or file an informal or formal complaint with the SCHOOL's Title IX Coordinator. While there is no required format for making a report, forms for this purpose are available on THE SCHOOL's website or from the Title IX Coordinator. Any victim of sexual misconduct who would prefer to speak with someone and have them complete a form on their behalf should contact the Title IX Coordinator.

Students who believe they have been or, are victims of sex discrimination or sexual harassment, including sexual assault or sexual violence on or off campus, whether by SCHOOL employees, contracted services employees, other students or non-community members, are encouraged to request immediate personal support and assistance from any member of the Guidance Counselors, Division Directors, Head of School or the Title IX Coordinator. Student complaints against other students concerning sexual assault, sexual violence or other sexual misconduct may be made on an informal or formal basis with the SCHOOL's Title IX Coordinator. The Title IX Coordinator will direct that an appropriate investigation be conducted.

Employees who believe they are being harassed or discriminated against on account of their gender should promptly make a report to the Title IX Coordinator, to his/her supervisor, to Human Resources, the Head of School, or to an administrator with whom the individual feels comfortable. Employees should also following the School's harassment and discrimination policy.

IMPORTANT FACTS

1. THE SCHOOL will utilize its best efforts to protect all SCHOOL community members from sex discrimination, gender-based harassment, sexual harassment, sexual assault, and sexual violence.
2. THE SCHOOL will take affirmative and corrective action whenever it becomes aware of possible sex discrimination, sexual assault, sexual violence or other sexual misconduct within the SCHOOL community, whether or not a complaint has been made.
3. In order to meet its Title IX obligations and to the extent possible, every effort will be made to keep the details of complaints confidential if requested to do so by a victim of sexual misconduct and to follow the SCHOOL's procedures for conducting an investigation and recommendations. However, the SCHOOL's ability to strictly observe confidentiality may be compromised where the safety of members of the community is judged to be at risk.
4. The safety and security of all members of the SCHOOL community is a priority matter.
5. The internal investigation of a complaint will be conducted, and a decision rendered, no matter the timeline or outcome of case adjudication by external authorities.

Expanded information concerning sex discrimination, sexual harassment, sexual assault/violence, and THE SCHOOL's *Title IX Policy and Procedures Governing the Reports and Investigation of Title IX Complaints*, can be found in THE SCHOOL's student and employee handbooks, as well as on the SCHOOL's website.

WHAT FEDERAL AGENCY ENFORCES TITLE IX?

The United States Department of Education's Office for Civil Rights (OCR) is in charge of enforcing Title IX. Information regarding OCR can be found at www.ed.gov/about/offices/list/ocr/index.html