Title IX General Information & Training

CAVA: Title IX Training & Your Reporting Requirements (Updated for 26-27)

To understand your rights and responsibilities under Title IX, all CAVA employees must review the information on this page annually, *before* the first day of school, or within 1 week of your start date for new employees hired after the first day of school.

What is Title IX and CA Gender Equity law?

Title IX of the Education Amendments of 1972 ("Title IX") is a federal law that prohibits sexual discrimination or harassment in all educational programs and activities that receive federal financial assistance. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity operated by California Virtual Academies. Title IX protects all participants in CAVA's educational programs and activities, including students, parents, employees, and job applicants. CAVA does not discriminate on the basis of sex.

In addition to Title IX, the California Education Code prohibits discrimination on the basis of sex or gender in schools. (California Education Code §§ 221.5-231.5.) It is the policy of the State of California that all persons, regardless of their gender, should enjoy freedom from discrimination of any kind in the educational institutions of the state. Other state and federal laws prohibit other forms of discrimination and ensure equality in education.

In plainer terms, Title IX requires schools to take steps to prevent and provide remedies to reported incidents of sexual harassment and sexual violence. Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, 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.

California State Law also prohibits gender-based harassment, which is unwelcome conduct based on a person's sex, or harassing conduct based on a person's failure to conform to sex/gender stereotypes.

Additionally, Title IX and state law prohibit schools from discriminating against any student based on that person's pregnancy or pregnancy-related conditions, including childbirth, false pregnancy, termination of pregnancy, recovery from any of these conditions, lactation, and other related medical conditions. Schools cannot apply any rule that treats a person differently from others based solely on their sex.

Retaliatory acts, which could include, but are not limited to, giving students failing grades, preventing students or staff members from participating in school activities, or threatening expulsion or other retaliatory action against any individual who exercises his or her rights, are considered to be discrimination and are unlawful.

Recipients of federal funds are prohibited from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX.

Sex-based harassment can be carried out by school employees, other students, and third parties. Anyone can experience sex-based harassment. School participants are entitled to protection from sex-based harassment in educational programs, regardless of the sex of the parties - including when they are members of the same sex/gender.

Legal Rights

All participants in CAVA's educational programs and activities are entitled to the following rights and protections (California Education Code § 221.8.). Participants of our school program include students, parents and guardians, learning coaches, prospective students/parents/guardians/LCs, employees, and job applicants.

- The right to fair and equitable treatment. Participants shall not be discriminated against based on their sex.
- The right to be provided with an equitable opportunity to participate in all academic extracurricular activities.

- The right to have access to the Title IX Coordinator (contact information below), to answer questions regarding sex/gender equity laws; for pregnant students to receive support; or to file a complaint of sex-based bullying, harassment, or discrimination.
- The right to contact the State Department of Education to access information on sex/gender equity laws.
- The right to file a confidential discrimination complaint with the United States Department of Education Office for Civil Rights or the California Department of Education for any individual who believes they have been discriminated against or who believes they have received unequal treatment based on their sex.
- The right to pursue civil remedies for individuals who have been discriminated against.
- The right to be protected against retaliation when filing a discrimination complaint.

CAVA's Responsibilities

CAVA employees have an individual and collective responsibility to respond promptly and effectively to sexual discrimination, including sex-based harassment and sexual violence. If any person employed by CAVA knows about an incident of sex-based discrimination, harassment, or bullying, the incident must be reported by completing the ***Bullying/Harassment Survey*** within a maximum of three (3) days. If you aren't sure of your next steps, email TitleIX@caliva.org as soon as possible to request support. For more information, please review the ***Bullying, Discrimination, Harassment and Intimidation Prevention Training and Response***, which is located in All Staff Trainings.

Following the incident report, CAVA must take action to eliminate the sex discrimination, prevent its recurrence, and address its effects. CAVA must resolve complaints of sex discrimination promptly and equitably. For more information, please review the Title IX Policy, which is posted in the Public Notices section of the school website.

For more information about the prevention of sexual or gender-based discrimination in CAVA employment, please email HR@caliva.org and/or TitleIX@caliva.org.

Individual Employee Responsibilities

Sexual harassment creates a hostile environment if the unwelcome conduct is so severe, pervasive, and objectively offensive as to

deny equal educational access or access to the school program. When a school has knowledge of sexual harassment or violence which has taken place during an education program over which the school exercises substantial control, it must take immediate and appropriate steps to investigate or otherwise determine what occurred. If an investigation reveals that the harassment created a hostile environment, the school must take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.

To help you to comply with your reporting requirements under Title IX, please carefully review the guidelines below:

1. **Identifying Sex-Based Harassment** *The US Department of Education has defined sexual harassment as unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an educational program or activity.*
2. **Reporting Requirements** *If you see or hear something - say something! If any school employee has knowledge of conduct that may constitute sex-based discrimination or harassment in a CAVA program or school activity, they MUST promptly report that information (within 3 days of becoming aware of an incident). Reports must be submitted regardless of when the incident occurred or is believed to have occurred, even if it happened in a prior school year. Reports can be submitted using the **Bullying/Harassment Survey**. The reporting of suspected claims under Title IX is an additional requirement to your Mandated Reporter duties.*
3. **Pregnancy Support** *When a school staff member learns that a student is pregnant or has a pregnancy-related condition, the staff member must provide the student with the Title IX Coordinator's contact information (listed below), and they must inform the student that the Title IX Coordinator is available to help coordinate support, including individualized, reasonable modifications as needed to ensure equal access. DO NOT disclose private student medical information on behalf of the student. To protect student privacy, it is the student's choice whether to reach out for additional support or not.*
4. **Policy Disclosure** *Add the following disclaimer statement at the bottom of all school emails, as well as in any handbook, catalog, announcement, bulletin, or application form that is available to students, parents, staff members, and job applicants; or which are otherwise used in connection with the recruitment of students or employees.*

CAVA does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities; and provides equal access to educational programs and activities. As required by Title IX, CAVA prohibits sex discrimination in any education program or activity that it operates. The notice of nondiscrimination is located on CAVA's school website. Individuals may report questions or concerns regarding sex-based discrimination to the Title IX Coordinator:

Melisse Burns, Title IX Coordinator, 50 Moreland Road Simi Valley, CA 93065. TitleIX@caliva.org (530) 421-8165

Additionally, you may contact the Office of Civil Rights by calling 1-800-421-3481.

For questions about anti-discrimination in CAVA Employment, please contact Human Resources at HR@caliva.org.

If you have additional questions or concerns about Title IX, please reach out to the Title IX Coordinator:
Melisse Burns
50 Moreland Rd.
Simi Valley, CA 93065
(530) 421-8165
Email: **TitleIX@caliva.org**
You may also contact the Office of Civil Rights by calling 1-800-421-3481.

For more guidance on how to create a positive school climate and prevent sex-based discrimination, staff members are welcome to review the following optional training modules. *Note that these modules will not open in Firefox. Please use the Chrome or Edge browsers, instead.*

- Safe Place to Learn Title IX Policy Training
- Safe Place to Learn Training Module 2: School Climate and Learning
- Safe Place to Learn Training Module 3: Developmentally Appropriate Strategies to Prevent, Intercede, and Respond