



TITLE IX SEXUAL DISCRIMINATION POLICY AND GRIEVANCE PROCESS

In compliance with Title IX of the Education Amendments of 1972 (“Title IX”), Elite Academic Academy (the “Organization”) does not discriminate on the basis of sex in its educational programs and activities, recruitment, admissions, course offerings, benefits or pay, athletics, or employment.

Applicability

This policy applies to all students, employees, volunteers, independent contractors, vendors, and members of the Organization community. It applies to conduct that occurs on the Organization’s campus, at Organization-sponsored events, and to events on or off campus that have sufficient ties to the Organization.

The purpose of this document is to outline the steps the Organization will take to provide the prompt and equitable and reliable resolution of student and employee complaints under the Organization’s Title IX Policy. These procedures apply only to complaints alleging sex-based discrimination, harassment, and/or violence prohibited by Title IX and as outlined in this policy. For all other complaints, please consult the relevant policies in the Organization’s Parent/Student Handbook, or Employee Handbook, as applicable.

Students, parents/guardians, and employees are also encouraged to communicate with the Human Resources Department, with any questions or concerns regarding these policies. The Organization believes that open communication about these sensitive topics is integral to preventing serious misconduct from occurring and is essential to fostering a culture of personal responsibility, mutual accountability, and positive leadership.

Discrimination Based on Sex Prohibited

Our organization is an equal opportunity employer and committed to providing a work environment that is free of discrimination, harassment, and retaliation. In keeping with this commitment, the Organization maintains a strict policy prohibiting sexual discrimination or sexual harassment in any of its operations.

The Organization shall not, on the basis of sex, exclude from admission or participation, deny the benefits of, or discriminate against any person in any academic, extracurricular, research, occupational training, or other education program or activity it offers or operates. Similarly, the Organization shall not discriminate against any student or exclude any student from any education program or activity, including any class or extracurricular activity, on the basis of such

student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity. Additionally, the Organization shall not discriminate against any person in employment, recruitment, hiring, selection, benefits, pay, or any other term condition, or privilege of employment on the basis of sex.

As used in this policy, sexual harassment is defined as harassment based on sex or conduct of a sexual nature, and includes harassment based on pregnancy, childbirth, breastfeeding, or related medical conditions, gender, gender identity or gender expression. It may include unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Organization's education program activity. It may also include an employee of the Organization conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct. It may also include sexual violence, including sexual assault, domestic violence, stalking, or violence while dating.

Sexual harassment may occur between students, between students and employees, between employees, between students and third parties, and between employees and third parties and is strictly prohibited.

Compliance Coordinator

The responsibility for administering and ensuring the Organization's compliance with Title IX has been assigned to the Compliance Coordinator. The Compliance Coordinator will coordinate with the administration to implement and administer this policy and the Organization's remedies for resolving Title IX complaints. The Compliance Coordinator is also responsible for working with law enforcement regarding such complaints when necessary; and ensuring that complaints are resolved promptly and appropriately to the extent possible. The Compliance Coordinator may delegate these duties to other school employees or external investigators, as necessary and in his or her sole discretion, to ensure the prompt and appropriate resolution of any complaint.

The Compliance Coordinator (or his or her designee) may also meet with the Organization's students, parents/guardians, and/or employees regarding their rights and obligations under Title IX and to address any questions regarding the Organization's compliance with such obligations. Inquiries concerning this policy, Title IX, and any related issues of sex-based discrimination or harassment should be directed to the School's Compliance Coordinator:

Name: Tracy Hasper

Title: Chief Personnel Officer

Office Address: 43414 Business Park Drive, Temecula, CA 92590

Telephone Number: (866) 354-8302 Ext. 706

Email Address: thasper@eliteacademic.com

Reporting Complaints

Any person may report sexual discrimination and harassment in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Complaints may be reported orally or by submitting the Organization's Title IX Complaint Form to the Compliance Coordinator. The Title IX Complaint Form may be obtained from the Human Resources Department.

The complaint, whether reported orally or in writing, shall contain information that describes the conduct that has allegedly occurred and caused the violation of the Organization's policy and Title IX prohibitions against sex-based discrimination, harassment, and/or violence and identifies the complainant, respondent(s), and any witnesses to the alleged conduct.

Notification of Complaint

When the Organization receives a complaint, the Coordinator will promptly contact the complainant and explain the process to file a formal complaint.

Supportive Measures During Complaint Process

Once it has notice of a complaint, the Organization will take steps to ensure equal access to its educational programs and activities by providing "supportive measures" (as defined below) to the complainant, as appropriate, before the final outcome of an investigation.

"Supportive measures" mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, to restore or preserve equal access to the Organization's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The Organization will maintain as confidential any supportive measures provided, to the extent that maintaining such confidentiality would not impair the ability of the Organization to provide the supportive measures.

The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures during the complaint process, consider the complainant's wishes with

respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

Grievance Process: Response to Formal Complaints

Step 1: Notice of Allegations

When the Organization receives a formal complaint (which must be signed by the complainant, or complainant's parents if a minor), the Coordinator will promptly provide written Notice of Allegations to the parties who are known. Such written notice will contain the following:

1. Notice of the Organization's grievance process;
2. Notice of the allegations of sexual harassment, including sufficient details known and with sufficient time to prepare a response before any initial interview;
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
4. Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
5. Notice of any provision in the Organization's code of conduct that prohibits knowingly making false statements or knowingly submitting false information.

Step 2: Determining if Complaint is Covered by this Policy.

The Compliance Coordinator will review the information provided to determine whether the matter falls within the scope of this policy.

Within ***ten (10)*** days after receipt of a complaint, the Compliance Coordinator will either initiate an investigation or inform the complainant in writing that the conduct alleged in the complaint is not within the scope of this policy and an investigation will not be conducted. If the matter does not involve allegations of sex-based discrimination, harassment, or violence within the scope of this policy, the Compliance Coordinator will forward the matter to the appropriate administrator to handle a review in accordance with applicable Organization policies and procedures.

If the complaint is determined to be within the scope of this policy and an investigation is initiated, the Organization may remove a respondent from its education program or activity on an emergency basis, provided that it undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. Additionally, the Organization may place a respondent non-student employee on administrative leave during the pendency of any investigation.

Step 3: Investigation if Complaint is Covered by this Policy.

If the complaint falls within the scope of this policy, the Compliance Coordinator will promptly and no later than *ten (10)* days after receipt of the complaint initiate an investigation.

The Compliance Coordinator may designate other school employees or an external investigator (the “Investigator”) to assist with an investigation, as necessary, in his or her sole discretion. The Compliance Coordinator will advise the parties of the name of the Investigator assigned to the complaint. The Investigator will maintain a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation.

To the extent practicable, the investigation shall:

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
3. Provide the parties with the same opportunities to have others present during any proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, though the Organization may establish restrictions regarding the extent to which the advisor may participate in the proceedings;
4. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate; and
5. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised, including the evidence upon which the recipient does not intend to rely in reaching a determination so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The Investigator may take any additional actions as necessary to complete the investigation.

The Investigator will maintain documentation of all proceedings related to the investigation, which may include, but is not limited to, notes or transcripts from witness interviews, evidence provided by witnesses or involved parties, audio recordings, or written findings of fact.

The Organization will strive to complete investigations, including issuance of the Investigator’s written report to the complainant and respondent, in as timely and efficient a manner as possible *within sixty (60) days* of receipt of a complaint. However, this timeframe may be extended based on factors such as, but not limited to, schedule and availability of witnesses, holidays or semester breaks including summer break, and complexity of the complaint. If an investigation cannot be completed within sixty (60) days of receipt of the complaint, then the Investigator will notify the complainant and respondent of that fact in writing and provide a timeframe for

completing the investigation. Both parties will be given periodic updates throughout the investigation process.

Prior to completion of any report by the Investigator, the Organization shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

After the completion of the 10-day period, the Investigator will create an investigative report with the results of the investigation that fairly summarizes relevant evidence, including the Investigator's findings and conclusions supporting the determination.

At least 10 days prior to the time of **determination** regarding responsibility, the Investigator will send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The **Decision Maker** must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

Step 4: Making a Finding - Determination regarding Responsibility.

In reaching its finding, the Decision Maker will engage in an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness. The standard of evidence to be used by the Investigator to determine responsibility will be the preponderance of evidence standard.

Step 5: Dismissal or Remedies.

Where the Decision Maker determines sexual harassment has not been found against the respondent, the Organization will dismiss the complaint and send written notice of the dismissal and the reason(s) therefore simultaneously to the parties. [Note: A Discretionary Dismissal will also be issued if: the respondent leaves the school; the complainant withdraws the complaint; and/or there are circumstances that prevent the school from making a determination.]

Where a determination of responsibility for sexual harassment has been found against the respondent, the Organization will provide the written determination to the parties simultaneously and after the determination becomes final, will impose remedies/disciplinary actions designed to restore or preserve equal access to the Organization's education program, activity, or employment. Such remedies may include counseling, course or class related adjustments, mutual restrictions on contact between parties, changes in work locations, leaves of absence, increased security and monitoring, or disciplinary action including suspension, warnings, termination of employment, or expulsion. The written determination will include the following: identification of allegations; description of procedural steps taken; findings of fact supporting the determination; conclusions based on the school codes; and procedures for appeals.

The Organization recognizes that false accusations, especially of sex-based harassment, discrimination, and/or violence may have serious effects on innocent persons. Any individual found to have made false accusations of sex-based harassment, discrimination, and/or violence may also be subject to appropriate disciplinary action.

Step 5: Appeals.

Any party not satisfied with the results of an investigation under this policy or the remedies taken because of: (a) a procedural irregularity that affected the outcome of the matter; (b) new evidence that was not reasonably available at the time the determination was made that could affect the outcome of the matter; or (c) the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents that affected the outcome of the matter may submit a written appeal to the Compliance Coordinator within 10 days of receiving the final finding. Appeals shall be decided by the Appeal Decision Maker.

The written appeal shall state the nature of the disagreement with the result of the investigation, the reasons supporting the appeal, and how the outcome would be changed by reconsideration of the determination. The Appeal Decision Maker will consider all issues presented by the appealing complainant, respondent, or their parent/guardian and the relevant documentation.

As to all appeals, the Organization will:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal does not have a conflict of interest and is not biased;
4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
5. Issue a written decision describing the result of the appeal and the rationale for the result; and
6. Provide the written decision simultaneously to both parties.

The Appeal Decision Maker will issue a written determination *no later than fifteen (15) days* after receipt of the appeal.

Confidentiality

The Organization shall keep confidential the identity of any complainant or individual who has made a report or complaint of sex discrimination or harassment, any respondent or individual who has been reported to be the perpetrator of sex discrimination or harassment, and any witness, except as may be permitted by law.

Any information gathered during the investigation will only be shared with those who have a need-to-know, except in limited circumstances, including but not limited to, when the Organization is required by law to report the information or when such disclosure is necessary to protect the health, safety, or well-being of members of the Organization community.

Retaliation Prohibited

The Organization shall not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, 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 this policy.

Retaliation or reprisal by any student or employee against complainants, witnesses, or any other individual who reports allegations of sex-based harassment, discrimination, and/or violence or provides information to assist in an investigation is strictly prohibited. Individuals who believe they have been retaliated against in connection with such action should immediately report such conduct to the Compliance Coordinator. Anyone who is found to have retaliated against a student or employee under this section will be subject to disciplinary action, up to and including expulsion and/or termination of employment.