

TITLE IX POLICY AND GRIEVANCE PROCEDURES¹
Effective for complaints alleging misconduct occurring on or after
August 1, 2024 at Rocketship Public Schools in CA, DC and WI²

Sexual Harassment under Title IX

Rocketship does not discriminate on the basis of sex in the education program or activity that it operates. Title IX (20 U.S.C. § 1681 *et seq.*; 34 C.F.R. § 106.1 *et seq.*) prohibits sex discrimination in education institutions, including in the education institution’s admissions and employment practices. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination and harassment in education programs or activities conducted by Rocketship.

Rocketship is committed to providing a work and educational environment free of sex discrimination, including sex-based harassment, and considers such misconduct to be a major offense, which may result in disciplinary action. Inquiries about the application of Title IX and 34 C.F.R. Section 106 to Rocketship may be referred to Rocketship’s Title IX Compliance and Civil Rights Officer, the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

Definition of Sex Discrimination and Sex-Based Harassment

Sex discrimination includes discrimination based on:

- sex stereotypes;
- sex characteristics;
- pregnancy or related conditions;
- sexual orientation; or,
- gender identity.

Sex discrimination also includes conduct that qualifies as sex-based harassment.

Sex-based harassment is a type of prohibited sex discrimination. It includes “quid pro quo” harassment, “hostile environment” harassment, sexual assault, dating violence, domestic violence and stalking. These terms are defined below.

1. Quid pro quo harassment: a situation in which 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 conditions the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.

¹ This policy is subject to and set for board approval in California on August 28, 2024, in Washington DC on September 24, 2024, and in Wisconsin on September 20, 2024.

² In California, Washington DC and Wisconsin, complaints alleging misconduct occurring prior to August 1, 2024, will be handled pursuant to the “Title IX Policy and Grievance Procedures: 2020-2024,” which is posted on those schools’ websites.

2. Hostile environment harassment: unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and 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). Whether a hostile environment has been created is a fact-specific inquiry that may include consideration of a range of factors, such as:
 - a. the degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
 - b. the type, frequency and duration of the conduct;
 - c. the parties' ages and roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. the location of the conduct and the context in which the conduct occurred; and,
 - e. other sex-based harassment in the recipient's education program or activity.
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), and "stalking" as defined in 34 U.S.C. 12291(a)(30).

Examples of sex-based harassment may include but are not limited to:

- Physical assaults of a sexual nature, such as:
 - rape, sexual battery, molestation or attempts to commit these assaults; or,
 - intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against or poking another's body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - sexual gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience;
 - preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward, or detrimental treatment for rejecting sexual conduct; or,
 - subjecting or threats of subjecting a student or employee to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the student's sex.
- Sexual or discriminatory displays or publications anywhere in the work or educational environment, such as:
 - displaying pictures, cartoons, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display, share, or view in the work or educational environment; or,

- reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic.

Effective limitation or denial of equal access to education may be indicated by:

- an individual who has been sexually harassed skipping class to avoid a harasser;
- a decline in a student's grades;
- having difficulty concentrating in class;
- bed-wetting or crying at night due to sexual harassment; or,
- withdrawing from some school activities to avoid harassment but continuing to attend school.

An individual does not need to have already suffered loss of education before being able to report sexual discrimination.

The above-illustrations are not to be construed as an all-inclusive list under this Policy.

Reporting Sex Discrimination (Including Sex-Based Harassment)

Reports of sex discrimination, including sex-based harassment, in violation of Title IX can be made orally or in writing. Such reports may be made to any Rocketship employee or may be directed to the Title IX Compliance and Civil Rights Officer (who assumes the role of Rocketship's "Title IX Coordinator"):

Renita Thukral
Title IX Compliance and Civil Rights Officer
2001 Gateway Place, Ste. 230E
San Jose, CA 95110
rthukral@rsed.org
(408) 355-9813 Ext. 102

The Title IX Compliance and Civil Rights Officer is the Rocketship staff member designated by Rocketship to coordinate its responsibilities under Title IX. The Title IX Compliance and Civil Rights Officer may assign an administrative designee to fulfill part or all of the responsibilities under this Policy with respect to a specific report or complaint of sexual discrimination. References to the Title IX Compliance and Civil Rights Officer in this policy should be construed to also refer to the Title IX Compliance and Civil Rights Officer's administrative designees.

All employees, unless a designated confidential employee,³ must immediately notify Rocketship's Title IX Compliance and Civil Rights Officer of any conduct that may be sex discrimination about which they have been notified or which they have witnessed.

³ Under this Policy, a "confidential employee" is (1) a Rocketship employee whose communications are privileged or confidential under Federal or State law; or (2) a Rocketship employee who Rocketship has designated as confidential for purposes of providing services to persons related to sex discrimination. If

Rocketship will follow the grievance process described below to investigate any conduct that may reasonably constitute sex discrimination. In addition, Rocketship will respond promptly and effectively to end sex discrimination, prevent its recurrence and remedy its effects.

Rocketship's Title IX Compliance and Civil Rights Officer also will monitor schools for barriers to reporting information about conduct that may be sex discrimination and take steps reasonably calculated to eliminate those barriers.

Filing a Complaint

A Title IX complaint may be made by:

- a current student, a past student, or a student who has gained admission;
- a current employee or a past employee;
- any third-party who was participating or attempting to participate in an educational program or activity;
- the legal representative of any of the aforementioned individuals;
- a parent of an affected student; or,
- the Title IX Compliance and Civil Rights Officer if an imminent and serious threat exists or if the alleged conduct may prevent Rocketship from ensuring equal access to all students under Title IX (based on a fact-specific inquiry).

A complaint may be made orally or in writing. A written complaint may be submitted via Rocketship's General Complaint Form (available in every school's front office), via email, via text or in any other written format.

Oral or written complaints may be made to any Rocketship employee who is not a designated confidential employee, or to the Title IX Compliance and Civil Rights Officer. If an oral or written complaint is made to a designated confidential employee, that confidential employee will inform the person who made the complaint how to make an oral or written complaint to a non-confidential employee.

A complaint is a statement that can be objectively understood to be a request to investigate and take action against sex discrimination (including sex-based harassment). Typically, a complaint alleges specific conduct, including a description of what may have happened, who may have been involved, where it may have happened, how the conduct may have affected the person who may have suffered sex discrimination, and any other relevant details.

an oral or written complaint is made to a designated confidential employee, that confidential employee will inform the person who made the complaint how to make an oral or written complaint to a non-confidential employee or to the Title IX Compliance and Civil Rights Officer. Please see section titled "Filing a Complaint" for additional information.

Responding to Sex Discrimination (Including Sex-Based Harassment)

When Rocketship has knowledge of conduct that reasonably may constitute sex discrimination (including sex-based harassment) in its education program or activity, Rocketship will respond promptly and effectively. Specifically, the Title IX Compliance and Civil Rights Officer, upon being notified of conduct that reasonably may constitute sex discrimination, will:

- treat the complainant and respondent equitably;
- offer and coordinate supportive measures, as appropriate, for the complainant and for the respondent;
- notify the complainant (or the individual who reported the conduct) of the grievance procedures and informal resolution process;
- if a complaint is made, initiate the grievance procedures or informal resolution process;
- if a complaint is not made or informal resolution is not initiated, conduct a fact-specific inquiry to determine whether the misconduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person(s) or prevents Rocketship from ensuring equal access based on sex to its education program or activity, in which case the Title IX Compliance and Civil Rights Officer may initiate a complaint;
- if the Title IX Compliance and Civil Rights Officer initiates a complaint, notify the complainant prior to doing so and appropriately address concerns about the complainant's safety or the safety of others; and,
- regardless of whether a complaint or informal resolution is initiated, take other appropriate prompt and effective steps to ensure sex discrimination does not continue or recur within Rocketship's education program or activity.

Rocketship may consolidate complaints as to allegations of sexual discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual discrimination arise out of the same facts or circumstances.

All conduct not covered under the Title IX definition of sex discrimination will be addressed by Rocketship under the Rocketship Public Schools Student/Parent Handbook or in accordance with the Rocketship Public Schools Employee Handbook.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive, individualized services or accommodations offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent. Supportive measures are designed to restore or preserve each person's equal access to Rocketship's education program or activity during the grievance procedures or informal resolution process. Supportive measures cannot unreasonably burden either party.

For complaints of sex-based harassment, supportive measures available to complainants and respondents may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services,

restrictions on contact applied to one or more parties, changes in class, work or extracurricular locations, leaves of absence, increased security and monitoring of certain areas of the campus, training and education programs related to sex-based harassment, and other similar measures.

If applicable, the Title IX Compliance and Civil Rights Officer will consult with an appropriate member of each party's IEP Team or Section 504 Coordinator/Team to ensure any supportive measures align with the student's IEP or Section 504 Plan. If the supportive measures do not align, an IEP meeting or 504 meeting may need to be convened.

Supportive measures may be continued, modified or ended at the conclusion of the grievance procedures or informal resolution.

Either party may appeal the supportive measures if they are dissatisfied with the supportive measures offered. An impartial employee who was uninvolved in the original decision will decide whether to modify or reverse the original decision regarding supportive measures. This determination will consider whether the original decision was inconsistent with the definition of supportive measures. There is no additional right of appeal from the decision. Rocketship will provide each party the opportunity to seek additional modification or termination of a supportive measure if circumstances change materially.

If Rocketship does not provide supportive measures, Rocketship will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit Rocketship in the future from providing additional explanations or detailing additional measures taken.

Rocketship will maintain as confidential any supportive measures provided to the complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of Rocketship to provide the supportive measures.

Emergency Removal

Rocketship may place a non-student employee respondent on administrative leave during the pendency of the Title IX Grievance Procedures.

Rocketship may remove the respondent from its educational program or activity on an emergency basis, provided Rocketship undertakes an individualized safety and risk analysis, determines an imminent and serious threat to the health or safety of any student or other individual arising from the allegations of sexual discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Rocketship must continue to meet its obligations under federal disability laws, and this provision may not be construed to modify any rights under the IDEA, Section 504, or the ADA.

Informal Resolution Process

At any time prior to determining whether sex discrimination may have occurred under this policy, Rocketship may offer an informal resolution process to the complainant and respondent.

Rocketship will consider the age of the students involved, if any, and the nature of the alleged conduct when determining whether to offer an informal resolution process, understanding that for younger students informal resolution may be more appropriate to resolve complaints than the use of the grievance procedures. Participation in informal resolution is always voluntary.

Rocketship retains the discretion to determine whether it is appropriate to offer an informal resolution process; Rocketship may decline to offer informal resolution despite one or more of the parties' wishes. Circumstances when Rocketship may decline to allow informal resolution include but are not limited to instances involving complaints of sexual violence or when Rocketship determines the alleged conduct could present a future risk of harm to others.

Informal resolution is not permitted in situations in which an employee allegedly engaged in sex-based harassment of a Rocketship student or if such process would conflict with federal, state or local law.

If Rocketship offers an informal resolution process, it will:

- provide the parties with written notice of:
 - the allegations;
 - the requirements of the voluntary informal resolution process, including the circumstances under which the parties are precluded from resuming a formal complaint of sexual harassment arising from the same allegations;
 - the parties' right to withdraw from the voluntary informal resolution process and resume the grievance process at any time prior to agreeing to a resolution; and
 - Rocketship's informal resolution procedures, which are:
 - no one directly involved in the grievance process or appeal process, such as the decision-maker or investigator, will be involved in the voluntary resolution process;
 - nothing communicated or discussed in the voluntary resolution process will be shared with those directly involved in the grievance process or appeals without the consent of the party whose communication will be shared;
 - Rocketship may maintain its own confidential records noting a voluntary resolution process was commenced and whether resolution was reached or not; and,
 - should the parties agree to a resolution, Rocketship will document the terms of the resolution for its records and the parties.

- obtain the parties' advance voluntary, written consent to the informal resolution process.

If parties agree to participate in the informal resolution process, the Title IX Compliance and Civil Rights Officer will assign a facilitator to conduct the proceedings. Any person who

facilitates an informal resolution will be trained and free from conflicts of interest or bias for or against either party.

Informal resolution may result in agreement to pursue individual or school-wide remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the respondent; mediation; restorative justice practices, and other forms of resolution that can be tailored to the needs of the parties.

With the voluntary consent of the parties, informal resolution may be used to agree upon disciplinary sanctions. Disciplinary action will only be imposed against a respondent where there is a sufficient factual foundation and both the complainant and the respondent have agreed to forego the additional procedures set forth in this school's policy and accept an agreed upon sanction.

At Rocketship's discretion, Rocketship may postpone commencing an investigation or suspend an ongoing investigation while the informal resolution process occurs.

If the parties elect to engage in an informal resolution process, Rocketship will take appropriate prompt and effective steps to ensure sex discrimination does not continue or recur within Rocketship's education program or activity.

The Title IX Grievance Procedures

When implementing these grievance procedures, Rocketship will treat complainants and respondents equitably. Rocketship will ensure the individuals involved in any investigation or decision do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Rocketship presumes the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of these grievance procedures. In most cases, a thorough grievance process will take no more than ninety (90) business days, not including any time for an appeal. Rocketship will follow reasonably prompt timeframes for the major stages of the grievance procedures, including the following: evaluation of a complaint (the decision whether to dismiss or investigate a complaint) within 15 business days of the receipt of a complaint; investigation to be completed within 45 business days of the determination to investigate a complaint; and a determination within 30 business days of the completion of the investigation of a complaint. Those time frames may be extended on a case-by-case basis for good cause, including as required by the circumstances of the investigation and equity to the parties, with written notice to the parties of the new deadlines and the reason for the delay.

1. Evaluation of a Complaint

Rocketship will determine whether to investigate or dismiss a complaint of sex discrimination. The Title IX Compliance and Civil Rights Officer will seek to clarify the allegations, if needed, in order to make this determination.

2. Dismissal of a Complaint

Rocketship may dismiss a complaint of sex discrimination if:

- the alleged sex discrimination did not occur in a Rocketship program or activity;
- Rocketship is unable to identify the respondent after taking reasonable steps to do so;
- the respondent is not participating in Rocketship's education program or activity and is not employed by Rocketship;
- the complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Compliance and Civil Rights Officer declines to initiate a complaint, and Rocketship 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
- Rocketship determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, Rocketship will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, Rocketship will promptly notify the complainant in writing of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then Rocketship also will notify the respondent in writing of the dismissal and the basis for the dismissal.

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

Dismissals may be appealed on the following bases:

- 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; 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, Rocketship will:

- notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- implement appeal procedures equally for the parties;
- ensure the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- ensure the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and

- notify the parties in writing of the result of the appeal and the rationale for the result.

When a complaint is dismissed, Rocketship will, at a minimum:

- offer supportive measures to the complainant as appropriate;
- offer supportive measures to the respondent as appropriate; and
- take other prompt and effective steps, as appropriate, through the Title IX Compliance and Civil Rights Officer to ensure sex discrimination does not continue or recur within Rocketship's education program or activity.

If a complaint is dismissed, Rocketship may nevertheless take whatever additional disciplinary action it deems appropriate against the respondent under the "Behavioral Expectations and Discipline" section of the Rocketship Public Schools Student/Parent Handbook and procedures related thereto.

3. Notice of Allegations

Upon initiation of Rocketship's Title IX grievance procedures, the Title IX Compliance and Civil Rights Officer will notify the parties in writing of the following:

- Rocketship's Title IX grievance procedures and any available informal resolution process;
- a description of the allegations of sex discrimination at issue and, to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting sex discrimination, and the date and location of the alleged incident;
- a statement that the respondent is presumed not responsible for the alleged conduct until a final decision is reached;
- a statement that the parties may have an advisor of their choice, who may be (but is not required to be) an attorney, and the parties will be provided an equal opportunity to inspect and review the relevant (and not otherwise impermissible) evidence during the investigation process;
- a statement that Rocketship prohibits an individual from knowingly making false statements or knowingly submitting false information during the grievance process; and,
- a statement that retaliation is prohibited.

If, in the course of an investigation, Rocketship 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, Rocketship will notify the parties of the additional allegations.

4. Investigation

Upon receipt of a complaint of sexual discrimination or upon notification of conduct that reasonably may constitute sex discrimination, the Title IX Compliance and Civil Rights Officer will promptly initiate an adequate, reliable and impartial investigation. An investigation may not be initiated or may be paused if the parties voluntarily agree to participate in an informal resolution process.

The investigation process is as follows:

- The Title IX Compliance and Civil Rights Officer will assign an investigator to investigate the allegations. The investigator will be appropriately trained and in many cases will not be the same person as the Title IX Compliance and Civil Rights Officer. Rocketship shall ensure the investigator (1) has no prior knowledge of the incident under investigation and (2) does not have a conflict of interest or bias for or against complainants or respondents generally or for or against the complainant or respondent individually.
- The investigator will attempt to collect all relevant information and evidence. The investigator may, among other things, interview the complainant, the respondent, and any witnesses; review law enforcement investigation documents if applicable; review relevant student or employment files (preserving confidentiality wherever necessary); and gather and examine other relevant documents, social media, and evidence. Rocketship bears the burden of gathering sufficient evidence to determine whether sex discrimination occurred.
- If, in the course of an investigation, Rocketship or the investigator decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations, Rocketship must provide notice of the additional allegations to the parties whose identities are known.
- A parent, legally authorized guardian or attorney representing the student is permitted to act on behalf of the complainant or respondent and exercise the rights granted to the complainant or respondent under this policy.
- The parties will be provided an equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible. Each party may have an advisor (who may be, but does not need to be, an attorney) of its choice present during any investigative meeting or interview.
- A party whose participation is invited or expected at an investigative meeting or interview will receive written notice of the date, time, location, participants, and purpose of the meeting or interview with sufficient time for the party to prepare to participate.
- The investigator will review all evidence gathered through the investigation and will determine which evidence is relevant and which evidence is impermissible regardless of relevance. The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by Rocketship to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:
 - 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 Rocketship obtains that party's or witness's voluntary, written consent for use in its grievance procedures; or,
 - 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.
- Rocketship will take reasonable steps to protect the privacy of the parties and witnesses during the grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.
 - Once the investigator has reviewed all the evidence gathered through the investigation and determined which evidence is relevant and not impermissible, Rocketship will provide each party with an equal opportunity to access that evidence. Rocketship will provide access to both parties at the same time and will provide each party ten (10) calendar days to respond to the evidence in writing. Rocketship, at its sole discretion, may extend this review period if necessary, in which case both parties will be given the same extension of time to review.
 - Parties will send their written responses to the investigator for review and consideration. Rocketship will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures.
 - If a complainant or a respondent has an IEP or a Section 504 Plan, the Title IX Compliance and Civil Rights Officer or investigator will consult with one or more members of the student's IEP Team or the Section 504 Coordinator to ensure compliance with relevant IDEA or Section 504 requirements during the grievance process.

5. Determination of Whether Sex Discrimination Occurred

The Title IX Compliance and Civil Rights Officer will assign a decision-maker to render findings on the allegations of sex discrimination. The decision-maker may be the investigator or may be another individual who does not have prior knowledge of the incident under investigation.

Rocketship will ensure all decision-makers have the appropriate training and do not have a conflict of interest or bias for or against complainants or respondents generally or for or against the complainant or respondent individually.

The decision-maker will use a preponderance of the evidence standard to determine whether sex discrimination occurred. Under the preponderance of the evidence standard, the decision-maker must determine whether the alleged facts are more likely than not to be true. In making this determination, the decision-maker will objectively evaluate all evidence that is relevant and not otherwise impermissible – including both inculpatory and exculpatory evidence – for its persuasiveness.

In order to render findings, the decision-maker will evaluate the credibility of the collected evidence, including statements made by the parties and witnesses. The decision-maker may question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

If the decision-maker is not persuaded under the preponderance of the evidence standard that sex discrimination occurred, whatever the quantity of evidence is, the decision-maker must not determine that sex discrimination occurred.

Rocketship will notify the parties in writing of the determination of whether sex discrimination occurred under Title IX, including the rationale for such determination and the procedures and permissible bases for appeal. The written letter of determination will be sent to the complainant and respondent simultaneously and will describe:

- a statement of the allegations;
- a determination of responsibility for each allegation;
- the rationale for the determination;
- any disciplinary sanctions Rocketship will impose on the respondent and whether remedies designed to restore or preserve Rocketship's education program or activity will be provided to the complainant; and
- a description of the right to an appeal, how to request an appeal, and the permissible bases for an appeal.

The determination of whether the allegations of sex discrimination occurred becomes final either on the date Rocketship provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

6. Title IX Right of Appeal

The Title IX Compliance and Civil Rights Officer will assign a person to handle the appeal, if one is requested. The person handling the appeal will not be the Title IX Compliance and Civil Rights Officer, investigator, decision-maker or any individual who may have prior knowledge of

the incident under investigation or who may have a conflict of interest. Rocketship will ensure all persons handling appeals are appropriately trained and do not have a bias for or against complainants or respondents generally or for or against the complainant or respondent individually.

To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision. The written appeal should be submitted to the person who will handle the appeal, and the written appeal should include the grounds for the appeal.

Permissible grounds for appeal are:

- procedural irregularity that affected the outcome of the matter;
- new evidence not reasonably available at the time the determination was made that could affect the outcome of the matter; or
- the Title IX Compliance and Civil Rights Officer, investigator and/or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or for or against the complainant or respondent individually.

The following appeal rights and procedures apply:

- the complainant and respondent shall have the same appeal rights and Rocketship will implement appeal procedures equally for both parties;
- Rocketship will notify in writing the other party when an appealed is filed;
- the person handling the appeal will:
 - give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
 - issue a written decision describing the result of the appeal and the rationale for the result; and
 - provide the written decision simultaneously to both parties; and
- the submission of an appeal stays any sanctions for the pendency of an appeal.

The appeal will be decided on written submissions from the parties only. No hearing will be held for an appeal.

7. Title IX Remedies and Disciplinary Sanctions

Rocketship will take reasonable steps to address any violations of this Policy and to restore or preserve equal access to the school's education programs or activities.

If there is a determination that sex discrimination occurred, as appropriate, the Title IX Compliance and Civil Rights Officer will:

- coordinate the provision and implementation of remedies to a complainant and other persons Rocketship identifies as having had equal access to Rocketship's education program or activity limited or denied by sex discrimination;
- coordinate the imposition of any 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 sex discrimination does not continue or recur withing Rocketship’s education program activity.

If a respondent is found responsible for the prohibited behavior as alleged, sanctions are based on the severity and circumstances of the behavior. Disciplinary actions or consequences can range from a conference with the respondent and a school official through suspension or expulsion. When a respondent is found responsible for the prohibited behavior as alleged, remedies must be provided to the complainant. Remedies are designed to maintain the complainant’s equal access to education and may include supportive measures or remedies that are punitive or would pose a burden to the respondent.

Rocketship will not impose disciplinary sanctions 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.

Rocketship will not discipline a party, witness, or others participating in a grievance procedure for making a false statement or for engaging in consensual sexual conduct based solely on Rocketship’s determination whether sex discrimination occurred.

Students or employees who engage in misconduct prohibited by this Policy, knowingly make false statements or knowingly submit false information during the grievance process may be subject to disciplinary action up to and including expulsion from Rocketship or termination of employment.

Retaliation

Retaliation, including student-on-student (peer) retaliation, is prohibited against anyone reporting sex discrimination, filing a complaint or otherwise participating in a grievance process. Retaliation includes intimidation, threats, coercion, or discrimination against any person by Rocketship, a student, or an employee or other person authorized by the Rocketship to provide aid, benefit, or service under the Rocketship’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.

If Rocketship receives information about conduct that reasonably may constitute retaliation under Title IX or its regulations, Rocketship will initiate a grievance procedure pursuant to this Policy and abide the process set forth above.

Training

All Rocketship employees will be trained at the time of hire and annually on the (1) scope of conduct that constitutes sex discrimination under Title IX and its regulations; (2) obligations Rocketship has to address sex discrimination under Title IX and its regulations; and (3) employees’ reporting obligations.

In addition, Rocketship will ensure the Title IX Compliance and Civil Rights Officer, investigators, decision-makers, any person who handles appeals, any person who facilitates an informal resolution process, and any person with the authority to modify or terminate supportive measures receive training on the definition of sex discrimination, how to implement the grievance process, how to conduct an investigation (including appeals and informal resolution processes), and how to serve impartially (including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias).

Rocketship will ensure investigators and decision-makers receive training on the meaning and application of relevant and impermissible evidence. Rocketship also will ensure decision-makers receive training on evaluating evidence under the preponderance of the evidence standard.

Recordkeeping

Rocketship will maintain in a secure location for at least seven (7) years:

- all Title IX grievance procedures;
- all records related to a Title IX complaint, supportive measures, investigation, informal resolution, appeal, sanctions/remedies, and/or dismissal; and
- all materials used to train the Title IX Compliance and Civil Rights Officer, investigators, decision-makers, any person who handles appeals and any person who facilitates an informal resolution process.