



Title IX Complaint Process

Title IX is a federal law designed to ensure that students and employees are treated equally and fairly, and protects against discrimination based on sex (including sexual harassment). Texas Leadership Charter Academy (“TLCA” or the “School”) is committed to providing an adequate, impartial, and reliable response to complaints concerning potential Title IX violations.

A) Compliance Officer

TLCA designates the individual identified below as the employee responsible for coordinating the School’s efforts to comply with applicable state and federal civil rights law, including Title IX, and to oversee the handling of complaints alleging unlawful discrimination or bullying based on an individual’s sex (including sexual harassment).

Title IX Coordinator – Daniel Calhoun
District Director
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B) TLCA Responsibility

Title IX prohibits discrimination based on sex in educational programs and activities offered by recipients of federal funds. Thus, the School’s educational programs and activities must be operated in a nondiscriminatory manner. TLCA must protect against prohibited discrimination based on sex and against retaliation against any person for opposing an unlawful educational practice or policy, or making charges, testifying, or participating in any complaint action under Title IX.

C) Complaint and Investigation Process

1. Filing a Title IX Complaint

Complaints of discrimination based on sex (including sexual harassment) should be presented to the designated Compliance Coordinator. Complaints should be submitted in writing and signed by the complainant. If a complainant is unable or unwilling to put a complaint in writing, TLCA staff shall assist him/her in the filing of the complaint.

2. Timeline for Filing

A complaint alleging discrimination on the basis of sex (including sexual harassment) or retaliation must be filed no later than six months from the date of the discrimination or retaliation,

or six months from when the complainant first learned of the potential discrimination or retaliation. The Title IX Coordinator may extend this timeline for good cause, up on written request by the complainant setting forth the reasons for the extension.

3. Investigation

Following receipt of a complaint, the Compliance Coordinator or designee will appoint an investigator to the matter. TLCA will have the discretion to determine whether the investigator will be internal (a TLCA employee) or external (an individual outside of the TLCA community, such as an attorney), or a combination of both internal and external investigators.

In all stages of the investigation, TLCA will apply the preponderance of the evidence standard (more likely than not) when determining whether School policy has been violated.

Complaints will be investigated and a decision made within thirty (30) calendar days of TLCA's receipt; however, if the investigator determines that additional time is needed to complete a thorough investigation of the complaint, the investigator shall inform the complainant in writing of the necessity to extend the response time and provide a specific date by when the response will be issued.

The Compliance Coordinator may also informally discuss with the parties to the complaint the possibility of informal resolution. If the parties do not agree to informal resolution or if informal resolution does not resolve the complaint, TLCA will proceed with an investigation of the complaint.

The investigator will interview alleged victims, alleged offenders, and relevant witnesses. Both the complainant and respondent are permitted to provide names of potential witnesses or other persons with potential knowledge related to the complaint.

The investigator may also review available records, statements, or notes related to the complaint, including evidence or information received from the parties during the investigation. Both the complainant and the respondent are permitted to provide other relevant evidence to the investigator. Evidence includes facts or information presented in support of an assertion and may include text messages, email exchanges, social media exchanges, photographs, etc.

To the greatest extent possible, TLCA shall respect the privacy of the complainant, the respondent, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and to comply with applicable law.

4. Investigation Report

The investigator will produce a written report that contains the relevant information and facts learned during the investigation, and may include direct observations and reasonable inferences drawn from the facts and any consistencies or inconsistencies between the various sources of information. The investigator's report may also include credibility assessments based on the experience with the complainant, respondent, and witnesses, as well as the evidence provided.

The investigation report will be shared with the Compliance Coordinator or designee, who will review the report before it is finalized. The Compliance Coordinator or designee may request additional comment from the complainant, respondent, or witnesses, or identify other relevant information or evidence to assure the thoroughness and sufficiency of the investigation. When the report is finalized, the Compliance Coordinator or designee will deliver it to the complainant and the respondent.

5. Appeal

If the complainant or respondent is not satisfied with the final written investigation report, either the complainant or respondent may, within ten calendar days of receiving the final investigation report, file an appeal in writing with the Superintendent. The Superintendent or designee will meet with the appealing party and conduct a review of the investigation. The Superintendent or designee will issue a written appeal decision within fourteen calendar days of the written appeal.

If the appealing party is not satisfied with the Superintendent's response, he or she may file a written complaint to the TLCA Board of Directors. An appeal must be submitted within ten calendar days of receipt of the Superintendent's response. The appealing party will be informed of the date, time, and place of the Board meeting where the Board of Directors will consider the appeal. The Board of Directors shall hear the appealing party's complaint, and may set a reasonable time limit for presenting the complaint. The Board of Directors shall communicate its decision, if any, orally or in writing before or during the next regularly scheduled Board meeting. If no decision is made by the end of the next regularly scheduled Board meeting, the decision being appealed shall be upheld. The Board of Directors may not delegate its authority to issue a decision, and any decision by the Board of Directors is final and may not be appealed.

D) Alternate Complaint Process

An individual may also file a complaint of potential Title IX discrimination based on sex (including sexual harassment) with the U.S. Department of Education's Office for Civil Rights ("OCR"). For more information regarding filing a complaint with OCR, please see <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.