

Title IX of the Education Acts of 1972 prohibits sex discrimination in the following areas:

Sex-Based Harassment/Sexual Harassment (including Sexual Violence)

- unwelcome conduct of a sexual nature
- sexual violence
- gender-based harassment
- Student Sexual Harassment Policy and reporting procedures details (link to student handbook)

Recruitment, Admissions, and Counseling

- recruitment materials, admission forms, class or career selection materials, admission of students
- counseling services, brochures, materials

Financial Assistance

- procedures and practices for awarding financial assistance to students

Athletics

- requires nondiscriminatory participation based on student interests and abilities
- equal opportunities (equipment, supplies, training facilities, recruitment, support services, etc.)
- financial assistance

Marital or Family Status, Pregnant or Parenting Students

- different treatment on the basis of sex based on parental, family, or marital status
- exclusion in educational programs, or activities based on pregnancy, childbirth, false pregnancy
- lactating students must be provided reasonable accommodations

Discipline

- imposing consequences based on sex, gender identity, failing to conform to stereotypical binary expectations, etc.

Schools, Classes, and Extracurricular Activities

- providing education programs or activities separately on the basis of sex
- requiring or refusing participation by students on the basis of sex
- NOTE: The following are exceptions:

1. contact sports in physical education
2. classes or portions of classes...that deal primarily with human sexuality
3. non-vocational classes and extracurricular activities within a coeducational school if certain criteria are met.

For more detailed information refer to the [Title IX Resource Guide](#) from the [Office for Civil Rights](#).

Employment

- employment, recruitment, hiring, promotion, compensation, grants of leave, benefits
- consideration or selection for employment
- based on pregnancy or marital status

Retaliation

- against anyone who has reported, investigated, filed a complaint under Title IX

Your Rights Under Title IX

Pursuant to Education Code 221.8 you have the right to:

1. fair and equitable treatment and you shall not be discriminated against based on your sex.
2. be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. inquire of the athletic director or your school as to the athletic opportunities offered by the school.
4. apply for athletic scholarships.
5. receive equitable treatment and benefits in the provision of all of the following:
 - equipment and supplies
 - scheduling of games and practices
 - transportation and allowances
 - access to tutoring
 - coaching
 - locker rooms
 - practice and competitive facilities
 - medical and training facilities and services
 - publicity
6. have access to gender equity coordinator to answer questions regarding equity
7. contact the State Department of Education and the California Interscholastic Federation to

access information on gender equity laws.

8. file a confidential discrimination complaint with the United States Office for Civil Rights or the State Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
9. pursue remedies if you have been discriminated against.
10. protected against retaliation if you file a discrimination complaint.

Notice of Student Nondiscrimination/Notice of Nondiscrimination

HSHMC, Inc. is committed to making our schools free from unlawful discrimination and providing equal opportunities for all individuals in education. HSHMC, Inc. prohibits discriminatory practices whose purpose or effect has a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment. HSHMC, Inc. promotes programs that ensure that discriminatory practices are eliminated in all activities. Any student who engages in discrimination of another student or anyone from HSHMC, Inc. may be subject to disciplinary action up to and including expulsion.

Any employee who permits or engages in discrimination may be subject to disciplinary action up to and including dismissal. A student or parent/guardian who believes that discrimination has occurred may contact a School Chief for immediate resolution. A student or parent/guardian is not required to attempt resolution through the school site before contacting the Title IX Coordinator.

Filing a Report or Informal Complaint of Discrimination, Harassment, Intimidation, or Bullying Based on Sex

HSHMC, Inc. believes discrimination, harassment, intimidation and bullying issues may be resolved at the school site. As such, students, parents, or guardians may report any act of discrimination, harassment, intimidation or bullying based on sex by a student, staff member or third party directly to a School Chief for immediate resolution at the school site.

- **Investigation of Reports or Informal Complaints:** The responsible school official will conduct a prompt, thorough and impartial investigation into the complaint which will include, but is not limited to, interviewing the accuser and the accused, asking each to provide names of witnesses, interviewing potential witnesses, and gathering relevant evidence. When sex-based discrimination, harassment, intimidation, and bullying is reported, interim steps will be taken to stop harassment and protect the accuser from

further harassment pending outcome of the investigation and/or complaint. A thorough investigation is required to protect the accuser, afford due process to the accused, and to ensure resolution of the issue(s). A student, or parent or guardian, is not required to attempt resolution through the school site before contacting the Title IX Coordinator.

At any time during the process students, parents, or guardians, may contact the Title IX Coordinator to report or file an informal complaint directly with HSHMC, Inc. at:

Dr. Frederick Johnson, Board Chairperson
Health Sciences High & Middle College, Inc.
3910 University Avenue, Suite 100
San Diego, CA 92105
johnson3733@hotmail.com
619-528-9070
FAX: 619-528-9084

Procedures for Filing a Formal or Uniform Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance with the appropriate compliance officer designated above.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, HSHMC, Inc. staff shall help him/her to file the complaint (Title 5, Section 4600).

The complaint shall be presented to the School Chief or designee, who will then give it to the appropriate compliance officer. The School Chief or designee will maintain a log of complaints received, providing each with a code number and a date stamp.

Complaints alleging unlawful discrimination or gender bias may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

The Uniform Complaint may be mailed to or filed at:

Human Resources Office
Health Sciences High & Middle College, Inc.
3910 University Avenue
San Diego, CA 92105

- **Statute of Limitations** - Uniform complaints alleging discrimination, harassment, intimidation and bullying based on sex (including sexual harassment and sexual violence) must be filed no later than six months from the date the complainant first obtained knowledge of the facts of the alleged sexual harassment. The six-month period may be extended for good cause, not to exceed an additional 90 days.

- **Investigation of Uniform Complaints** – HSHMC, Inc. will undertake an effective, thorough, and objective investigation of the allegations and provide a written report within 60 days of the date of receipt of the Uniform Complaint. The report will include a summary of the facts, a decision on the complaint, reason for the decision and corrective actions (if applicable) that have or will be taken, including remedies for the victim. The complainant has the right to present witnesses and evidence.
- **Action** - If HSHMC, Inc. determines that its policies prohibiting discrimination, harassment, intimidation or bullying based on sex have been violated, disciplinary action, up to and including expulsion (for students) or dismissal (for employees) will be taken. Remedial actions which are designed to end the harassment, prevent its recurrence and address its effects on the harassed student, will be provided to the victim. Remedial action(s) will also be required of the school site.
- **Retaliation** – HSHMC, Inc. prohibits retaliation against any participant in the complaint process including witnesses. A separate Uniform Complaint may be filed if retaliation occurs against any individual involved in the processing of discrimination, harassment, or bullying complaint. Each complaint shall be investigated promptly and in a way that respects the privacy of all parties concerned. Follow up with the student will occur to ensure the harassment has stopped and that there is no retaliation.

A student or parent/guardian is not required to attempt resolution through the school site before contacting the School's Title IX Coordinator and/or filing a formal Uniform Complaint.