

## **General Non-Discrimination Policy**

The Academy's policy is to maintain an education and work environment which is free from all forms of unlawful harassment and discrimination. This commitment applies to all Academy operations, programs, and activities. All students, third-party contracted employees and staff assigned to work at or on behalf of the Academy including, but not limited to: administrators, teachers, instructional and non-instructional staff (hereinafter collectively referred to as "ESP employees/staff") and all staff provided by third-party contractors/vendors who provide services to the Academy and/or Academy students share responsibility for avoiding, discouraging, and reporting unlawful harassment and discrimination.

This policy applies to unlawful conduct occurring at school, during the Academy Educational Program and process including, but not limited to, the On-Line Learning System ("OLS"), Class Connects, email, telephone, in-person or virtual conferences with ESP employees and staff and third-party contractor/vendors, on any premises or equipment owned, leased or used by the Academy, in a motor vehicle owned or leased by the Academy or being used for a school-related purpose or at any Academy-related event, activity or function; traveling by any means to or from school or a school-related event, activity, or function; and in any location where the conduct has a sufficient connection to or with the Academy, ESP employees/staff, staff provided by third-party contractors/vendors, Academy students or Academy property that adversely and significantly affects, interferes with or endangers the good order of the educational program or environment at school, the proper functioning of the educational process; or non-school locations which are used for purposes of the educational program, Academy-related event, activity or function.

The Academy prohibits harassment and discrimination based on race, color, national origin, sex, including sexual orientation and transgender identity, disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other protected class that are protected by federal or state civil rights laws and encourages those within the Academy community, as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Academy Board will investigate all allegations of harassment and/or discrimination and in those cases where unlawful harassment and/or discrimination is substantiated. The Academy Board will take appropriate action reasonably calculated to stop the harassment and/or discrimination and prevent further such harassment and/or discrimination. Individuals who are found to have engaged in unlawful harassment and/or discrimination will be subject to disciplinary action if a student, removal or exclusion from the Academy if a contracted staff member or vendor, or censure or removal if a board member.

The Academy prohibits such harassment and discrimination whether occurring at school as defined above or at any Academy related program, activity or event.

"Discrimination" means an action based in whole or in part on a student's race, color, national origin, religion, sex, sexual orientation, gender identity, height, weight, marital status, military status, ancestry, age, genetic information or disability that are protected by federal or state civil rights laws, and encourages those within the Academy community, and third parties who feel that they have been discriminated against to file a complaint with a Civil Rights Compliance Officer listed below. In order to be the subject of redress under this Policy, the action must be found to be so severe or pervasive that it:

- affects the individual's ability to benefit from the educational program;

- creates an intimidating, threatening, or hostile educational environment
- has the effect of substantially or unreasonably interfering with an individual's academic performance; or
- otherwise adversely affects that individual's educational opportunities.

"Harassment" for purposes of this Policy, means any threatening, insulting, bullying or dehumanizing gesture, use of technology, or written, verbal or physical conduct or acts or other conduct that is threatening, harmful or humiliating that is sufficiently severe, pervasive or persistent so that it:

- affects the individual's ability to benefit from an educational program or activity;
- creates an intimidating, threatening or hostile educational environment;
- has the effect of substantially or unreasonably interfering with an individual's academic performance;
- otherwise adversely affects that individual's educational opportunities.
- has the effect of substantially disrupting the orderly operation of the Academy.

Harassment may include unwelcome verbal or physical conduct based on a protected class as identified above that has the purpose or effect of substantially interfering with a student's education or enjoyment of public services.

Any student or other individual who believes that s/he has been the victim of illegal discrimination or harassment may seek resolution of his/her complaint through either the informal or formal procedures described below. The Academy Board has designated the individuals named below to serve as the Academy's Compliance Officers with respect to all claims of discrimination or harassment, other than complaints alleging sexual harassment under Title IX.