



MEETING OF THE BOARD OF DIRECTORS

JULY 24, 2024 | 8 AM
MEETING ID: 611 336 0544
LOCATION: ZOOM

Board Members Present: Doreese Bull, Dawn Eubanks, Linda Kipatrick, Scott Solomon

Others Present: Kiara Allison, Paul Archibald, Leigh Botwinik, Olivia Burgess, Lissa Brutus, David Bryant, Kate Bayard, Kelly Davenport, Sheila Dattani, Nate Durant, Brian Galetto, Raquel Leach, Jilian Mackenzie, Robert Mansell, Johnny Mills, Nathan Moser, Kathleen O'Connell, Tanza Pugliese, Paul Ramirez, David Singleton, Clint Walker, Andrea Zepp, Nathan Yufer

Meeting Start, 8:03 AM

I. Public Comment

- a. **No public comment.**

II. Resolutions

- a. Review & Approve Amended Title IX Policy (Attachment 2)*
 - i. Leigh Botwinik reviews the Title IX Policy with the board.
 - ii. Leigh shares key changes to the Title IX surrounding the following:
 - A broader scope of prohibited sex discrimination; the final ruling indicates sexual orientation, gender identity, and gender expression among the protected aspects of "sex,".
 - A broader definition of sex-based harassment; Currently regulations prohibit sex-based discriminatory conduct only if it is "so severe, pervasive, and objectively offensive that it effectively denies a person equal access" to a school's educational programming or activities. Final ruling prohibits any "unwelcome sex-based conduct" that, in the totality of the circumstances, is subjectively and objectively offensive, and which is either so severe or so pervasive that it "limits or denies" participation in educational programming.
 - Conduct outside the U.S.; if conduct allegedly contributing to sex-based discrimination occurs outside the U.S. but in connection with a school's educational programs or activities, it may still form the basis of a complaint or grievance.
 - "Actual Knowledge" Notion; As of August 1, if a school has knowledge of conduct that may reasonably constitute sex discrimination, it must respond "promptly and effectively."
 - "Peer Retaliation" Notion; Final ruling defines retaliation broadly, and encompasses not only complainants but any other person whose rights or privileges under Title IX are being threatened, interfered with, or otherwise curtailed.
 - #116 "Title IX Policy (Students and Employees); The unified Title IX policy applies to both students and employees and includes all administrative procedures and Title IX protections for married, pregnant, and parenting students and employees.

- There is optional language providing amnesty where the School will generally not pursue disciplinary action against students for alcohol or drug offenses when information involving alcohol or drug use is revealed as part of a Title IX complaint or investigation.
- iii. Kelly Davenport shares concerns with the amnesty provision particularly in light of the younger population the school serves
 - iv. The Board deliberates the amnesty provision and decides to leave the language in the policy
 - v. Leigh shares the Freire Network Team will provide deeper understanding of the policy with heads of school at the next scheduled heads meeting to help them distribute the information to current and incoming staff, and will be scheduling training for the Title IX Coordinator and other employees who implement the policy as soon as an approved provider is available.
 - vi. Dawn Eubanks makes a motion to approve. Linda Kilpatrick seconds.
 - vii. Doreese Bull, Dawn Eubanks, Linda Kipatrick, and Scott Solomon vote in favor. There are no votes against and no abstentions.

Meeting Adjourned, 8:36 AM