

# NAVIGATOR POINTE ACADEMY

## TITLE IX GRIEVANCE PROCEDURES

### I. Purpose

Navigator Pointe Academy (NPA) is committed to maintaining an educational and working environment free from discrimination based on sex, including sexual harassment, as prohibited by Title IX of the Education Amendments of 1972 and applicable federal and state law.

NPA does not discriminate based on sex in its education programs or activities and prohibits sexual harassment and retaliation to the extent prohibited by Title IX and applicable law.

This policy shall be administered in accordance with Title IX, 20 U.S.C. § 1681 et seq., 34 C.F.R. Part 106, and applicable federal and Utah law.

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### II. Applicable Law and Scope

NPA shall comply with Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., its applicable implementing regulations, and other applicable federal and Utah law. Nothing in this policy limits NPA's authority or responsibility to address conduct under other applicable NPA policies or legal requirements.

Conduct that does not meet the definition or jurisdictional requirements for sexual harassment under applicable Title IX regulations may nevertheless be addressed under another applicable NPA policy or legal authority.

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### III. Definitions

**Actual Knowledge:** A notice of sexual harassment or allegations of sexual harassment to NPA's Title IX Coordinator or to an official of NPA who has authority to institute corrective measures on behalf of NPA.

**Advisor:** A person selected by a party to accompany and assist the party during the Title IX grievance process. An advisor may, but is not required to, be an attorney.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Formal Complaint:** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that NPA investigate the allegation of sexual harassment.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sex Discrimination:** Discrimination based on sex prohibited by Title IX or other applicable law.

**Sexual Harassment:** Conduct based on sex that satisfies one or more of the following:

1. An employee of NPA conditioning the provision of an aid, benefit, or service of NPA on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to NPA's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking, as defined by applicable federal law.

**Supportive Measures:** Free, non-punitive help given to people involved in a Title IX case to keep everyone safe and able to learn or work

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## IV. Title IX Coordinator

The Title IX Coordinator shall coordinate NPA's compliance with Title IX and perform other responsibilities required by applicable law.

### **Title IX Coordinator:**

Michelle Petrulsky  
Navigator Pointe Academy  
6844 South Navigator Drive  
West Jordan, Utah 84084

Phone: (801) 840-1210

Email: [mpetrulsky@npacademy.org](mailto:mpetrulsky@npacademy.org)

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## V. Training

NPA shall ensure that the Title IX Coordinator, investigators, decision-makers, and individuals facilitating informal resolution processes receive training required by applicable Title IX regulations and Utah law. Non-Discrimination Notice (R277-472-6 & R277-551-1) with Title IX Coordinator and Training Materials (34 C.F.R. 106.45 (b)(10)(i)(d)).

## **VI. Reporting and Formal Complaints**

Any individual may report sex discrimination or sexual harassment to NPA. Reports may be made to the Title IX Coordinator or through other reporting channels established by NPA.

An individual is not required to complete NPA's internal grievance process before filing a complaint with the U.S. Department of Education's Office for Civil Rights (OCR).

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## **VII. Response and Supportive Measures**

When NPA has knowledge of sexual harassment in its education program or activity against a person in the United States, The NPA Title IX Coordinator will respond as required by applicable Title IX regulations.

NPA may provide supportive measures to either or both parties, as appropriate and as required by law. Supportive measures will be designed to restore or preserve equal access to NPA's education program or activity without unreasonably burdening another party.

NPA will maintain the confidentiality of supportive measures to the extent possible and as required by applicable law. Additional procedures regarding supportive measures may be established in NPA administrative procedures or other implementation materials.

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## **VIII. Emergency Removal and Administrative Leave**

NPA may remove a student respondent from an education program or activity on an emergency basis when permitted by applicable Title IX regulations and other applicable laws.

Any emergency removal shall comply with applicable requirements concerning individualized safety and risk analysis and the respondent's opportunity to challenge the removal.

NPA may place a non-student employee respondent on administrative leave during the pendency of a Title IX grievance process, consistent with applicable law and NPA personnel policies.

Nothing in this section modifies rights available under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, Utah law, or other applicable law.

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## **IX. Privacy and Evidence Protections**

NPA shall comply with applicable Title IX requirements concerning legally recognized privileges, treatment records, confidentiality, and questions or evidence regarding a complainant's sexual predisposition or prior sexual behavior.

NPA shall not require, allow, rely upon, or otherwise use information protected from use under applicable Title IX regulations except as permitted by applicable law.

Detailed evidence and privacy procedures shall be maintained through administrative procedures or other implementation materials.

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## **X. Dismissal**

NPA shall dismiss a formal complaint or allegations for purposes of the Title IX grievance process when dismissal is required by applicable Title IX regulations.

Dismissal under the Title IX grievance process does not prevent NPA from addressing the underlying conduct under another applicable NPA policy or legal authority.

When a formal complaint or allegation is dismissed, NPA shall provide notice and appeal rights as required by applicable law.

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## **XI. Title IX Grievance Process**

NPA shall maintain and administer a grievance process for formal complaints of sexual harassment that complies with applicable Title IX regulations and other controlling law. The grievance process shall treat complainants and respondents fairly and provide the procedural protections required by applicable law.

The grievance process shall include, to the extent required by applicable law:

1. Written notice of the allegations and other required information;
2. A presumption that the respondent is not responsible for the alleged conduct unless and until a determination regarding responsibility is made;
3. An objective evaluation of relevant evidence, including inculpatory and exculpatory evidence;
4. Procedures designed to ensure that credibility determinations are not based on a person's status as a complainant, respondent, or witness;
5. Equal opportunities for the parties to present relevant evidence and witnesses, as required by law;
6. The opportunity for each party to have an advisor, as required by law;
7. Procedures for the inspection and review of evidence and other required investigative materials;
8. An investigator and decision-maker process that complies with applicable requirements concerning impartiality and conflicts of interest;
9. A written determination regarding responsibility containing the information required by applicable law;

10. Required notice of the determination to the parties;
  11. An appeal process as required by applicable Title IX regulations;
  12. Reasonably prompt timeframes for the conclusion of the grievance process, including procedures for temporary delays or extensions when permitted by law; and
  13. Other procedural protections required by applicable law.
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## **XII. Informal Resolution**

NPA may offer or facilitate an informal resolution process when permitted by applicable Title IX regulations. NPA shall not require participation in an informal resolution process when prohibited by applicable law.

A party may withdraw from an informal resolution process and resume the Title IX grievance process to the extent required or permitted by applicable law.

Detailed informal resolution procedures should be maintained through administrative procedures or other implementation materials.

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## **XIII. Standard of Evidence**

NPA shall apply the standard of evidence required or permitted by applicable Title IX regulations and established in NPA's administrative procedures

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## **XIV. Remedies and Discipline**

When a respondent is found responsible for conduct prohibited by Title IX, NPA shall act as required by applicable law. Remedies may include measures designed to restore or preserve a complainant's equal access to NPA's education program or activity and to address conduct found to have occurred.

Student discipline shall be imposed consistently with applicable law and NPA policies. Employee discipline shall be imposed consistently with applicable law and NPA personnel policies.

The Title IX Coordinator shall coordinate the implementation of remedies and other measures required under Title IX.

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## **XV. Appeals**

NPA shall provide both parties an equal opportunity to appeal a determination regarding responsibility or the dismissal of a formal complaint or allegation when required by applicable Title IX regulations. Appeals shall be available on the grounds required by applicable Title IX regulations.

Appeals must be submitted within the timeframe established by NPA's administrative procedures or applicable law. An appeal shall be decided by an impartial decision-maker who did not serve as the Title IX Coordinator, investigator, or original decision-maker, as required by applicable law.

Detailed appeal procedures shall be maintained through administrative procedures or other implementation materials.

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## **XVI. Timeframes and Delays**

NPA shall administer Title IX matters within reasonably prompt timeframes as required by applicable law. Temporary delays or extensions may occur for good cause when permitted by applicable law.

NPA shall provide notice of delays or extensions when required by applicable law.

Detailed timeframes and procedures for delays or extensions may be maintained through administrative procedures or other implementation materials consistent with applicable law.

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## **XVII. Retaliation**

NPA prohibits retaliation to the extent prohibited by Title IX and applicable law.

NPA shall not intimidate, threaten, coerce, or discriminate against an individual for the purpose of interfering with a right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in a manner protected by Title IX.

Allegations of retaliation shall be addressed as required by applicable Title IX regulations and other controlling laws.

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## **XVIII. Records**

NPA shall maintain records relating to Title IX matters for the period and in the manner required by applicable federal and state law.

NPA shall maintain records of Title IX matters, including records relating to investigations, determinations, appeals, informal resolutions, supportive measures, responses to reports, and training, to the extent and for the period required by applicable law.

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## **XIX. Notice and Dissemination**

NPA shall provide notice of its nondiscrimination obligations and the Title IX Coordinator's contact information as required by Title IX and applicable law.

This policy and other required Title IX information shall be made available to students, parents and guardians, employees, applicants for admission or employment, and other members of the NPA community as required by law.

NPA shall maintain required Title IX information on its website and through other means required by applicable law.

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## **XX. Utah Title IX Equity Requirements**

In accordance with applicable Utah State Board of Education (USBE) rules, NPA shall include and maintain policies providing that:

1. Fundraising shall equitably benefit males and females;
2. Males and females shall have reasonably equal access to facilities, fields, and equipment; and
3. School-sponsored activities shall be reasonably equal for males and females.

NPA shall administer these requirements in accordance with applicable federal and Utah law.

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## **XXI. Policy Administration**

The NPA Governing Board will review and revise this policy as necessary to maintain compliance with applicable federal and state law. The school director and Title IX Coordinator are authorized to establish and revise administrative procedures, forms, notices, and other implementation materials necessary to administer this policy, provided they are consistent with applicable law.



**Reviewed/Revised:** September 2026

**Board Approval:** September 17, 2026



## APPENDIX A

### Navigator Pointe Academy — Title IX Formal Complaint Form

*This is NPA's internal form for filing a formal complaint with the School under Section V.B of NPA's Title IX Grievance Procedures. It is provided for convenience use of this exact form is not required, but any formal complaint must be a signed, written document alleging sexual harassment and requesting that NPA investigate. This form is separate from, and is not a substitute for, filing a complaint with the U.S. Department of Education's Office for Civil Rights.*

#### 1. Complainant Information

Name: \_\_\_\_\_

Relationship to NPA (student/parent/employee):  
\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**If filing on behalf of a minor student, your name and relationship to the student:**

\_\_\_\_\_

#### 2. Respondent Information (if known)

Name: \_\_\_\_\_

Relationship to NPA:  
\_\_\_\_\_

#### 3. Description of the Allegations

Please describe, to the best of your knowledge: what happened; the date(s), time(s), and location(s); and the names of any witnesses. Attach additional pages if needed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**4. Requested Outcome**

What would you like NPA to do as a result of this complaint?

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**5. Supporting Documents**

- ☐ I have supporting documents or evidence to submit with this complaint (attached).
- ☐ I do not have supporting documents at this time.

**6. Certification and Signature**

I am requesting that Navigator Pointe Academy investigate the allegations described above. I understand that I will receive a copy of NPA's Title IX Grievance Procedures, that I may have an advisor of my choice throughout the process, and that retaliation for filing this complaint is prohibited.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Submit this form to:**

- Mrs. Michelle Petrulsky, Title IX Coordinator — [mpetrulsky@npcademy.org](mailto:mpetrulsky@npcademy.org)
- In person: NPA Front Office, 6844 South Navigator Drive, West Jordan, UT 84084