

SEXUAL HARASSMENT

Section 1: OVERVIEW SEXUAL HARASSMENT

1.1 Policy Statement: Title IX of the Education Amendments of 1972 is an anti-discrimination law that states no person in the United States, on the basis of sex, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. The policy of this board forbids discrimination against any employee or applicant for employment on the basis of sex. The board of education will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers who work subject to the control of school authorities.

1.2 Purpose: The Jackson Public School District (“JPSD” or the “District”) is committed to creating and maintaining a learning and working environment that is free from unlawful discrimination based on sex in accordance with Title IX, which prohibits discrimination on the basis of sex in education programs or activities and Title VII, which prohibits sex discrimination in employment. Sexual Harassment and Retaliation under this Policy will not be tolerated by the District and are grounds for disciplinary action, up to and including, permanent dismissal from the District and/or termination of employment. Additionally, reported sexual misconduct, harassment, and retaliation that does not meet the definitions and jurisdiction of this policy will be referred for review under the student or employee Code of Conduct.

1.3 Title IX Coordinator and Key Officials: JPSD has appointed an employee to serve as the Title IX Coordinator for the District. This person is authorized to coordinate the District’s compliance efforts under this law. The Title IX Coordinator is the JPSD administrator who oversees the District’s compliance with Title IX. The Title IX Coordinator is responsible for administrative response to reports and Formal Complaints of Sexual Harassment. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain the District’s policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to facilitate these responsibilities.

Any member of the JPSD community may contact the Title IX Coordinator with questions.

Title IX Coordinator contact information is as follows:

Title IX Coordinator¹
 Larrissa C. Moore, Esq.
 General Counsel/Title IX Coordinator
 Office of the General Counsel
 662 S. President Street
 Jackson, Mississippi 39201
 Telephone: (601) 960-8916
 E-mail: titleix@jackson.k12.ms.us

¹ This Policy is not updated if/when the Title IX Coordinator changes. The online information for name, location, and contact information for the Title IX Coordinator will be updated if a change is made. Additionally, anyone may contact a school building administrator to learn the contact information for the Title IX Coordinator.

In addition to the Title IX Coordinator, the District appoints investigators, decision makers and informal resolution facilitators who have roles in the formal grievance process more fully explained in this policy.

The Title IX Coordinator, investigators, decision-makers, and informal resolution facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on sex stereotypes and will provide impartial investigations and adjudications of Formal Complaints of Sexual Harassment. All materials used to train these administrators will be publicly made available on the District's website in accordance with Title IX requirements.

The Title IX Coordinator, Deputy Title IX Coordinator(s), if applicable, investigators, decision-makers, and informal resolution facilitators shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

1.4 Notification: JPSD will use email and U.S. Certified Mail to parties/parents/advisors for purposes of communication and notification under this Policy.

1.5 Dissemination of Policy: This Policy will be made available to all District administrators, faculty, staff, and students online at: <https://www.jackson.k12.ms.us/Domain/1370> and in the JPSD student handbook and any employee handbook of operating procedures.

1.6 Amnesty: The District strongly encourages students to report incidents violating the policy related to discrimination, harassment, sexual harassment, and related inappropriate conduct. The District's primary concern is the safety of the members of the school District community, and it encourages behavior that demonstrates care and concern for members of the community. Accordingly, the school District reserves the right to provide a reprieve from disciplinary actions for Complainants and other individuals who exhibit responsible and proactive behavior in reporting Sexual Harassment, sexual misconduct, sexual violence, or other prohibited conduct or for students acting as a witness during the formal grievance procedures. The District may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

1.7 Role of Parent or Guardian: Nothing in this Policy may be read in derogation of any legal right of a parent or guardian to act on behalf of a "Complainant," "Respondent," "party," or other individual, subject to this Policy including but not limited to filing a Formal Complaint.

1.8 Role of Advisor: Either party may be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. However, neither party's advisor will be permitted to question witnesses. Neither party's advisor may participate in interviews or meetings in which the represented party is not a participant.

1.9 Other School District Policies: This Policy takes precedence over other District policies and procedures concerning Sexual Harassment under Title IX in the event of conflict.

1.10 Modification and Review of this Policy: JPSD reserves the right to modify this Policy to consider applicable legal requirements. The District will regularly review this Policy to determine whether modifications should be made.

1.11 Additional Code of Conduct or JPSD Policy Violations: Alleged violations of the student or employee Code of Conduct that arise from the same events as alleged

Sexual Harassment under this Policy will be investigated and resolved under the grievance process in this Policy unless the Sexual Harassment has been dismissed under this Policy.

Section 2: DEFINITIONS

2.1 Definitions of Prohibited Conduct Under this Policy²

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity³; or
- (3) Sexual Assault, Dating Violence, Domestic Violence or Stalking as defined in this Policy.

Sexual Assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, including Rape, Fondling, Incest, and Statutory Rape as defined in this Policy.

Rape⁴ means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.

Fondling⁵ means the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental incapacity.

² See Section 7 of this Policy for Mississippi State Laws related to this Policy.

³ A severe, pervasive, and objectively offensive assessment includes, but is not limited to, a consideration of the frequency of the offensive conduct, the nature of the unwelcome sexual acts or words, such as whether the harassment was physical, verbal or both; whether the harassment was merely an offensive utterance; and the number of victims involved and the relationship between the parties including, but not limited to, the ages of the harasser and the victim. In evaluating whether conduct is severe, pervasive, and objectively offensive, JPSPD will look at the totality of the circumstances, expectations and relationships.

⁴ Rape as defined in the Uniform Crime Reporting Program (UCR) includes:

Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: —To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

⁵ Fondling is referred to as Forcible Fondling in the UCR.

Incest⁶ means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape⁷ means sexual intercourse with a person who is under the statutory age of Consent.

Dating Violence means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship,
- The type of relationship,
- The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Domestic Violence includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of Mississippi, or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Mississippi.

Stalking means engaging in a Course of Conduct directed at a specific person that would cause a Reasonable Person to—

- fear for his or her safety or the safety of others; or
- suffer Substantial Emotional Distress.

2.2 Definitions Related to Sexual Harassment: Consent, Course of Conduct, Incapacitation, Reasonable Person, Substantial Emotional Distress

Consent means words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion, by ignoring or acting in spite of objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent.

⁶ Incest is a Nonforcible Offense in the UCR.

⁷ Statutory Rape is a Nonforcible Offense in the UCR.

Course of Conduct means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Incapacitation means that a person lacks the ability to actively agree to sexual activity because the person is asleep, unconscious, under the influence of alcohol or other drugs such that the person does not have control over their body, is unaware that sexual activity is occurring, or their mental, physical or developmental abilities render them incapable of making rational informed decisions. Incapacitated is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking, using drugs, or taking medication.

A person violates this policy when they engage in sexual activity with another person who is Incapacitated and a Reasonable Person in the same situation would have known that the person is Incapacitated. Incapacitation can be voluntary or involuntary.

Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

Reasonable Person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

2.3 Other Defined Terms

Actual Knowledge means Notice of Sexual Harassment allegations to any employee of the District (Officials with Authority), except that Actual Knowledge is not met when the only individual with Actual Knowledge is the Respondent.

Business Day means any weekday not designated by the District as a holiday or administrative closure day. When calculating a time period of Business Days specified in this Policy, the Business Day of the event that triggers a time period is excluded.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Complainants and Respondents are referred to collectively as "parties" throughout this Policy.

Disciplinary Sanctions are imposed only after a finding of responsibility through the grievance process or an agreement through the informal resolution process.

Education Program or Activity includes locations, events, or circumstances over which the District exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs. This includes conduct that occurs on JPSD property, during any District activity.

Formal Complaint means a document filed by a Complainant (or parent or guardian of the parent) or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the District investigate the allegation of Sexual Harassment.

Official with Authority means any employee of the District.

Remedies are designed to restore or preserve equal access to the District's Education Program or Activity. Remedies may include, but are not limited to, the same individualized services as Supportive Measures; however, Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. Complainants and Respondents are referred to collectively as "parties" throughout this Policy.

Retaliation means intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX or this Policy.

Supportive Measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

Such measures are designed to restore or preserve equal access to the District's Education Programs or Activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the property, and other similar measures.

Section 3: INDIVIDUALS AND CONDUCT COVERED

These policies apply to all students and employees of the District, and third parties, persons hired to provide contracted services, and persons volunteering at school activities.

Applicability: This Policy applies to students and employees as follows:

To Students: Where the Respondent is a student at the District at the time of the alleged conduct, the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in the District's Education Program and Activity and the alleged conduct occurs against a person in the United States.

To Employees: Where the Respondent is an employee at the District at the time of the alleged conduct, where the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in the District's Education Program and Activity and the alleged conduct occurs against a person in the United States.

Conduct prohibited by these policies is unacceptable in all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs occur on campus, on a bus, or at another location away from campus. Individuals who violate these policies will be subject to disciplinary action, up to and including suspension or expulsion (if a student) or suspension or termination of employment (if any employee), and in egregious situations, law enforcement officials will be notified as required by law.

Section 4: REPORTING

Any person may report sex discrimination or Sexual Harassment regardless of whether the person is the alleged victim. These reports may be made in person, by mail, by telephone, or email to the Title IX Coordinator, or by any other means that results in receipt by the Title IX Coordinator. Actual notice of sexual harassment is notice of sexual harassment or allegations of sexual harassment made to any employee.

Consistent with Title IX, a school must respond when:

1. The school has actual knowledge of sexual harassment;
2. That occurred within the school's education program or activity; and
3. Against a person in the United States.

Nothing in this policy or any other policy impedes or precludes a student, the student's parents, a school employee, or school officials from directly reporting to law enforcement officials any behavior that constitutes a violation of criminal law or any applicable laws.

It is prohibited to knowingly make a false discrimination, harassment, or retaliation report or provide false information in an investigation. Individuals who knowingly file a false or misleading complaint alleging harassment, discrimination or retaliation or provide false information in an investigation are subject to appropriate disciplinary actions.

Section 5: RETALIATION

The District encourages reporting all incidents of discrimination or harassment. Neither the District nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Policy.

Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy does not constitute Retaliation prohibited under Policy. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

The District must keep confidential the identity of a person who complains of or reports sexual harassment, including parties and witnesses, except as permitted by law to carry out the purpose of the regulations. 34 C.F.R. § 106.71

Retaliation against an individual for reporting harassment or discrimination or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this Policy and, like harassment or discrimination itself, will subject an individual to disciplinary action.

Section 6: Records

The District will maintain all of the documentation related to reports of Sexual Harassment, Formal Complaints, the grievance process, and information resolution process for seven (7) years in accordance with state and federal records laws and requirements.

This includes, but is not limited to,

1. Investigative Records
2. Disciplinary Records
3. Remedies
4. Appeals
5. Records of action taken including supportive measures

The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws, and included in the employee's official employment record.

The District must also retain for seven (7) years any materials used to train Title IX Coordinators, investigators, decision-makers, and any employee designated to facilitate an informal process. Training materials will also be posted on the District website.

Section 7: State Law Definitions Related to this Policy

Miss. Code Ann. § 97-3-7 - Domestic Violence

1. A person is guilty of simple assault if he (a) attempts to cause or purposely, knowingly or recklessly causes bodily injury to another; or (b) negligently causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or (c) attempts by physical menace to put another in fear of imminent serious bodily harm;
2. A person is guilty of aggravated assault if he (a) attempts to cause serious bodily injury to another, or causes such injury purposely, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; or (b) attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm;
3. A person is guilty of simple domestic violence who commits simple assault as described in subsection (1) of this section against a current or former spouse or a child of that person, a person living as a spouse or who formerly lived as a spouse with the defendant or a child of that person, other persons related by consanguinity or affinity who reside with or formerly resided with the

defendant, a person who has a current or former dating relationship with the defendant, or a person with whom the defendant has had a biological or legally adopted child;

4. A person is guilty of aggravated domestic violence who commits aggravated assault as described in subsection (2) of this section against a current or former spouse or a child of that person, a person living as a spouse or who formerly lived as a spouse with the defendant, other persons related by consanguinity or affinity who reside with or formerly resided with the defendant or a child of that person, a person who has a current or former dating relationship with the defendant, or a person with whom the defendant has had a biological or legally adopted child;
5. "Dating relationship" means a social relationship as defined in Section 93-21-3: a social relationship of a romantic or intimate nature between two (2) individuals; it does not include a casual relationship or ordinary fraternization between two (2) individuals in a business or social context.

Whether a relationship is a "dating relationship" shall be determined by examining the following factors:

- i. The length of the relationship;
- ii. The type of relationship; and
- iii. The frequency of interaction between the two (2) individuals involved in the relationship.

Miss. Code Ann. § 97-5-23 - Fondling

1. Any person above the age of eighteen (18) years, who, for the purpose of gratifying his or her lust, or indulging his or her depraved licentious sexual desires, shall handle, touch or rub with hands or any part of his or her body or any member thereof, or with any object, any child under the age of sixteen (16) years, with or without the child's consent, or a mentally defective, mentally incapacitated or physically helpless person as defined in Section 97-3-97 , shall be guilty of a felony
2. Any person above the age of eighteen (18) years, who, for the purpose of gratifying his or her lust, or indulging his or her depraved licentious sexual desires, shall handle, touch or rub with hands or any part of his or her body or any member thereof, any child younger than himself or herself and under the age of eighteen (18) years who is not such person's spouse, with or without the child's consent, when the person occupies a position of trust or authority over the child shall be guilty of a felony

Miss. Code Ann. § 97-3-65 - Forcible Sexual Intercourse (Rape)

(4)(a) Every person who shall have forcible sexual intercourse with any person, or who shall have sexual intercourse not constituting forcible sexual intercourse or statutory rape with any person without that person's consent by administering to such person any substance or liquid which shall produce such stupor or such imbecility of mind or weakness of body as to prevent effectual resistance, upon conviction, shall be imprisoned for life in the State Penitentiary if the jury by its verdict so prescribes; and in cases where the jury fails to fix the penalty at life imprisonment, the court shall fix the penalty at imprisonment in the State Penitentiary for any term as the court, in its discretion, may determine.

(7) For the purposes of this section, "sexual intercourse" shall mean a joining of the sexual organs of a male and female human being in which the penis of the male is inserted into the vagina of

the female or the penetration of the sexual organs of a male or female human being in which the penis or an object is inserted into the genitals, anus or perineum of a male or female.

Miss. Code Ann. § 97-29-27 – Incest

If any person shall marry within the degrees prohibited by law, he shall be guilty of incest.

See Also, Miss. Code Ann. § 93-1-1 – Marriage

1. The son shall not marry his grandmother, his mother, or his stepmother; the brother his sister; the father his daughter, or his legally adopted daughter, or his grand-daughter; the son shall not marry the daughter of his father begotten of his stepmother, or his aunt, being his father's or mother's sister, nor shall the children of brother or sister, or brothers and sisters intermarry being first cousins by blood. The father shall not marry his son's widow; a man shall not marry his wife's daughter, or his wife's daughter's daughter, or his wife's son's daughter, or the daughter of his brother or sister; and the like prohibition shall extend to females in the same degrees. All marriages prohibited by this subsection are incestuous and void.

Miss. Code Ann. §97-3-95 - Sexual Battery

1. A person is guilty of sexual battery if he or she engages in sexual penetration with:
 - a. Another person without his or her consent;
 - b. A mentally defective, mentally incapacitated or physically helpless person;
 - c. A child at least fourteen (14) but under sixteen (16) years of age, if the person is thirty-six (36) or more months older than the child; or
 - d. A child under the age of fourteen (14) years of age, if the person is twenty-four (24) or more months older than the child.
2. A person is guilty of sexual battery if he or she engages in sexual penetration with a child under the age of eighteen (18) years if the person is in a position of trust or authority over the child including without limitation the child's teacher, counselor, physician, psychiatrist, psychologist, minister, priest, physical therapist, chiropractor, legal guardian, parent, stepparent, aunt, uncle, scout leader or coach.

Miss. Code Ann. §97-3-107 - Stalking and Aggravated Stalking

(1)(a) Any person who purposefully engages in a course of conduct directed at a specific person, or who makes a credible threat, and who knows or should know that the conduct would cause a reasonable person to fear for his or her own safety, to fear for the safety of another person, or to fear damage or destruction of his or her property, is guilty of the crime of stalking.

(2)(a) A person who commits acts that would constitute the crime of stalking as defined in this section is guilty of the crime of aggravated stalking if any of the following circumstances exist:

- i. At least one (1) of the actions constituting the offense involved the use or display of a deadly weapon with the intent to place the victim of the stalking in reasonable fear of death or great bodily injury to self or a third person;
- ii. Within the past seven (7) years, the perpetrator has been previously convicted of stalking or aggravated stalking under this section or a substantially similar law of another state, political subdivision of another state, of the United States, or of a federally recognized Indian tribe, whether against the same or another victim; or

- iii. At the time of the offense, the perpetrator was a person required to register as a sex offender pursuant to state, federal, military or tribal law and the victim was under the age of eighteen (18) years.

(3) For the purposes of this section:

- a. "Course of conduct" means a pattern of conduct composed of a series of two (2) or more acts over a period of time, however short, evidencing a continuity of purpose and that would cause a reasonable person to fear for his or her own safety, to fear for the safety of another person, or to fear damage or destruction of his or her property. Such acts may include, but are not limited to, the following or any combination thereof, whether done directly or indirectly:
 - i. following or confronting the other person in a public place or on private property against the other person's will;
 - ii. contacting the other person by telephone or mail, or by electronic mail or communication as defined in Section 97-45-1; or
 - iii. threatening or causing harm to the other person or a third party.
- b. "Credible threat" means a verbal or written threat to cause harm to a specific person or to cause damage to property that would cause a reasonable person to fear for the safety of that person or damage to the property.
- c. "Reasonable person" means a reasonable person in the victim's circumstances.

Miss. Code Ann. §97-3-65 - Statutory Rape

- 1. The crime of statutory rape is committed when:
 - a. Any person seventeen (17) years of age or older has sexual intercourse with a child who:
 - i. Is at least fourteen (14) but under sixteen (16) years of age;
 - ii. Is thirty-six (36) or more months younger than the person; and
 - iii. Is not the person's spouse; or
 - b. A person of any age has sexual intercourse with a child who:
 - i. Is under the age of fourteen (14) years;
 - ii. Is twenty-four (24) or more months younger than the person; and
 - iii. Is not the person's spouse.

SOURCE: Jackson Public School District, Jackson, Mississippi
 DATE: November 10, 2020
 REVIEWED: January 11, 2022
 AMENDED: February 1, 2022
 LEGAL REF: 1972 Education Amendments Title VII and Title IX, Violence Against Women Act, 34 U.S.C. 12291(a)
 CROSS REF: Policies GAAF – Equal Opportunity Employment
 GAE – Complaint Policy/Line and Staff Relations