

Except from the Aspen Academy Employee Handbook, July 1, 2021

Anti-Discrimination Policy

Aspen Academy is a community that values and celebrates differences in learning, culture, race, ethnic origin, religion, sex, physical abilities, sexual orientation and gender identity. Because of these values, no student will be denied any educational opportunity or subjected to discrimination on the basis of race, color, sex, sexual orientation, religion, national or ethnic origin, age, gender identity, physical abilities or any other legally protected class. In order to provide a positive and welcoming environment for all members of the community, certain guidelines for appropriate behavior need to be recognized and practiced by each member of the community. Discrimination or harassment, either verbal or physical, disregards the feelings of others and is demeaning. Any such behavior will not be tolerated.

Policy Against Workplace Harassment

Aspen Academy has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age (40 or older), sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related conditions), race (including hair texture, hair type, or a protective hairstyle commonly or historically associated with race, such as braids, locks, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps), national origin, disability, creed, religion, genetic information, ancestry, military or veteran status, or any other status protected by federal, state, or local laws. All forms of harassment of, or by, employees, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors;
- Lewd or derogatory comments or jokes;
- Comments regarding sexual behavior or the body of another;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the School or any government agency;
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and

- Any unwanted physical touching or assaults, or blocking or impeding movements.

Other Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion towards an individual because of the individual's age (40 or older), sex, sexual orientation (including transgender status, gender identity or expression), pregnancy (including childbirth, lactation, and related conditions), race (including hair texture, hair type, or a protective hairstyle commonly or historically associated with race, such as braids, locks, twists, tight coils or curls, cornrows, Bantu knots, Afros, and headwraps), national origin, disability, creed, religion, genetic information, ancestry, military or veteran status, or any other status protected by federal, state, or local laws.

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility toward an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

How to Respond to Discrimination or Harassment

First, to the extent you feel comfortable, safe and able to do so, let the offending person or the group know you want the behavior to stop. This applies when the discriminatory conduct or harassment is directed at you and when it is directed at someone else. If you are comfortable, firmly say NO or tell them to STOP. Directly look at them with a straight face and give them a clear message about how you feel. Second, report the incident immediately to a teacher or staff member who will inform our Title IX Coordinator. You may also report the incident to the school's Title IX Coordinator, Lynda Sailor. She can be reached at: 303-346-3500, or lynda.sailor@aspencademy.org. The coordinator oversees the school's response to reports and complaints that involve possible discrimination or harassment, including sexual harassment.

How the School will Respond to Reports of Discrimination or Harassment

Any time there is a report of student- to- student discrimination, including harassment, or a staff or faculty member witnesses student discrimination, including harassment, the school will respond in the following way:

1. The review team will be notified. The review team includes faculty members who have received additional training to respond to discrimination. The review team will contact the reporting person (student, parent, teacher or faculty member) and ask that person for information about the report and the conduct at issue. The school will contact the parents of the students involved and let them know that a report has been made.
2. The school will investigate. The investigation may be conducted by the review team, some other faculty or administrators at the school or by a third party designated by the school. Whether

discrimination has occurred in any particular circumstance will be evaluated in light of all the facts, including considerations such as (i) the ages and maturity levels of the students, (ii) the history and relationship among the parties and (iii) the positions and roles of the parties, e.g., teacher, administrator, supervisor, subordinate, volunteer, parent, child, sibling or student leader of an athletic team, club or other activity. The investigation will begin immediately and will be completed promptly.

3. After completing the investigation, the review team will report to each involved family, stating whether the allegations were substantiated and whether they appear to be violations of school policy. The consequences and disciplinary measures issued to other students will generally not be disclosed.
4. If allegations are substantiated and if they violate school policy, the school will take prompt, appropriate, formal or informal action. Appropriate actions may include but are not limited to counseling, awareness training, parent-teacher conferences, warning, suspension and/or expulsion. In determining what is an appropriate response, the school will consider:
 - What response is most likely to end any ongoing harassment;
 - Whether a particular response is likely to deter similar future conduct by the harasser or others;
 - The amount and kind of harm suffered by the victim of the harassment; and
 - The prior conduct and disciplinary history of the party who engaged in the harassing conduct.

Confidentiality

The school will endeavor to keep confidential all reports of harassment or discrimination. However, in investigating and responding to discrimination and harassment, it may be necessary for the school to share information related to the allegations. The school will respect the privacy of the complainant, the individuals against whom the complaint is filed and the witnesses as much as possible consistent with the school's obligation to investigate and take appropriate action. In addition, the staff and faculty are mandatory reporters under Colorado law. If we reasonably suspect that discriminatory conduct or harassment of a student rises to the level of child abuse or neglect, the school, consistent with its legal obligations, will report such conduct to local authorities or law enforcement.

Retaliation Prohibited

Submission of a good faith complaint or report of discrimination including sexual harassment or other forms of harassment will not affect the complainant or reporter's grades, learning environment or opportunities at Aspen Academy. The school will discipline or take appropriate action against any student, teacher or staff member who retaliates against someone who reports an incident of alleged discrimination or harassment, or any person who participates in an investigation relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.