



Book	District Policy
Section	G - Personnel
Title	Sexual Harassment
Code	GBAA
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Sexual Harassment

The District is committed to a learning and working environment that is free from sexual harassment. Sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws that prohibit sex discrimination.

It shall be a violation of policy for any member of the District staff to harass another staff member or student through conduct or communications of a sexual nature. Any conduct of a sexual nature directed toward students by teachers or others to whom this policy applies shall be presumed to be unwelcome. Sexual harassment committed by an employee of the District in the course of employment shall be deemed a breach of duty, and as such, shall subject the offending employee to disciplinary action. This policy similarly applies to non-employee volunteers or any other persons who work subject to the control of school authorities.

Sexual Harassment Prohibited

For purposes of this policy, unwelcome sexual advances, requests for sexual favors or other unwelcome conduct of a sexual nature constitutes sexual harassment if:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development.
- Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.
- The prohibition against sexual harassment applies whether the harassment is between people of the same or different gender.

Sexual harassment as defined above may include but is not limited to:

- Sex-oriented verbal "kidding," abuse or harassment.
- Pressure for sexual activity.
- Repeated remarks to a person with sexual, threatening or demeaning implications.
- Un-welcomed touching, such as patting, pinching, or brushing against another's body.
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status or similar personal concerns.
- Visual harassment such as derogatory or offensive posters, cards, letters, any electronic communication and/or attachments, cartoons, graffiti, drawings.
- Sexual violence.

Reporting, Investigation, and Sanctions

It is the express desire of the District to encourage victims of, or witnesses to, sexual harassment to report such claims through the District's complaint process (AC-R).

Sexual harassment cannot be investigated or corrected by the District until the District is made aware of such harassment. Therefore, the District encourages victims of, or witnesses to, sexual harassment to report such claims to their Supervising Administrator or Human Resources Department through the District's complaint process.

Employees who feel that their Supervising Administrators are predicating promotions, increases in wages, continuation of employment or other terms or conditions of employment upon agreement to conduct of a sexual nature, are encouraged to report these conditions to the appropriate District Administrator or to a Human Resources Department.

All reports of sexual harassment received by any district employee shall be promptly forwarded to the compliance officer (AE-E-1). The compliance officer shall ensure that every complaint is promptly investigated and responded to as set forth in the District's complaint and compliance process (AC-R). No reprisals or retaliation shall be allowed to occur as a result of the good faith reporting of charges of sexual harassment. Requests for confidentiality shall be honored so long as doing so does not preclude the District from responding effectively to the harassment and preventing future harassment. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred shall be investigated.

Any employee found to have engaged in sexual harassment shall be subject to sanctions subject to applicable procedural requirements including, but not limited to, warning or reprimand, suspension, or dismissal.

Conduct of a sexual nature directed toward students shall be reported as child abuse for investigation by appropriate authorities.

Reporting sexual harassment shall not reflect upon the individual's status or affect future employment or work assignments. All matters involving the reporting of sexual harassment shall remain confidential to the extent possible.

Notice of Policy

Notice of this policy shall be circulated to all District schools and departments.

Legal:

42 U.S.C. §2000 e et seq. (Title VII of the Civil Rights Act of 1964)

20 U.S.C. §1681 et seq. (Title IX of the Education Amendments of 1972)

C.R.S. 24-34-301 et seq.

C.R.S. 24-34-401 et seq.