File: GBAA

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 which prohibit sex discrimination.

It will 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 or communication 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 will be deemed a breach of duty, and as such, will 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 the Purposes of this policy, and pursuant to Title IX of the Education Amendments of 1972, unwelcome sexual advances, requests for sexual favors, or other unwelcome physical or verbal conduct or communication of a sexual nature constitutes sexual harassment if, under the totality of the circumstances:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual;

3. 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:

1. Sex-oriented verbal "kidding," abuse or harassment;

2. Pressure for sexual activity;

3. Repeated remarks to a person with sexual implications;

4. Unwelcome touching, such as patting, pinching or constant brushing against another's body;

5. Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, employment status or similar personal concerns;

6. Sexual violence.

Reporting, investigation and sanctions

It is the express desire of the Board to encourage victims of, or witnesses to, sexual harassment to report such claims through the district's complaint process (AC-R-3).

Employees who feel that their superiors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon agreement to unwelcome conduct of a sexual nature, are encouraged to report these conditions to the appropriate administrator or to the district's compliance officer.

All reports of sexual harassment received by any district employee will be promptly forwarded to the compliance officer (AC-E-1). The compliance officer will ensure that every complaint is promptly investigated and responded to as set forth in the district's complaint and compliance process (AC-R-3). No reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment or participation in an investigation. Requests for confidentiality will be honored so long as doing so does not preclude the district from responding effectively to the harassment and preventing such conduct in the future.

Any employee found to have engaged in sexual harassment will be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination, subject to applicable procedural requirements. Conduct of a sexual nature directed toward students will, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities in conformity with policy JLF.

Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status or affect future employment or work assignments. All matters involving sexual harassment complaints will remain confidential to the extent possible.

Notice of policy

Notice of this policy will be circulated to all district schools and departments and incorporated in employee handbooks.

Adopted: December 13, 1988
Revised: February 2009
Revised: April 19, 2016
Revised: October 17, 2023

Revised: September 17 2024
Revised: May 20 2025

LEGAL REFS.: 20 U.S.C. §1681 *et seq. (Title IX of the Education Amendments of 1972)*
42 U.S.C. §2000e *et seq. (Title VII of the Civil Rights Act of 1964)*
C.R.S. 24-34-301 *et seq. (Colorado Civil Rights Division procedures)*
C.R.S. 24-34-301 *et seq. (discrimination or unfair employment practices)*

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
JLF, Reporting Child Abuse/Child Protection