File: JBB

Sexual Harassment

The Board recognizes that sexual harassment can interfere with a student's academic performance and emotional and physical well-being and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination and thus is a violation of the laws that prohibit sex discrimination, as addressed in the Board's policy concerning unlawful discrimination and harassment.

District's commitment

The district is committed to maintaining a learning environment that is free from sexual harassment. It is a violation of policy for any staff member to harass students or for students to harass other students through conduct or communications of a sexual nature, or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation.

Sexual Harassment Defined

Pursuant to Title IX of the Educational Amendments of 1972, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severs, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking.

Reporting, Investigation, and Sanctions

Students are encouraged to report all incidents of sexual harassment to either a teacher, counselor, or principal in their school building and file a complaint, through the district's complaint process addressing sex-based discrimination. All reports and indications from students, district employees, and third parties must be forwarded to the Title IX Coordinator.

The district will initiate and conduct an investigation in accordance with the appropriate procedures addressing sex-based discrimination and sexual harassment (AC-R-3: Sexual Harassment Investigation Procedures). If the district determines an act does not qualify as sexual harassment under Title IX, it may still qualify as sexual harassment under state law and district policy, in which case the district will continue the investigation in accordance with the appropriate procedures (AC-R-1: students or AC-R-2: applicants, staff, and members of the public).

All matters involving sexual harassment reports must remain confidential to the extent possible as long as doing so is in accordance with applicable law and policy and does not preclude the district from responding effectively to the harassment or preventing future harassment. Filing a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status or affect grades.

The district will take appropriate corrective action to make the harassed student whole by restoring lost educational opportunities, prevent harassment from recurring, or prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation. A formal report or finding of harassment will not be required before the district takes corrective action.

Notice and training

To reduce discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy and complaint procedures to all district schools and departments. All communications regarding this policy must be written in simple and age-appropriate language. The policy and complaint procedures must be referenced in student and employee handbooks, described in hard-copy notices posted at schools, and otherwise be made available to all students, staff, and members of the public through electronic or hard-copy distribution.

All students and district employees will receive periodic training related to recognizing and preventing sexual harassment. District employees must receive additional periodic training related to handling reports of sexual harassment. Training materials are available to the public on the district's website.

Adopted: April 19, 2016
Revised: August 18, 2020
Revised: October 17, 2023
Revised: September 17 2024
Revised: May 20 2025

LEGAL REF.: 20 U.S.C. 1681 *et seq. (Title IX of the Education Amendments of 1972)*
C.R.S. 22-32-109 (1)(ll) *(Board duty to adopt written policies prohibiting discrimination)*
C.R.S. 24-34-402(1.3)(a) *(definition of "harass" in employment practices)*

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
AC-R-1, Harassment and Discrimination Investigation Procedures for Students
AC-R-2, Harassment and Discrimination Investigation Procedures for Applicants, Staff, and Members of the Public
AC-R-3, Sexual Harassment Investigation Procedures
AC-E-1, Nondiscrimination/Equal Opportunity (Sample Notice)
JLF, Reporting Child Abuse/Child Protection