

## **Harassment of Students**

The Board of Education is committed to maintaining a learning environment for students that is free from harassment based on an individual's race, color, religion, national origin, sex or disability. All such harassment, by district employees, students and third parties, is strictly prohibited.

Harassment based on race, color, religion, national origin, sex or disability will be regarded as a violation of this policy when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of a student's education; (2) submission to or rejection of such conduct is used as the basis for educational decisions affecting the student; or (3) such conduct has the purpose or effect of adversely affecting a student's ability to participate in or benefit from district program(s), or of creating an intimidating, hostile or offensive educational environment.

Harassment based on race or color can include unwelcome, hostile and offensive verbal, written, or physical conduct based on or directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs and negative references to racial customs.

Harassment based on religion can include unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at the characteristics of a person's religion or creed, such as comments regarding surnames, religious tradition or religious clothing, as well as religious slurs and/or graffiti.

Harassment based on national origin can include unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at the characteristics of a person's national origin, such as comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

Harassment based on disability can include unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at the characteristics of a person's disability condition, such as imitating manner of speech or movement; hostile or offensive acts; and/or interference with movement or access to necessary equipment.

Sexual harassment of students by district employees includes sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment of students by other students and third parties includes *unwelcome* sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment may occur whether the harassment is between people of the same or different gender. Sexual harassment can include unwelcome oral, written or physical conduct, directed at or related to a person's gender, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual

nature about someone, demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, offensive touching, pinching, grabbing, kissing or hugging or restraining someone's movement in a sexual way.

All district employees and students share the responsibility to ensure that harassment based on race, color, religion, national origin, sex or disability does not occur at any district school, on any district property, at any district or school-sanctioned activities or events, when students are being transported in any vehicle dispatched by the district or one of its schools or off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event. Toward that end:

- All students who believe they have been victims of such harassment shall immediately report it to an administrator or teacher at their school. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the Assistant Superintendent.
- All students who witness such harassment shall immediately report it to an administrator or teacher at their school. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the Assistant Superintendent.
- All administrators and teachers who have such harassment reported to them shall promptly forward the report(s) to the principal or principal's designee for appropriate action. If the harassment is purportedly being committed by the principal or another administrator in the building, the report(s) shall be forwarded to the Assistant Superintendent.
- All district employees who witness such harassment shall take prompt and effective action to stop it, as prescribed by the district and the building principal, and shall promptly report the harassment to the principal or principal's designee for effective action. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the Assistant Superintendent.
- Each building principal or principal's designee (or the Assistant Superintendent, if necessary or appropriate) shall ensure that all reports of such harassment are promptly and thoroughly investigated, and that effective action is taken.

School officials shall inform all students who have reportedly been harassed of the results of the district's investigation and whether action has been taken with respect to the purported harasser(s).

Any student who engages in harassment of another student based on the other student's race, color, religion, national origin, sex or disability shall be required to attend a meeting with his or her parent(s) or guardian(s) and the principal or principal's designee; be subject to remedial action such as education or counseling; and be subject to disciplinary action up to and including suspension or expulsion. Any district employee who engages in harassment of a student based on the student's race, color, religion, national origin, sex or disability, shall be subject to remedial action such as training, education or counseling; as well as disciplinary action including but not limited to warning, reprimand, transfer, suspension or termination of employment.

Remedial and/or disciplinary actions shall include measures designed to stop the harassment, correct its negative impact on the affected student and ensure that the harassment does not recur. Steps shall also be taken to ensure that victims of and witnesses to harassment are protected from retaliation.

No student shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy. To the extent possible, all reports of harassment will be kept confidential. Upon determining that incidents of harassment are occurring in particular district settings or activities, the district shall implement measures designed to remedy the problem in those areas or activities.

The district shall provide counseling resources to student victims where necessary. The district shall train staff members to recognize and effectively deal with incidents of harassment on the basis of race, color, religion, national origin, sex and disability.

The district shall regularly review its compliance with this policy on the harassment of students and take necessary action where deficiencies are noted.

Adopted: May 2, 1989

Revised: January 21, 1992

Revised: May 23, 2000

Revised: September 10, 2002

LEGAL REFS.: Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d *et seq.*  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681  
C.R.S. §§ 24-34-401 *et seq.*

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex  
JB, Equal Educational Opportunities

## **Harassment of Students**

1. Any district student or staff member who believes he or she has been subjected to sexual harassment must report the incident(s) to their building principal or immediate supervisor (for employees). If the principal or immediate supervisor is the alleged harasser, the incident(s) must be reported to the Executive Director of Human Resources. The person to whom a report of sexual harassment is made is referred to herein as the “grievance official.”
2. The grievance official will evaluate the report of sexual harassment to determine whether it should be referred directly to the superintendent or designee, or whether the grievance official will initially investigate and attempt to resolve the problem. In either case, reports of sexual harassment will be promptly and confidentially investigated and appropriate action will be taken.
3. If the grievance official initially investigates and attempts to resolve the problem, the following procedures shall be utilized:
  - a. The grievance official will confer with the charging party in order to obtain a clear understanding of the basis of the complaint.
  - b. The grievance official will attempt to meet with other persons who may be witnesses or have other information that will assist in obtaining a clear understanding of the matter.
  - c. The grievance official will attempt to meet with the charged party in order to obtain a response to the complaint and other relevant information related thereto.
  - d. The grievance officer may hold as many meetings with the parties and others as is necessary to gather facts and obtain witness statements.
  - e. On the basis of the grievance official’s perception of the situation, the grievance official may attempt to resolve the matter informally through conciliation or report the incident and transfer the record to the superintendent or his/her designee for further action.
4. After reviewing the information provided and/or the record made by the grievance official, the superintendent or designee may cause further investigation of the matter to occur as necessary to determine relevant facts and take appropriate action, which may include sanctions and discipline.

Approved: January 21, 1992

Revised: May 2000

September 2002