

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 Centennial BOCES schools and programs 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.

Centennial BOCES's Commitment

Centennial BOCES 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 of 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 severe, 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.

Pursuant to state law, "harassment" means creating a hostile environment based on an individual's sex.

Reporting, Investigation and Sanctions

Students are encouraged to report all incidences of sexual harassment to a teacher, counselor or Centennial BOCES administrator in their school or program and file a complaint, through the Centennial BOCES complaint process addressing sex-based discrimination. All reports and indications from students, Centennial BOCES employees and third parties must be forwarded to the Centennial BOCES Title IX Coordinator.

Centennial BOCES will initiate and conduct an investigation in accordance with the appropriate procedures addressing sex-based discrimination and sexual harassment.

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 Centennial BOCES from responding effectively to the harassment or preventing future harassment. Filing a complaint or otherwise reporting sexual harassment will not reflect upon the student's status or affect grades.

Centennial BOCES 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.

Notice and Training

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy and complaint procedures to all Centennial BOCES schools or educational programs. The policy and complaint procedures must be referenced in student and employee handbooks and otherwise be made available to all students, staff, and members of the public through electronic or hard-copy distribution.

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

LEGAL REFS.: 20 U.S.C. §1681 et seq. Title IX of the Education Amendments of 1972
C.R.S. 22-5-107 BOCES to have same certain duties as boards of education
C.R.S. 22-32-109 (1)(II) Board duty to adopt written policies prohibiting discrimination
C.R.S. 24-34-402 definition of "harass" in employment practices

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
AC-R, Nondiscrimination/Equal Opportunity (Complaint and Compliance Process)
AC-R-2, Sex-based Discrimination and Sexual Harassment Investigation
JLF, Reporting Child Abuse/Child Protection

Revised: November 19, 2020
Revised: September 20, 2018
Reviewed: CASB 2005
Adopted: December 7, 2004
Centennial BOCES