

# GOAL ACADEMY POLICY

## Sexual Harassment

**Section:** G - Personnel

**Policy Number:** G-2

**Policy Name:** Sexual Harassment

**Approval Authority:** Board of Directors

**Responsible Executive:** Chief Executive Officer

**Responsible Office:** Human Resources

**Originally Issued:** 7/26/2016

**Revisions:** 7.31.18

### 1. Policy Statement

The purpose of this policy is that GOAL Academy is dedicated to the principles of equal employment opportunity and strives to maintain a work environment free of unlawful discrimination and harassment. The GOAL Academy Board prohibits unlawful discrimination and harassment against employees on the basis of age 40 and over, race, sex, sexual orientation, color, religion, national origin, disability, military status, genetic information, or any other status protected by applicable state or local law.

### 2. Reason for Policy

School employees are expected to perform the duties of the position to which they are assigned and to observe rules of conduct and ethical principles established by state law and board policy and regulations.

### 3. Who Should Read This Policy

All members of the GOAL Academy community

### 4. Related Documents

Employee Handbook

### 5. Contacts

Director of Human Resources

**6. The Policy** Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

## **Sexual Harassment Prohibited**

GOAL Academy strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment committed by an employee of GOAL Academy in the course of employment shall be deemed a breach of duty, and as such, shall subject the offending employee to disciplinary action up to and including termination of employment.

This policy applies to all employees of the school and similarly applies to non-employees, such as volunteers, vendors, consultants or any others, who work under the direction of GOAL Academy authorities.

Any conduct of a sexual nature directed toward students by teachers or others, to whom this policy applies, shall be presumed to be unwelcome, and as such, shall subject the offending employee to disciplinary action up to and including termination of employment.

## **Sexual Harassment Defined**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

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 the 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.

Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- written form, such as cartoons, posters, calendars, notes, letters, e-mails
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body

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 implications
- Unwelcome 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
- Hostile environment harassment as occurring where sexual conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment

## **Reporting, Investigation, and Sanctions**

Sexual harassment cannot be investigated or corrected by GOAL Academy until a school official is made aware of such harassment. Therefore, it is the express desire of the Board to encourage victims of sexual harassment to report such claims.

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 Director of Human Resources. If the employee's direct administrator or supervisor is the offending person, the report shall be made in writing to the Director of Human Resources.

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 GOAL Academy 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, including, but not limited to, warning or reprimand, suspension, or termination, subject to applicable procedural requirements.

Conduct of a sexual nature directed toward students shall, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities and shall be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination, subject to applicable procedural requirements.

Filing of a grievance or otherwise reporting sexual discrimination or harassment shall not reflect upon the individual's status or affect future employment or work

assignments. All matters involving sexual discrimination or harassment complaints shall remain confidential to the extent possible.

Notice of this policy shall be circulated to all School employees and incorporated in employee handbooks.

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 24-34-301et seq. (Colorado Civil Rights Division procedures)
- C.R.S. 24-34-401 et seq.(discrimination or unfair employment practices)

