

SEXUAL HARASSMENT

All individuals associated with this School, including, but not necessarily limited to, the School Governing Body, the administration, the staff, and students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when made by a member of the school staff to a student or to another staff member, or when made by a student to another student where:

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct is used as a basis for employment or education decisions affecting such individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's educational or work performance, or creating an intimidating, hostile, or offensive employment or education environment.

Sexual harassment may include, but is not limited to:

- Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, or display of sexually suggestive objects, pictures, or cartoons.
- Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)
- Implying or withholding support for an appointment, promotion, or change of assignment; suggesting that a poor performance report will be prepared; suggesting that probation will be failed; implying or actually withholding grades earned or deserved; or suggesting that a scholarship recommendation or college application will be denied.
- Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee; or engaging in coercive sexual behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.

- Offering or granting favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassification, etc., in exchange for sexual favors.

Anyone who is subject to sexual harassment, or who knows of the occurrence of such conduct, should inform the compliance officer, as provided in ACA.

A substantiated charge against a staff member in the School shall subject such staff member to disciplinary action.

A substantiated charge against a student in the School shall subject that student to disciplinary action, which may include suspension or expulsion.

All matters involving sexual harassment complaints will remain confidential to the extent possible.

Adopted: date of Handbook adoption

LEGAL REF.: A.R.S. 41-1461 *et seq.*
20 U.S.C. 1681, Education Amendments of 1972, Title IX
20 U.S.C. 1703, Equal Employment Opportunity Act of 1972
42 U.S.C. 2000, Civil Rights Act of 1964 as amended, Title
VII

CROSS REF.: AC - Nondiscrimination/Equal Opportunity
GBA - Equal Employment Opportunity
GCQF - Discipline, Suspension, and Dismissal of
Professional/Support Staff Members
IHBA - Special Instructional Programs and
Accommodations for Disabled Students
JB - Equal Educational Opportunities
JII - Student Concerns, Complaints and Grievances
JK - Student Discipline
JKD - Student Suspension
KED - Public Concerns/Complaints about Facilities or
Services
KFA - Public Conduct on School Property

REGULATION**SEXUAL HARASSMENT****Compliance Officer**

The Executive Director shall be the compliance officer. Any person who feels unlawfully discriminated against or who has been the victim of unlawful discrimination by an agent or employee of the School or who knows of such discrimination against another person should file a complaint with the Executive Director. If the Executive Director is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Governing Body.

Complaint Procedure

The School is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Executive Director shall investigate and document complaints filed as soon as reasonable. In investigating the complaint, the Executive Director will maintain confidentiality to the extent reasonably possible.

If after the initial investigation the Executive Director has reason to believe that a violation of policy has occurred, the Executive Director shall determine whether or not to hold a hearing.

If the person alleged to have violated policy is a teacher or an administrator, the due process provisions of the School's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing.

If the person alleged to have violated policy is a student, the Executive Director may impose discipline in accordance with policies JK, JKD and JKE.

If the Executive Director's investigation reveals no reasonable cause to believe policy has been violated, the Executive Director shall so inform the complaining party in writing.

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the School, the Executive Director shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

REGULATION**REGULATION**

If the immediate supervisor or site administrator does not respond, the Executive Director will have ten (10) additional working days to respond in writing to the complaining party.

If the Executive Director does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Governing Body. The Governing Body will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.