

## STUDENTS

3290

### Sexual Harassment/Intimidation of Students

Sexual harassment is a form of sex discrimination and is prohibited in the Charter School. An employee, Charter School agent, or student engages in sexual harassment whenever he or she makes unwelcome advances; requests sexual favors; or engages in other verbal, non-verbal, or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, opportunities, or treatment, or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
  - A. Substantially interfering with the student's educational environment;
  - B. Creating an intimidating, hostile, or offensive educational environment;
  - C. Depriving a student of educational aid, benefits, services, opportunities or treatment; or
  - D. Making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating", "hostile" and "offensive" include conduct which has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include, but are not limited to, unwelcome touching; crude jokes or pictures; discussions of sexual experiences; pressure for sexual activity; intimidation by words, actions, insults, or name calling; teasing related to sexual characteristics; and spreading rumors related to a person's alleged sexual activities.

Students who believe that they may have been sexually harassed or intimidated should contact a counselor, teacher, Title IX coordinator, or administrator who will assist them in the complaint process. Supervisors or teachers who knowingly condone, fail to report, or fail to assist a student in taking action to remediate such behavior may themselves be subject to discipline.

Any Charter School employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any student of the Charter School who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the discipline policy. Any person knowingly making a false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge with regard to employees, or suspension and expulsion with regard to students.



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The Charter School will make every effort to ensure that employees or students accused of sexual harassment or intimidation are given an appropriate opportunity to defend themselves against such accusations.

To the greatest extent possible, complaints will be treated in a confidential manner. Limited disclosure may be necessary in order to complete a thorough investigation. Retaliation against persons who file a complaint is a violation of law prohibiting discrimination, and will lead to disciplinary action against the offender.

Any individual seeking further information should contact the Executive Director and/or Principal for the name of the current Title IX Coordinator for the Charter School. The Executive Director and/or Principal shall ensure that the student and employee handbooks identify the name, address, and telephone number of the individual responsible for coordinating the Charter School's compliance efforts.

An individual with a complaint alleging a violation of this policy shall follow the Uniform Grievance Procedure.

Cross Reference: 3210

Uniform Grievance Procedure

Legal References: 20 U.S.C. § 1681, et seq. Title IX of the Educational Amendments  
34 CFR Part 106 Nondiscrimination on the Basis of Sex in Education  
Programs or Activities Receiving Federal Financial Assistance  
I.C. § 67-5909 Acts Prohibited

Policy History:

Adopted on: June 10, 2021

Revised on: