

**Sexual Harassment
(Grievance Procedure)**

REGULATIONS:

1. Employees who believe they have been subject to sexual harassment will report the incident to the Assistant Superintendent who will be referred to as the grievance officer. If the alleged harasser is the person designated as the grievance officer (Assistant Superintendent), the employee will report directly to the Superintendent who will appoint an alternate grievance officer to investigate the matter.
2. Upon receiving a report, the grievance officer will confer with the employee, who has allegedly been harassed as soon as is reasonably possible, but in no event more than 2 days from receiving the report, in order to obtain a clear understanding of the basis of the complaint and to discuss what action the employee is seeking.
3. At the initial meeting with the employee, the grievance officer will explain the avenues for action and provide a description of the complaint procedure. The grievance officer will also explain that whether or not the employee files a formal complaint or otherwise requests action, the District is required by law to take steps to correct the harassment and to prevent recurring harassment or retaliation against anyone who makes a harassment report or participates in an investigation. The grievance officer will also explain to the employee that any request for confidentiality will be honored so long as doing so does not preclude the District from responding effectively to the harassment and preventing future harassment.
4. Following the initial meeting with the employee, the grievance officer will attempt to meet with the alleged harasser in order to obtain a response to the reported harassment and will investigate the matter in accordance with policy GBAA. The grievance officer will complete the investigation within (14) fourteen calendar days of the initial meeting with the employee.
5. Within (7) seven calendar days of completing the investigation, the grievance officer will determine whether the matter should proceed formally or informally. On the basis of the grievance officer's investigation and if the employee requests that the matter be resolved in an informal manner and the grievance officer agrees that the matter is suitable for such resolution, the grievance officer may attempt to resolve the matter informally through conciliation.
6. If informal conciliation is not possible, the grievance officer will announce any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.
7. Whether or not a formal grievance is filed, the District will take all steps necessary to end the harassment, to make the victim whole, to prevent harassment from recurring and to

prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

8. Parties will be notified by the grievance officer of the final outcome of the investigation and all steps taken by the District.

Step 1 Formal Hearing Procedures:

1. The complainant will be required to complete a written complaint form that will include the following (*Form GBAA -E1*):
 - Complainant's name and address
 - Date(s) of the incident(s)
 - Written description of the incident(s)
 - Name(s) of the person(s) involved in incident(s)
 - What the employee did to discourage the incident(s)
 - Name of any witness(es) to the incident(s)
 - Satisfactory resolution to the complaint

One copy of this complaint form will be mailed or delivered to the grievance officer.

2. A hearing will be conducted to allow the grievance officer to gather data regarding the alleged harassment from the complainant and the alleged offender. The grievance officer will promptly investigate and take appropriate action regarding the complaint, and will render a decision to the complainant and the alleged offender in writing within seven (7) calendar days of receipt of the complaint form.

Step 2- Appeal

1. If either party involved in Step 1 does not consider the decision rendered in Step 1 to be satisfactory, (s)he may appeal the decision to the Superintendent of Schools. This appeal must be submitted in writing to the Superintendent within ten (10) calendar days following receipt of the grievance officer's decision. This appeal must include the following:
 - the original complaint form
 - a copy of the decision from the grievance officer
 - a written statement as to the reason for the appeal
2. The Superintendent shall have a period of (14) fourteen calendar days to study the information submitted, investigate the circumstances, and respond in writing to the appeal. At the discretion of the Superintendent, this appeal process may or may not include a conference with those parties involved. The Superintendent

should ensure that any violations or corrective actions that are taken are documented in writing.

Step 3- Board of Education

1. If either party is not satisfied with the decision rendered in Step 2, (s)he may request a hearing with the Board of Education. This hearing will be in executive session and will not be open to the public.
2. The request for hearing must be submitted in writing to the Secretary of the Board of Education within ten (10) calendar days following receipt of the Superintendent's response. The hearing will be scheduled within thirty (30) calendar days from the complainant's request. The Superintendent will notify the complainant and the alleged offender in writing of the time and date of the scheduled hearing.
3. The Board will review the alleged complaint and will render a decision within thirty (30) calendar days of the hearing. The Board should ensure that any violations or corrective actions that are taken are documented in writing.

Step 4 -- Outside Agency

1. If either party is not satisfied with the decision of the Board of Education, (s)he will have the right to pursue any other remedy(ies) provided by law.

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

CROSS REF.: JII, Student Concerns, Complaints, and Grievances
ACA, Nondiscrimination on the Basis of Sex (compliance with Title IX)