

DENVER PUBLIC SCHOOLS

Sexual Harassment

(Student)

I. GENERAL STATEMENT OF POLICY

Sexual harassment, a form of discrimination in violation of federal and state law, is specifically prohibited. Every student within the School District shall have the opportunity to learn in an environment free from sexual harassment as defined by this policy. Complaints of sexual harassment will be promptly investigated by the procedures delineated in this policy and District Procedures.

II. SEXUAL HARASSMENT DEFINED

For purposes of this policy, sexual harassment of a student consists of unwelcome and unsolicited sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:

1. a school employee causes a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity, or when an employee of the School District causes a student to believe that the employee will make an educational decision based on whether or not the student submits to unwelcome sexual conduct; or
2. a school employee engages in unwelcome sexual conduct directed towards a student which is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's ability to participate in or benefit from an educational program or activity, or creating an intimidating, hostile, threatening, or abusive educational environment; or
3. a student engages in unwelcome sexual conduct directed towards another student which is so severe, pervasive and objectively offensive that it effectively bars the victim's access to an educational opportunity or benefit.

(over)

Examples of conduct which may constitute sexual harassment include:

- sexual advances
- physical assault or contact such as patting, pinching, or constant brushing against another's body. (This prohibition does not preclude legitimate, nonsexual physical conduct such as the use of necessary restraints to avoid physical harm to persons or property, or conduct such as a teacher's
- consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student.)
- graffiti of a sexual nature
- sexual gestures
- sexual or dirty jokes
- touching oneself sexually or talking about one's sexual activity in front of others
- spreading rumors about or rating other students as to sexual activity or performance
- making false reports of sexual harassment.

However, whether the examples above or any gender-oriented conduct rises to the level of sexual harassment will depend on a whole host of factors; such as, the surrounding circumstances, expectations, and relationships.

Retaliation against any person for filing a grievance, participating in, or cooperating with an investigation is prohibited.

The principal/department head or designee shall notify the District's Title IX Officer and investigate all allegations of sexual harassment which state a claim under this policy in a prompt and equitable manner. The investigation shall determine whether reasonable cause exists to believe that the alleged conduct occurred and whether such conduct constitutes sexual harassment. If a violation of this policy is found, the principal or his/her designee shall appropriately discipline any student, teacher, administrators, or other school personnel who is found to have violated this policy, provide appropriate assistance victim, and/or take other appropriate action reasonably calculated to end the harassment.

I have read and understand to the above information.

This letter must be signed and returned to the school your son/daughter attends.

_____	_____	_____
Parent Name (Print)	Parent Signature	Date
_____	_____	_____
Student Name (Print)	Student Signature	Date