



## **Discrimination and Harassment**

Colorado Early Colleges (CEC) prohibits unlawful discrimination and/or harassment based on age (40 and over), race, sex, color, religion, creed, national origin or ancestry, childbirth, disability, military status, sexual orientation, gender identity, or any other status protected by applicable state or local law. This policy applies to all CEC employees, students, and non-CEC employees, such as vendors, consultants, and contractors.

### **Sexual Harassment**

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

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

All employees, students, and non-employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct that violates this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

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

## **Abusive Conduct**

CEC does not tolerate abusive conduct or bullying in the workplace. Abusive conduct is generally defined as repeated, health-harming mistreatment of an employee or student; abusive conduct that is verbally abusive; threatening, humiliating, or intimidating; or interference that prevents work from getting done. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act shall not constitute abusive conduct, unless it is especially severe and egregious.

## **Complaint Procedure**

Individuals who believe there has been a violation of this policy should follow the complaint procedure outlined in CEC's Network Grievance policy.

Under this policy, CEC prohibits retaliation against an employee for filing a complaint in good faith or for assisting in a complaint investigation. In cases where a perceived or actual retaliation for making a complaint under this policy or participating in an investigation occurs, please follow the procedures outlined in CEC's Network Grievance policy.

If CEC determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

## **Notice and Training**

To reduce harassment and ensure a respectful school environment, this policy will be included in each school's Student and Family Handbook as well as in the CEC Employee Handbook. And comprehensive Harassment training will be conducted annually for all CEC staff.

### **Additional Legal References:**

20 U.S.C. §1681 (Title VII, Education Amendments of 1972)  
20 U.S.C. §1701-1758 (Equal Employment Opportunity Act of 1972)  
29 U.S.C. §621 et seq. (Age Discrimination in Employment Act of 1967)  
29 U.S.C. §701 et seq. (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. §12101 et seq. (Title II of the Americans with Disabilities Act)  
42 U.S.C. §2000d (Title VI of the Civil Rights Act of 1964, as amended in 1972)  
42 U.S.C. §2000e (Title VII of the Civil Rights Act of 1964)  
42 U.S.C. §2000ff et seq. (Genetic Information Nondiscrimination Act of 2008)  
34 C.F.R. Part 100  
C.R.S. 2-4-401(13.5) (definition of sexual orientation)  
C.R.S. 18-9-121 (bias-motivated crimes)  
C.R.S. 22-32-109(1)(II) (board duty to adopt written policies prohibiting discrimination)  
C.R.S. 24-34-301(7) (definition of sexual orientation)  
C.R.S. 24-34-301 et seq. (Colorado Civil Rights Division)  
C.R.S. 24-34-401 et seq. (discriminatory or unfair employment practices)  
C.R.S. 24-34-601 (unlawful discrimination in places of public accommodation)  
C.R.S. 24-34-602 (penalty and civil liability for unlawful discrimination)

### **Policy References:**

Employee Handbook ADD-O Safe Schools Student Handbook