

ACA SEXUAL HARASSMENT

{Sexual/General Harassment}

Kayenta Unified School District (the District) does not tolerate harassment of any kind. Therefore, all individuals associated with this District, including, but not limited to, the Governing Board, the administration, the staff, and students, are expected to conduct themselves at all times so as to provide an environment that is free of harassment.

Any person who feels harassed or to have been the victim of harassment by an agent, employee, or student of the District or who knows of such harassment against another person should file a complaint with the Human Resources Director:

Human Resources Director
Kayenta Unified School District
PO Box 337
Kayenta, AZ 86033
T: **(928)** 697-3251
F: **(928)** 697-2160

Harassment: A Definition

Discriminatory harassment shall be defined as physical or verbal conduct based on race, color, national origin, religion, age, disability, marital status, or gender directed toward an individual when the conduct:

- has the purpose or effect of creating an intimidating, hostile or offensive academic or working environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
- has the purpose or effect of demeaning or otherwise disrespecting the dignity of an individual in the academic or work environment; or
- adversely affects an individual's academic or employment opportunities.

Sexual Harassment: A Definition

Sexual harassment is defined as sexual advances and other forms of oral, written, or physical conduct of a sexual nature when:

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

Examples of sexual harassment may include but are not limited to:

- Suggestive or obscene letters, notes, invitations, or remarks; comments about body parts or rating people's bodies; spreading sexual rumors or stories; using sexual orientation (homosexuality) as an insult; writing people's names along with sexual remarks, suggestions, or drawings in public places; or derogatory comments, slurs, jokes, or epithets;
- Nonverbal behaviors such as staring at a person's body or body parts, making obscene gestures, unwanted physical contact of a sexual nature, sexual molestation or assault, impeding or blocking movements, display of sexually suggestive objects, pictures, posters or cartoons;
- Continuing to express sexual interest after being informed that the interest is unwelcome;
- Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee, such as withholding support for an appointment, promotion, or change of assignment, or suggesting a poor performance report will be prepared;
- Offering or granting favors or employment benefits such as favorable appointments, promotions, reclassifications, assignments, performance evaluations, duties or shifts, or recommendations, in exchange for sexual favors;
- Implying or actually withholding grades earned or deserved, or suggesting that a scholarship recommendation or college application will be denied.

Complaint Procedure

Employees, students, and others who believe they have been subject to harassment of any kind, or who know of the occurrence of such conduct, should immediately inform either their immediate supervisor, a Kayenta Unified School District (KUSD) harassment officer, or the Superintendent, as provided in ACA-R. If one of these individuals is the cause of the complaint, one does not have to contact that person. Report the incident to a different individual listed above.

A substantiated allegation of harassment shall result in appropriate disciplinary action. Such discipline may include warning, censure, dismissal, suspension, or expulsion.

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

Adopted: February 10, 2016

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 Staff Members

- [GDQD](#) - Discipline, Suspension, and Dismissal of Support Staff Members
- [IHBA](#) - Special Instructional Programs and Accommodations for Disabled Students
- [JB](#) - Equal Educational Opportunities
- [J.II](#) - 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