

Prospect Academy

Nondiscrimination/Equal Opportunity

Prospect Academy of Colorado is committed to providing a safe learning and work environment where all members of the Prospect community are treated with dignity and respect. Prospect is subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, language, religion, ancestry, need for special education services, or any other protected class.

Accordingly, no otherwise qualified student, employee applicant for employment or member of the public shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any Prospect School program or activity on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, language, religion, ancestry, need for special education services, or any other protected class.

Discrimination against employees and applicants for employment based on age, genetic information, or conditions related to pregnancy or childbirth is also prohibited in accordance with state and federal law.

In keeping with these statements, the following shall be objectives of Prospect Academy:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation and applicable judicial interpretations.
2. To encourage positive experiences in human values for children and adults who have differing personal and family characteristics or who come from various socioeconomic, racial, ethnic or gender groups.
3. To consider carefully, in all decisions made which affect the school, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To utilize educational experiences to build each individual's pride in the community in which he or she lives.

5. To initiate a process of reviewing all policies and practices of Prospect Academy in order to achieve the objectives of this policy to the greatest extent possible.
6. To investigate and appropriately discipline staff and students found to be responsible for incidents of harassment or discrimination in violation of School policy.

Non-legal Name Changes: C.R.S. 22-1-143 states that harassment and discrimination includes the knowing or intentional use of a name other than a student's *chosen* name, as defined in C.R.S. 22-1-145(1). Prospect Academy will honor a student's request to use a chosen name over a birth name, and will still use a birth name when necessary for legal / testing documents. However, all school rosters, nametags, or any other school-based information will include the student's chosen name if it differs from their legal name (and in some instances, such as in Infinite Campus, may include both names with the chosen name being listed as "preferred").

Annual Notice

Prospect Academy shall issue a written notice prior to the beginning of each school year that advises students, parents, employees and the general public that the educational programs, activities and employment opportunities offered by the school is offered without regard to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, language, religion, ancestry, need for special education services, or any other protected class. The announcement shall also include the name/title, address and telephone number of the person designated to coordinate Title IX and Section 504 and ADA compliance activities.

The notice shall be disseminated to persons with limited English language skills in the person's own language. It shall also be made available to persons who are visually or hearing impaired.

The notice shall appear on a continuing basis in all School media containing general information, including: teachers' guides, school publications, recruitment materials, application forms, vacancy announcements, student handbooks, school program notices, summer program newsletters and annual letters to parents.

Harassment is Prohibited

Harassment based on a person's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, language, religion, ancestry, need for special education services, or any other protected class is a form of discrimination prohibited by state and federal law. Preventing and remedying such harassment in

schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work and members of the public can access and receive the benefit of CSI School facilities and programs. All such harassment, by Prospect Academy school employees, students and third parties, is strictly prohibited.

All Prospect Academy school employees and students share the responsibility to ensure that harassment does not occur on Prospect Academy property, at any Prospect-sanctioned activity or event, or off-school property when such conduct has a nexus to the school, or any Prospect Academy curricular or non-curricular activity or event.

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written and physical conduct based on or directed at a person's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, national origin, language, religion, ancestry, need for special education services, or any other protected class that: 1) results in physical, emotional or mental harm, or damage to property; 2) is so severe, persistent, or pervasive that it creates an intimidating, hostile, or threatening environment; or 3) substantially disrupts the orderly operation of the school. Board policy on sexual harassment will apply to complaints alleging sexual harassment.

Reporting Harassment

Any student who believes he or she has been victim of unlawful discrimination or harassment as defined in this policy shall immediately report it to an administrator, counselor, teacher, or compliance officer and file a formal complaint as set forth in the regulation which accompanies this policy.

Any employee, applicant for employment, or member of the public who believes he or she has been a victim of unlawful discrimination or harassment shall file a complaint with the compliance officer.

All students who witness such harassment shall immediately report it to an administrator or teacher. All employees who have such harassment reported to them shall promptly forward the report to an immediate supervisor to the compliance officer.

All Prospect Academy employees who witness such harassment shall take prompt and effective action to stop it, as prescribed by the Institute. Under

certain circumstances, harassment may constitute child abuse that must be reported to proper authorities.

Interim Prospect Academy School Action

When appropriate, Prospect Academy shall take interim measures during the investigation of a harassment report to protect the alleged subject of the harassment from further harassment or retaliation.

In cases involving potential criminal conduct, the compliance officer shall determine whether appropriate law enforcement officials should be notified.

Action Following Investigation

Prospect Academy shall take appropriate action to end the unlawful harassment, to prevent its recurrence, to prevent retaliation against the individual making the report and anyone participating in the investigation and to restore lost educational opportunities to the harassed student or employment opportunities to staff. In addition, any student or employee who engages in harassment of another student or employee who engages in harassment of another student or employee shall be disciplined according to applicable School policies. Steps shall also be taken to ensure that victims of, and witnesses to, harassment are protected from retaliation. Further, students or employees who knowingly file false harassment complaints or give false statements in an investigation shall be subject to discipline, up to and including suspension/expulsion for students and termination of employment.

No student, employee, or member of the public shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy. To the extent possible, all reports of harassment will be kept confidential.

Upon determining that incidents of harassment are occurring in particular school settings or activities, Prospect Academy shall implement measures designed to remedy the problem in those areas or activities.

Notice and Training

To reduce harassment and ensure a respectful school environment, Prospect staff is responsible for providing notice of this policy to all stakeholders. The policy and compliance process shall be incorporated into student and employee handbooks.

Students and school employees shall receive periodic training related to recognizing and preventing unlawful harassment. School employees shall receive additional training related to handling reports of harassment. The training will include, but not be limited to:

- Awareness of groups protected under state and federal law and/or targeted groups, whether real or perceived;
- How to recognize and react to harassment; and
- Proven harassment prevention strategies.

LEGAL REFS.:

20 U.S.C. 1681 (Title IX of the 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. 1201 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 VI of the Civil Rights Act of 1964, as amended in 1972) 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)(11) (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 through 24-34-308

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)