

Sexual Harassment

- I. PROHIBITION AGAINST SEXUAL HARASSMENT:** The Board of Education is committed to safeguarding the right of all employees within the school district to a work environment that is free from all forms of sexual harassment. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex and from peers as well as supervisors. Therefore, the Board condemns all unwelcome behavior of a sexual nature where:
1. Such behavior is designed to extort sexual favors from an employee as a term or condition of employment and/or
 2. The submission to or rejection of such behavior is used as the basis for employment decisions affecting the employee and/or
 3. The purpose of or effect of such behavior is interference with an individual's work or the creation of an intimidating, hostile, or offensive working environment.

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Connecticut General Statutes, section 46a-60. The Assistant Superintendent for Personnel shall serve as the district equity/Title IX officer.

II. DEFINITION

- A.** Sexual harassment is any unwelcome sexual advance, request for sexual favors, and/or other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment may be overt or subtle.
- B.** Sexual harassment includes, but is not limited to, the following:
1. **Verbal:** suggestive or obscene comments, including sexual innuendoes or slurs and obscene letters or notes; jokes of a sexual nature; sexual propositions; or threats.
 2. **Nonverbal:** sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, or obscene gestures.
 3. **Physical:** unwanted physical contact, including, but not limited to, touching, pinching, brushing the body, coerced sexual intercourse, impeding or blocking movement, or assault.

- III. COMPLAINT PROCESS:** Any employee who believes that he/she has been subjected to sexual harassment may make an informal complaint with his/her immediate supervisor or a formal complaint to the Title IX officer. If the employee first makes an informal complaint to his/her immediate supervisor and is not satisfied with the resolution of the informal complaint, he/she may file a formal complaint with the Title IX officer. If the employee is not satisfied with the resolution of the formal complaint by the Title IX officer, he/she may then appeal that decision to the superintendent of schools.

Sexual Harassment**III. COMPLAINT PROCESS (continued):**

- A. Procedures:** Procedures for both the informal and formal complaints may be found in the regulations which accompany this policy.
- B. Confidentiality:** All reports of sexual harassment will be investigated promptly and in an impartial manner, and they will be held in confidence subject to all applicable laws and any relevant provisions found in the district's collective bargaining agreements.
- C. Non-Retaliation:** Anyone who complains of sexual harassment, or testifies, assists, or participates in any manner in any investigation, proceeding, or hearing shall be protected from intimidation or retaliation. Anyone who subjects a person to intimidation or retaliation shall face serious disciplinary action, including termination.

IV. DISCIPLINARY ACTION: Any employee found to have engaged in sexual harassment will be subject to immediate disciplinary action, up to and including, but not limited to, discharge from employment or referral to legal authorities for prosecution.

V. DISTRIBUTION AND POSTING OF THE POLICY: Annually, all supervisory and nonsupervisory personnel will be notified in writing of this policy and its regulations. A copy of the policy and regulations shall be available in each district facility and notification of such availability shall be posted in each facility on a bulletin board(s) readily accessible to all employees.

Legal References:

Civil Rights Act of 1964, Title VII, 42 U.S.C., 2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on
Current Issues of Sexual Harassment, effective 10/15/88.
Title IX of the Education Amendments of 1972, 34 CFR Section 106.
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986).
Constitution of the State of Connecticut, Article I, Section 20.
Connecticut General Statutes:
46a-58. Deprivation of rights.
46a-60. Discriminatory employment practices prohibited.

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