

**Sexual Harassment**

**I. PROHIBITION AGAINST SEXUAL HARASSMENT:** Sexual harassment will not be tolerated among students of the school district. Any form of sexual harassment of students by other students or staff members or by students directed to other students or staff members is forbidden. Therefore, the Board condemns all unwelcome behavior of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's educational development or environment, including, but not limited to, grades, course admission, performance evaluations, or academic recommendations;
2. Submission to or rejection of such conduct by an individual is used as the basis for educational decisions affecting such individual; and/or;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's education performance or creating an intimidating, hostile, or offensive educational environment.

**II. DEFINITION OF SEXUAL HARASSMENT**

**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, but not limited to, sexual innuendos or slurs, obscene letters or notes, jokes of a sexual nature, sexual propositions or invitations, threats;
2. **Nonverbal:** sexually suggestive objects, pictures, or cartoons, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;
3. **Physical:** unwanted physical contact, including, but not limited to, touching, pinching, brushing the body, coerced sexual intercourse, impeding or blocking movement, assault.

**III. COMPLAINT PROCEDURE:**

**A. Student Complainant:** If a student believes that he/she is being or has been harassed by another student or a staff member, the student should immediately report this complaint to the building principal or other professional staff member. The student reporting the complaint will be provided with a copy of this policy and its implementation regulations and be made aware of his or her rights.

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

- B. Staff Complainant:** If a staff member believes that he/she is being or has been harassed by a student, the staff member should immediately file a complaint with the building principal or the principal's designee. For complaints of harassment of a staff member by another staff member, refer to policy GBCBA in the personnel section of the policy book.
- C. Staff Reports:** A staff member who receives a complaint concerning sexual harassment under this policy or observes conduct which he or she believes may constitute sexual harassment under this policy shall report such complaint or incident to the building principal or the principal's designee.
- D. Procedures:** Procedures for the processing of complaints may be found in the regulations which accompany this policy.

**IV. DISCIPLINARY ACTION:**

- A. Students:** Any student found to have engaged in sexual harassment will be subject to immediate discipline, up to and including, but not limited to, suspension and expulsion.
- B. Staff Members:** 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 OF THE POLICY:**

- A. Staff:** Annually, all staff members will be notified in writing of this policy and its regulations. A copy of the policy and its 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.
- B. Students:**
  - 1. Middle and high school:** Students will annually be notified in writing of this policy and its regulations.
  - 2. Elementary school:** Parents of elementary students shall be notified annually of the existence of this policy and procedures and how to obtain a copy of the policy and regulations.

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- VI. CONFIDENTIALITY:** All reports of sexual harassment will be investigated promptly and in an impartial manner, and such reports be held in confidence subject to all applicable laws.
- VII. NON-RETALIATION:** Anyone who complains of sexual harassment or who testifies, assists, or participates in any manner in any investigation, proceeding, or hearing shall be protected from intimidation or retaliation.
- A. Retaliation by a Student:** Any student who subjects a person to intimidation or retaliation shall face serious disciplinary action, including suspension or expulsion.
- B. Retaliation by a Staff Member:** Any staff member who subjects a person to intimidation or retaliation shall face serious disciplinary action up to and including termination.

**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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