Students

Sexual Harassment

A. It is the policy of the Board of Education to maintain a learning and working environment that is free from sexual harassment. The Board of Education prohibits any form of sexual harassment.

B. It shall be a violation of this policy for any student, employee, individual under contract or volunteer subject to the control of the Board to harass at student, employee, individual under contract or volunteer through conduct or communication of a sexual nature as defined by this policy.

C. Sexual harassment is defined as unwelcome conduct of a sexual nature, whether verbal or physical, including but not limited to, insulting or degrading sexual remarks or conduct, threats or suggestions that an individual's submission to or rejection of unwelcome conduct will in any way influence a decision regarding that person's employment or education or that it will interfere in any way with that person's employment or educational performance or create an intimidating, hostile or offensive work or educational environment.

D. Sexual harassment by a student, employee, individual under contract or volunteer, will result in disciplinary action up to and including dismissal or expulsion.

E. Any person who believes he or she has been the victim of sexual harassment by a student, employee, individual under contract or volunteer of the Board of Education is encouraged to promptly report such complaint to the Superintendent of Schools or his/her designee. Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

Legal Reference: 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)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26,1998)

Legal Reference: *Burlington Industries, Inc. v. Ellerth,* No. 97-569, (U.S. Supreme Court, June 26,1998)

Gebbser v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26,1998)

Davis v. Monroe County Board of Education, No. 97-843 (U.S. Supreme Court, May 24, 1999).

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted: June 6, 2007

NORTH STONINGTON PUBLIC SCHOOLS

North Stonington, Connecticut

5145.5

Students

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Sexual harassment is prohibited in the school system. Sexual harassment can occur when, but is not limited to:

1. Submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.

2. The conduct has the purpose or effect of having a negative impact upon the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.

3. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the educational institution.

4. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects, pictures or cartoons.

5. Continuing to express sexual interest after being informed that the interest is unwelcome.

6. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of student, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).

7. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.

Complaint Procedure

1. If a student believes that he/she is being or has been harassed, that person should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.

2. As soon as a student feels that he or she has been subjected to sexual harassment, he or she should make a written complaint to the appropriate school personnel, or the Principal or his/her designee. The student will be provided a copy of this policy and regulation and made aware of his or her rights.

3. The complaint should state the:

A. Name of the complainant

B. Date of the complaint,

C. Date of the alleged harassment,

D. Name or names of the harasser or harassers,

E. Location where such harassment occurred,

F. Detailed statement of the circumstances constituting the alleged harassment.

4. Any student who makes an oral complaint of harassment to any of the above mentioned personnel will be provided a copy of this regulation and will be instructed to make a written complaint pursuant to the above procedure.

5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed.

6. All complaints are to be forwarded immediately to the Principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent.

7. If possible, within five (5) working days of receipt of the complaint, the Principal or designee handling the complaint shall commence an effective, thorough, objective and complete investigation of the complaint. The investigator shall consult with all

individuals reasonably believed to have relevant information, including the student and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discretely, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser will be upheld.

8. The investigator shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the complainant, the alleged harasser, and, as appropriate, to all others directly concerned.

9. If the student complainant is dissatisfied with the result of the investigation, he or she may file a written appeal to the Superintendent, who shall review the investigator's written report, the information collected by the investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment. The Superintendent may also conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing this review, the Superintendent shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment may include reassignment, transfer, or disciplinary action.

The harasser and any other students or employees, if appropriate, will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If further acts of harassment or retaliation do occur, appropriate action shall be taken.

Copies of this regulation will be distributed to all elementary, middle and high school students.

Regulation approved: June 6, 2007

NORTH STONINGTON PUBLIC SCHOOLS

North Stonington, Connecticut