

Personnel-Certified/Non-Certified

Sexual Harassment

All persons associated with the district community including, but not limited to, the Board, the administration, the staff, and students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community will be in violation of this policy. All matters involving sexual harassment complaints will remain confidential to the extent possible.

Definition of Sexual Harassment:

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of sexual nature may constitute sexual harassment where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or participation in an education function, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or decisions affecting such individual's education, or
3. Such conduct has the purpose or effect of unreasonable interference with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or education environment.

Complaints should be referred to the Title IX Coordinator of respective school. All other complaints should be referred to the District Title IX Coordinator. Investigations of the alleged violations shall commence immediately and in the case of a formal complaint a report rendered to the Superintendent within 25 days. Those involved with a sexual harassment investigation are expected to protect the confidentiality of all individuals and information related to the case. Those wishing to file a complaint of sexual harassment must complete the attached form and submit it to a Title IX Coordinator. Investigations will be documented with a written, factual report, regardless of the investigation's outcome. Findings of an investigation may be appealed to the Board of Education.

A grievance procedure, as well as the form for filing a complaint and more information is attached as an addendum to this policy.

SEXUAL HARASSMENT WILL NOT BE TOLERATED.

Sexual harassment at work is a form of sex discrimination that violates Title VII of the 1964 Civil Rights Act.

We want to provide a safe and comfortable work or learning environment free from discrimination of any kind. Any unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature amongst staff, students or between staff and students will not be tolerated and may subject the employee to disciplinary actions, up to and including discharge, in the employment context, or expulsion where the harasser is a student.

WHAT IS SEXUAL HARASSMENT?

An individual is asked to exchange sexual favors for any form of security or other employment decisions such as a promotion or a salary increase, or for favorable treatment in the classroom.

An individual subject to unwelcome sexual conduct based on gender such as verbal or non-verbal sexual suggestions, posting or displaying sexual or pornographic pictures, obscene gestures, jokes, or other conduct that unreasonably interferes with one's performance or creates an intimidating, hostile, or offensive environment.

Examples of sexual harassment in the employment context include being subject to gender-based demeaning comments or comments and/or actions of a sexual nature, or where submission to conduct is made implicitly or explicitly a term or condition of employment.

Examples of sexual harassment in the student context include statements of a demeaning nature regarding gender by teachers, staff or other students, or statements of demeaning sexual nature or touching.

WHAT TO DO?

Report immediately to the building Title IX Coordinator any sexual harassment from any supervisor, co-worker, student, or the public that has affected or interfered with you, a colleague or student. If your supervisor is the source of the alleged harassment, report the problem to your supervisor's superior or the District Title IX Coordinator. All complaints will be investigated thoroughly, confidentially, and without bias. The law prohibits retaliation against an employee who makes a sexual harassment charge or assists in the investigation of such a charge. Any person who is uncomfortable with contacting a Title IX Coordinator who is a member or the opposite sex may contact any other appropriate official in the district with whom he or she is comfortable. Other appropriate officials include one's supervisor, the supervisor's superior or another Title IX Coordinator in the District.

SEXUAL HARASSMENT IS ILLEGAL AND IS PROHIBITED
BY
THE CONNECTICUT DISCRIMINATORY EMPLOYMENT PRACTICES ACT
(Section 46a-60 (a) (8) of the Connecticut General Statutes)
AND
Title VII of the Civil Rights Act of 1964
(42 United States Code Section 2000e et. seq.)

Sexual Harassment means “any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- 2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 3) Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment;

Examples of Sexual Harassment Include

Unwelcome Sexual Advances
Suggestive or Lewd Remarks
Unwanted Hugs, Touches, Kisses
Requests for Sexual Favors

Retaliation for complaining about sexual harassment derogatory or pornographic posters, cartoons or drawings

Remedies for Sexual Harassment May Include

Cease and Desist Orders
Back pay
Compensatory Damages
Hiring, Promotion or Reinstatement
Punitive Damages

Individuals who engage in acts of sexual harassment may also be subject to civil and criminal penalties.

If you feel that you have been discriminated against, you may also contact The Connecticut Commission On Human Rights and Opportunities, 21 Grand Street, Hartford, Connecticut 06106 (Telephone number (860) 541-3400; TDD number (860) 541-3459

SEXUAL HARASSMENT GRIEVANCE PROCEDURE

Any person who feels he/she has been sexually harassed should speak to or send a note to any school personnel he/she trusts, (i.e. teacher, nurse, counselor, principal), or if a student he/she should tell his/her parents who then should notify school personnel. The procedure begins when school personnel have been notified. School personnel must document the incident in a written form and give it to the Title IX Coordinator within three working days of the time of receipt. Upon receipt of allegations of sexual harassment, the school will take immediate steps to halt or prevent any behavior which may be construed as sexual harassment. Complaints of sexual harassment should be initiated within thirty (30) days of an incident.

In addition, staff is reminded that any incident involving alleged or suspected sexual abuse of a student shall immediately be reported to the appropriated state agencies.

Any allegation of sexual harassment shall be promptly addresses in a confidential manner so as to protect the privacy of all parties involved. All compliant proceedings will be held in confidence by all persons directly or indirectly involved. Information provided under these sexual harassment procedures will be treated as confidential.

The district will not allow anyone to retaliate against any person because he/she complains of sexual harassment or assists in an investigation of sexual harassment. Intimidation, coercion or any other attempt to interfere with an investigation of sexual harassment will not be tolerated.

Any employee who is aware of or suspects that sexual harassment is occurring and does not report it, or who interferes with or fails to cooperate with an investigation into alleged sexual harassment, may be disciplined.

INFORMAL PROCEDURE

It may be possible to resolve an offensive situation informally without an extensive and involved investigation. However, any involved parties may request a formal investigation at any time. Based on the seriousness of the charge, the Title IX Coordinator may decide that a formal investigation is most appropriate to address the issues. Additionally, the informal procedure may be inappropriate for subsequent allegations of similar conduct by the same individual. Steps taken under this informal procedure will be documented by the Title IX Coordinator.

The Title IX Coordinator may conduct the informal process in a variety of ways which may result in several possible resolutions. They are optional. Here are some examples:

- The Title IX Coordinator may facilitate a conversation between the two parties where the complainant may tell the respondent that the behavior is offensive and must stop.
- The Title IX Coordinator may assist the complainant in writing a letter to the respondent saying that the behavior is offensive and must stop.
- The Title IX Coordinator may have separate conversations with the complainant and the respondent.

Examples of possible resolutions are:

Verbal statements of apology
Letters of apology
Assurances that the offensive behavior will end
Disciplinary action

The informal procedure will be completed within ten school days of a complaint, whenever possible. Within this time, the Title IX Coordinator will notify all involved parties of the results of the informal process. Resolution of the situation may or may not occur as a result of the informal process. If all the parties involved in this information process feel that a resolution has been achieved, this discussion will remain confidential and no further action will be taken. If any of the parties feel that the resolution has not been achieved, participants will engage in the following formal procedure. Investigative deadlines may be extended under extenuating circumstances such as illness or excessive number or individuals to interview.

FORMAL PROCEDURE

A formal investigation is initiated when any one of the following three criteria are met:

- 1) Any of the parties involved requests the formal procedure and submits a written request and/or Sexual Harassment Complaint Form (attached).
- 2) The Title IX Coordinator requests the formal procedure due to the seriousness of the allegations or repeated behavior.
- 3) Any one of the parties involved in the informal process feels that the informal procedure was either inadequate or unsuccessful.

The formal procedure will be completed within twenty school days. During this time the Title IX Coordinator will:

- 1) Document the allegations in written form with sufficient detail to conduct a formal investigation.
- 2) Conduct an investigation of this complaint, and prepare a written report. This report must contain the following information:
 - All facts and circumstances of the incident. Also verification of parent/guardian notification if a student under 18 years of age is involved.
 - A summary of the investigation of all allegations which will include interviews with all individuals reasonably believed to have relevant information; the complainant, the respondent and, if either is under the age of 18, their parents (if appropriate) and witnesses.
 - A description of any actions already taken and/or proposed by the Title IX Coordinator.

The results of the investigation will be shared with each of the parties involved within five school days of completion of the investigation. All documentation of sexual harassment grievances will be kept on file with the Title IX Coordinator, separate and apart from the personnel/student files, except for any formal discipline.

APPEALS

A party may appeal the Title IX Coordinator's decision in writing to the Superintendent within 15 school days of receipt of the findings of the formal procedure. The Title IX Coordinator's decision will be reviewed to ensure adequacy of the investigation and conclusions. Parties will be given an opportunity to submit additional relevant information. The Superintendent will make a decision and provide it in writing to involved parties within 30 school days.

OTHER RESOURCES

Individuals also have the right to seek a remedy from the state human rights commission, the Equal Employment Opportunity Commission (for employee allegations), and the Regional Office for Civil Rights of the U. S. Department of Education.

Sexual Harassment Complaint Form

The Stratford Public Schools maintain a firm policy prohibiting all forms of discrimination based on sex. All employees and students are to be treated with respect and dignity. Sexual harassment, set forth in more detail in the policy and procedures Prohibiting Sexual Discrimination and Harassment, will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Home Phone: _____

Date of Alleged Incident: _____

Name of Person You Believe Sexually Harassed You: _____

List Any Witnesses: _____

Where Did Incident(s) Occur? _____

Describe the incident(s) as clearly as possible, including such things as: what force or physical contact, if any, was used, any verbal statements such as threats, requests, demands, etc.: what response(s) did you give; attach additional pages if more space is needed.

This complaint is filed based on my honest belief that _____ has sexually harassed me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

Complainant's Signature

Date

Received by

Date