

Students

Sexual Harassment

Sexual harassment will not be tolerated among students of the school district. It is the policy of the Board of Education that any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Students are expected to adhere to a standard of conduct that is respectful and courteous to employees, to fellow students and to the public.

Definition

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 a student's submission to or rejection of unwelcome conduct will in any way influence a decision regarding that student, or conduct of a sexual nature which substantially interferes with the student's learning, or creates an intimidating, hostile or offensive learning environment, such as the display in the educational setting of sexually suggestive objects or pictures.

Procedure

It is the express policy of the Board of Education to encourage victims of sexual harassment to report such claims. Students are encouraged to promptly report complaints of sexual harassment to the Director of Pupil-Personnel or Superintendent. 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.

The school district will provide staff development for district administrators and grievance committee members and will annually distribute its policy and grievance procedures to staff and students in an effort to maintain an environment free 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)

Students

Sexual Harassment (continued)

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

Gebbs 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.

Students

Sexual Harassment

Procedures for Reporting and Investigating Allegations of Sexual Harassment

The following procedures shall be followed pursuant to Board of Education Policy #5145.5 prohibiting sexual harassment of students and employees of the Regional School District No. 17.

1. Policy Awareness

- A. Board of Education Policy #5145.5 shall be distributed to all employees annually in September by each building Principal.
- B. The district's high school, middle school, and elementary school handbooks shall print the following announcement:

"The Regional School District No. 17 does not permit or condone sexual harassment of employees or students. If individuals or parents suspect that they or any students may be a victim of sexual harassment, they should contact the District Title IX Compliance Officer, the Director of Pupil Services at 860-345-8541 immediately."
- C. Middle and high school Principals shall provide the Superintendent of Schools annually in September of each year written assurance that the Board of Education policy on sexual harassment and implementing procedures have been appropriately and widely distributed and explained to students by appropriate professional staff members.
- D. Students shall receive instruction, annually, on the nature of sexual harassment and the process for reporting suspected incidents. This instruction shall be conducted in an age-appropriate manner at the elementary, middle, and high school levels. As part of this instruction, students shall be informed that they may report allegations of sexual harassment directly to a guidance counselor, school nurse, or any trusted adult or peer. Students should be advised that if they are identified as a trusted peer by a friend, they have an obligation to that friend to report the alleged sexual harassment to a guidance counselor, school nurse, or trusted adult.
- E. Staff training in the prevention of sexual harassment in the workplace shall be a part of the district's continuing staff development program.

2. Reporting Procedures

- A. The Superintendent of Schools will appoint a District Title IX Compliance Officer and announce the identity of this person annually prior to the beginning of the school year.

Students

Sexual Harassment

Procedures for Reporting and Investigating Allegations of Sexual Harassment

B. Reporting Procedures for Students

The maturity levels of students may inhibit their ability to recognize and report suspected sexual harassment directed toward them. School authorities have the responsibility to provide for the care, control, and custody of children under their care. This responsibility extends to protecting students from sexual harassment and assisting them in recognizing and reporting any such behavior(s). The following procedures shall apply in reporting suspected sexual harassment of students:

- (1) Sufficiently mature and self-confident students who feel comfortable filing a complaint personally shall be advised that forms for this purpose are available at both the guidance office and health office. In such cases, guidance counselors or school nurses shall assist students in the process of completing the form and in supplying to the student a copy of the Board of Education policy and procedures on sexual harassment. The guidance counselor or school nurse shall also notify the District Title IX Compliance Officer immediately and the parent/guardian, if the complaint is not directed toward them. If the student is a legal adult (18 years of age or older), the parent will be contacted only with the consent of the student.
- (2) In cases where a student discloses alleged sexual harassment to a trusted adult or peer, but is unwilling to personally initiate a formal complaint, the trusted adult or peer shall report the allegation to the guidance counselor or school nurse. The guidance counselor or school nurse shall contact the student to provide counseling and support, and shall also notify the District Title IX Compliance Officer immediately.

Role of the District Title IX Compliance Officer

The District Title IX Compliance Officer shall immediately institute an inquiry into the allegations which shall include, but not limited, to:

- A. Advising the Superintendent of Schools that a complaint of alleged sexual harassment has been filed.
- B. Interviewing the complaining adult or student in a confidential setting. In the case of a student the parent/guardian shall be notified (unless the parent/guardian is the subject of the allegations) and invited to be present for the interview.

Students

Sexual Harassment

Procedures for Reporting and Investigating Allegations of Sexual Harassment

- C. Conducting interviews with all parties named as perpetrators of and witnesses to the alleged sexual harassment.
- D. Filing a report of findings with the Superintendent of Schools. If the findings confirm that sexual harassment did exist, and that it was to a degree that may constitute sexual abuse of a minor, the District Title IX Compliance Officer shall also file a report with the State of Connecticut Department of Children and Families.

The inquiry shall be conducted in a timely manner. If the findings of the District Title IX Compliance Officer reject the allegations of sexual harassment, the accused and charging parties shall be so advised in writing by the Compliance Officer. Any and all material in the matter shall be removed from the file of the exonerated party, unless the exonerated party requests that a certification of the finding of insufficient evidence be placed in his/her file.

Obligations of the Superintendent of Schools

If the findings of the District Title IX Compliance Officer indicate the presence of reasonable evidence to substantiate allegations of sexual harassment, the Superintendent of Schools shall initiate a due process hearing under appropriate state statutes governing employee or student discipline. The hearing officer may be the Superintendent or his/her designee.

General Policy Administration and Monitoring

The District Title IX Compliance Officer shall maintain a comprehensive record of all filings of sexual harassment and their disposition. An annual report shall be made to the Superintendent of Schools at the end of each school year.

REGIONAL SCHOOL DISTRICT No. 17 PUBLIC SCHOOLS

SEXUAL HARASSMENT REPORT FORM

The Regional School District No. 17 Public Schools maintains a firm policy prohibiting all forms of discrimination based on sex. Sexual harassment against students or employees is sex discrimination. All persons are to be treated with respect and dignity. Sexual advances or other forms of personal harassment by any person, male or female, which create an intimidating, hostile or offensive environment will not be tolerated under any circumstances. Individuals who suspect that they may be victims of sexual harassment shall complete this form and file it with the District Title IX Compliance Officer _____ at _____

Complainant _____
Home Address _____
Work Address _____
Home Phone _____ Work Phone _____

Date of Alleged Incident(s) _____
Name of person(s) you believe sexually harassed you _____
List any witnesses that were present _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used: any specific verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; what did you do to avoid the situation, etc. (Attach additional pages if necessary.)

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 Signature) (Date)

Received by _____ (Date)
Signature-District
Title IX Compliance
Officer

A copy of this form shall be provided to the complainant.