

Section: Personnel-Certified/Non-Certified

**Subject: Sexual Discrimination and Sexual Harassment
in the Workplace**

P-4118.112

**Board Policy
Milford Public Schools
Milford, CT**

It is the policy of the Milford Board of Education to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by employees of the Milford Public Schools or members of the Board of Education relating to an employee's sex which has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited. Sexual harassment by volunteers or other non-school personnel doing business with the Milford Public Schools will also not be tolerated.

Any employee who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately to the Title IX Coordinator so that appropriate corrective action may be taken at once. The Board's Title IX Coordinator is: Director of Human Resources, Milford Public Schools, 70 West River Street, Milford, CT 06460, 203-783-3491. In the absence of a victim's complaint, the Superintendent, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

Discrimination

Sex discrimination is defined as when an employer refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to his or her compensation, terms, conditions, or privileges of employment on the basis of the individual's sex. Sex discrimination is also defined as when a person, because of his or her sex, is denied participation in, or the benefits of, a program that receives federal financial assistance.

Harassment

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it does include any unwelcome sexual advances, requests for sexual favors, and other verbal or physical 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 unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

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Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

1. Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;
2. Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks or noises;
3. Dirty jokes, derogatory or pornographic posters, cartoons or drawings;
4. The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment;
5. Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature;
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Any infraction of this policy by employees of the Milford Public Schools or members of the Board of Education should be reported immediately to the Title IX Coordinator, the Superintendent, or his/her designee in accordance with the district's sex discrimination and sexual harassment Complaint Procedure as defined in the Administrative Regulation. If a complaint about the Superintendent were to be made, the complaint is to be brought to the Board of Education, who will follow the same Complaint Procedure as defined in the Administrative Regulations. Retaliation against any employee for complaining about sex discrimination or sexual harassment is prohibited under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of sexual harassment.

A copy of this policy and its accompanying regulation are to be distributed to all supervisory and non-supervisory personnel and posted in appropriate places.

Legal References: United States Constitution, Article XIV
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 3/19/90.

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Title IX of the Education Amendments of 1972, 20 USCS § 1681, *et seq.*

Title IX of the Education Amendments of 1972, 34 CFR § 106, *et seq.*

Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Connecticut General Statutes § 46a-60 Discriminatory employment practices prohibited.

Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207

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

Board of Education Approved: July 9, 2012

Policy Revision Approved: May 14, 2018