

5145.51 SEXUAL HARASSMENT

Students

Sexual Harassment 5145.51

General: Sexual harassment will not be tolerated among students or staff of the school district. Any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers in the schools. Students shall exhibit conduct which is respectful and courteous to employees, to fellow students, and to the public. In addition, the Board prohibits all discriminatory intimidation on the basis of any other status protected by law, including but not limited to race, color, age, gender, gender identity or expression, religion, sexual orientation, national origin, marital status, disability, or veteran status.

Definition: Sexual harassment is any unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to:

1. insulting or degrading sexual remarks or conduct;
2. threats or suggestions that a student's submission to, or rejection of, unwelcome conduct will in any way influence a decision regarding that student;
3. 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.

Complaints Procedures: The Board of Education encourages victims of sexual harassment to report such claims promptly by making a written or oral complaint to the building principal. Should this individual be the alleged harasser, sexual harassment may be reported to the district's Title IX coordinator:

Director of Pupil Personnel Services
30 Park Street, Vernon, CT 06066
860-870-6000 Ext. 4666

Complaints shall be investigated promptly and thoroughly and corrective action shall be taken when allegations are verified. Confidentiality shall be maintained to the extent practicable under the circumstances and no reprisals or retaliation shall occur as a result of good faith charges of sexual harassment or cooperation in the investigation of a complaint. 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.

If it is determined that inappropriate conduct has been committed, the Board will take such action as is appropriate under the circumstances to eliminate the offending conduct and, where appropriate, impose discipline. When the harasser is a Board employee, such action may include discipline up to and including dismissal from employment, as deemed appropriate under the circumstances consistent with applicable law and collective bargaining agreements. When the harasser is a student, such action may include discipline up to and including expulsion and/or referral to the police or other appropriate agency.

The results of the investigation, including a good faith determination of whether or not harassment occurred as well as any disciplinary action to be taken, shall be maintained by the school district in a final report. The Complainant and the alleged harasser will be informed in writing of whether harassment has been found.

The district shall provide staff development for district administrators and other staff and annually shall distribute this policy to staff and students.

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 § 106.

Revised Sexual Harassment Guidance, Harassment of Students by School Employees, Other Students, or Third Parties, Title IX (U.S. Department of Education, Office for Civil Rights, Jan. 19, 2001)

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)

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)

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

Reviewed: October 23, 2023

Revised: September 23, 2019

September 12, 2011

January 26, 2010