

SEXUAL HARASSMENT OF STUDENTS

The Board of Education recognizes that harassment of students on the basis of actual or perceived sex, sexual orientation, and/or gender identity and expression is unacceptable behavior that harms targets and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn.

Sexual harassment is a form of sex discrimination and is unlawful under federal and state law. For purposes of this policy, sexual harassment includes harassment on the basis of actual or perceived sex, sexual orientation, and/or gender identity and expression. Sexual harassment of a student can deny or limit the student's ability to participate in or to receive benefits, services, or opportunities from the school's program. The District shall appoint one or more Title IX Coordinators each year and provide the Title IX Coordinator's contact information in the regulation that accompanies this policy (3421-R). Sexual Harassment that does not fall under Title IX will be addressed under 3420-R or the Dignity for All Students Act or New York Department of Labor requirements.

The District's Title IX Coordinator is required to evaluate the allegation to determine whether it should be investigated under Title IX. In addition, the District may be obligated to investigate the allegations under other policies including but not limited to the Code of Conduct and DASA

Cross-ref: 7380 Dignity for All
Students Ref:

Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*; 34 CFR 106
et seq. Education Law §§10-18 (The Dignity for All Students Act)

Davis v. Monroe County Board of Education, 526 U.S. 629, 652
(1999) *Gebser v. Lago Vista Independent School District*, 524 U.S.
274 (1998) *Franklin v. Gwinnett County Public Schools*, 503 U.S.

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(1992) *Cannon v. University of Chicago*, 441 U.S. 677 (1979)

Office for Civil Rights *Revised Sexual Harassment Guidance (January 19,
2001)* Office for Civil Rights, *Dear Colleague Letter: Bullying (October 26,
2010)*

Adopted: 4/20/22

Reviewed: 07/02/24