

## **Personnel – Certified/Non-Certified**

### **Sexual Harassment**

It is the policy of the Stafford Public Schools to maintain a learning and working environment that is free from sexual harassment. The school district therefore prohibits any form of sexual harassment in the workplace and school buildings, or at school-sponsored activities and events where staff and/or students are in contact with each other.

It shall be a violation of this policy for any student, employee of the district, or third party to harass a student or an employee or a third party through conduct or communication of a sexual nature as defined by this policy or as prohibited by law.

The school district will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment and to discipline any student or employee who sexually harasses a student or employee of the district.

### **Definitions and Examples**

- A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical contact or communication of a sexual nature when:
- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment; or
  - Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
  - The conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education environment.

Any sexual harassment as defined herein when perpetrated upon a student or staff member shall be treated as sexual harassment under this policy.

- B. Sexual harassment may include but is not limited to:
- Verbal harassment or abuse of a sexual nature
  - Subtle pressure for sexual activity
  - Inappropriate or unwelcomed touching, patting, or pinching of a sexual nature
  - Intentional brushing against a student's or an employee's body



## **Personnel – Certified/Non-Certified**

### **Sexual Harassment** (continued)

#### **Definitions and Examples** (continued)

- Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status.
- Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status.
- Use of sexually or gender degrading words or comments, verbal or written (ex., graffiti)
- A sexually suggestive display in the school, on school grounds, or at school-sponsored events

#### **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 Special Services or Superintendent of Schools. 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.

(cf. 0521 - Equal Opportunity - Nondiscrimination)

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)



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### Sexual Harassment (continued)

Legal Reference: *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).

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

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



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Any person with knowledge of sexual harassment or harassment based on race, color, national origin, or disability shall immediately report the alleged acts to a teacher or the building Principal.

The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well.

The school district will act to promptly investigate all complaints, either formal or informal, verbal or written, of sexual harassment and act to promptly take appropriate action to protect individuals from further harassment.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods, documents, or interviews deemed pertinent by the investigator.

The investigating party shall submit a completed Harassment Incident Report to the Superintendent of Schools and the Human Rights Officer(s) upon completion of the investigation, but no later than thirty (30) days from the initial receipt of the complaint. If the Superintendent of Schools is the subject of the complaint, the final report shall be submitted to the Board of Education and the Human Rights Officer(s).

### **School District Action**

Upon receipt of the final written report, the Superintendent of Schools or his/her designee shall take appropriate action based upon the results of the investigation. If the Superintendent is the subject of the complaint, such action shall be taken by the Board of Education.

Appropriate actions may include but are not limited to: counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. School district action taken for violation of this policy shall be consistent with the requirement of applicable collective bargaining agreements, state and federal law, and district policies for violations of a similar nature or similar degree of severity. In determining what is an appropriate response to a finding that harassment in violation of this policy has occurred, the school district shall consider:



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### **Sexual Harassment**

#### **School District Action** (continued)

- what response is most likely to end any on-going harassment
- whether a particular response is likely to deter similar future conduct by the harasser or others
- the amount and kind of harm suffered by the victim of the harassment
- the identity of the party who engaged in the harassing conduct
- whether the harassment was engaged in by school personnel, and if so, the school district will also consider how it can best remediate the effects of the harassment.

The result of the investigation of each complaint filed under these procedures shall be reported to the complainant and the accused by the Superintendent of Schools or his/her designee. If the Superintendent of Schools is the subject of the complaint, such report shall be made to the Board of Education. The report shall document any disciplinary action taken as a result of the complaint.

Submission of a good faith complaint or report of sexual harassment will not affect the complainant or reporter's future employment, grades, learning or working environment or work assignments.

The district may take disciplinary action against any person found to have maliciously filed a false complaint.

These procedures do not deny or limit the right of any individual to pursue other avenues of recourse, which may include filing charges with the State Department of Human Rights, the Equal Employment Opportunity Commission, initiating civil action or seeking redress under the State Criminal Statutes and/or Federal Law.

The school district will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the district's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.



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### **Sexual Harassment**

#### **School District Action (continued)**

The school district shall conspicuously post a notice of this policy against harassment in each school that the district maintains, in a place accessible to students, faculty, administrators, employees, parents and members of the public. This notice shall include the name, mailing address and telephone number of the Human Rights Officer, the name, mailing address and telephone number of the State agency responsible for investigating allegations of discrimination in educational opportunities, and the mailing address and telephone number of the United States Department of Education, Office for Civil Rights.

A copy of this policy shall appear in the student handbook and shall be made available upon request of parents, students, and other interested parties.

The school Board will develop a method of discussing this policy with students and employees. Training on the requirements of non-discrimination and the appropriate responses to issues of harassment will be provided to all school personnel.



**STAFFORD PUBLIC SCHOOLS**

Stafford Springs, CT

**4118.112**

**4218.112**

**5145.5**

**Form**

**POLICY AGAINST UNLAWFUL HARASSMENT**

1. Everyone at the Stafford Public Schools has a right to feel respected and safe. Consequently, we want you to know about our policy to prevent unlawful harassment.
2. A harasser may be a student or an adult. Harassment may include the following when related to religion, race, sex or gender, national origin, marital status, sexual orientation, or disability:
  - a. name calling, jokes or rumors;
  - b. pulling on clothing;
  - c. graffiti;
  - d. notes or cartoons;
  - e. unwelcome touching of a person or clothing;
  - f. offensive or graphic posters or book covers; or
  - g. any words or actions that make you feel uncomfortable or embarrass you.
3. If any words or action make you feel uncomfortable or fearful, you need to tell a teacher, counselor, social worker, the Principal or the Human Rights Officer:

Mrs. Marcia Elliott – Title IX Sex or Gender issues Borough School,  
36 Prospect Street, Stafford Springs, CT, Phone: (860) 684-4217

Dr. Barbara Macauley – All others Pinney Administration Building,  
263 East Street, P.O. Box 147, Stafford Springs, CT, Phone: (860) 684-4211

Office for Civil Rights, U.S. Department of Education, J.W. McCormack Post  
Office and Courthouse, Room 701, 01-0061, Boston, MA 02109-4557  
Phone: (617) 223-9669

4. You may also make a written report. It should be given to a teacher, counselor, social worker, the Principal or the Human Rights Officer. You may be accompanied by a parent/guardian during all steps of the complaint procedure.
5. Your right to privacy will be respected as much as possible.
6. We take seriously all reports of unlawful harassment or violence and will take all appropriate actions based on your report.
7. The School District will also take action if anyone tries to intimidate you or take action to harm you because you have reported.
8. This is a summary of the School District policy against unlawful harassment. Complete policy # 4118.112, 4218.112, 5145.5 are available in the Administrative Offices at each school upon request.

Incident Report Forms Attached



# Harassment Incident Report

4118.112/4218.112  
5145.5  
Form

School \_\_\_\_\_

1. Incident: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Location of Incident: \_\_\_\_\_  
 Form Completed By: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_

2. Perpetrator(s):		Ethnicity					3. Victim(s)					Ethnicity					Perpetrator attend school?						
Male	Female	A	AI/AN	B	F	H	PI	W	Grade	Y	N	Male	Female	A	AI/AN	B	F	H	PI	W	Grade	Y	N
1.												1.											
2.												2.											
3.												3.											
4.												4.											

Ethnic Code Key: \_\_\_\_\_  
 A- Asian AI/AN- American Indian or Alaskan Native B- Black, not of Hispanic Origin F- Filipino H- Hispanic  
 PI- Pacific Islander W- White

4. Type of Bias: \_\_\_\_\_  
 \_\_\_\_\_ Race \_\_\_\_\_ Sexual Orientation \_\_\_\_\_ Religion \_\_\_\_\_ Disability \_\_\_\_\_ National Origin \_\_\_\_\_ Sex (gender) \_\_\_\_\_  
 \_\_\_\_\_ Other \_\_\_\_\_

5. Type of Incident:  
 PERSONAL  
 \_\_\_\_\_ Body Language/gestures \_\_\_\_\_ Physical Assault- no weapon(s) used  
 \_\_\_\_\_ Verbal Slurs/threats \_\_\_\_\_ Physical Assault- weapon(s) used  
 \_\_\_\_\_ Harassment \_\_\_\_\_ Extortion/theft  
 \_\_\_\_\_ Other \_\_\_\_\_
- PROPERTY  
 \_\_\_\_\_ Graffiti \_\_\_\_\_ Property Damage  
 \_\_\_\_\_ Arson \_\_\_\_\_ Cross Burning  
 \_\_\_\_\_ Other \_\_\_\_\_

6. Narrative Description of Incident  
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 \_\_\_\_\_  
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7. Action Taken

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8. Assistance Needed at Site to Prevent Further Incidents

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9. Additional Comments

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10. Other Agency Reports Filed?

\_\_\_ Yes \_\_\_ No

Agency Name: \_\_\_\_\_

Adapted from *Hate-Motivated Behavior in Schools, Response Strategies for Administrators, School Boards, Law Enforcement and Communities*, Alameda County (CA) Office of Education (1997)

Copy to: Human Rights Officer  
Superintendent of Schools

Received by Human Rights Officer on: \_\_\_\_\_ (date/initials)

Reviewed by Human Rights Officer on: \_\_\_\_\_ (date/initials)

Further action necessary: \_\_\_ Yes \_\_\_ No

If "Yes", what action: \_\_\_\_\_



**STAFFORD PUBLIC SCHOOLS**  
Stafford Springs, CT

**UNLAWFUL HARASSMENT AND VIOLENCE REPORT FORM**

The Stafford Public Schools maintains a firm policy prohibiting all forms of discrimination. Unlawful harassment or violence against students or employees is discrimination. All persons are to be treated with respect and dignity. Sexual violence, sexual advances or other forms of religious, racial or sexual harassment by any pupil, teacher, administrator or other school personnel, which create an intimidating, hostile or offensive environment will not be tolerated under any circumstances.

**Complainant** \_\_\_\_\_

**Home Address** \_\_\_\_\_

**Work Address** \_\_\_\_\_

**Home Phone** \_\_\_\_\_

**Work Phone** \_\_\_\_\_

**Date of Alleged Incident(s)** \_\_\_\_\_

**Circle as Appropriate:**    sexual    racial    religious    gender    national origin  
   marital status    sexual orientation

**Name of person you believe harassed or was violent toward you or another person:**

\_\_\_\_\_  
**If the alleged harassment or violence was toward another person, identify that person:**

\_\_\_\_\_  
**Describe the incident(s) as clearly as possible, including such things as: what force, if any was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved, etc. (Attach additional pages if necessary.)**

\_\_\_\_\_  
**Where and when did the incident(s) occur?**

\_\_\_\_\_  
**List any witnesses who were present.**

\_\_\_\_\_  
**This complaint is filed based on my honest belief that \_\_\_\_\_ has harassed or has been violent to me or to another person. 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)** \_\_\_\_\_

