

**Series 4000
Personnel
4118.112(a)**

**POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT
IN THE WORKPLACE (PERSONNEL)**

It is the policy of the 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 a supervisor or co-worker 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.

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.

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 supervisors or co-workers 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 grievance procedure. 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.

Legal References:

United States Constitution, Amendment XIV
Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).
Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 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)

Constitution of the State of Connecticut, Article I, Section 20
Connecticut General Statutes § 46a-60 Discriminatory employment practices prohibited.
Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207

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REVISED: 6/19/07
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**COMPLAINT FORM REGARDING SEX DISCRIMINATION
AND SEXUAL HARASSMENT (PERSONNEL)**

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the discriminator(s) or harasser(s) _____

Location where such discrimination/harassment occurred _____

Name(s) of any witness(es) to the discrimination/harassment _____

Detailed statement of the circumstances constituting the alleged discrimination or
harassment _____

ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE (PERSONNEL)

Norwich Board of Education Sex Discrimination and Sexual Harassment Complaint Procedure

Complaint Procedure

It is the express policy of the Board of Education to encourage victims of sexual discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any employee who feels that he/she has been sexually harassed or otherwise discriminated against on the basis of sex should submit any such complaint to the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent, who shall investigate or appoint a designee to do so.

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 to the extent possible and reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.

The school district will provide staff development for new district administrators and will publish its policy and grievance procedures to staff and employees in an effort to maintain an environment free of sex discrimination and sexual harassment.

Any employee who believes that he or she has been discriminated against or sexually harassed in the workplace in violation of this policy may also file a complaint with the Office of the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd Hartford CT 06103, 860-541-3400 or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER 800-669-4000). Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 180 days of the date when the alleged discrimination/harassment occurred. Remedies for sex discrimination and sexual harassment include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

Title IX Coordinator

The Title IX Coordinator for the Norwich Board of Education is the Assistant Superintendent, whose office is located at 90 Town Street and whose telephone number is 860-823-6284.

**SEXUAL HARASSMENT IS ILLEGAL
AND IS PROHIBITED
BY
THE CONNECTICUT DISCRIMINATORY EMPLOYMENT PRACTICES ACT
(Section 46a-60 of the Connecticut General Statutes)
AND
TITLE VII OF THE CIVIL RIGHTS ACT OF 1964
(42 United States Code Section 2000e et seq.)**

SEXUAL HARASSMENT MEANS ANY UNWELCOME SEXUAL ADVANCES OR REQUESTS FOR SEXUAL FAVORS OR ANY 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 SUBSTANTIALLY INTERFERING WITH AN INDIVIDUAL'S WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT.

Examples of SEXUAL HARASSMENT include:

UNWELCOME SEXUAL ADVANCES
SUGGESTIVE OR LEWD REMARKS
UNWANTED HUGS, TOUCHES, KISSES
REQUESTS FOR SEXUAL FAVORS
DEROGATORY OR PORNOGRAPHIC POSTERS, CARTOONS, OR DRAWINGS.

Remedies for sexual harassment may include:

CEASE AND DESIST ORDERS
BACK PAY
COMPENSATORY DAMAGES
HIRING, PROMOTION, OR REINSTATEMENT

RETALIATION AGAINST ANY EMPLOYEE FOR COMPLAINING ABOUT SEXUAL HARASSMENT IS PROHIBITED UNDER THIS POLICY AND ILLEGAL.

VIOLATION OF THIS POLICY IS GROUNDS FOR DISCIPLINE, INCLUDING DISCHARGE.

INDIVIDUALS WHO ENGAGE IN ACTS OF SEXUAL HARASSMENT MAY ALSO BE SUBJECT TO CIVIL AND CRIMINAL PENALTIES.

AN INFRACTION OF THIS POLICY BY SUPERVISORS OR CO-WORKERS SHOULD BE REPORTED IMMEDIATELY TO THE TITLE IX COORDINATOR WHO IS THE ASSISTANT SUPERINTENDENT OR SUPERINTENDENT IF THE TITLE IX COORDINATOR IS THE SUBJECT OF THE COMPLAINT. CONFIDENTIALITY WILL BE MAINTAINED TO THE EXTENT POSSIBLE.

ANY EMPLOYEE WHO BELIEVES THAT HE OR SHE HAS BEEN HARASSED OR DISCRIMINATED AGAINST IN THE WORKPLACE IN VIOLATION OF THIS POLICY MAY ALSO CONTACT:

THE CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
EASTERN REGION OFFICE
100 BROADWAY
NORWICH, CT 06360
860-886-5703

AND/ OR:

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
BOSTON AREA OFFICE
JOHN F. KENNEDY FEDERAL BUILDING
475 GOVERNMENT CENTER
BOSTON, MA 02203
PHONE (800) 669-4000

CONNECTICUT LAW REQUIRES THAT A FORMAL WRITTEN COMPLAINT BE FILED WITH THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES WITHIN ONE HUNDRED AND EIGHTY (180) DAYS OF THE DATE WHEN THE ALLEGED HARASSMENT/ DISCRIMINATION OCCURRED.