

Personnel--Certified/Non-CertifiedSex Discrimination and Sexual Harassment

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; and

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.

Any infraction of this policy by supervisors or co-workers should be reported immediately to the Assistant Superintendent of Schools in accordance with the district's sex discrimination and sexual harassment complaint 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.

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 Assistant Superintendent of Schools, who serves as the district's Title IX Coordinator. If the Assistant Superintendent of Schools is the subject of the complaint, the complaint should be submitted to the Superintendent, who shall investigate or appoint a designee to do so.

Following any informal discussion of the allegations, and in order for the matter to proceed further, all complaints will be submitted in writing on the form "Sexual Harassment Complaint Report."

Complaints will be investigated promptly. 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.

Upon conclusion of the investigation at this level, the Superintendent of Schools shall render his/her finding in a timely manner with disposition made in one of the following categories:

- | | | |
|----|--------------|---|
| A. | Unfounded: | Complaint or incident is false and not factual. |
| B. | Exonerated: | Complaint or incident did occur, but action of member(s) involved were prompt and lawful. |
| C. | Unsustained: | Insufficient evidence to either prove or disprove the complaint or incident. |
| D. | Sustained: | The complaint or incident is supported by sufficient evidence. |

If a complaint of sexual harassment is sustained, the Superintendent of Schools will take appropriate action in accordance with established policy. Confirmed cases of harassment will be

corrected and appropriate discipline, up to and including discharge, will be directed at offending parties.

A complaint may be withdrawn by the complainant at any level.

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 Eastern Region Office of the Connecticut Commission on Human Rights and Opportunities, 100 Broadway, Norwich, CT 06360, PHONE: (860) 886-5703, FAX: (860) 886-2550, TDD: (860) 886-5707 and/or the Equal Employment Opportunity Commission, Boston Area Office, 475 Government Center, Boston, MA 02203 (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, Norwich, CT 06360 and whose telephone number is 860-823-6284.

Legal References: United States Constitution, Amendment XIV
Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(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

Policy approved: 1/26/93
Policy Revised: 6/19/07
Policy Revised: 11/15/16

NORWICH PUBLIC SCHOOLS
Norwich, Connecticut

**NORWICH PUBLIC SCHOOLS
NORWICH, CONNECTICUT 06360**

**SEXUAL HARASSMENT
COMPLAINT REPORT AND
INVESTIGATIVE REPORT**

Check one:

Student _____

Personnel _____

COMPLETE THE APPROPRIATE BOX AND THE BOTTOM OF THIS PAGE

Name of complainant (student): _____

Student's parents/guardian: _____

Home Address: _____ Telephone: _____

School: _____

Name of complainant: _____ Telephone (work): _____

Home address: _____ Telephone (home): _____

Department/Position of Employment: _____

Supervisor: _____

Date of incident: _____ Time of incident: _____ Date reported: _____

Location of incident: _____

Complaint filed against (name/position): _____

Details (description) of complaint:

**SEXUAL HARASSMENT COMPLAINT AND INVESTIGATIVE REPORT
PAGE 2**

(Details [continued])

Witnesses:

Name/Position	Address	Telephone

Signatures (acknowledgments):

Complainant: _____ Date: _____

Administration: _____ Date: _____
(Person assisting with report)

Parent/Guardian: _____ Date: _____
(For Students only)

Superintendent of Schools: _____ Date: _____

**SEXUAL HARASSMENT COMPLAINT AND INVESTIGATIVE REPORT
PAGE 3**

Name of Complainant: _____ Date Decision Rendered: _____

Decision Rendered: Unfounded Exonerated Unsustained Sustained

Recommended action/action taken:

Signatures (Acknowledgments):

Complainant: _____ Date: _____

Parent/Guardian: _____ Date: _____
(For Students only)

Subject of Investigation: _____ Date: _____

School Administrator: _____ Date: _____

Title: _____

Superintendent of Schools: _____ Date: _____