

Personnel: Certified/Non Certified

Sex Discrimination and Sexual Harassment in the Workplace

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:

- Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;

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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, Article XIV
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, 20 USCS § 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)
Connecticut General Statutes § 46a-60 Discriminatory employment practices prohibited.

4118.12(c)
4218.12

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Sex Discrimination and Sexual Harassment in the Workplace (continued)

Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207
Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted: July 13, 2015

STAFFORD PUBLIC SCHOOLS
Stafford Springs, Connecticut

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**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:

- SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF AN INDIVIDUAL'S EMPLOYMENT;
- SUBMISSION TO OR REJECTION OF SUCH CONDUCT BY AN INDIVIDUAL IS USED AS THE BASIS FOR EMPLOYMENT DECISIONS AFFECTING SUCH INDIVIDUAL; OR
- 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 AMY STEVENSON, DISTRICT TITLE IX COORDINATOR. 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
PHONE (860) 886-5701

AND/ OR:

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
BOSTON AREA OFFICE
475 GOVERNMENT CENTER
BOSTON, MA 02203
PHONE (617) 565-3200
(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.