STUDENTS

SERIES 5000

SEX DISCRIMINATION AND SEXUAL HARASSMENT

POLICY

It is the policy of the Region 15 Board of Education to create and maintain a learning environment that is free from sexual harassment and discrimination on the basis of sex. Sex discrimination or sexual harassment is prohibited, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Sexual harassment can occur between adult and student, student and student, members of the opposite sex, or between members of the same sex.

The Board authorizes the Administration to develop Administrative Regulations implementing this policy.

Sex discrimination occurs when a person, because of his or her sex, is denied participation in, or the benefits of, any education program receiving federal financial assistance.

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it includes any unwelcome conduct of a sexual nature (whether verbal, non-verbal, or physical, including but not limited to, insulting or degrading sexual remarks or conduct, threats or suggestions) when: (1) submission to, or rejection of, such conduct by a student is used and/or threatened to be used as a basis for making any educational decision affecting a student; or (2) such conduct is sufficiently severe, pervasive or persistent such that it limits a student’s ability to participate in, or benefit from, the educational program, or (3) it creates an intimidating, hostile, or offensive educational environment. Sexual harassment is prohibited regardless of the sex of the victim or the harasser.

Although not an exhaustive list, the following are examples of the type of conduct prohibited by this policy:

1. Statements or other conduct indicating that a student’s submission to, or rejection of, sexual overtures or advances will affect the student’s grades and/or other academic progress;
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching;
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene comments, invitations, letters, e-mails, text messages, notes, slurs, jokes, pictures, cartoons, epithets

or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying e-mails or websites of a sexual nature.
6. Using computer systems, including e-mail, 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.

Procedure
The Board of Education encourages all victims of sex discrimination or sexual harassment, as well as any persons with knowledge of sex discrimination or sexual harassment, to promptly report complaints to appropriate school administrators. Complaints of sex discrimination/harassment will be promptly investigated in accordance with procedures set out in the following Administrative Regulations and corrective action taken where appropriate. The district will maintain the confidentiality to the extent appropriate, in accordance with law. All good faith complainants have the right to be free from retaliation of any kind. Any retaliation will result in disciplinary action against the retaliator.

Sex discrimination and/or sexual harassment by a student, employee, individual under contract with the Board, or volunteer in the School District, will result in disciplinary action, up to and including termination of employment or expulsion from school.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing of Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination.

Legal References:
- United States Constitution, Article XIV
- Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq.
- 34 C.F.R. § 106.1 et seq.
- Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)
- Davis v. Monroe County Board of Education, 526 U.S. 629 (1999).
- Office for Civil Rights, U.S. Department of Education, Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, 66 Fed. Reg. 5512 (Jan. 19, 2001).
- Constitution of the State of Connecticut, Article I, Section 20

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