

Sexual Harassment

A. Introduction

The Putnam Board of Education is committed to safeguarding the right of all students within the school district to a school environment that is free from all forms of sexual harassment. Sexual harassment does not only depend upon the offender's intention but also upon how the student perceives the behavior or is affected by it. The Board recognizes that sexual harassment can originate from a student of either sex against a student of the opposite or same sex, and from adults and/or school district employees.

Sexual harassment will not be tolerated among students of the school district. It is the policy of the Board of Education that any form of sexual harassment of students is forbidden whether by other students, supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Students are expected to adhere to a standard of conduct that is respectful and courteous to employees, to fellow students and to the public.

Therefore, the Board condemns all unwelcome behavior of a sexual nature which is either designed to extort sexual favors from a student, or which has the purpose or effect of creating an intimidating, hostile, or offensive school environment. The Board also strongly opposes any retaliatory behavior against complainants or any witnesses.

B. Definition, Process, Investigation, Action

Students shall not be discriminated against, including but not limited to, in the areas of:

Admission

Use of School Facilities

Vocational Education

Competitive Athletics

Student Rules, Regulations and Benefits

Financial Assistance

School-sponsored Extracurricular Activities

Enrollment in Courses

Counseling and Guidance

Physical Education

Graduation Requirements

Treatment as a Married and/or Pregnant Student

Health Services

Most Other Aid, Benefits or Services

School Sponsored Transportation

Attainment of Grades

Sexual harassment has been established as a form of discrimination and is defined as follows:

"Sexual harassment is defined as unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to, insulting or degrading sexual remarks or conduct, threats or suggestions that a student's submission to or rejection of unwelcome conduct will in any way influence a decision regarding that student, or conduct of a sexual nature which substantially interferes with the student's learning, or creates an intimidating, hostile or offensive learning environment, such as the display in the educational setting of sexually suggestive objects or pictures."

If you believe that you have been discriminated against in regard to either this policy or Board Policy 0521, Non-Discrimination, you may file a grievance that your rights have been denied or violated.

Policy:

It is the policy of the Putnam Board of Education to promote a productive workplace for students and will not tolerate any individual that harasses, disrupts or interferes with a student's ability to perform their work, education performance or that creates an intimidating, offensive or hostile environment.

Comment:

- (1) Students, employees, volunteers or third parties are expected to maintain a productive learning environment for students that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, age, sex, gender identity or sexual orientation. Special attention will be paid to the prevention of sexual harassment.
- (2) Each student, employee, volunteer or third party has a responsibility to keep the workplace and learning environment free from any form of harassment of students and in particular, sexual harassment. As example, this conduct includes but is not limited to:
 - (a) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
 - (b) Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
 - (c) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's personal appearance;

(d) The display in any school facility or grounds of demeaning, insulting, intimidating or sexually suggestive objects, attire, pictures, or photographs or such photos displayed on electronic devices;

(e) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Any display of the above conduct, or other offensive conduct, directed at students because of their race, national origin, religion, disability, age, sex, or sexual orientation is also prohibited.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact the building Principal or the school system's Title IX Coordinator.

Forms are available in the school office, the Guidance Office or from the Title IX Coordinator. Contact with the building Principal or the Title IX Coordinator must be initiated within twenty (20) calendar days of the alleged occurrence.

The building Principal will notify the Title IX Coordinator, in writing, of all sexual harassment complaints he/she receives.

Insert name and address of Title IX Coordinator

Discrimination Grievance Procedure

Any student who wishes to inquire or to register a complaint concerning alleged discrimination in the Putnam Public Schools shall have an opportunity to bring such concerns to the attention of the building Principal or Title IX Coordinator. The following grievance procedure shall be utilized by any student, parent, employee or volunteer in making a complaint or inquiry.

A. Purpose

1. Should any student of the Putnam Public Schools feel that his/her rights were violated under any of the legal references listed in this policy, the following procedures should be followed. It is the purpose of this procedure to secure, at the lowest possible administrative level, equitable solutions to problems which may arise.

B. Definitions

1. **"Grievance"** shall mean a dispute between a student, employee, or third party and the Board or administration over the interpretation or application of a specific provision of the above listed articles based upon an event or condition which affects the employee, prospective employee, student or parent.
2. **"Party of Interest"** shall mean the aggrieved student or students and the Board of Education or their designated representative as provided herein.
3. **"Days"** shall mean days when school is in session.
4. **"Building Principal"** shall mean the building Principal or his/her designee.
5. **"Third Party"** shall mean parents or volunteers.

C. Time Limits

1. If the aggrieved student does not initiate a grievance in writing within twenty (20) days after the alleged occurrence on which the grievance is based, than the grievance shall be considered to have been waived.
2. The number of days indicated at each step shall be considered as a maximum. The time limit specified may, however, be extended by written agreement of the parties of interest.
3. Failure by the aggrieved student at any level to appeal a grievance to the next level within the specified time limits shall be deemed to be acceptance of the decision rendered at that level.
4. Failure by the administrator involved to render a decision within the specified time limits shall be deemed to be a denial of the grievance submitted.

D. Informal Procedure

If a student feels that he/she may have a grievance, he/she will first discuss the matter with the building Principal in an effort to resolve the problem informally.

The building Principal will notify, in writing, the Title IX Coordinator of the grievance he/she receives.

E. Formal Procedure

Complaint Procedure - Student/Employee/Volunteer/Third Party

Step 1 - Reporting

The following grievance procedure shall be utilized by any student in making a complaint or inquiry.

Overview

A student who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to report the incident immediately to the building Principal. The complainant will first discuss the matter with the appropriate administrator in an effort to resolve the problem informally.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building Principal. The building Principal will investigate the potential violation and try to resolve the problem informally.

The complainant is encouraged to use the report form available in the Main Office, Guidance Office or Title IX Coordinator, but oral complaints shall be accepted. Oral complaints must be documented by the building Principal or Title IX Coordinator.

The building Principal will notify, in writing, the Title IX Coordinator of the grievance.

If the building Principal is the subject of the complaint, the student, employee or third party shall report the incident directly to the Title IX Coordinator. This will now become a level two grievance.

Level One: Building Principal

If the aggrieved student is not satisfied with the disposition of the informal procedures, the student shall submit such a claim as a written grievance to the building Principal. The written statement of the grievance shall contain a statement of facts, the remedy requested and reference to the provision of Title IX guidelines which the student claims has been violated. The aggrieved student must initiate the written grievance within twenty (20) days after the alleged occurrence on which the grievance is based.

Upon receiving a written grievance, the building Principal shall immediately notify, in writing, the Title IX Coordinator, who shall then authorize the building Principal to investigate the complaint, unless the building Principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the incident. Other information and materials relevant to the investigation may also be evaluated.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation is pending or has been concluded.

The building Principal shall prepare a written report within ten (10) days unless additional time to complete the investigation is required, as determined by the Title IX Coordinator. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy and a written recommended disposition of the complaint.

Copies of the report shall be provided to the complainant and to the accused.

Level Two: Title IX Coordinator

If the aggrieved student is not satisfied with the disposition of such grievance at Level One, the student shall submit a request to the Title IX Coordinator for further investigation of the complaint. This request must be filed within five (5) days of the level one decision rendered to the aggrieved student.

Both the written grievance and the investigation report will be forwarded to the Title IX Coordinator from the building Principal. The Title IX Coordinator will review the investigation report and may or may not conduct a further investigation. The Title IX Coordinator shall, within ten (10) days after receipt of the written grievance, render a decision and the reason(s) therefore in writing to the complainant and the accused.

Level Three: Superintendent of Schools

If the aggrieved student is not satisfied with the disposition of such grievance at Level Two, the student shall, within three (3) days after the formal presentation, file such written grievance with the Superintendent of Schools.

The Superintendent or his/her designee, shall within ten (10) days after receipt of the referral, meet with the complainant for the purpose of resolving the grievance. He/She may meet with the accused and other persons, as necessary, for the purpose of resolving the grievance. A full and accurate record of such hearing shall be kept by the Superintendent and made available to any party of interest upon written request.

The Superintendent shall, within five (5) days after the hearing, render a decision and the reason(s) in writing to the complainant, accused and the Title IX Coordinator.

Level Four: Board of Education

If the aggrieved student is not satisfied with the disposition of such grievance at Level Three, the student shall, within three (3) days after the decision, or within five (5) days after the final hearing, file the grievance with the Board of Education.

The Board shall receive the written grievance and all written documents for the purpose of resolving the grievance. The Board of Education shall, within ten (10) days after receipt of the appeal, meet with the complainant in either open or executive session for the purpose of resolving the grievance. The Board also has the option of meeting with the accused in open or executive session. A full and accurate record of such hearing shall be kept by the Superintendent and made available to any party of interest upon written request.

The Board shall, within five (5) days after such meeting, render its decision and the reason(s) therefore, in writing, to the complainant and the accused.

Level Five - Appeal

If the aggrieved student is not satisfied with the disposition of the grievance at Level Four, the student may appeal to the Office of Civil Rights, US. Department of Health, Education and Welfare, John W. McCormack Post Office and Courthouse, Room # 222, Post Office Sq., Boston, MA 02109

Legal Reference: Connecticut General Statutes

10-15c

Federal Law

Title VII of the Civil Rights Act 1964

Title IX of the Education Amendments of 1972.

Civil Rights Act of 1987.