

Students

Sexual Harassment

Sexual harassment is forbidden by Federal and State law and by the Hamden Board of Education and will not be tolerated in the Hamden Public Schools. Employees and students are expected to adhere to a standard of conduct that is respectful and courteous to employees of the Hamden Public Schools, fellow students, and the public. Students have the right to an educational environment free of sexual harassment, whether by employees of the Hamden Public Schools or by other students.

Should sexual harassment be alleged, Board policy dictates that it shall be thoroughly investigated that there shall be no retaliation against the victim of the harassment, and that the problem/concern shall be appropriately addressed.

Education

Each year, students will be informed of their rights and responsibilities under this regulation. Such education will include information regarding the procedures for making a complaint, and may also include discussion, films or other activities deemed appropriate.

Definition

Sexual harassment is defined as "any unwelcome conduct of a sexual nature, whether verbal or physical including but not limited to request for sexual favors, degrading sexual remarks or conduct or any other verbal, visual or physical conduct of a sexual nature," made by someone from or in the work or education setting which substantially interferes with the student's learning or creates an intimidating, hostile or offensive environment, including displays of sexually suggestive objects or pictures. Sexual harassment occurs when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of the individual's participation educational program or opportunity.
2. Submission to, or rejection of, the conduct by the individual is used as a basis of educational or other decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's academic performance, or of creating an intimidating, hostile or offensive educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding honors, programs, or activities available at or through the educational institution.

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Sexual Harassment (continued)

Legal Reference: 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, 34 CFR Section 106.

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

Constitution of the State of Connecticut, Article I, Section 20.

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Examples of Sexual Harassment

While an exhaustive list is not possible, the following constitute examples of specific behaviors that if unwelcome and of a sexual nature could constitute sexual harassment:

1. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, touching, impeding or blocking movement, leering, gestures, noises, pulling at clothes, display of sexually suggestive objects, pictures or cartoons, assault, rape/attempted rape.
2. Continuing to express sexual interest after learning or being informed that the interest is unwelcome.
3. Coercive sexual behavior used to control, influence, or affect the educational environment of a student, such as threats of reprisal; implying or withholding support for promotion, transfer, or change of assignment, suggesting a poor performance report will be stopped.
4. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student, including promises or threats regarding grades, course admission performance evaluations, or recommendation; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).
5. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation, or a hostile or offensive educational environment.
6. Inappropriate attention of a sexual nature from peer(s), i.e. student to student.
7. It is understood that any sexual or romantic relationships between employees of the Board and students are highly inappropriate and unacceptable whether or not they constitute sexual harassment as defined in this regulation.

Title IX Officer

Questions, complaints and other matters concerning sexual harassment will normally be handled by the officer who may be reached at 288-8473. The Title IX Officer is also responsible for compliance with Title VII of the Civil Rights Act of 1962, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the City Rights Act of 1987 and the Americans with Disabilities Act.

Students

Examples of Sexual Harassment (continued)

Complaint Procedure

If a student believes that he/she is being or has been subject to behavior that could constitute sexual harassment, that person should immediately inform a parent or guardian, teacher or administrator. Upon notification of said incident, the school administrator should immediately inform the alleged perpetrator. A school official should immediately inform the alleged perpetrator that his/her behavior is unwelcome and unacceptable, offensive, in poor taste, unprofessional and/or highly inappropriate and that such behavior must stop.

If the incident is not resolved, school staff will make a written complaint to the Title IX officer. Normally written complaints should be made within five (5) days of the act of harassment. Written complaint forms are available from the Title IX officer, school administrator and the guidance office. The complaint should state the name of the complainant and the date of the complaint, the date of the alleged harassment, the name or names of the harasser(s), where such harassment occurred, and the statement of the circumstances constituting the alleged harassment.

If the complainant is a minor student under 16 years of age, the person to whom the complaint is given should consider whether a child abuse report is required by law.

All written complaints are to be forwarded immediately to the Title IX officer unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent.

The investigator shall make a written report summarizing the results of the investigation and the proposed disposition of the matter and shall provide copies to the complainant, the alleged harasser, and, as appropriate, to all others directly concerned.

If the complainant is dissatisfied with the results of the investigation, he or she may file a written appeal with the Board of Education, who shall review the written report, the information collected by the investigator, and the recommended disposition of the complaint and will determine whether the alleged conduct constituted harassment.

If, after a thorough investigation, there is reasonable cause to believe sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to sexual harassment may include reassignment, transfer or discipline action, as deemed appropriate by the Board.

The harasser will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If acts of harassment or retaliation do occur, appropriate action shall be taken.

Students

Examples of Sexual Harassment (continued)

Complaint Procedure (continued)

Each year, copies of these regulations will be distributed to all elementary, middle and high school students.

(cf. 4116.13, 4216.13 Sexual Harassment)

Legal Reference: Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).

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Regulation approved: June 27, 2005

HAMDEN PUBLIC SCHOOLS
Hamden, Connecticut

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SEXUAL HARASSMENT FORMAL COMPLAINT FORM

Name and position of complainant: _____ Grade _____

School _____ Date of complaint: _____

Name of alleged sexual harasser: _____

Date and place of incident: _____

Description of misconduct: _____

Name of witnesses(if any): _____

Has the incident been reported before? _____

If yes, when? _____

To whom? _____

What was the resolution? _____

Reasons for dissatisfaction: _____

To the best of my knowledge, all the information above is correct.

Signature (Parent)

Signature (Student)

School Administrator

Date

Disposition: _____

Title IX Officer

Date

Disposition _____

Superintendent of Schools

Date

Disposition: _____

HAMDEN PUBLIC SCHOOLS

SEXUAL HARASSMENT FORMAL COMPLAINT - APPEAL FORM

Name and position of complainant: _____ Grade _____

School _____ Date of complaint: _____

Name of alleged sexual harasser: _____

Date and place of incident: _____

Description of misconduct: _____

Name of witnesses(if any): _____

Has the incident been reported before? _____

If yes, when? _____

To whom? _____

What was the resolution? _____

Reasons for dissatisfaction: _____

To the best of my knowledge, all the information above is correct.

Signature (Parent)

Signature (Student)

School Administrator

Date

Disposition: _____

Title IX Officer

Date

Disposition _____

Superintendent of Schools

Date

Disposition: _____
