

**Sexual Discrimination/Sexual Harassment**

Sexual harassment and sexual discrimination will not be tolerated among students in the Regional School District #1 Public Schools. It is the policy of the Board that any form of sexual harassment or sexual discrimination is forbidden, whether by 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.

At all times the Board will enforce this policy as proscribed under Title IX and other relevant federal and state laws, as amended from time to time.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy:

**Definitions**

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 any conduct that 1) is sexual nature, whether verbal or physical; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program.

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

1. Insulting or degrading sexual remarks or conduct;
2. Threats or suggestions that a student's submission to, or rejection of, unwelcome conduct will in any way influence a decision regarding that student.
3. 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.
4. Touching of a sexual nature, or sexual name calling, sexual rumors, inappropriate public display of affection, too personal a conversation, corner/blocking gestures, jokes/cartoons/pictures, attempted rape or rape, pulling at clothes.

**Sexual Discrimination/Sexual Harassment** (continued)

5. 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.

Anyone who believes that s/he has been discriminated against with regard to any of the preceding conducts may file a complaint that one's rights have been denied or violated.

**Complaint Procedures:** The Board of Education encourages victims of sexual harassment to report such claims promptly to the building Principal or designee. Complaints shall be investigated promptly and corrective action taken when allegations are verified. Confidentiality shall be maintained, and no reprisals or retaliation shall occur as a result of good faith charges of sexual harassment.

Staff development for district administrators and other staff shall be provided. This policy shall be distributed annually to staff and students through district handbooks.

Sex discrimination and/or sexual harassment may also constitute bullying behavior under state law and Board policy.

**Legal Reference:**

Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000e2(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.

*Gebbs v. Lago Vista Indians School District*, No. 99-1866, (U.S.  
Supreme Court, June 26, 1998)

*Davis v. Monroe County Board of Education*, No. 97-843 (U.S. Supreme  
Court, May 23, 1999)

Connecticut General Statutes 46a-60 Discriminatory employment  
practices prohibited.

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

Policy adopted: May 9, 2019

NORTH CANAAN BOARD OF EDUCATION  
North Canaan, Connecticut

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**Complaint Procedure**

1. It is the express policy of the board of education to encourage victims of sexual discrimination or sexual harassment to promptly report such claims. Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
2. As soon as a student feels that he or she has been subjected to sex discrimination or sexual harassment, he/she or his/her parent/legal guardian should make a written complaint to the Superintendent of Schools or to the building principal. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.
3. The complaint should state the:
  - A. Name of the complainant,
  - B. Date of the complaint,
  - C. Date(s) of the alleged harassment/discrimination,
  - D. Name(s) of the harasser(s) or discriminator(s),
  - E. Location where such harassment/discrimination occurred,
  - F. Names of any witness(es) to the harassment/discrimination,
  - G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
  - H. Remedy requested.
4. Any student who makes an oral complaint of harassment or sex discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and will be requested to make a written complaint to the above procedure.
5. The person to whom the complaint is given should consider whether a child abuse report should be completed in accordance with board Policy and state law.
6. All complaints are to be forwarded immediately to the building principal or designee unless that individual is the subject to the complaint, in which case the complaint should

**Sexual Discrimination/Sexual Harassment**

be forwarded directly to the Superintendent of Schools or his/her designee. In addition, a copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator.

7. The Title IX Coordinator or designee shall promptly investigate all complaints of sexual discrimination or sexual harassment against a student, regardless of whether the conduct occurred on or off-school grounds. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
8. Any student who makes a complaint shall be notified of the school district's intent to investigate the complaint. In the event the student requests confidentiality or that an investigation not be conducted, the district will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or will not investigate the complaint. If the student insists that his/her personally identifiable information not be shared with the alleged perpetrator, the student will be informed that the district's ability to investigate and/or take corrective action may be limited.
9. Upon receipt of a sexual harassment or sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to promptly investigate the complaint. The Title IX Coordinator or designee shall:
  - a) offer to meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
  - b) provide the complainant with a copy of the Board's sexual harassment policy and accompanying regulations;
  - c) consider whether any interim measures may be appropriate to protect the alleged victim, pending the outcome of the investigation;
  - d) investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;

- e) consider whether alleged sex discrimination or sexual harassment has created a hostile school environment, including consideration of the effects of off-campus conduct on the school;
  - f) communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within (60) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
  - g) when sex discrimination or sexual harassment has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the harassment or discrimination, as deemed appropriate by the Superintendent of his/her designee, and take steps to remedy the effects of the sex discrimination or sexual harassment.
10. If the student complainant or alleged perpetrator is dissatisfied with the findings of the investigation, he or she may file a written appeal within thirty (30) calendar days to the Superintendent of Schools, who shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sexual harassment or sex discrimination. The Superintendent of Schools may determine if further action and/or investigation is warranted. After completing this review, the Superintendent of Schools shall respond to the complainant, in writing, within fifteen (15) school days following the receipt of the written request for review.

If a sexual discrimination or sexual harassment complaint raises a concern about bullying behavior, the Title IX Coordinator shall notify the Safe School Climate Specialist or designee, who shall coordinate any bullying investigation with the Title IX Coordinator, so as to ensure that any such bullying investigation complies with the requirements of applicable Board policies.

**Students**  
**Sexual Discrimination/Sexual Harassment**

**Regulation 5145.5(d)**

Retaliation against any individual who complains pursuant to the Board's policy and regulations is strictly prohibited. The district will take actions necessary to prevent retaliation as a result of filing a complaint.

At any time, a complainant alleging sex discrimination or sexual harassment may file a formal complaint with the Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone #(617)289-0111).

**Title IX Coordinator**

The Title IX Coordinator for the Regional School District #1 Board of Education is the Director of Pupil Services, whose office is located at 246 Warren Turnpike Road, Falls Village, Connecticut 06031. Ph: 860-824-5639.

Regulation approved: May 9, 2019

NORTH CANAAN BOARD OF EDUCATION  
North Canaan, Connecticut

**COMPLAINT FORM**

**SEXUAL DISCRIMINATION/SEXUAL HARASSMENT**

Region One Public Schools (*Students*)

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date(s) of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the discriminator(s) or harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location(s) where such discrimination/harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the discrimination/harassment \_\_\_\_\_

\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy requested \_\_\_\_\_

\_\_\_\_\_