

SEXUAL HARASSMENT AND SEX DISCRIMINATION IN THE WORKPLACE

Statement

It is the policy of the Manchester Public Schools to maintain a working environment free from sex discrimination, sexual harassment, insults or intimidation on the basis of an employee's sex or inclusion in a protected class. Verbal or physical conduct by a supervisor or co-worker related 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. The school district will provide staff development for new district administrators and will publish its policy and grievance procedures to employees in an effort to maintain an environment free of sex discrimination and sexual harassment.

Sex 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.

Sexual Harassment

Sexual Harassment is a form of sex discrimination. Sexual harassment includes any unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

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

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 an employee should be reported immediately to the Title IX Coordinator, the Superintendent of Schools or his/her designee in accordance with the district's sex discrimination and sexual harassment grievance procedure.

Retaliation against any employee for complaining about sexual harassment is prohibited under this policy and is illegal under state and federal law. Violations of this policy, including this anti-retaliation provision, will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sexual or other forms of 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.
Conn. Agencies Regs. §§ 46a-54-200 through § 46a-54-207
Constitution of the State of Connecticut, Article I, Section 20.

Adopted: 3/23/87
Revised: 6/8/92
Revised: 7/12/93
Revised: 4/22/08
Revised: 1/25/10
Revised: 11/13/13

Complaint Procedures Sex Discrimination and Sexual Harassment

Complaint Procedure

It is the expressed policy of the Manchester Public Schools to encourage victims of sex discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints. Any employee who feels that he/she has been sexually harassed or otherwise discriminated against on the basis of sex should submit any such complaint to the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent, who shall investigate or appoint a designee to do so.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible and reprisals or retaliation that occur as a result of the good faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.

Any employee who believes that he or she has been discriminated against or sexually harassed in the workplace in violation of this policy may also file a complaint with the Region Office of the Connecticut Commission on Human Rights and Opportunities. The regional CHRO office can be found by accessing <http://www.state.ct.us/chro/index.html>) and/or the Equal Employment Opportunity Commission, Boston Area Office, 475 Government Center, Boston, MA 02203 (617-565-3200). Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 180 days of the date when the alleged discrimination/harassment occurred. Remedies for sex discrimination and sexual harassment include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

Title IX Coordinator

The Title IX Coordinator for the Manchester Board of Education is Ms. Terri Smith, MBA, Human Resources Specialist, whose office is located at the Manchester Board of Education office at 45 North School St. and whose telephone number is 860-647-3595.

If there is reasonable cause to believe that sexual harassment or sexual discrimination has occurred, the Superintendent will take all reasonable actions to ensure that the harassment and discrimination cease. Actions taken in response to sexual harassment may include reassignment, transfer, or disciplinary action up to and including termination of employment. Nothing in this regulation will be deemed to override applicable provisions of any collective bargaining agreement between the Board and an employee bargaining unit.

**COMPLAINT FORM
REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT**

Name of the complainant _____

Home Address of complainant _____
(Number and Street) (City/Town) (Zip Code)

Home telephone of complainant _____ Cell phone _____

Date of the complaint _____
(Month/Day/Year)

Date of the alleged discrimination/harassment _____
(Month/Day/Year)

Name(s) of the discriminator(s) or harasser(s) _____

Location 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: _____
