

## **Students**

### **Harassment**

The North Haven Public Schools is committed to providing all students, teachers, employees and staff with a safe and supportive school environment in which all members of the school community are treated with respect.

It is hereby the policy of the Board of Education to prohibit harassment based on real or perceived race, color, religion (creed) national origin, marital status, gender, sexual orientation, gender identity and expression, disability, or on the basis of association with others identified by these categories. This policy is intended to comply with Connecticut statutes as well as federal requirements. The District shall act to discipline or take other appropriate action against any member of the school community who is found to have violated this policy.

In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Director of Special Services as the District's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and the complaint procedure annually to students, parents, employees, independent contractors, vendors and the public. The publication shall include the position, office address and telephone number of the District's Compliance Officer.

The Board directs that complaints of harassment shall be investigated promptly and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained consistent with the District's legal and investigative obligations.

(cf. 4118.113/4218.113 - Harassment)

(cf. 5131.911 - Bullying)

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.

34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Volume 62, #49, 29 CFR Sec. 1606.8 (62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

## Students

### Harassment (continued)

Legal References: (continued)

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

*Faragher v. City of Boca Raton*, No. 97-282 (U.S. Supreme Court, June 26, 1998)

*Burlington Industries, Inc. v. Ellerth*, No. 97-569, (U.S. Supreme Court, June 26, 1998)

*Gebbs v. Lago Vista Indiana 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 24, 1999.)

### Connecticut General Statutes

46a60 Discriminatory employment practices prohibited.

10-15c Discrimination in public schools prohibited. School attendance by five-year olds.  
(Amended by P.A. 97-247 to include “sexual orientation)

10-153 Discrimination on account of marital status.

17a-101 Protection of children from abuse.

Policy adopted: June 29, 2015

NORTH HAVEN PUBLIC SCHOOLS  
North Haven, Connecticut

## Students

### Harassment

#### Harassment Complaint Procedure

If an individual believes that he/she is being or has been harassed, that person should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.

Any student who makes an **informal** oral complaint of harassment to his or her site administrator, counselor, teacher, the Assistant Superintendent (*or Superintendent's designee in the absence of an Assistant Superintendent*) or Compliance Officer will be provided a copy of these regulations and will be encouraged to pursue the **formal** procedure should the **informal** investigation and intervention, if required, prove unsuccessful in eliminating the objectionable behavior. **HOWEVER, IT IS NOT NECESSARY FOR THE PERSON BEING HARASSED TO WAIT UNTIL THE OFFENSIVE BEHAVIOR IS REPEATED BEFORE FILING A COMPLAINT. OFFENSIVE BEHAVIOR OF AN EGREGIOUS NATURE WOULD WARRANT AN IMMEDIATE AND FORMAL COMPLAINT BE FILED.**

If, following requests to cease objectionable, harassing behavior, said behavior continues, and if the **informal** procedure has also proven unsatisfactory, or unacceptable, the student may pursue the **formal** complaint procedure which involves submitting a written complaint to his or her site administrator, counselor, teacher, the Assistant Superintendent (*or Superintendent's designee in the absence of an Assistant Superintendent*) or Compliance Officer. The complaint should list the name of the complainant, the date of the complaint, the date of the alleged harassment, the name(s) of the harasser(s), where such harassment occurred, and a detailed statement of the circumstances constituting the alleged harassment.

If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed. (See Policy #5141.4, Child Abuse by School Employees)

All formal complaints and informal complaints involving staff are to be forwarded immediately to the Assistant Superintendent (*or the Superintendent's designee in the absence of an Assistant Superintendent*) unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent.

Upon receiving a formal complaint, the building level administrator in concert with the Assistant Superintendent (*or the Superintendent's designee in the absence of an Assistant Superintendent*), or Compliance Officer, will, as soon as possible, commence an effective, thorough, objective and complete investigation of the complaint. The investigator shall consult with all individuals reasonably believed to have relevant information, including the complainant and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist.



## **Students**

### **Harassment**

#### **Harassment Complaint Procedure** (continued)

The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser will be upheld. The investigator shall make a written report summarizing the results of the investigation and 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 result of the investigation, he or she may file a written appeal to the Superintendent, who shall review the investigator's written report, the information collected by the investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment. The Superintendent may also conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing this review, the Superintendent shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that 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 situations of harassment may include reprimand, reassignment, transfer, suspension, expulsion, disciplinary action, or discharge from employment.

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

All employees, and supervisors shall be provided copies of the Board of Education policy concerning harassment and the policy will be reproduced in all employee and student handbooks.

### **Dating Violence**

For students in grades 6 (7) through 12, physical education, family life and sex education, and health curriculum programs will include the topic of dating violence. (or: The District shall incorporate age-appropriate education about teen dating violence into new or existing programs for students in grades 7 through 12.) "Dating violence" means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner.



## **Students**

### **Harassment**

#### **Dating Violence** (continued)

Dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment.
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

The dating violence education shall include information on the definition of dating violence, recognizing dating violence warning signs, and the characteristics of healthy relationships.

Upon written request to the school Principal, a parent/guardian of a student less than 18 years of age shall be permitted within a reasonable period of time after the request is made, to examine the dating violence program instruction materials developed by the school district.

The purpose of the dating violence information is to help prevent dating situations from becoming unsafe and to help educate young people on constructive ways to resolve conflicts in personal relationships.

To be consistent with policy, procedures and curriculum will address the following information:

1. Dating violence will not be tolerated;
2. Dating violence reporting procedures;
3. Guidelines for responding to at-school incidents of dating violence;
4. Discipline procedures specific to at-school incidents of dating violence;
5. Warning signs of dating violence; and
6. Information on safe, appropriate school, family, peer, and community resources available to address dating violence.

The District prohibits retaliation against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

Any student who believes that he/she has experienced prohibited conduct or believe another student has experienced prohibited conduct should report the alleged acts to a teacher, counselor, principal (or district's Title IX Coordinator)

## **Students**

### **Harassment**

#### **Dating Violence (continued)**

Any employee who has knowledge of incidents of teen dating violence that took place on District property, at a District-sponsored activity or in a District vehicle or vehicle used for transporting students to a District activity, shall immediately report the incident to the administration.

- (cf. 0521 – Nondiscrimination)
- (cf. 4131 – Staff Development)
- (cf. 4118.113/4218.113 – Harassment)
- (cf. 5131.911 – Bullying)
- (cf. 5131.912 – Aggressive Behavior)
- (cf. 5131.913 – Cyberbullying)
- (cf. 5141.4 – Reporting of Child Abuse and Neglect)
- (cf. 5145 – Civil and Legal Rights and Responsibilities)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)

