

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

BOARD POLICY

REGARDING: Sex Discrimination and Sexual
Harassment in the Workplace

Number: 4060
Personnel

Approved: 2/12/03

Revised: 3/23/11

It is the policy of the Board of Education to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating 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.

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.

Harassment

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it does include any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

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

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; and
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, digital images or websites of a sexual nature;
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 supervisors or co-workers should be reported immediately to the Title IX Coordinator, the Superintendent 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 or sex discrimination is prohibited under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sexual harassment or sex discrimination may also be subject to civil and criminal penalties.

Legal Reference: 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
Section 106.

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.