



STUDENTS

5161

Harassment

Definition – For purposes of this policy, harassment consists of verbal, written, graphic, or physical conduct relating to an individual's race, color, religion, sex, national origin/ethnicity, physical attributes or disability, parental or marital status, sexual orientation, or age when conduct/harassment:

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with student's school performance or status;
3. Otherwise adversely affects and individual's educational opportunities.

Harassment as set forth above may include, but is not limited to:

1. Verbal, physical or written intimidation or abuse;
2. Repeated remarks of a demeaning or condescending nature; or repeated demeaning jokes, stories, or activities directed at the individual.

Sexual Harassment shall consist of unwelcome sexual advances, direct or indirect demands or requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

1. Acceptance of such conduct is made either explicitly or implicitly a term or condition of an individual's continued educational development or status;
2. Submission to or rejection of such conduct by an individual is used as the basis for educational decisions affecting the individual; and
3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of intimidating, hostile or offensive or educational environment.

Forbidden – It is the policy of the Montville Board of Education that harassment of any kind is forbidden. No member of the Board, employee of the Board, agent or employee organization or any student may harass any employee, person seeking employment or student as defined above. Accordingly, employees, students, and others are expected to adhere to a standard of conduct that is respectful and courteous to fellow employees and students and to the public.

Although not an exhaustive list, the following are examples of conduct prohibited by this policy against sexual harassment: sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendos; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's educational progress or creates an intimidating, hostile or offensive educational environment.

Reporting – Any student who believes that he or she has been the subject of harassment is to report the incident to their teacher, counselor or the school principal. The school principal shall follow administrative regulations as set forth in Policy Number 4118.112.

Complaint Procedure – The administration will investigate such complaints promptly and take corrective action where appropriate. The district will maintain confidentiality to the extent possible.

Penalty – Any student found to have engaged in harassment will be subject to immediate disciplinary action, up to and including expulsion from school or referral to legal authorities for prosecution, as judged appropriate on a case by case basis. The Board of Education will not tolerate reprisals or retaliation that occurs as a result of the good faith reporting of such claims of harassment. Such action will result in disciplinary action against the retaliator.

Legal reference: U.S.C * 200e "Title VII"; "Title IX"; Civil Rights Act 1964 29 C.F.R. * 1604.11
EOC Guidelines on Sexual Harassment Connecticut General Statutes * 46a-60
a) (8)

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

Title IX of the Education Amendments of 1972, 34 C.F.R. 106.1, *et seq.*

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999) Office for Civil Rights, U.S. Department of Education, Revised. Sexual harassment Guidance: Harassment of Students by School Employees, Other Students, 66, Fed. Reg. 5512

Gebser v. Lago Vista Independent School District, 524, U. S. 274 (1998)

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