

TOLLAND PUBLIC SCHOOLS
Tolland, Connecticut

ADMINISTRATIVE REGULATION

REGARDING: Sex Discrimination and
Sexual Harassment
(Students)

Number: 5070
Administrative

Approved: 2/12/03
Revised: 3/24/10

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by the Board's sex discrimination and sexual harassment policy shall be subject to disciplinary action.

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: in a school setting, sexual harassment is conduct that

1. is sexual in nature;
2. is unwelcome; and
3. denies or limits a student's ability to participate in or benefit from a school's education program. Sexual harassment can be verbal, nonverbal or physical.

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

1. Statement or other conduct indicating that a student's submission to, or rejection of, sexual overtures will affect the student's grades and/or other academic progress.

2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitation, letters, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching or a sexual nature or telling sexual or dirty jokes.
5. Circulating or showing emails or websites of a sexual nature.

Complaint Procedure

1. It is the express policy of the Board of Education 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.
2. As soon as a student feels that he or she has been subjected to sex discrimination or sexual harassment, he/she should make a written complaint to the principal, or his/her designee. The student will be provided a copy of this 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. Names(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, and
 - g. Detailed statement of the circumstances constituting the alleged harassment/discrimination.
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 pursuant to the above procedure. In appropriate circumstances, due to the age of the student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.

5. 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.
6. All complaints are to be forwarded immediately to the principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Superintendent of Schools. In addition, a copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator.
7. 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 investigate the complaint. The Title IX Coordinator or designee shall consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
8. The Title IX Coordinator or designee shall make a written report summarizing the results of the investigation and proposed disposition of the matter. Consistent with state and federal law and as deemed appropriate by the Title IX Coordinator or designee, the findings of the investigation shall be shared with persons involved in the investigation.
9. If the student complainant is dissatisfied with the findings of discrimination/harassment of the investigation, he or she may file a written appeal to the Title IX Coordinator, or, if he or she conducted the investigation, 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 Title IX Coordinator or Superintendent of Schools may also investigate the complaint further. After completing this review, the Title IX Coordinator or Superintendent of Schools shall respond to the complainant, in writing, as soon as possible.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment or sex discrimination has occurred, the district shall take appropriate corrective action in an effort to ensure that the harassment/discrimination ceases and will not recur.

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

Copies of this regulation will be distributed to all students.

Title IX Coordinator

The Title IX Coordinator for the Tolland Board Of Education Is the Human Resources Generalist whose office is located at the Tolland Board of Education, 51 Tolland Green, Tolland, CT 06084, and whose Telephone Number is (860) 870-6850.

Legal References: United States Constitution, Article XIV
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.
Gebser v. Lago Vista Independent School District, 524 U.S. 274
(1998)
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, or Third Parties, 66 Fed. Reg. 5512
(Jan. 19, 2001).
Constitution of the State of Connecticut, Article I, Section 20.

**COMPLAINT FORM REGARDING SEX DISCRIMINATION
AND SEXUAL HARASSMENT (STUDENTS)**

Name of the complainant_____

Date of the complaint_____

Date of the alleged discrimination/harassment_____

Name or names 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_____
