

## **Personnel - Certified/Non-Certified**

### **Policy Regarding Sex Discrimination and Sexual Harassment in the Workplace (Personnel)**

It is the policy of the Avon Board of Education to prohibit any form of sex discrimination or sexual harassment of an employee. Any employee's conduct 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 opportunities is prohibited by this policy.

The Superintendent of Schools, or his/her designee, will develop administrative regulations implementing this policy.

#### 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 unwelcome sexual advances, direct or indirect demands or requests for sexual favors, sexual comments, and gestures or other physical actions of a sexual nature when:

1. Submission to such conduct becomes 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;

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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 or tolerate harassment;
5. Circulating, showing, or exchanging emails, text messages, 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 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 sex discrimination or sexual harassment 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 an including discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

Legal References: United States Constitution, Amendment XIV  
Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).  
Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.  
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.*  
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)  
Constitution of the State of Connecticut, Article I, Section 20  
Connecticut General Statutes § 46a-60 Discriminatory employment practices prohibited.  
Conn. Agencies Regs.§§ 46a-54-200 through§ 46a-54-207

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### Avon Board of Education Sex Discrimination and Sexual Harassment Complaint Procedure

#### **Complaint Procedure**

It is the express policy of the Avon Board of Education to encourage victims of sexual 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 of Schools, 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 good faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.

The school district will provide staff development for new district administrators and will publish its policy and grievance procedures to staff and employees in an effort to maintain an environment free of sex discrimination and sexual harassment.

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 Capital Region Office of the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT, 06103-1835, 860-566-7710 and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, 800-669-4000. 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 Avon Board of Education is Mr. Roberto Medic whose office is located at 34 Simsbury Road, Avon, CT 06001, and whose telephone number is 860-404-4700.

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AVON PUBLIC SCHOOLS  
Avon, Connecticut



