

Personnel – Certified / Non-Certified

4118.112(a)

SEXUAL HARASSMENT

4218.112(a)

The Fairfield Board of Education is committed to safeguarding the right of all employees within the school district to a work environment that is free from all forms of sexual harassment including molestation and unwelcome fraternization. Therefore, the Board condemns all unwelcome behavior of a sexual nature which is either designed to extort sexual favors from an employee as a term or condition of employment, or which has the purpose or effect of creating an intimidating, hostile, or offensive working environment. The Board also strongly opposes any retaliatory behavior against complainants or any witnesses.

Any employee who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately so that appropriate corrective action may be taken at once. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating, and remedying allegations of sexual harassment.

Sexual harassment also includes any such conduct on the part of an employee toward a student.

No employee shall engage in any such conduct or condone such conduct by students. Furthermore, retaliation against an employee or student making a complaint is also prohibited.

Violations of this policy will result in disciplinary action. This disciplinary action may include, but is not limited to, a reprimand, probation, suspension, or termination.

Complaints should be referred to the Title IX Coordinator at the site of the occurrence:

- either high school, the Administrator for Pupil Services and Guidance
- any middle school, the Assistant Principal
- any elementary school, the Principal

A complaint could also be filed with the Assistant Superintendent of Human Resources and Leadership Development, P. O. Box 320189, Fairfield, Connecticut 06825 or 255-8369.

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SEXUAL HARASSMENT (continued)

4118.112(b)

4218.112(b)

Investigations of the alleged violations shall commence immediately and a report rendered to the Superintendent within forty (40) days. Those involved with a sexual harassment investigation are expected to protect the confidentiality of all individuals and information related to the case. Investigations will be documented with a written, factual report, regardless of the investigation's outcome. Findings of an investigation may be appealed to the Board of Education.

Legal Reference: Civil Rights Act of 1964, Title VII, 42 USC §2000-e2(a)
Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88
Meritor Savings Bank, FSB v. Vinson 477 US.57 (1986) 29 CFR Para. 1604.11 (EEOC)
Faragher v. City of Boca Raton, No. 97-282 (US Supreme Court, June 26, 1998)
Burlington Industries, Inc. v. Ellerth, No. 97-569 (US Supreme Court, June 26, 1998)
Gebbs v. Lago Vista Indiana School District, No. 99-1866 (US Supreme Court, June 26, 1998)
Connecticut General Statutes 46a-60 Discriminatory employment practices prohibited

Adopted 8/27/2004