

Integrated Day Charter School

Governing Board



Policy Series: 5000

Policy Number: 5145.5

## STUDENTS

### **POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)**

It is the policy of the Governance Board that any form of sex discrimination or sexual harassment is prohibited, 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 this policy shall be subject to disciplinary action.

The Director shall develop Administrative Regulations implementing this Policy.

#### 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 educational 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. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances 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, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails 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.

#### Procedure

It is the express policy of the Governance Board to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. The school will investigate such complaints promptly and will take corrective action where appropriate. The school will maintain confidentiality to the extent appropriate.

Board approval date: May 18, 2011

The school will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

The school will periodically provide staff development for school administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination.

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.