



POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE (PERSONNEL)

For Sexual Harassment that falls under Title IX of the Education Amendments of 1972, U.S.C. §1681 et seq. see policy 4080A.

It is the policy of the board of education to maintain a working environment free from harassment, insults, or intimidation based on an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex 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 employment opportunities is prohibited.

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 any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made 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.
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 the employee will submit to 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, 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 and 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 CFR § 106, 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

ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE (PERSONNEL)

Torrington Board of Education
Sex Discrimination and Sexual Harassment Complaint Procedure

Complaint Procedure

It is the express policy of the 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 based on 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, 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 the 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 Region Office of the Connecticut Commission on Human Rights and Opportunities, see below. (Your regional CHRO office can be found by accessing <http://www.state.ct.us/chro/index.html>)

WEST CENTRAL REGION OFFICE
Rowland State Government Center

55 West Main Street, Suite 210
Waterbury, CT 06702-2004
PHONE: (203) 805-6530
FAX: (203) 805-6559
TDD: (203) 805-6579
EMAIL: CHRO.WestCentral@ct.gov
Regional Manager: Shawn Burns

and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER 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 Torrington Board of Education is the:

Position: Director of Human Resources
Address: 355 Migeon Ave., Torrington, CT 06790
Phone number: 860-48-2327 extension 1637
Email address: HR@torrington.org

Policy 4080 – Adopted and Approved April 24, 2019. Revised and Approved on November 18, 2020.

[Form 4080 – Complaint Form Regarding Sex Discrimination and Sexual Harassment \(Personnel\)](#)



[To be posted in a conspicuous place readily available for viewing by employees]

**SEXUAL HARASSMENT IS ILLEGAL
AND IS PROHIBITED
BY
THE CONNECTICUT DISCRIMINATORY EMPLOYMENT PRACTICES ACT
(Section 46a-60 of the Connecticut General Statutes)
AND
TITLE VII OF THE CIVIL RIGHTS ACT OF 1964
(42 United States Code Section 2000e et seq.)**

SEXUAL HARASSMENT MEANS ANY UNWELCOME SEXUAL ADVANCES OR REQUESTS FOR SEXUAL FAVORS OR ANY CONDUCT OF A SEXUAL NATURE WHEN:

1. SUBMISSION TO SUCH CONDUCT IS MADE 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 SUBSTANTIALLY INTERFERING WITH AN INDIVIDUAL'S WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT.

Examples of SEXUAL HARASSMENT include:

UNWELCOME SEXUAL ADVANCES
SUGGESTIVE OR LEWD REMARKS
UNWANTED HUGS, TOUCHES, KISSES
REQUESTS FOR SEXUAL FAVORS
DEROGATORY OR PORNOGRAPHIC POSTERS, CARTOONS, OR DRAWINGS.

Remedies for sexual harassment may include:

CEASE AND DESIST ORDERS BACK
PAY
COMPENSATORY DAMAGES
HIRING, PROMOTION, OR REINSTATEMENT

RETALIATION AGAINST ANY EMPLOYEE FOR COMPLAINING ABOUT SEXUAL HARASSMENT IS PROHIBITED UNDER THIS POLICY AND ILLEGAL.

VIOLATION OF THIS POLICY IS GROUNDS FOR DISCIPLINE, INCLUDING DISCHARGE.

INDIVIDUALS WHO ENGAGE IN ACTS OF SEXUAL HARASSMENT MAY ALSO BE SUBJECT TO CIVIL AND CRIMINAL PENALTIES.

AN INFRACTION OF THIS POLICY BY SUPERVISORS OR CO-WORKERS SHOULD BE REPORTED IMMEDIATELY TO DIRECTOR OF HUMAN RESOURCES [**TITLE IX COORDINATOR, OR SUPERINTENDENT IF THE TITLE IX COORDINATOR IS THE SUBJECT OF THE COMPLAINT**]. CONFIDENTIALITY WILL BE MAINTAINED TO THE EXTENT POSSIBLE.

ANY EMPLOYEE WHO BELIEVES THAT HE OR SHE HAS BEEN HARASSED OR DISCRIMINATED AGAINST IN THE WORKPLACE IN VIOLATION OF THIS POLICY MAY ALSO CONTACT: THE CONNECTICUT COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES REGION OFFICE:

WEST CENTRAL REGION OFFICE
Rowland State Government Center
55 West Main Street, Suite 210
Waterbury, CT 06702-2004
PHONE: (203) 805-6530
FAX: (203) 805-6559
TDD: (203) 805-6579
EMAIL: CHRO.WestCentral@ct.gov
Regional Manager: Shawn Burns

[REGIONAL OFFICES AND THEIR ADDRESSES CAN BE FOUND ON THE CHRO WEBSITE, [HTTP://WWW.STATE.CT.US/CHRO/](http://www.state.ct.us/chro/)]

AND/ OR:

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
BOSTON AREA OFFICE
JOHN F. KENNEDY FEDERAL BUILDING

475 GOVERNMENT CENTER
BOSTON, MA 02203
PHONE (800) 669-4000

CONNECTICUT LAW REQUIRES THAT A FORMAL WRITTEN COMPLAINT BE FILED WITH THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES WITHIN ONE HUNDRED AND EIGHTY (180) DAYS OF THE DATE WHEN THE ALLEGED HARASSMENT/ DISCRIMINATION OCCURRED.