

## Personnel -- Certified/Non-Certified

### Sexual Harassment

The CREC Council is committed to safeguarding the right of all employees of the school district to a work environment that is free from all forms of sexual harassment. The CREC Council condemns and prohibits 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 work environment; and prohibits any retaliatory acts against complainants against or witnesses to sexual harassment.

Any employee who believes that he or she has been subjected to sexual harassment should report the matter immediately so that investigation may begin at once and appropriate corrective action may be taken. Upon learning of, or having reason to suspect, the occurrence of sexual harassment, supervisors shall ensure that an investigation is promptly commenced and appropriate corrective action is taken, whether or not the victim reports the matter.

The Executive Director is directed to develop and implement specific procedures on reporting, investigating and remedying instances of sexual harassment.

A copy of this policy and its accompanying regulation shall be distributed to all personnel and posted in appropriate places.

Legal References: Civil Rights Act of 1964, Title VII, 42 U.S. §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 (U.S. Supreme Court, June 26, 1998)  
*Burlington Industries, Inc. v. Ellerth*, No. 97-569, (U.S. Supreme Court, June 26,1998)  
*Gebbser v. Lago Vista Indiana School District*, No. 99-1866, (U.S. Supreme Court, June 26,1998)  
Connecticut General Statutes  
46a-60 Discriminatory employment practices prohibited.

Policy adopted:	August 16, 2000	CAPITOL REGION EDUCATION COUNCIL
Policy readopted:	September 17, 2003	Hartford, Connecticut
Policy revised:	April 18, 2018	

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### Sexual Harassment

#### Definitions

"**Employee**" includes all teaching, administrative and support personnel.

"**Immediate supervisor**" is the person to whom the employee reports directly (e.g., principal, department head).

"**Sexual harassment**" includes 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 employee's employment;
2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting such employee; or
3. The conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to:

Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;

Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks, noises or gestures; impeding or blocking movement; or leering;

Sexually suggestive or obscene letters, notes, invitations, comments, slurs, jokes, epithets, pictures or cartoons;

Continuing to express sexual interest after being informed that the interest is unwelcome; and

The threat or suggestion that continued employment advancement, assignment, or earnings depend on whether or not the employee will submit to or tolerate the harassment.

## **Complaint Procedure**

Consistent with federal and state law, and all applicable provisions in the district's collective bargaining agreements, the following procedures shall be employed in handling any report, investigation and remedial action concerning allegations of sexual harassment:

1. Employees who believe they have been subjected to sexual harassment should immediately inform the harasser that his/her behavior is unwelcome, offensive, in poor taste, unprofessional, or highly inappropriate.
2. Employees who believe they have been subjected to sexual harassment are to report the matter to their immediate supervisor. Should the immediate supervisor be the alleged harasser, the report shall be made to the next level of supervision. Incidents of sexual harassment may be reported verbally or through a written complaint.
3. All reports of sexual harassment will be held in confidence subject to all applicable laws and any relevant provisions in the district's collective bargaining agreements.
4. Upon receiving a complaint the supervisor shall notify the Director of Human Resources in order to arrange for investigation. No later than five working days after receipt of a complaint, the designated investigator shall commence a thorough, objective and complete investigation. The investigator shall consult with all individuals reasonably believed to have relevant information, including the victim and the alleged harasser, any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discreetly, maintaining legally required confidentiality as much as possible, and upholding the due process rights of the complainant and the accused.
5. The investigator shall make a written report which shall include a summary of the complaint; the investigatory steps taken, including the witnesses interviewed and the statements obtained; the conclusion(s) reached; and the disposition of the matter; and shall provide copies to the complainant and the alleged harasser, and to the Director of Human Resources. Copies of the report shall also be filed with the employment records of both the complainant and the alleged harasser.
6. If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law and collective bargaining agreements. Depending on the gravity of the misconduct, these may range from a reprimand up to and including dismissal from employment. When applicable, any lost employment benefits or opportunities will be restored to the complainant(s).
7. If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the Director of Human Resources. The appeal must include a

statement or copy of the original complaint, all relevant documents, including the names of any witnesses, the specific action being appealed, and an explanation of why the complainant is appealing.

8. The Director of Human Resources will review the appeal, including the supervisor's written report, the information collected by the supervisor, and the recommended disposition of the complaint. If (s)he deems appropriate, the Director of Human Resources may also conduct an investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completing the review and/or investigation, the Director Human Resource Officer shall respond to the complainant, in writing.
9. Following a finding of sexual harassment, complainants will be periodically interviewed by the appropriate supervisory personnel to ensure that the harassment has not resumed and that no retaliatory action has occurred. These follow-up interviews will continue for an appropriate period of time. A report will be made of any complainant's response.
10. After a finding that sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur.
11. Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any applicable provisions in the district's collective bargaining agreements.
12. Upon learning of, or having reason to suspect, the occurrence of sexual harassment, supervisors shall notify the Director of Human Resources in order to ensure that an investigation is promptly commenced and appropriate corrective action is taken, whether or not the victim reports the matter.

Regulation approved: September 17, 2003  
Regulation revised: February 21, 2018

CAPITOL REGION EDUCATION COUNCIL  
Hartford, Connecticut

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**SEXUAL HARASSMENT REPORT FORM**

*CREC maintains a firm policy prohibiting all forms of discrimination based on sex. Sexual harassment against students or employees is sex discrimination. All persons are to be treated with respect and dignity. Sexual advances or other forms of personal harassment by any person, male or female, which create an intimidating, hostile or offensive environment will not be tolerated under any circumstances. Individuals who suspect that they may be victims of sexual harassment shall complete this form and file it with the Title IX Compliance Officer \_\_\_\_\_ at*

Complainant  
Home Address  
Work Address  
Home Phone \_\_\_\_\_ Work Phone

Date of Alleged Incident(s)  
Name of person(s) you believe sexually harassed you  
List any witnesses that were present

Where did the incident(s) occur?

*Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used: any specific verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; what did you do to avoid the situation, etc. (Attach additional pages if necessary.)*

*This complaint is filed based on my honest belief that \_\_\_\_\_ has sexually harassed me. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.*

\_\_\_\_\_  
(Complainant Signature) (Date)

Received by \_\_\_\_\_  
Signature- (Date)  
Title IX Compliance  
Officer

**A copy of this form shall be provided to the complainant.**

**SEXUAL AND OTHER HARASSMENT IS ILLEGAL**

Sexual Harassment of Capitol Region Education Council employees is prohibited by Title VII of the Civil Rights Act of 1964 and the Connecticut Discriminatory Employment Practices Law. Together, federal and state law prohibit harassment based on an individual's race, color, religion, age, sex, sexual orientation, marital status, national origin, ancestry, past or present history of mental disorder, mental retardation, learning disability or physical disability, including but not limited to blindness. It is the policy of Capitol Region Education Council to comply with the requirements of state and federal law.

Sexual harassment, a form of prohibited conduct, means any unwelcome sexual advance, requests for sexual favors or other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) 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.

Sexually harassing conduct includes, but is not limited to:

- Verbal conduct such as suggestive or offensive comments, lewd remarks, and sexual propositions.
- Non-verbal conduct such as derogatory or pornographic displays, cartoons or drawings, sexual gestures, leers or stares.
- Physical conduct such as touching, kissing, patting, brushing up against someone, or assault.

An employee who believes that he or she has been harassed in any manner should immediately contact either his or her supervisor, manager, or Human Resources. All complaints of sexual and or other harassment will be treated with appropriate confidentiality. Capitol Region Education Council will not tolerate any retaliation against any complaining employee or witness.

Any manager or supervisor who is aware of possible sexual and or other harassment must immediately bring it to the attention of Human Resources.

Individuals found to have engaged in sexual and/or other harassment will receive appropriate disciplinary and corrective action, up to and including termination.

In addition to disciplinary action taken as to the harasser, federal and state laws include a variety of remedies, which may include cease and desist orders; back pay, compensatory damages, hiring, promotion, or reinstatement. Harassers may be subject to civil or criminal penalties.

This is a general statement of policy and no more. It does not constitute a term of provision of any contract of employment or implied contract of employment between Capitol Region Education Council and any person.

This notice is being posted pursuant to regulations issued by the Connecticut Commission on Human Rights and Opportunities ("CCHRO"), 21 Grand Street, Hartford, Connecticut 06106 (Tel. No. 800 477-5737).

In addition to resolving your harassment complaint internally with CREC, you may also decide to initiate legal action. Should you do so, you are advised that Connecticut law requires that a formal written complaint be filed with CCHRO within 180 days of the date when the alleged sexual and/or other harassment occurred.