

TRUMBULL PUBLIC SCHOOLS
BOARD OF EDUCATION
POLICY MANUAL

SECTION: **4000**
CATEGORY: **Personnel – Certified and
Non-Certified**
POLICY CODE: **4118.112/Sexual Harassment**

SEXUAL HARASSMENT

Policy Statement

The Trumbull Board of Education is committed to safeguarding the right of all employees within the District to a work environment free from all forms of sexual harassment. Therefore, the Board condemns all unwelcome behavior of a sexual nature which is 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 witnesses to allegations of sexual harassment.

Any employee who believes that he/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 related to reporting, investigating, and remedying allegations of sexual harassment.

A copy of this Policy and its accompanying Regulations is to be distributed to all supervisory and non-supervisory personnel and posted in appropriate places.

Adopted: 1/20/1981
Revised: 10/20/1992, 9/7/1993,
10/4/2000, 3/27/2018

References

- Title IX of the Education Amendments of 1972
- Connecticut General Statutes §§ 46a-54, 46a-60
- Trumbull Board of Education Policy Code 0521: Non-Discrimination
- Trumbull Board of Education Policy Code 5145.5: Sexual Harassment of Students

Regulations

- I. “Employee” shall mean any member of the teaching, administrative, or support staff.
“Immediate supervisor” shall mean the person to whom the employee is directly responsible.
- II. If an employee believes that he/she is being or has been sexually harassed, the employee is to report the incident to his/her immediate supervisor. Should the immediate supervisor be the alleged harasser, the report shall be made to the next level of management. Incidents of sexual harassment may be reported informally or through the filing of a formal complaint.
- III. All reports of sexual harassment shall be held in confidence subject to any applicable laws and any relevant provisions of collective bargaining agreements of the District.
- IV. Consistent with federal and state law, and any relevant provisions of collective bargaining agreements of the District, the following procedures shall be employed in handling any report, investigation, and remedial action concerning allegations of sexual harassment.

A. Informal Complaints

1. An employee who believes that he/she is being or has been sexually harassed may request that an informal meeting be held between himself/herself and his/her immediate supervisor. The purpose of such a meeting will be to discuss the allegations and remedial steps available. The supervisor will then promptly discuss the complaint with the alleged harasser.
2. Should the harasser admit the allegations, the supervisor is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the supervisor may recommend that further disciplinary action be taken. Thereafter, the supervisor is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the supervisor’s report whether he/she is satisfied with the resolution. If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened for investigation if a recurrence of sexual harassment is reported. The supervisor is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur. Should the complainant be dissatisfied with the resolution, he/she is to file a formal written complaint.
3. If, during the supervisor’s informal attempt to resolve the complaint, the harasser admits the allegations but refuses to give assurance that he/she will refrain from the unwelcome behavior in the future, the supervisor is to file a report with the next level of management. The report is to indicate the nature of the complaint, a description of what occurred when the supervisor informed the alleged harasser of the allegations against him/her, the harasser’s response to the allegations, and a recommendation that stronger corrective actions be taken. This report should be accompanied by a formal complaint.
4. Should the alleged harasser deny the allegations, the supervisor is to inform the complainant of the denial and state that a formal written complaint will be required

for further formal investigation. The supervisor will file a report with the next level of management on what has transpired to date. If the complainant submits a formal complaint, a copy of it should accompany the supervisor's report with a recommendation for further action.

B. Formal Complaints

1. A formal complaint may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the supervisor originally consulted, who will then forward it to the next appropriate level of management for appropriate action.
2. The formal written complaint should state the:
 - (a) Name of the complainant;
 - (b) Date of the complaint;
 - (c) Date of the alleged harassment;
 - (d) Name or names of the alleged harasser or harassers;
 - (e) Location where such alleged harassment occurred;
 - (f) Details of the circumstances constituting the alleged harassment, including witnesses, if any; and,
 - (g) If the incident has been reported before, details of the prior report, prior resolution, and complainant's dissatisfaction.

C. Complaint Investigations, Remedial Actions, Appeals, and Post-Remedial Actions

1. Upon receipt of a formal or informal complaint, thorough and impartial investigation of the allegations must follow. This investigation is to be conducted diligently. A complainant is to be notified of the outcome of an investigation.
2. If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable laws and any relevant provisions of collective bargaining agreements of the District. Depending on the gravity of the situation, these may include termination from employment. Consistent with any applicable laws, any lost employment benefits or opportunities will be restored to the victims.
3. 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 laws and any relevant provisions of collective bargaining agreements of the District.
4. If an 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 in writing to the next level of management. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing.

5. Following a finding of sexual harassment, victims 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 victim's response.

D. Complaint Records

1. A complainant should receive a copy of any resolution report filed by the supervisor concerning his/her complaint. Copies should also be filed with the employment records of both the complainant and the alleged harasser consistent with any applicable laws and any relevant provisions of collective bargaining agreements of the District.

E. Investigation in the Absence of a Complaint

1. In the absence of a victim's complaint, the Board will ensure that an investigation is commenced by the appropriate individuals upon their learning of, or having reason to suspect, the occurrence of any sexual misconduct.

F. Training

1. Consistent with any applicable laws and any relevant provisions of collective bargaining agreements of the District, employees will receive periodic training regarding sexual harassment and related matters.