Subject: Anti-Harassment in the School District

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation. Harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of harassment on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital or veteran status, or disability by employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District. Sexual orientation is defined as heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived.

It is intended that this policy apply to the dealings between or among all community members (i.e., employees with employees; employees with students; students with students; employees/students with vendors/contractors and others who do business with the School District, as well as school volunteers, visitors, guests and other third parties). All of these persons are hereinafter referred to collectively as the “named group.”

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual’s actual or perceived race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital or veteran status, or disability that:

a) Has the purpose or effect of substantially or unreasonably interfering with an individual’s work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;

b) Has the purpose or effect of substantially or unreasonably interfering with a student’s academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student’s access to an educational opportunity or benefit;
Subject: Anti-Harassment in the School District (Continued)

c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

The Board acknowledges that in determining whether harassment has occurred, the perspective of the victim as well as the offender’s conduct and/or intention should be evaluated.

Anyone who believes that he/she has been subjected to harassment shall report all incidents of such conduct to the District’s designated complaint officer through informal and/or formal complaint procedures developed by the District. The designated complaint officer is appointed annually. The name of the person who has been designated by the Board of Education can be found on the district web page or by calling the District Office. In the event that the complaint officer is the offender, the complainant shall report his/her complaint to the next level of supervisory authority. All such reports will be held in strictest confidence. Any possible criminal conduct should be reported immediately to the Superintendent of Schools and/or Board of Education.

Upon receipt of an informal/formal complaint, the District will conduct a thorough investigation of the charges and report back to the complaint within 10 school days. However, if the District has knowledge of or has reason to know of any alleged harassment, the District is obligated, even in the absence of a complaint, to investigate such conduct promptly and thoroughly.

Based upon the results of this investigation, if the District determines that any employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws, and/or regulations, District policy and regulation, and the District Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender’s employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations and/or Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.
Subject: Anti-Harassment in the School District (Continued)

The Board directs the Superintendent to develop regulations for resolving harassment complaints. The Superintendent/designee(s) shall affirmatively discuss the topic of harassment with all employees, express the District’s condemnation of such conduct and explain the sanctions for harassment. A copy of this policy and its accompanying regulations shall be distributed annually to all employees, placed in new employee hire information and available upon request to all employees.

Title VII of the Civil Rights Act of 1964,
42 United States Code (U.S.C) Section 2000-e et seq.
Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title VI of the Civil Rights Act of 1964,
Prohibits discrimination on the basis of race, color or national origin

Section 504 of the Rehabilitation Act of 1973,
29 United States Code (U.S.C.) Section 794 et seq.
Prohibits discrimination on the basis of disability.

The Americans with Disabilities Act,
42 United States Code (U.S.C.) Section 12101 et seq.
Prohibits discrimination on the basis of sex.

Title IX of the Education Amendments of 1972,
Prohibits discrimination on the basis of sex.
Subject: Anti-Harassment in the School District (Continued)

New York State Civil Rights Law Section 40-
Prohibits discrimination on the basis of race, creed,
color, national origin, sex, sexual orientation, marital status or disability.

New York State Executive Law Section 290 et seq.
Prohibits discrimination on the basis of age, race, creed, color, national origin,
sex, sexual orientation, disability or marital status.

Age Discrimination in Employment Act,

Military Law Sections 242 and 243

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