SEXUAL HARASSMENT

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of sexual harassment (harassment based on race, color, creed, religion, national origin, sex, sexual orientation, gender, gender identification, non-binary status, age, marital status, military status, disability, predisposing genetic characteristic, domestic violence victim status). To this end, the Board condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the District.

Because sexual harassment can occur staff to student, student to staff, staff to staff, student to student, any gender/gender identification/non-binary status to the same gender/gender identification/non-binary status, or any gender/gender identification/non-binary status to another gender/gender identification/non-binary status, it shall be a violation of this policy for any student, employee, or third party (school visitor, vendor, etc.) to sexually harass any student, employee, or any other individual associated with the school.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. The District will promptly investigate all complaints of sexual harassment, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation.

If, after appropriate investigation, the District finds that a student, employee, or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, District policy, state law, and Federal law.

All complainants and those who participate in the investigation of a complaint of sexual harassment have the right to be protected by the District from retaliation of any kind.

Investigation of Complaints and Grievances

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any individual who believes he or she has been a victim of sexual harassment in the school environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, should immediately report such alleged harassment. The District recognizes that sexual harassment is a sensitive issue and that individuals may choose to inform any trusted staff member of suspected discrimination or harassment. Staff members who receive such complaints will immediately inform the Title IX Compliance Officer. Where appropriate, the Title IX Compliance Officer may seek the assistance of the relevant Dignity Act Coordinator in investigating, responding to, and remedying complaints of discrimination and/or harassment. In the event that the Title IX Compliance Officer is the alleged offender, the report will be directed to another Title IX Compliance Officer, if the District has designated one.
The District will act promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of sexual harassment and will promptly take appropriate action to protect individuals from further sexual harassment. All complaints will be handled in a manner consistent with the District’s policies and procedures regarding the investigation of discrimination and harassment complaints, including Policy #0115 – Student Harassment and Bullying Prevention and Intervention and Policy #9140.0 – Staff Complaints and Grievances.

Additional information regarding the District’s discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Title IX Compliance Officer, knowingly making false accusations, and possible corrective actions, can be found in the aforementioned policies, as well as Policy 5300 – Code of Conduct.

**Prohibition of Retaliatory Behavior (Commonly Known as “Whistle-Blower Protection”)**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Complaints of retaliation may be directed to the Title IX Compliance Officer. In the event the Title IX Compliance Officer is the alleged offender, the report will be directed to another Title IX Compliance Officer.

Where appropriate, follow-up inquiries will be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of sexual harassment have not suffered retaliation.

The Superintendent of Schools or designee is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. These regulations are to be attached to this policy. In addition, training programs shall be established for students and employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment.

This policy shall be referenced in a prominent place in each District facility and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

A committee of administrators, teachers, parents, and students shall be convened annually to review this policy's effectiveness and compliance with applicable state and federal law, and to recommend revisions to the Board.

**Ref:** Education Amendments of 1972, Title IX U.S.C. §1681
Title VII of Civil Rights Act (1964), 34 CFR §100 et seq.
*Davis v. Monroe County Board of Education*, 526 U.S. 629; 652 (1999)
*Franklin v. Gwinnett County Public Schools*, 503 U.S. 60 (1992)
*Education Law §§313(3)
*Executive Law §290 et seq.*
Office for Civil Rights: Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students and Third Parties, 62 CFR 12034 (March 13, 1997)

Adoption Date: October 18, 2005
Amended: July 1, 2009
Amended: February 11, 2014
Amended: June 15, 2021

ISLIP PUBLIC SCHOOLS