

**RYE CITY SCHOOL DISTRICT**  
**RYE, NEW YORK**

**0110**

**SEXUAL HARASSMENT**

The District recognizes that sexual harassment of students and staff is abusive and illegal behavior that harms victims and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The District further recognizes that preventing and remedying sexual harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees can work productively.

Sexual or gender-based harassment of a student may interfere with the student's ability to participate in or to receive benefits, services, or opportunities from the school's program. Sex-based harassment can be comprised of two types of behavior: sexual harassment and/or gender-based harassment. Sexual harassment is unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature (see regulation 0110-R for examples). Gender-based harassment includes verbal, nonverbal or physical aggression, intimidation or hostility that is based on actual or perceived gender and sexual stereotypes (see regulation 0110-R for examples).

The District 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. To this end, the District 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, staff to staff, student to student, male to female, female to male, male to male or female to female, it shall be a violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student or employee.

In order for the District 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. However, limited disclosure may be necessary to complete a thorough investigation. If the complainant reports that they feel unsafe at school due to the nature of the complaint, the district will determine if accommodations need to be made until the issue is resolved.

If, after appropriate investigation, the District finds that a student, an 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 and State Law.

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

The Superintendent of Schools 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 employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment. Age-appropriate instructional materials will be incorporated into the curriculum to educate students so that they can recognize and reduce the incidence of sexual harassment.

This policy shall be posted 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.

If concerns arise, a committee of administrators, teachers, parents, students and the school attorney shall be convened to review this policy's effectiveness and compliance with applicable state and federal law, and to recommend revisions to the Board.

*References: Education Amendments of 1972, Title IX, 20 U.S.C. '1681 et seq.*  
*Title VII of Civil Rights Act (1964), 42 U.S.C. '2000-e; 34 CFR '100 et seq.*  
*(34 CFR 106.8(b))*  
*Davis v. Monroe County Board of Education, \_U.S.\_; 119 S. Ct. 1661 (1999)*  
*Gebser v. Lago Vista Independent School District, 524 U.S., 274 (1998)*  
*Faragher v. City of Boca Raton, 524 U.S. 775 (1998)*  
*Burlington Industries v. Ellerth, 524 U.S. 742 (1998)*  
*Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)*  
*Franklin v. Gwent County Public Schools, 503 U.S. 60 (1992)*  
*Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)*

Adoption Date: June 26, 2012  
Effective Date: July 1, 2012  
Reviewed: November 19, 2013