

STAMFORD ACADEMY CHARTER SCHOOL
Stamford, Connecticut
Governing Board Policies

Students

Policy Number: 5018

POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

It is the policy of Stamford Academy that any form of sex discrimination or sexual harassment is prohibited, whether by students, Stamford Academy employees or third parties subject to the control of Stamford Academy. Students, school employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

The School Director shall develop Administrative Regulations implementing this Policy.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently severe or pervasive such that it interferes with or limits a student's ability to participate in or benefit from the school's program. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.

6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Sexual Violence: Sexual violence is a form of sexual harassment. For the purposes of this policy, sexual violence refers to physical acts that are sexual in nature, perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

Procedure

It is the express policy of Stamford Academy to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. Stamford Academy will investigate such complaints promptly, take interim measures, and will take corrective action where appropriate. Stamford Academy will maintain confidentiality to the extent appropriate. Stamford Academy will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

Stamford Academy will periodically provide staff development for school administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination and sex harassment.

Sex discrimination and/or sexual harassment may also constitute bullying behavior under Stamford Academy's Bullying Behavior in the Schools Policy.

Legal References:

United States Constitution, Amendment XIV

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*; 34 C.F.R § 106.1, *et seq.*

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998).

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999).

Office for Civil Rights, U.S. Department of Education, Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, 66 Fed. Reg. 5512 (Jan. 19, 2001).

Office for Civil Rights, U.S. Department of Education Dear Colleague Letter: Sexual Violence
(April 4, 2011).

Constitution of the State of Connecticut, Article I, Section 20.

ADOPTED: February 28, 2019

REVISED: NA