

Policy Title:	Employee Harassment and Bullying Prevention	Policy ID:	
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I. Purpose of Policy

The purpose of this policy is to prevent Bullying, Sexual Harassment and Harassment of Employees in the Hartford School District.

II. Policy Scope

All schools and programs in the Hartford School District must comply with this policy.

III. Definitions

1. **Employee:** For purposes of this policy, any person employed by and/or subject to the direct supervision of the district or supervisory union.
2. **Bullying:** repeated behavior that intends to threaten, humiliate or intimidate.
3. **Unlawful Harassment:** Verbal, written or physical conduct based on an employee’s race, religion, ethnicity, national origin, marital status, sex (including pregnancy), sexual orientation, gender identity, age, political affiliation, ancestry, place of birth, genetic information or disability which has the purpose or effect of substantially interfering with an employee’s ability to carry out their duties or creating an intimidating, hostile or offensive environment.

A. Sexual Behavior

Sexual Behavior includes unwelcome touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, pressure for sexual activity, display or sending of pornographic pictures or objects, obscene graffiti, and spreading rumors related to a person's alleged sexual activities.

B. Race and Ethnicity

Racial or ethnic harassment may include unwelcome verbal, written or physical conduct directed at the characteristics of a person’s race or skin color such as nicknames emphasizing stereotypes, racial slurs, and negative references to racial customs.

C. Religion

Harassment on the basis or religion includes unwelcome verbal, written or physical conduct directed at the characteristics of a person’s religion or creed such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs.

D. National Origin and Place of Birth

Harassment on the basis of national origin includes unwelcome verbal, written or physical conduct directed at the characteristics of a person’s national origin or place of

birth such as negative comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

E. Age

Age harassment includes unwelcome verbal, written or physical conduct directed at someone (an applicant or employee) age 40 or older, such as offensive remarks about a person's ability to perform certain tasks because of his or her age.

F. Marital Status

Harassment on the basis of marital status includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's marital status, such as comments regarding pregnancy or being an unwed mother or father.

G. Sexual Orientation

Harassment on the basis of sexual orientation includes unwelcome verbal, written or physical conduct directed at the characteristics of a person's sexual orientation.

H. Gender Identity

Harassment on the basis of gender identity includes unwelcome verbal, written or physical conduct directed at an individual's actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual's gender or gender identity, regardless of the individual's assigned sex at birth.

I. Disability

Disability harassment includes any unwelcome verbal, written or physical conduct directed at the characteristics of a person's disabling mental or physical condition such as imitating manner of speech or movement, or interference with necessary equipment.

J. Genetic Information

Genetic information harassment can include, for example, making offensive or derogatory remarks about an applicant or employee's genetic information, or about the genetic information of a relative of the applicant or employee. Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about family medical history.

- 4. Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute Sexual Harassment when:
- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - b. Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

- 5. Retaliation.** Retaliation is adverse action taken against a person for making a complaint of bullying, sexual harassment or unlawful harassment or for participating in or cooperating with an investigation.

IV. Policy Statement

It is the policy of the District to prohibit the bullying, unlawful harassment, or sexual harassment of employees by anyone (including other staff, administrators, students or members of the public) to the extent that such bullying, unlawful harassment, or sexual harassment relates to or takes place in the context of the employee's carrying out their duties. Additionally, retaliation against employees is also strictly prohibited.

The District shall: 1) educate all District Employees about the requirements of this policy; 2) address all complaints of bullying, unlawful harassment, or sexual harassment of employees according to the procedures accompanying this policy; and 3) take appropriate action against any person - subject to the jurisdiction of the Board - who violates this policy.

Nothing herein shall be construed to prohibit disciplinary actions against an individual for conduct which, although it does not rise to the level of bullying, unlawful harassment, or sexual harassment as defined herein, otherwise violates one or more of the District's policies.

Legal Reference(s):

Date Warned:

Date Adopted:

Legal Reference(s): 9 V.S.A. §§4502 et seq. (Public accommodations)

16 V.S.A. 11(a)(26) (Definitions)

21 V.S.A. §§495 et seq. (Unlawful employment practice, sexual harassment)

42 U.S.C. §§2000e et seq. (Title VII of the Civil Rights Act of 1964)

29 C.F.R. 1604.11 (Equal Opportunity Employment Commission)

Cross Reference: *Harassment, Hazing & Bullying of Students*

Board Commitment to Non-Discrimination

This policy is mandatory for LEAs and schools that receive Title I, Part A funds. 20 U.S.C. §6318(a)

16 V.S.A. §144b(c) makes school districts LEAs for purposes of complying with the sections of federal law that apply to this policy.

Responsible Owner:	Hartford School District	Contact(s): email	debalsit@hartford schools.net
Approved By:	HSD Board Representative	Revision History:	
Approval History:	3-13-2017		
Current Approval Date:	4/23/2014		
Related Polices & Procedures:	Procedures attached		
Related Job Aids:			