



SUBJECT: POLICY AGAINST WORKPLACE SEXUAL HARASSMENT

Introduction

The Levittown U.F.S.D. (the “District”) is committed to maintaining a workplace that is free from sexual harassment. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation and will not be tolerated. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the District recognizes that discrimination can be related to or affected by other identities beyond gender. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the District’s commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees, applicants for employment, Board of Education members, student teachers, interns (paid and unpaid), non-employees (as defined below) and other persons conducting business with the District have a legal right to a workplace that is free from sexual harassment.

If the allegations forming the basis of a complaint of workplace sexual harassment, if proven, would constitute prohibited conduct pursuant to Title IX, then the grievance process outlined in Policy #3421, Title IX and Sex Discrimination, would be applied to the investigation and adjudication of the allegations. Depending on the allegations, additional grievance procedures may apply. The District’s Title IX Coordinator(s) will determine which policy or policies will apply to a complaint or allegation of sex discrimination.

The District is equally committed to maintaining a workplace that is free from discrimination and other types of prohibited harassment. Employee complaints or reports of harassment (based on a status other than sex) or discrimination should be reported pursuant to Policy 3420, Policy Against Workplace Discrimination and Harassment; Policy 6120, Equal Employment Opportunity; and/or Policy 6122, Complaints and Grievances by Employees.

Policy

This Policy applies to all employees, applicants for employment, Board of Education members, student teachers, interns (paid and unpaid), non-employees (see definition below), and other persons conducting business with the District, regardless of immigration status, (“covered individuals”) with respect to conduct by other persons, including parents, students and visitors.

For purposes of this Policy, a “non-employee” is an independent contractor, agent or someone who is (or who is employed by) a contractor, subcontractor, vendor, consultant or anyone providing services in the workplace. Non-employees also include temporary workers, gig workers, persons



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providing equipment repair, cleaning services or any other service pursuant to a contract, or other relationship with the District.

All covered individuals must follow and uphold this Policy.

Sexual harassment is a form of misconduct and will not be tolerated. Sexual harassment is offensive, a violation of the District's Policies, unlawful, and may subject the District to liability for harm to targets of sexual harassment. Sexual harassers may also be individually subject to liability for aiding and abetting sexually harassing behavior. Covered individuals at every level who engage in sexual harassment or discrimination, including managers and supervisors who either engage in this conduct or allow it to continue, will be subject to disciplinary or other corrective action, up to and including termination of employment.

In New York, sexual harassment does not need to be severe or pervasive to be illegal. Covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough or because they do not want their complaint to potentially result in a coworker or another individual being disciplined or subject to other corrective action. Just as sexual harassment can happen in different degrees, potential discipline or other corrective action for engaging in sexual harassment will depend on the degree of the harassment.

Following receipt of a complaint about sexual harassment or of knowledge regarding possible sexual harassment that is occurring or has occurred, the District will conduct a prompt, thorough and confidential investigation that ensures due process for all parties. Appropriate corrective action, subject to any statutory or contractual limitations, will be taken whenever sexual harassment is found to have occurred. In addition, the District will take steps to ensure a safe environment at its premises for the employee or covered individual who experienced the sexual discrimination or harassment.

What is "Sexual Harassment?"

Sexual harassment is a form of gender-based discrimination and is unlawful pursuant to federal, State and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating covered individuals differently because of their gender.



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Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between or completely outside of the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Sexual harassment does not need to be severe or pervasive to be illegal. It can be any sexually harassing behavior that rises above petty slights or trivial inconveniences. Every instance of sexual harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the NYS Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the District's policy. The intent of the behavior (for example, making a joke) does not excuse one's behavior in a sexual harassment claim. Not intending to sexually harass an individual is not a defense to the conduct. The impact of the behavior is what counts.

Sexual harassment includes unwelcome conduct that is of a sexual nature or that is directed at an individual because of the individual's sex, sexual orientation, gender expression, gender identity or transgender status when:

- the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- the conduct is made either explicitly or implicitly a term or condition of employment; or
- submission to or rejection of the conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence that are of a sexual nature, or that are directed at an



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individual because of the individual's sex, sexual orientation, gender expression, gender identity or transgender status. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone that are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation or that interfere with the individual's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. Job benefits may include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "*quid pro quo*" harassment.

Any covered individual who believes that he/she/they is/are being or has/have been sexually harassed should report the sexual harassment so that any violation of this Policy can be promptly corrected. Any sexually harassing conduct, even a single incident, can be addressed pursuant to this Policy.

Examples of Sexual Harassment

The following describes some of the types of acts that are strictly prohibited and that may constitute unlawful sexual harassment. Any covered individual who believes that he/she/they has/have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature including:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body or poking another person's body; and
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions including:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments; and
 - Subtle or obvious pressure for unwelcome sexual activities.
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience that creates a hostile work environment. This is not limited to in-person interactions. For example, remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.



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- Sex stereotyping which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look, which includes, but is not limited to:
 - Remarks regarding an individual's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking a person to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace including:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes displays on workplace computers, cell phones or other electronic devices and sharing these displays while in the workplace. This also extends to the virtual or remote workspace and can include having these types of materials visible in the background during a virtual meeting.
- Hostile actions taken against an individual because of his/her sex, sexual orientation, gender expression, gender identity or transgender status, including:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the person's ability to perform the job;
 - Sabotaging a person's work;
 - Bullying, yelling or name-calling_ Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities; for example:
 - Dress codes that place more emphasis on women's attire; or
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between or among any individuals, regardless of their sex or gender. New York Law protects covered individuals from sexual harassment. Sexual harassers can be a superior, a subordinate, a co-worker or anyone in the workplace including another covered individual or any other person, including a visitor.



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Sexual harassment does not happen in a vacuum and sex discrimination experienced by a covered individual can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behaviors. It is especially important for all covered individuals to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can also occur outside of the workplace while covered individuals are traveling for work or at employer sponsored events, programs, activities or parties. Calls, texts, emails, and social media usage can constitute unlawful workplace harassment even if they occur away from the workplace premises, on personal devices or outside of work hours.

Sexual harassment can occur when covered individuals are working remotely as well. Any behaviors outlined above that leave a covered individual feeling uncomfortable, humiliated, or unable to meet the individual's job requirements constitute sexual harassment even if the covered individual is at home when the sexual harassment occurs. Sexual harassment can happen, for example, on virtual meeting platforms, in messaging apps and after working hours between personal cell phones.

Retaliation is Prohibited

Retaliation against anyone who, in good faith, complains, provides information or assists in an investigation of suspected sexual harassment as a witness or otherwise will not be tolerated. Appropriate corrective action, subject to any statutory or contractual limitations, including, but not limited to, disciplinary action, termination of employment and/or termination of any contractual or other relationship with the District will be implemented.



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No covered individual will be subject to adverse action(s) (e.g., being discharged, disciplined, discriminated against; *etc.*) because that person, in good faith, reports an incident of sexual harassment, provides information, or otherwise participates in any investigation of a sexual harassment complaint. As long as a person reasonably believes that the person has witnessed or experienced the reported behavior, the person is protected from retaliation.

Retaliation is unlawful pursuant to federal, State and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has, in good faith:

- Made a complaint of sexual harassment, either internally or with any antidiscrimination agency;
- Testified or assisted in a proceeding involving sexual harassment pursuant to the Human Rights Law or other anti-discrimination law;
- Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment; • reported that another employee has been sexually harassed; or
- Encouraged a fellow employee to report sexual harassment.

Examples of retaliation after an employee has engaged in a protected activity may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama;”
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion or moving an individual’s desk to a less desirable office location.

Even if the alleged sexual harassment does not rise to the level of a violation of law, the individual is protected from retaliation if the individual had a good faith belief that the practices were unlawful.



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The retaliation provision is not intended, however, to protect persons making intentionally false charges of sexual harassment.

Any covered individual who believes that he/she/they has/have been a target of any acts of retaliation in violation of this Policy should immediately report that conduct to the Title IX Coordinator. If the complaint involves or the individual is hesitant to report to the Title IX

Coordinator, the individual should report the conduct to the Superintendent of Schools. If the complaint involves or the individual is hesitant to report to the Superintendent of Schools, the individual should report the behavior to President of the Board of Education. Contact information for these individuals can be found on the District's website.

Anyone who believes that he/she has been a target of prohibited retaliation may seek legal remedies, as explained below in the section on "Legal Protections and External Remedies."

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The District cannot prevent or remedy sexual harassment unless we know about it.

All covered individuals are encouraged to report any behavior that may constitute sexual harassment in violation of this Policy to the Title IX Coordinator. If the complaint involves the Title IX Coordinator or the individual is hesitant to report to the Title IX Coordinator, the individual should report the behavior to the Superintendent of Schools. If the complaint involves the Superintendent of Schools or the individual is hesitant to report to the Superintendent of Schools, the individual should report the behavior to President of the Board of Education. Contact information for these individuals can be found on the District's website.

Anyone who witnesses or becomes aware of a potential instance of sexual harassment should also report this behavior to one of the above individuals.

Reports of sexual harassment may be made orally or in writing, including via e-mail, all of which will be treated with equal priority. A form for submission of a written complaint is attached to this Policy, and all covered individuals are encouraged to use this complaint form. If a covered individual reports sexual harassment on behalf of someone else, the covered individual should use the written complaint form and note that the individual is submitting the complaint on someone else's behalf.

An employee or other covered individual who prefers not to report harassment to the District may instead report harassment to, among other places, the New York State Division of Human Rights or the United States Equal Employment Opportunity Commission, as explained below in the section on



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“Legal Protections and External Remedies.” Complaints may be made to both the District and a government agency, if desired.

Supervisory Responsibilities

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure that employees feel safe at work and that workplaces are free from sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason become aware of or suspect that sexual harassment is occurring or has occurred, are **required** to report that suspected sexual harassment to the Title IX Coordinator, irrespective of whether the affected individual files a complaint. If the complaint involves the Title IX Coordinator or information involves the Title IX Coordinator, the supervisor/manager must report the suspected sexual harassment to the Superintendent of Schools. If the complaint involves the Superintendent of Schools or information involves the Superintendent of Schools, the supervisor/manager must report the suspected sexual harassment to the President of the Board of Education. Contact information for these individuals can be found on the District’s website.

Supervisors and managers should not be passive and wait for a covered individual to make a claim of harassment. If they observe potential or actual sexually harassing or discriminatory behavior, they must act.

In addition to supervisors and managers potentially being subject to appropriate corrective action, subject to any statutory or contractual limitations, if they engage in sexually harassing conduct or retaliation themselves, supervisors and managers will be subject to appropriate corrective action, subject to any statutory or contractual limitations, for failing to report suspected sexual harassment or for otherwise knowingly allowing sexual harassment to continue. Corrective action includes, but is not limited to, disciplinary action or termination of employment.

Bystander Intervention

Any covered individual witnessing sexual harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to sexual harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses sexual harassment or discrimination and wants to help.



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1. A bystander can interrupt the sexual harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the sexual harassment;
3. A bystander can record or take notes on the sexual harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been sexually harassed after the incident to see how they are feeling and let them know that the behavior was not ok; or
5. If a bystander feels safe, he/she/they can confront the alleged sexual harasser(s) and name the behavior as inappropriate. When confronting sexual harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing sexual harassment in the workplace.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in oral or written form. An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. All persons involved, including complainants, witnesses and alleged sexual harassers will be afforded due process, as outlined below, to protect their rights to a fair and impartial investigation.

All covered individuals, including supervisors and managers, may be required to cooperate as needed in an investigation of suspected sexual harassment to the extent permitted by law. Anyone who participates in an investigation will not be retaliated against for that reason. The District will not tolerate retaliation against anyone who files a complaint, supports another's complaint or participates in an investigation regarding a violation of this Policy.

The District recognizes that participating in a sexual harassment investigation can be uncomfortable and has the potential to retraumatize a covered individual. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, the following investigation procedure must be followed when there is any indication that sexual harassment has taken, or is taking, place:

- The Title IX Coordinator, or designee, will investigate all complaints of sexual harassment, except as otherwise outlined herein. Third parties may be designated to investigate a complaint or assist with any investigation.



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- Upon receipt of a complaint or report of suspected sexual harassment, the Title IX Coordinator, or designee, will conduct an immediate review of the allegations. If the complaint is oral, the Title IX Coordinator, or designee, will encourage the complainant or informant to complete the written complaint form, a copy of which is attached to this Policy. If he/she/they refuse(s), the Title IX Coordinator, or designee, will prepare a complaint form based on the oral reporting.
 - If documents, emails, phone records or other paper or electronic records are relevant to the allegations, the District will take steps to obtain and preserve them.
 - The Title IX Coordinator, or designee, will request and review all relevant documents, including all electronic communications.
 - The Title IX Coordinator, or designee, will interview all parties involved, including any relevant witnesses.
- The Title IX Coordinator, or designee, will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- All records of the investigation will be maintained in a secure and confidential location.
 - The Title IX Coordinator, or designee, will notify the individual who complained and the alleged perpetrator of the outcome of the investigation.
 - The Title IX Coordinator, or designee, will inform the individual who complained of his/her right to file a complaint or charge externally, as outlined below.
 - At the conclusion of the investigation, the Title IX Coordinator, or designee, will report the findings to the Superintendent of Schools. If it is found that prohibited sexual harassment has, in fact, occurred, the Title IX Coordinator, or designee, will make a recommendation to the Superintendent of Schools and appropriate corrective action will be taken.



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Corrective Action

Any person, including covered individuals of every level who, upon an investigation in accordance with this Policy, is determined to have engaged in impermissible sexual harassment or retaliation in violation of this Policy, will be subject to appropriate corrective action, subject to any statutory or contractual limitations, including, but not limited to, disciplinary action (e.g., suspension or termination of employment). If the accused is a non-employee or other individual, then other consequences may be implemented up to and including termination of any contractual or other relationship between the District and the non-employee or other individual.

If the accused is a student, appropriate disciplinary measures will be applied up to, and including, suspension in accordance with the District's Code of Conduct and applicable laws and regulations.

Confidentiality

The confidentiality and privacy of all parties involved in a complaint, report or investigation of suspected sexual harassment or retaliation in accordance with this Policy will be respected to the extent possible while permitting the District to conduct a thorough investigation of the complaint or report and take appropriate corrective action as necessary.

Bad Faith Claims

If after investigating a complaint of sexual harassment, it is determined that a person has made a claim of sexual harassment or retaliation in bad faith, or intentionally provided false information regarding a claim of sexual harassment or retaliation, legal action and/or appropriate corrective action including, but not limited to, disciplinary action, termination of employment, and/or termination of any contractual or other relationship with the District may be taken against that person, subject to any statutory or contractual limitations.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the District, but it is also prohibited by state, federal and (where applicable) local law. Aside from the internal process at the District, covered individuals may also choose to pursue legal remedies including, for example, in court and/or with the below governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.



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New York State Human Rights Law (“HRL”)

The HRL, codified as N.Y. Executive Law, Art. 15, § 290 *et seq.*, applies to employers in New York State with regard to sexual harassment and protects employees, paid and unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (“DHR”) or in New York State Supreme Court. Complaints with the DHR may be filed any time within three years of the harassment. If an individual did not file at the DHR, they can sue directly in State court pursuant to the HRL within three years of the alleged harassment. An individual may not file with the DHR if they have already filed an HRL complaint in State court.

Complaining internally to the District does not extend your time to file with the DHR or in court. The one-year and three-year time periods outlined above are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with the DHR, and there is no cost to file. The DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, the DHR has the authority to award relief, which varies but may include requiring an employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorneys’ fees and civil fines.

DHR’s main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400. The contact information for the DHR’s Nassau County Office is: 50 Clinton Street, Suite 301, Hempstead, New York 11550, (516) 539-6848, www.dhr.ny.gov. Individuals can contact the DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to the DHR. The website also contains contact information for the DHR’s regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e *et seq.*). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. You do not need an attorney to file a complaint with the EEOC and there is no



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cost to file. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will try to reach a voluntary settlement with the employer. If a settlement cannot be reached, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC may also issue a Notice of Right to Sue permitting the individual to file a complaint in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated or believes that unlawful discrimination occurred but does not file a lawsuit.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Individuals may also/instead obtain relief in mediation, settlement or conciliation. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she/they has/have been discriminated against at work, he/she/they can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with the DHR, the DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

United States Department of Education Office for Civil Rights (OCR)

OCR enforces Title IX of the Federal Education Amendments of 1972 (codified as 20 U.S.C. §§ 1681-1688), which prohibits discrimination on the basis of sex, pregnancy, marital or parental status in employment, recruitment, consideration or selection for employment including recruitment, hiring, promotion, compensation, grants of leaves or benefits, as well as retaliation. Individuals whose employment is covered by Title IX can file a complaint with OCR, ordinarily within 180 days of the last act of harassment/discrimination. You do not need an attorney to file a complaint with OCR and there is no cost to file. OCR can be contacted at: 32 Old Slip, 26th Floor, New York, NY 10005-2500, (646) 428-3800.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which the individual lives or works to find out if one or more of these laws exist.



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For example, anyone who lives or works in Nassau County may file complaints of sexual harassment with the Nassau County Human Rights Commission at:

240 Old Country Road, 6th Floor, Suite 606, Mineola, New York 11501, (516) 571-3662;
www.nassaucountyny.gov/414/Human-Rights-Commission.

Contact the Police Department

If the sexual harassment involves physical touching, coerced physical confinement or coerced sexual acts, the conduct may constitute a crime and affected individuals should contact the police department.

Dissemination and Training

This Policy should be posted prominently in all work locations to the extent practicable (for example, in a main office). This policy and a copy of the training information must also be provided to all employees in person or digitally through email upon hiring. Any employee(s) operating remotely will also be given access to this Policy on the District's shared network.

All employees will receive sexual harassment prevention training at least annually, during which the District will provide a copy of this Policy and the information presented at the training.

We trust that everyone will continue to act responsibly to establish a working environment free of sexual harassment. We encourage you at any time to raise any questions you may have about this Policy.

Civil Rights Act of 1991, 42 United States Code (USC) Section 1981(a)

29 Code of Federal Regulations (CFR) Section 1604.11(a)

Education Law Section 2801(1)

Executive Law Sections 296 and 297

Labor Law Section 201-g

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Revised: March 6, 2024



SEXUAL HARASSMENT COMPLAINT FORM

If you believe that you have been subjected to sexual harassment or gender discrimination, you are encouraged to complete this form and submit it to the Title IX Coordinator. If the complaint involves the Title IX Coordinator or you are hesitant to report to the Title IX Coordinator, you may submit this form to the Superintendent of Schools or if it involves the Superintendent of Schools, then you may submit the form to the President of the Board of Education. The contact information for the Title IX Coordinator, Superintendent of Schools and the President of the Board of Education is available on the District's website. This form can be submitted in person or by email. Retaliation against anyone who, in good faith, files a sexual harassment complaint form is prohibited. If you are more comfortable reporting orally or in another manner, the District will complete this form, provide you with a copy of it and follow its Policy Against Workplace Sexual Harassment by investigating the claims.

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

COMPLAINANT INFORMATION

Name: _____
Work Address: _____
Work Phone: _____
Job Title: _____ Email: _____
Select Preferred Communication Method: Email Phone In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name: _____
Title: _____
Work Phone: _____ Work Address: _____

COMPLAINT INFORMATION

1. The complaint of sexual harassment is made about:
Name: _____ Title: _____
Work Address: _____ Work Phone: _____
Relationship to you: Supervisor Subordinate Co-Worker Other



2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional, but may help the investigation.

5. Have you previously complained or provided information (oral or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you retained legal counsel and would like us to work with them, please provide their contact information. _____

I hereby affirm that the information contained in this complaint is true and correct to the best of my knowledge, information and belief.

Signature: _____ Date: _____