

**SUBJECT: SEXUAL HARASSMENT**

Sexual harassment is against federal and state law. The Board is committed to maintaining an educational and working environment free from such harassment, and therefore prohibits sexual harassment of students and employees in the district. The district will establish detailed policies and regulations for both students and employees which address definitions, protections, prohibited behavior (including retaliation), prevention activities, training/education, complaint reporting, investigations, and consequences.

## Cross-ref:

0110.2, Sexual Harassment of Employees

0111, Title IX/Sexual Harassment

0115, Student Harassment and Bullying Prevention and Intervention

## Ref:

Education Amendments of 1972, Title IX, 20 U.S.C. 1681 et seq.; 34 CFR 106 et seq.

Title VII of Civil Rights Act (1964), 42 U.S.C. 2000-e; 34 CFR 100 et seq.

Education Law 10-18 (Dignity for All Students Act)

Executive Law 296-d (prohibition of sexual harassment of employees and non-employees)

Labor Law 201-g (required workplace sexual harassment policy and training)

Civil Practice Law and Rules 5003-b (nondisclosure agreements optional); 7515 (mandatory arbitration prohibited)

General Obligations Law 5-336 (nondisclosure agreements optional)

Davis v. Monroe County Board of Education, 526 U.S. 629, 652 (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. Gwinnett County Public Schools, 503 U.S. 60 (1992)

Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

*Cannon v. University of Chicago*, 441 U.S. 677 (1979)

Office for Civil Rights Revised Sexual Harassment Guidance (January 19, 2001)

Office for Civil Rights, Dear Colleague Letter: Sexual Harassment Issues (2006)

Office for Civil Rights, Dear Colleague Letter: Bullying (October 26, 2010)

Adopted by the Ogdensburg City School District on April 5, 2021