

Non-Discrimination and Anti-Harassment

- The Chenango Valley Central School District (district) recognizes the harmful and insidious nature of harassment and discrimination on the basis of a protected characteristic, which includes, but is not limited to race, skin color, national origin, religion, age, disability, sexual orientation, gender identity and/or veteran status, and the toll that harassment can have on employees, staff, students, vendors, and visitors to the district's buildings, grounds, and facilities.
- The district is fully committed to maintaining an educational environment that is free from all forms of harassment and discrimination that are prohibited by law.
- In keeping with this commitment, the district prohibits any harassment or discrimination that occurs at school, school-related functions, on school grounds, or on school transportation, whether perpetrated by or against the district's students, employees, staff, vendors, or visitors to the district's buildings, grounds, or facilities.
- This policy applies to the actions of the district's staff or employees, students and third parties (such as vendors, visitors, coaches, advisors, volunteers and parents) while the student is at school, a school function, on school grounds or on school transportation.
- Any student, employee, agent or official of the district who has witnessed behavior at school or at a school-related function that he/she, in good faith, believes is harassment or discrimination should immediately report it to a teacher, guidance counselor, school nurse, school psychologist supervisor, an assistant principal, a principal, the Assistant Superintendent (who is the Title IX coordinator), or Superintendent. Any employee of the district who has witnessed or received a report of such behavior shall immediately report said behavior to the Title IX coordinator.
- The district will promptly investigate all reports of discrimination and harassment and, pursuant to the results of the investigation, will take appropriate disciplinary and/or corrective action that is in accordance with applicable laws, rules, regulations, and/or collective bargaining agreements.
- The district prohibits any retaliation against persons who have made good faith reports of harassment or discrimination and/or who have participated in any investigation of harassment complaints.

Harassment on the Basis of a Protected Characteristic

It is the district's policy to provide an educational environment that is free from all forms of harassment and discrimination that are prohibited by law. Harassment on the basis of any protected characteristic is strictly prohibited by law and this policy.

Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her actual or perceived sex, race, color, national origin, creed, religion, marital status, age or disability, military status, sexual orientation, gender (identity, expression), predisposing genetic characteristic, ethnic group, religious practice, or weight, as mandated by the Dignity for All Students Act, or any other characteristic protected by law or that of his/her relatives, friends, or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive educational and/or working environment; (ii) has the purpose or effect of unreasonably interfering with an individual's educational experience and/or work performance; or (iii) otherwise adversely affects an individual's educational and/or employment opportunities.

Harassing conduct includes, but is not limited to:

- epithets, slurs, name calling, negative stereotyping, or offensive slang;
- threatening, intimidating, or hostile acts;
- jokes and/or displays or circulation of any written or graphic material (such as signs, pictures or cartoons) that denigrates or intimidates an individual, or shows hostility or aversion toward an individual or group (including via electronic communication, outlined in our Computer Usage Policy);
- pushing, shoving, threats, or other intentional acts perpetrated in whole or in part because of the victim's protected status;
- mimicking or mocking another's speech, accent, disability or behavior.

Scope of Policy

This policy covers conduct at school, at school-sponsored events/functions/conferences on or off school grounds or on school transportation.

Timely Reporting; Complaint Procedure

An important objective of this policy is to prevent harassing conduct that unreasonably interferes with a student's or employee's educational/work environment or is intimidating, hostile or offensive. It is therefore essential and required that students and employees immediately report conduct which they believe is in violation of this policy. Such timely reporting is necessary so that a complaint can be investigated while information is most available, so that a problem can be remedied before a harassing situation develops, and so that the district can avoid the spread of harmful rumors.

Any student who believes that he/she has been subjected to conduct that is in violation of this policy should immediately report the facts of the incident and the name of the individuals involved to a teacher, guidance counselor, school nurse, school psychologist, assistant principal, principal, Assistant Superintendent or Superintendent.

Any employee, agent, or official of the district who believes that he or she has been subjected to conduct in violation of this policy should report the facts of the incident and the name of the individuals involved to his/her immediate supervisor or, in the alternative, to the Assistant Superintendent. If, for any reason, an employee, agent, or official of the district would prefer not to make the report to these individuals, the employee should report the conduct to the Superintendent.

Any employee who observes or receives a report of harassment or discrimination of another student, employee, agent, official, vendor, or visitor of the district's buildings or grounds must immediately report the harassment to one of the persons listed above.

Investigation of Complaints

The district's policy is to investigate all reported incidents thoroughly, promptly, and in a discrete manner, and will do so in accordance with the investigative procedures set forth in Section III, Policy No. 12 of the District Policy Manual. The district recognizes that every investigation requires a determination based on all of the facts in the matter, and that all parties to the investigation should have an equal opportunity to present evidence and witnesses for the investigator's consideration. The district also recognizes the serious impact that a false accusation can have and trust that all students, employees, agents and officials will act responsibly when making complaints. The final determination of any incident will be reported to the Superintendent, and the parties to the investigation will be notified regarding whether or not corrective action was taken.

Sanctions for Violations of this Policy

The district expects all employees and students to be aware of this policy and to abide by it at all times. If an investigation confirms that harassment has taken place, the district will take appropriate corrective and/or disciplinary action in accordance with the applicable laws, rules, regulations and collective bargaining agreements. Such corrective and/or disciplinary action may include counseling, reprimand, suspension, and/or termination of the offending party's employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Bad Faith Complaints

Although the district encourages the reporting of harassment, students and the district's staff and employees must recognize that complaints made in bad faith (such as when the complainant knows that the complaint is false) can have a serious impact on other students and/or employees of the district, who may experience adverse employment action and also suffer a compromise in their reputation. In addition, bad faith complaints of harassment disrupt the school and waste resources by triggering lengthy and potentially time consuming investigations.

It is therefore misconduct, under this policy, for a student or staff member to make complaints of harassment in bad faith and doing so may result in corrective or disciplinary action taken against the complainant. For the purposes of this policy, complaints are made in bad faith then the complainant: (a) makes the complaint solely harm, injure, degrade, defame or embarrass another person; (b) knows that the complaint is false; and/or (c) acts with reckless disregard to the truth when making the complaint.

Confidentiality

When investigating harassment complaints, the district will maintain confidentiality to the extent that the district considers practicable, appropriate and necessary in order to meet the purposes of investigating and responding to harassment complaints and in order to achieve the other objectives of this policy.

Retaliation is Strictly Prohibited

The district strictly prohibits any district supervisor, employee, agent, official or student from retaliating against anyone who makes a good faith report of harassment or participates in an investigation under this policy. Any district supervisor, employee, agent, official or student who violates this provision of the policy will be subject to appropriate discipline, in accordance with applicable laws, rules, regulations and collective bargaining agreements. Such discipline may include counseling, reprimand, suspension, and/or termination of employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Title IX Coordinator

The Assistant Superintendent is designated as the Title IX Coordinator of this policy. Teachers, principals, assistant principals and any other employee or staff member who receives a complaint under this policy or who observes a violation of this policy must report such complaint or observation immediately to the Assistant Superintendent. The investigation of all violations of this policy and of all complaints filed under this policy shall be the responsibility of the Assistant Superintendent.

Publication

The district shall promulgate this policy as follows:

- A copy of this policy shall be provided to each employee, agent or official on the first payday of each September. With respect to an employee, agent or official who is hired during the school year, this policy shall be provided to the employee, agent or official after the Board of Education has appointed the employee, agent or official.
- This policy shall be included in the Student Handbook and in the School Calendar.
- This policy shall be provided annually to the president of each bargaining unit.
- This policy shall be published annually in the district's newsletter.
- This policy shall be published on the district's website.
- The name, email address, business address and telephone number of the district's Title IX Coordinator shall be published in the Student Handbook, in the district's newsletter and on the district's website.

Policy Review

The district shall, on an annual basis, provide for a review of this policy with all of its employees, agents, and officials.