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## **HARASSMENT POLICY**

The Chariho Regional School District Committee is committed to maintaining an environment that is free of unlawful discrimination. In keeping with this commitment, the Committee will not tolerate harassment of its employees by anyone, including any supervisor, co-worker, or vendor and will not stand for harassment of any student, volunteer, or \*community member by any other person.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on characteristics of the victim such as sex, sexual orientation, gender identity or expression, color, race, ancestry, religion, national origin, age, physical or mental disability, marital status, military status, citizenship status, or other protected group status. The Committee will not tolerate harassing conduct, especially when it affects tangible job benefits, interferes unreasonably with an individual's work or school performance, or creates an intimidating, hostile, or offensive working environment.

Harassment not only can have a devastating effect on its victims, it can destroy the morale of the entire organization. It reduces productivity, invites substantial legal costs and holds an organization up to public censure and ridicule. Those who practice harassment on their employer's time are stealing from their employer. Thus, harassment cannot be engaged in by any supervisor, employee, or agent of the Committee nor can it be engaged in by any student, volunteer, or community member. Harassment is always contrary to the interests of the Committee and is beyond the scope of authority granted by the Committee.

### **Scope**

This policy applies to all employees of the Chariho Regional School District. It also applies to all students, volunteers, and community members.

### **Responsibility**

The Human Resources Administrator has overall responsibility for this Harassment Policy. The Human Resources Administrator is responsible for the implementation and daily administration of this policy. Supervisory employees at all levels are responsible for implementing and enforcing this policy and for assisting in investigating and processing employee, student, volunteer, and community member complaints with the utmost priority and consideration of the rights of all concerned. Every person is responsible for reporting to the building principal, his/her supervisor, or the Human Resources Administrator any incident of harassment of which he/she learns or witnesses. The Human Resource Administrator will maintain the highest degree of confidentiality possible with respect to such reports, consistent with its obligation to investigate thoroughly all such reports.

Sexual harassment deserves special mention. It is the Chariho Regional School District Committee's policy to maintain an environment that is entirely free of sexual harassment in any form. Supervisors, managers, all other employees, students, volunteers, and community members are absolutely prohibited from engaging in sexual harassment of the District's employees, students, volunteers, and community members. Sexual harassment is unlawful. Because sexual harassment can be destructive to morale as well as to the District's reputation and because it can be extremely costly in terms of lost productivity, lost employees, poor academic performance, and out-of-pocket expense, no act of sexual harassment can serve the District's interest. Thus, any act or pattern of sexual harassment by any person is beyond the scope of his or her authority and will subject the individual to discipline and, if an employee, up to and including discharge.

**Definition and Examples of Sexual Harassment for Employees**

Unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature constitute sexual harassment when: **1)** Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or **2)** Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or **3)** Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Some examples of employee conduct towards other employees prohibited by this policy include:

- A.** Physical assaults of a sexual nature, such as:
  - (1)** Assault, rape, sexual battery, molestation or threats or attempts to commit these acts; or
  - (2)** Unwelcome intentional physical conduct, or threats of such conduct, which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another person's body, or poking another person's body.
- B.** Unwanted sexual advances, propositions or other sexual comments, such as:
  - (1)** Sexually-oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience;
  - (2)** Giving rewards or promises of rewards for submitting to sexual conduct, or reprisals or threats of reprisal for refusal to submit to sexual conduct;
- C.** Sexual or discriminating display in the workplace such as:
  - (1)** Displaying or otherwise publicizing in the work environment materials that are sexually revealing, suggestive, demeaning or pornographic; or
  - (2)** Displaying signs or other materials purporting to segregate an employee by sex in any area of the workplace (other than rest rooms and similar semi-private lockers/ changing rooms).
- D.** Retaliation against an employee for filing a report under this policy or for assisting or cooperating in an investigation of the filing of a report under this policy;
- E.** Failure to cooperate fully with investigation of reports of harassment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, display of sexually-oriented printed or visual material, and physical contact such as patting, pinching, or brushing against another's body. Whether or not harassment has occurred is determined from the perspective of the potential victim and not from that of the potential harasser.

The Human Resources Administrator is responsible for posting a bulletin board notice to all employees at the time that this policy is adopted by the Chariho Regional School District Committee. The notice will emphasize the importance of the policy to the District, the obligation of every employee to report any incident of sexual harassment, the availability of supervisors and administrative staff to receive such reports and the confidentiality with which these reports will be treated.

## **Statement of Range of Consequences for Employees**

### **A. Harassment**

- (1) Employees are subject to discipline, up to and including discharge, for any act of harassment which is proven to the satisfaction of the District.
- (2) The appropriate measure of discipline will be determined on the basis of the District's assessment of the nature and severity of the misconduct, along with any other relevant factors.

### **A. Retaliation**

It is unlawful to retaliate in any way against an individual who has filed a report of harassment or cooperated in an investigation of a report of harassment. An employee may be disciplined, up to and including discharge, for any such act of retaliation. The appropriate measure of discipline will be determined on the basis of the District's assessment of the nature and extent of the retaliation and any other relevant factors brought to the attention of the District.

## **Report and Investigation Procedure**

The Chariho Regional School District Committee expects all persons to report sexual harassment in accordance with this policy and to ask questions about this policy or conduct which concerns them. All persons may file a report even before behavior becomes bad enough to be illegal. All persons should file a report as promptly as possible but there is no specific deadline for filing a report.

Individuals should feel free to ask the person acting contrary to this policy to stop the unwelcome or offensive conduct. Sometimes the person does not realize that his or her conduct is unwelcome and offensive and a simple request to stop will suffice. This policy does not mandate, however, that individuals confront the person before otherwise filing a report or in any way restrict individuals from both confronting the person and otherwise filing a report. Individuals must, however, report unwelcome or offensive conduct that is persistent or severe.

Individuals may report sexual harassment to the Human Resources Administrator, or, if the Human Resources Administrator is involved in the allegation of sexual harassment, to the Assistant Superintendent or to such persons expressly designated by the Human Resources Administrator.

The Human Resources Administrator is:

Name: Kristen Merritt  
 Title: Human Resources Administrator  
 Address: 455A Switch Road  
 Wood River Jct., RI 02894  
 Phone #: 364-3260  
 EMAIL: [kristen.merritt@chariho.k12.ri.us](mailto:kristen.merritt@chariho.k12.ri.us)

The Assistant Superintendent is:

Name: Michael Comella, Ed.D.  
 Title: Assistant Superintendent  
 Address: 455 A Switch Road  
 Wood River Jct., RI 02894  
 Phone #: 364-1150  
 EMAIL: [michael.comella@chariho.k12.ri.us](mailto:michael.comella@chariho.k12.ri.us)

The Human Resources Administrator or Assistant Superintendent will thoroughly investigate the report of sexual or other harassment as promptly as possible, keeping the matter as confidential as is practicable. The Human Resources Administrator or Assistant Superintendent shall consult with the District's attorney in the course of any investigation. After investigation, he or she will take whatever action is necessary to remedy any harm done by a proven instance of harassment. If an investigation confirms that harassment has occurred, the District will take appropriate corrective action, up to and including discharge of an employee, exclusion of a volunteer or community member, or removal of a student from the current educational setting.

It is the responsibility of every person to cooperate fully with any investigation under this policy.

### **Responsibility of Supervisors**

Each District employee with individuals or students under his or her supervision has a duty to maintain an environment free of harassment to assure that each individual under his or her supervision is aware of the District's policy on Harassment and the policy's procedure to resolve reports of harassment, and to assure such individuals that they need not endure insulting, degrading or exploitative treatment based on sex, sexual orientation, gender identity or expression, race, color, religious creed, military status, national origin, ancestry, age, disability or membership in any other protected class. Any supervisor who learns of or suspects violations of this policy must promptly bring the matter to the attention of their Supervisor or the Human Resources Administrator, or, if the allegation involves the Human Resources Administrator, to the Assistant Superintendent. All complaints of harassment concerning administrative staff will be immediately referred to the Superintendent of Schools by the Human Resources Administrator, or, if the allegation involves the Human Resources Administrator, by the Assistant Superintendent.

State and federal employment discrimination agencies are: the Rhode Island Commission for Human Rights, which may be contacted at 180 Westminster Street, 3<sup>rd</sup> Floor, Providence, RI, 02903 and the Equal Employment Opportunity Commission, which may be contacted at the Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203.

\*community member includes any individual with a legitimate purpose for his/her presence in a school or on the property of the Chariho Regional School District

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