

**NON-DISCRIMINATION AND ANTI-HARASSMENT
OF EMPLOYEES IN THE DISTRICT**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation as required by federal and state law. Harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of discrimination and harassment in its employment and admission to programs and activities as applicable, on the basis of actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, gender identity or the status of being transgender, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law by employees, District volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District. Furthermore, the District provides equal access to the Boy Scouts of America and other designated youth groups. The Board further contends that administration shall be responsible for maintaining compliance with Standards Governing Civil Rights in Vocational Education Programs.

The Board also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes. This policy of non-discrimination and anti-harassment will be enforced on District premises and in District buildings; and at all District-sponsored events, programs and activities, including those that take place at locations off District premises.

It is intended that this policy apply to the dealings between or among employees with employees; employees with students; and employees with vendors/contractors and others who do business with the District, as well as District volunteers, employment applicants, visitors, guests and other third parties regardless of immigration status. All of these persons are hereinafter referred to collectively as "the named group."

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, gender identity or the status of being transgender, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law when:

- a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c) Such conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work performance and/or creates an intimidating, hostile or offensive work environment;

Sexual harassment is a form of gender-based discrimination that is unlawful under 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 individuals differently because of their gender.

Under the New York State Human Rights Law (“NYSHRL”), sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, NYSHRL 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 a covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of District policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts.

Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- a) The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. The impacted individual does not need to be the intended target of the sexual harassment;
- b) Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- c) Decisions regarding an individual's employment are based on an individual's acceptance or rejection of the behavior. These decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- a) Hostile work environment which includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- b) Quid pro quo harassment which occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment.

Any covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body; or
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - 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;
 - 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, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping 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.
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees 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, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities.:

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. This policy applies to all instances of sexual harassment perpetrated against a "covered individual" by anyone in the workplace, including a co-worker, supervisor, or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees 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.

Unlawful sexual harassment is not limited to the physical workplace itself. Sexual harassment can occur on school property and at school functions which, for purposes of this policy, means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state. It can occur while covered individuals are traveling for District business or at District or industry-sponsored events or parties. Calls, texts, emails, and social media usage by covered individuals can constitute unlawful workplace harassment, even if it occurs away from school property, on personal devices, or during non-work hours. Accordingly, conduct or incidents of sexual harassment that create or foreseeably create a disruption within the District may be subject to this policy in certain circumstances.

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

Complaints by Employees

Any employee who believes that he/she has been subjected to unlawful discrimination or harassment shall report all incidents of such conduct to the District's designated Compliance Officer through informal and/or formal complaint procedures developed by the District. For formal complaints, the District encourages employees to use the Complaint Form that is part of Administrative Regulation 0110.2R. In the event the Compliance Officer(s) is the alleged offender, the complainant shall report his/her complaint to the Superintendent of Schools. All District personnel shall have the opportunity to present their discrimination and/or harassment complaints free from interference, coercion, restraint, discrimination or reprisal. Covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough or conversely because they do not want to see someone fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and could include education counseling, suspension, or termination.

Administration shall be responsible for establishing rules and regulations for the redress of complaints of discrimination and/or harassment through proper administrative channels. In addition, the administration shall be responsible for developing an appeals process, ensuring that employees have full understanding and access to these regulations and procedure, and providing prompt, thorough and equitable consideration and determination of employee complaints through District established procedures.

The District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of discrimination or harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further discrimination or harassment.

Supervisory Responsibilities

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors, building principals, other administrators, and the Compliance Officer(s) have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. All supervisors, building principals, and other administrators who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report the suspected sexual harassment to the Compliance Officer(s). If the Compliance Officer(s) is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another Compliance Officer(s), if the District has designated another individual to serve in that capacity. If the District has not designated another Compliance Officer(s), the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the Compliance Officer(s).

Supervisors, building principals, and other administrators should not be passive and wait for a covered individual to make a claim of harassment. If they observe such behavior, they must act.

Supervisors, building principals, and other administrators can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors, building principals, and other administrators, can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Bystander Intervention

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

- a) A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- b) A bystander who feels unsafe interrupting on their own can ask a third-party to help intervene in the harassment;
- c) A bystander can record or take notes on the harassment incident to benefit a future investigation;
- d) A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
- e) If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting 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 harassment in the workplace.

Investigation of Complaints

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee, or other member of the above named group who believes he/she has been a victim of discrimination or harassment in the District environment and/or

at programs, activities and events under the control and supervision of the District, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence of discrimination or harassment, immediately report such alleged discrimination or harassment; such report shall be directed to or forwarded to the District's designated Compliance Officer(s) through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged discrimination or harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the Compliance Officer is the alleged offender, the report will be directed to the next level of supervisory authority. Supervisors are required to report any complaints they receive, or any harassment they observe, to a Compliance Officer. In addition to being subject to discipline if they engaged in conduct prohibited by this policy themselves, supervisors will be subject to discipline for failing to report suspected harassment prohibited by this policy or to otherwise allow such harassment to continue.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a prompt, equitable and thorough investigation of the charges. However, even in the absence of an informal/formal complaint, if the District has knowledge of any occurrence of discrimination or harassment, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. The Superintendent of Schools will inform the Board of Education of investigations involving findings of discrimination or harassment.

Based upon the results of this investigation, if the District determines that an employee has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Appropriate disciplinary measures also will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, Education Law, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as District volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations and/or the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

Prohibition of Retaliatory Behavior

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. Adverse actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- a) Demoting, terminating, denying accommodations, reducing hours, or the assigning less desirable shifts to retaliate against an individual for engaging in conduct protected under this policy;
- b) Publicly releasing personnel files to retaliate against an individual for engaging in conduct protected under this policy;

- c) Refusing to provide a reference or providing an unwarranted negative reference to retaliate against an individual for engaging in conduct protected under this policy;
- d) Labeling an employee as "difficult" and excluding them from projects to avoid "drama" because the employee engaged in conduct protected under this policy;
- e) Undermining an individual's immigration status to retaliate against an individual for engaging in conduct protected under this policy; or
- f) Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location to retaliate against an individual for engaging in conduct protected under this policy.

Retaliation is unlawful under federal, state, and (where applicable) local law. The NYSHRL protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- a) Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- b) Testified or assisted in a proceeding involving sexual harassment or discrimination under the NYSHRL or any other anti-discrimination law;
- c) Opposed sexual harassment or discrimination by making a verbal or informal complaint, or by simply informing a supervisor, building principal, other administrator, or the Compliance Officer(s) of suspected harassment;
- d) Reported that a covered individual has been sexually harassed or discriminated against; or
- e) Encouraged a covered individual to report harassment.

The District prohibits all retaliation. Any individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment or discrimination if they believe it has occurred. Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of sexual harassment or discrimination.

Any District employee who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All covered individuals who believe they have been subject to retaliation should inform a supervisor, building principal, other administrator, or the Compliance Officer(s).

All employees and covered individuals who believe they have been a target of retaliation may also seek relief from government agencies, as explained in this policy.

Finding That Harassment Did Not Occur

At any level/stage of investigation of alleged discrimination or harassment, if a determination is made that discrimination or harassment did not occur, the Compliance Officer will notify the complainant, the alleged offender and the Superintendent of Schools of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that discrimination or harassment did not occur, the Superintendent of Schools or the Superintendent's designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the District community is not conducive to fostering discrimination or harassment in the workplace.

Knowingly Making False Accusations

Employees who *knowingly* make false accusations against another individual as to allegations of discrimination or harassment may also face appropriate disciplinary action.

Privacy Rights

As part of any investigation, the District has the right to search all District property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Civil Rights Compliance Officer

The Civil Rights Compliance Officer is Lucas Christensen. The District prominently displays the name(s) of compliance officer(s) and contact information on appropriate materials and on the District's website. The Civil Rights Compliance Officers shall be responsible for providing information, including complaint procedures, and for handling complaints relative to civil rights for any employee or employment applicant.

Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises employees and the general public of the District's established procedures for resolving complaints of discrimination or harassment. Included in such announcement will be the name(s), address(es) and telephone number(s) of the Civil Rights Compliance Officer.

The Civil Rights Compliance Officer shall also be responsible for handling complaints regarding discrimination or harassment based on race, color, creed, religion, national origin, political affiliation, gender, gender identity or the status of being transgender, sexual orientation, age, military status, veteran status, marital status, predisposing genetic characteristics, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status, or access to facilities by the Boy Scouts of America or other youth group, or other classifications protected under federal and state law.

Complaints may also be filed with the New York State Division of Human Rights and the Federal Office for Civil Rights. Each agency has its own procedures and deadlines for filing complaints.

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigating, and remedying allegations of

discrimination or harassment based on the characteristics described above. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable Compliance Officer. Such regulations will be developed in accordance with federal and state law.

The District's established procedures for resolving complaints regarding discrimination or harassment covered under this policy shall be disseminated to adequately inform employees of the existence of such procedures.

The Superintendent of Schools or the Superintendent's designee(s) will affirmatively discuss the topic of discrimination and harassment with all employees and express the District's condemnation of such conduct, and explain the sanctions for such discrimination or harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to discrimination or harassment in the District, and to disseminate preventative measures to help reduce such incidents of prohibited conduct.

Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for the investigation of discrimination or harassment complaints.

A copy of this policy and its accompanying regulations (0110.2R) will be available upon request and may be posted at various locations in each District building. The District's policy and regulations on non-discrimination and anti-harassment will be published in appropriate District publications such as teacher/employee handbooks and/or District calendars and on the District website.

This policy should not be read to abrogate other District policies and/or regulations or the District's Code of Conduct prohibiting other forms of unlawful discrimination or harassment, inappropriate behavior, and/or hate crimes within the District. It is the intent of the District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination or harassment in the provision of employment/educational services and opportunities. However, different treatment of any member of the above-named group which has a legitimate, legal and nondiscriminatory reason shall not be considered a violation of District policy.

Public Notification

The District will provide this policy to all employees in-person or digitally through email upon hiring and will be posted prominently in all work locations. In addition to sending the policy through email, this policy will also be available on the District's website.

At the time of hiring and at every annual sexual harassment prevention training program, the District will provide each employee a notice containing this policy and the information presented at the District's sexual harassment prevention training program.

This notice will be provided in English and in the language identified by the employee as their primary language, provided that the New York State Department of Labor Commissioner has published a template of the model materials in that language.

The notice will be delivered in writing, either in print or digitally. The notice will either link to or include, as an attachment or printed copy, the policy and training materials.

Legal Protections and External Remedies

Aside from the internal processes at the District, employees may also choose to pursue legal remedies for unlawful discrimination and harassment with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, an employee may seek the legal advice of an attorney. In addition to those outlined below, employees in certain industries may have additional legal protections.

New York State Division of Human Rights (NYSDHR)

The NYSHRL, NY Executive Law, Art. 15, Section 290 et seq., applies to all employers in New York State and protects covered individuals, regardless of immigration status. A complaint alleging violation of the NYSHRL may be filed either with the NYSDHR or in New York State Supreme Court.

If an individual does not file a complaint with NYSDHR, they can bring a lawsuit directly in state court under the NYSHRL. An individual may not file with NYSDHR if they have already filed a NYSHRL complaint in state court.

Complaining internally to the District does not extend the time to file with NYSDHR or in court. The three years are counted from the date of the most recent incident of harassment.

Individuals do not need an attorney to file a complaint with NYSDHR, and there is no cost to file with NYSDHR.

NYSDHR will investigate the complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, NYSDHR has the power to award relief. Relief varies, but it may include requiring the employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

NYSDHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Individuals may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with NYSDHR. The website has a digital complaint process that can be completed on a computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to NYSDHR. The website also contains contact information for NYSDHR's regional offices across New York State.

Call the NYSDHR sexual harassment hotline at **1-800-HARASS-3 (1-800-427-2773)** for more information about filing a sexual harassment complaint. This hotline can also provide a referral to a volunteer attorney experienced in sexual harassment matters who can provide limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (“EEOC”) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e et seq. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has

occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit 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.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred.

An individual alleging discrimination at work can file a “Charge of Discrimination” with the EEOC. The EEOC has district, area, and field offices where complaints can be filed. An employee can contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

If an individual filed an administrative complaint with NYSDHR, then NYSDHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Title IX

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in education programs and activities that receive federal financial assistance. The United States Department of Education's Office for Civil Rights (OCR) enforces Title IX of the Education Amendments Act of 1972.

For more information about how to file a complaint, contact OCR at 800-421-3481 (TDD 800-877-8339) or visit: <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>. The website contains information about filing complaints online, by mail, or by email.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

References:

Age Discrimination in Employment Act of 1975, 29 United States Code (USC) Section 621
Americans With Disabilities Act of 1990, 42 United States Code (USC) Section 12101 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Equal Employment Opportunity Commission Policy Guidance

Boy Scouts of America Equal Access Act

Civil Rights Law Section 40-c

Civil Service Law Section 75-B

Education Law Section 2801(1)

New York State Human Rights Law, Executive Law Section 290 et seq.

Military Law Sections 242 and 243

Education Law Sections 2045(2) and 4601

Commissioner's Regulations Sections 100.2(h) and 141 et seq.

Effective Date: March 5, 2024