

Who May File?

Any Department of Education employee or applicant for employment who believes she or he may have been a victim of sexual harassment with regard to the terms and conditions of employment may file a complaint. Additionally, students or parents of students may file a complaint.

NYC DEPARTMENT OF EDUCATION POLICY

It is the policy of the NYC Department of Education to provide equal employment opportunities without regard to actual or perceived race, color, religion, creed, ethnicity, national origin, alienage, citizenship status, age, marital status, partnership status, disability, sexual orientation, gender (sex), military status, unemployment status, prior record of arrest or conviction (except as permitted by law) predisposing genetic characteristics, or status as a victim of domestic violence, sexual offenses or stalking, and to maintain an environment free of harassment on any of the above-noted grounds, including sexual harassment or retaliation.

It is the policy of the New York City Department of Education to provide equal educational opportunities without regard to actual or perceived race, color, religion, creed, ethnicity, national origin, alienage, citizenship status, disability, sexual orientation, gender (sex) or weight and to maintain an environment free of harassment on the basis of any of these grounds, including sexual harassment or retaliation.

EXTERNAL AGENCIES

N.Y.C. COMMISSION ON HUMAN RIGHTS

40 Rector Street, 9th Floor
New York, New York 10006
(212) 306-5070

NEW YORK STATE DIVISION OF HUMAN RIGHTS

1 Fordham Plaza - 4th Floor
Bronx, New York 10458
(718) 741-8400

U. S. DEPARTMENT OF EDUCATION

Office for Civil Rights

32 Old Slip, 26th Floor
New York, NY 10005
(646) 428-3900

U. S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office
33 Whitehall Street, 5th Floor
New York, New York 10004
(212) 336-3620



Sexual Harassment: No Place in the Workplace

OFFICE OF EQUAL OPPORTUNITY & DIVERSITY MANAGEMENT (OEO)

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CHANCELLOR**

**ODELIA LEVY, ESQ.
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BROOKLYN, NY 11201
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<http://schools.nyc.gov/o eo>

The Law

Sexual harassment is a form of gender (sex) discrimination. It is prohibited by Section 703 of Title VII of the Federal Civil Rights Act of 1964, Title IX of the Educational Amendment of 1972, as well as State and City laws. Sexual Harassment is also a violation of the New York City Department of Education's Non-Discrimination Policy.

Title IX

Pursuant to Title IX, DOE staff members, students or parents of DOE students, may file a complaint of sexual harassment against a DOE employee by contacting the OEO. Such complaints may be filed by completing the Complaint of Alleged Discrimination Form found in Chancellor's Regulation A-830. The Complaint of Alleged Discrimination Form can be obtained from the school, directly from the OEO or by using the OEO's online Complaint of Alleged Discrimination Form. Questions regarding Title IX compliance should be referred to Victoria Ajibade, Esq., Title IX Coordinator, 65 Court Street, Room 1102, Brooklyn, NY 11201, Tel: (718) 935-4797, Email: Title_IX_Inquiries@schools.nyc.gov.

What is it?

Sexual harassment in the workplace involves any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that is offensive and objectionable to the recipient.

Examples Include:

- Requests for sexual favors
- Telling sexually suggestive jokes
- Unwanted touching, patting or pinching
- Display of sexual/suggestive pictures
- Using crude and/or sexually offensive language

Forms of Sexual Harassment

There are two types of sexual harassment:

Quid Pro Quo

Submission to the offensive conduct is made (either explicitly or implicitly) a term or condition of an individual's employment;

Submission to or rejection of the offensive conduct is used as a basis for employment decisions;

Hostile Work Environment

The offensive conduct interferes with an individual's work performance or creates an intimidating or hostile work environment

What Can You Do?

If you are harassing someone, **STOP**. Remember, it is a violation of DOE's non-discrimination policy. If you violate the policy, you could face disciplinary action.

If you are unsure if your behavior is offensive to someone else, **ASK THEM**.

If you are a victim of sexual harassment:

KEEP a written record of each instance of harassment. Also, save any offensive letters, notes or memos received from the harasser.

DISCUSS the problem with the harasser, explaining your discomfort with his or her conduct and requesting that the harasser discontinue the offensive behavior.

NOTIFY your supervisor or someone in authority and contact the Office of Equal Opportunity & Diversity Management (OEO).

FILE a complaint; it's your right. It is also illegal to retaliate against you for filing a complaint or against anyone who has testified or assisted in the investigation. Chancellor's Regulation A-830 details the procedure for filing an internal complaint with the DOE.