



Convocation Agenda September 6, 2022

Please be sure to sign in!

SCHEDULE - All Staff

- 8:00-8:30: Breakfast
- 8:30-9:00: Welcome
- 9:00-9:30: Keynote Speaker - Tracey Johnson
- 9:30-10:30: Blood Borne Pathogens & Right to Know
- 10:30-11:15: Sexual Harassments Training
- 11:30-12:00: COVID Updates
- 12:00-12:45: Lunch (on your own)
- 1:00-3:00: Building Level PD
- 3:00 Union Meetings





Poughkeepsie
CSD

Welcome...
**BACK TO
SCHOOL!**

Bond

Sexual Harassment Awareness and Prevention & Maintaining Healthy Boundaries

Poughkeepsie City School District

September 2022



Commitment · Service · Value · Our Bond

Session Overview

- Workplace Harassment Prevention
- Faculty/Staff-Student Boundary Discussion
- Almost all of the information found in today's training can also be found in the District's Sexual Harassment Policy
- Please ask question to Human Resources at any time

Goals for Today

- The Basics
 - Recognizing behavior that constitutes unlawful sexual harassment
 - How to report such conduct
 - How to respond to such conduct
- Examples of unlawful harassment
- Retaliation

Right

To Work In A Harassment-free Environment

and

Responsibility

To Help Maintain A Harassment-free Environment

Federal Discrimination Statutes

- **Title VII of the Civil Rights Act** -- race, color, religion, sex, and national origin
 - Pregnancy Discrimination Act
- **Age Discrimination in Employment Act (“ADEA”)** – age (40+)
- **Americans with Disabilities Act (“ADA”)**
- **Genetic Information Nondiscrimination Act (“GINA”)**
- **Immigration Reform and Control Act** – citizenship or immigration status
- **Equal Pay Act**

State Discrimination Statutes

- **New York Human Rights Law** -- prohibits employment discrimination on the basis of age (over age 18), race, creed, color, national origin, sex, sexual orientation, gender identity and expression and transgender status, disability, marital status, family status, military status, arrest and criminal convictions, domestic violence victim status, predisposing genetic characteristics, associational status, traits historically associated with race, and right to wear religious attire



Let's Start With What Unlawful Harassment is Not...

- It is NOT:
 - A personality conflict
 - A difference of opinion / different teaching styles
 - A legitimate criticism of performance
 - A mean boss
 - A person who is difficult or unfriendly
- It IS:
 - *Discriminatory*, offensive, degrading or abusive behavior based on any protected category
 - Sex, or any other protected category

Who is Protected?

- Sexual harassment can occur between any individuals, regardless of their sex or gender
 - Men can harass men
 - Women can harass women
 - Men can harass women
 - Women can harass men
- The law protects employees, paid or unpaid interns, non-employees who work in the workplace, and students

Who Can Be The Perpetrator?

- Anyone in the workplace:
 - A coworker
 - A supervisor or administrator
 - Any third-party (non-employee, intern, vendor, customer, etc.)

What is Sexual Harassment?

Unwelcome conduct that

(1) is **of a sexual nature** OR

(2) is directed at an individual **because of that individual's sex**

when...

What is Sexual Harassment?

When:

- Conduct is made (either explicitly or implicitly) a term or condition of employment insofar as:
 - Submission to or rejection of such conduct is used as the **basis for employment decisions** (Quid Pro Quo); *or*
 - Conduct has **purpose or effect** of unreasonably interfering with work performance **or creating intimidating/hostile/offensive work environment** (Hostile Work Environment).

Quid Pro Quo Sexual Harassment

- Occurs when a person in authority trades, or tries to trade, job benefits for sexual favors.
- Examples:
 - Offering better working conditions in exchange for a sexual relationship
 - Retaliating for refusing to engage in a sexual relationship
 - Threatening adverse working conditions if a sexual relationship is refused

Hostile Work Environment

- Hostile environment exists when an individual is:
 - Subject to discriminatory conduct “because of” his/her gender;
 - Which is unwelcome; and
 - Rises to a level of seriousness.*

**** Law in NY recently amended – now simply above a “petty slight or trivial inconvenience***

Welcome v. Unwelcome

- You should not assume behavior is welcome merely because the person does not object
 - “Tolerating” v. “welcoming” conduct
 - Intent of harasser v. impact on others
 - Intent of the harasser is *irrelevant!*

Level of Seriousness

- *Old Standard*: A single incident (even if offensive) may not amount to unlawful harassment
- *New Standard*: Anything that rises above a petty slight or trivial inconvenience
 - **SIGNIFICANTLY lowers the bar!**
 - More conduct will be found actionable!
- Even if it's not unlawful doesn't mean it's acceptable.
May violate District policies!

Gender Stereotyping

- Occurs when personality traits are considered inappropriate because they do not conform to other people's ideas or perceptions about how individuals of either gender should look or act
- Extends to:
 - Looks, speech, personality, lifestyle,
 - Performing a job that is usually performed, or was performed in the past by persons of the opposite sex

Examples of Sexual Harassment

- Repeated requests for dates
- Obscene or “dirty” remarks, sexually explicit or lewd jokes, sexual innuendo
- Physically explicit “compliments”
- Offensive gestures
- Pornographic materials, obscene cartoons
- Touching, hugging, and kissing
- Talking about sexual activities
- Sexual advances
- Sexually oriented e-mail/text messages and social media posts

Harassment Can Occur Off-Duty

- Social activities
- On-line activities
 - Facebook/Instagram/Snapchat etc.
 - Texting
 - Email
- The question is whether the off-duty conduct impacted the workplace environment

Other Types of Harassment

- Includes behavior similar to sexual harassment, but based on other protected categories, such as:
 - Verbal conduct such as jokes, threats, epithets, derogatory comments, mocking, mimicking, nicknames, or slurs
 - Visual conduct such as derogatory posters, photographs, cartoons, drawings, graffiti or gestures
 - Physical conduct such as assault, unwanted touching, or blocking normal movement
 - Offensive emails, text messages or social media posts
 - Treating a person based on stereotypical assumptions
 - Practical jokes

To Determine If Your Behavior Is Objectionable, Ask Yourself the Following . . .

- Would I want my behavior reported on the evening news, or in the newspaper?
- Would I want to be treated by my co-workers the same way I am treating this person?
- Am I worried that my behavior may be reported to my employer?
- Would I engage in it if my spouse were present?
- Would I want my child treated the same way?
- Could I prove and am I willing to prove the behavior is welcome?

Unacceptable “Excuses”

- But I thought it was funny
- I was just trying to lighten the mood
- Everyone else does it
- But I saw it on T.V.
- I’m just a “touchy feely” person
- I’m not going to stop until someone tells me to
- They don’t have to listen
- It happened outside of work
- “I’m Jewish, so I’m allowed to tell a Jewish joke”

When to Report

- As soon as there is a concern
- If it bothers you or worries you, it's worth it to raise the issue
 - Remember that you can raise a concern on behalf of someone else!

Bottom Line: If it's a concern to you, it's a concern.
Raise it!

Reporting Harassing Conduct

- Anyone who is subjected to, witnesses or otherwise becomes aware of harassing conduct should report it, regardless of the offender's identity or position
- Harassment may be reported either verbally or in writing
- A complaint form to report concerns is attached to the Sexual Harassment Prevention Policy
 - Use of this form is voluntary

Report a Problem to Any of the Following:

- The District's sexual harassment policy provides that individuals report as follows:
 - Supervisor, Building Principal, Administrator, or
 - Assistant Superintendent for Administrative Services
 - *Note: a complaint to a coworker is not a complaint to the District!*
- If a supervisor/administrator/principal is not responding appropriately to a report, or if they're violating the policy themselves, the employee is to report that to the Assistant Superintendent for Administrative Services

Investigation

- The District will promptly investigate all reports of suspected policy violations
- Confidentiality will be maintained to the extent it does not impair the District's ability to conduct a thorough investigation
- All involved parties are required to cooperate with the employer's investigation, subject to applicable law and collective bargaining agreements

Investigation: The Process

- Investigations will be prompt and thorough and will generally:
 - Provide appropriate notice of the allegations to anyone who is the subject of a harassment complaint
 - Provide an opportunity to respond to the allegations; and
 - Provide complainants and witnesses an appropriate opportunity to present relevant information, including documents and other evidence relevant to the investigation

Investigation: The Outcome

- Determinations will be communicated
 - to the individual who made the report,
 - to the subject of the report (if different), and
 - to the accused wrongdoer(s)
- If an *employee* violates this policy
 - appropriate action to stop the harassment
 - discipline, up to and including termination
- If a *non-employee* violates this policy
 - appropriate action to stop harassment and deter future harassment

What if Conduct Violates Policy But Not Law?

- The District can (and will) still take action
 - Inappropriate conduct will be addressed!

Retaliation

- No one may retaliate against an individual *because* they made a *good-faith* complaint of harassment
- Protected activities include:
 - Making a complaint about harassment or suspected harassment
 - Providing information during an investigation
 - Testifying in connection with complaint

Retaliation is Prohibited

- Unlawful *regardless* of whether the underlying harassment complaint is ultimately found to have merit
- Supervisors who engage in retaliation are subject to discipline, up to and including termination
- A negative employment action is not retaliatory merely because it occurs after the employee engages in protected activity

Additional Avenues of Complaint

- **Equal Employment Opportunity Commission**
- **NYS Division of Human Rights**
- More information: www.EEOC.gov More information:
www.EEOC.gov; www.DHR.ny.gov
- Local laws may also apply

Scenario #1: The “Friendly” Parent

- Mary regularly interacts with members of the community in the course of performing her job.
- On more than one occasion, a male parent has flirted with her and has even asked her out.
- While Mary always tries to redirect the conversation back to school-related topics the parent often persists.
- The parent’s conduct makes Mary uncomfortable.

□ What should Mary do?

Maintaining Appropriate Boundaries with Students

- Many abusers are highly popular, with students, parents and colleagues
 - This does not mean charismatic teacher = abuser
- Many abuse situations start with gaining the trust of the student (and parents and colleagues)
- Excessive compliments to or favoring the child – making the child feel special
- Making the child dependent on the adult (emotionally or otherwise)

Behavioral Warning Signs

- An adult who spends inordinate time with a student, particularly in private locations
- A student who is clearly uncomfortable around an adult
- Abusers may test a child's boundaries
 - Small intrusions first
- Abusers may become close to the child's family
- Abusers may hold a "secret" or other threat over the child
- Alcohol and drugs may be used as either "gifts" or as control mechanisms

Potential Problem Situations

- Offering advice on the student's highly personal, intimate matters
- Rewarding or punishing a student based on relationship with the teacher
 - Outside, family connections to a student should not be emphasized
- Trying to be a counselor when you're not

Report

- ***What's the worst that is going to happen if you say something, and you're wrong?***
- ***What's the worst that is going to happen if you DON'T say something, and you're RIGHT?***

The Importance of Adults Setting Boundaries

- Imbalance of power
 - You have something that students want (praise, affirmation, grades, playing time, recommendation)
 - Students seek your attention
 - Students may not complain
- Students may not have learned healthy boundaries
 - **Never assume students will set boundaries**
 - Adult responsibility

Communications

- Texting, emailing, cell phones, webmail
 - Not prohibited
 - Used correctly, may contribute to integrated learning, value-added experience
 - Informality can lead to trouble
 - Ask yourself if anything you say or do could be misinterpreted by parents or students
- Private, confidential information should not be shared

Physical Contact

- Tricky
 - Age dependent in many ways
 - Context dependent
- Incidental, “way to go” usually fine (and usually good for students)
 - High fives, fist bumps
 - Open hand pat on the back, handshake
- Anything can be overdone
- Be aware of the student’s reaction and adjust accordingly

Healthy Relationships

- Meaningful, personally tailored interactions and mentoring with professional distance

Healthy Involvement

- Get to know students as individual learners
- Explore students' backgrounds, hobbies and interests and find common ground
- Give positive encouragement directly related to school success or public achievements
- Students are not friends or confidants
 - Do not share student information with other students

Things To Keep In Mind

- Avoid even the appearance of impropriety
 - Sometimes, perception IS reality
- Be very cautious in social media
- Use good judgment when it comes to outside socialization with students
- Be a role model 100% of the time
- Understand that history can be rewritten

COVID Updates



September 6, 2022

COVID 19 Updated Process - September 2022

Process when a COVID 19 case is reported:

1. Individuals with a positive COVID test notify the Principal/direct supervisor.
2. Principal/direct supervisor contacts Mr. Bianco
 - a. Principal will be responsible for communicating with parents potential contacts by sending a letter which a template has been provided to them.
3. Peter Bianco will contact Implementation Team
 - a. Dr. Timothy Wade (Assistant Superintendent of Administrative Services) will contact Union Presidents.
 - b. Mr. Rodriguez (Facilities Director II) receives information as part of the Implementation Team and confirms with the head custodian that the principal has made arrangements to deep clean the affected areas.
 - c. Staff may use their own leave days if they test positive for COVID-19. (Credited days will be explained below).
4. If an individual tests positive for COVID -19 , he or she should quarantine for five days. The individual may return on the sixth day wearing a mask as long as they are symptom free. If symptoms continue the individual should quarantine for ten days and take an additional test. If the symptoms develop or continue along the process then the clock restarts.



COVID 19 Updated Process - September 2022



Exposure to COVID -19

1. The only mitigation for being exposed to COVID -19 is to wear a mask for ten days. Should an individual develop symptoms, then they should test for COVID 19.
2. A template letter will be provided to inform individuals that they have been exposed and should wear a mask for ten days.

Use of Days for County Issued Quarantines:

1. If you test positive for COVID-19 the first three positive tests resulting in quarantine will be reimbursed. Again you may use your leave time or leave without pay to quarantine. In order to be eligible for credited days, you will need to provide a copy of the positive test, order of quarantine, order of release. Please send all information to: covid19@poughkeepsieschools.org

Clean Procedures (Daily and Deep Cleaning):

1. Electrostatic sprayer have been purchased for each custodial worker who will use it every evening. The spray is a chlorine based solution.

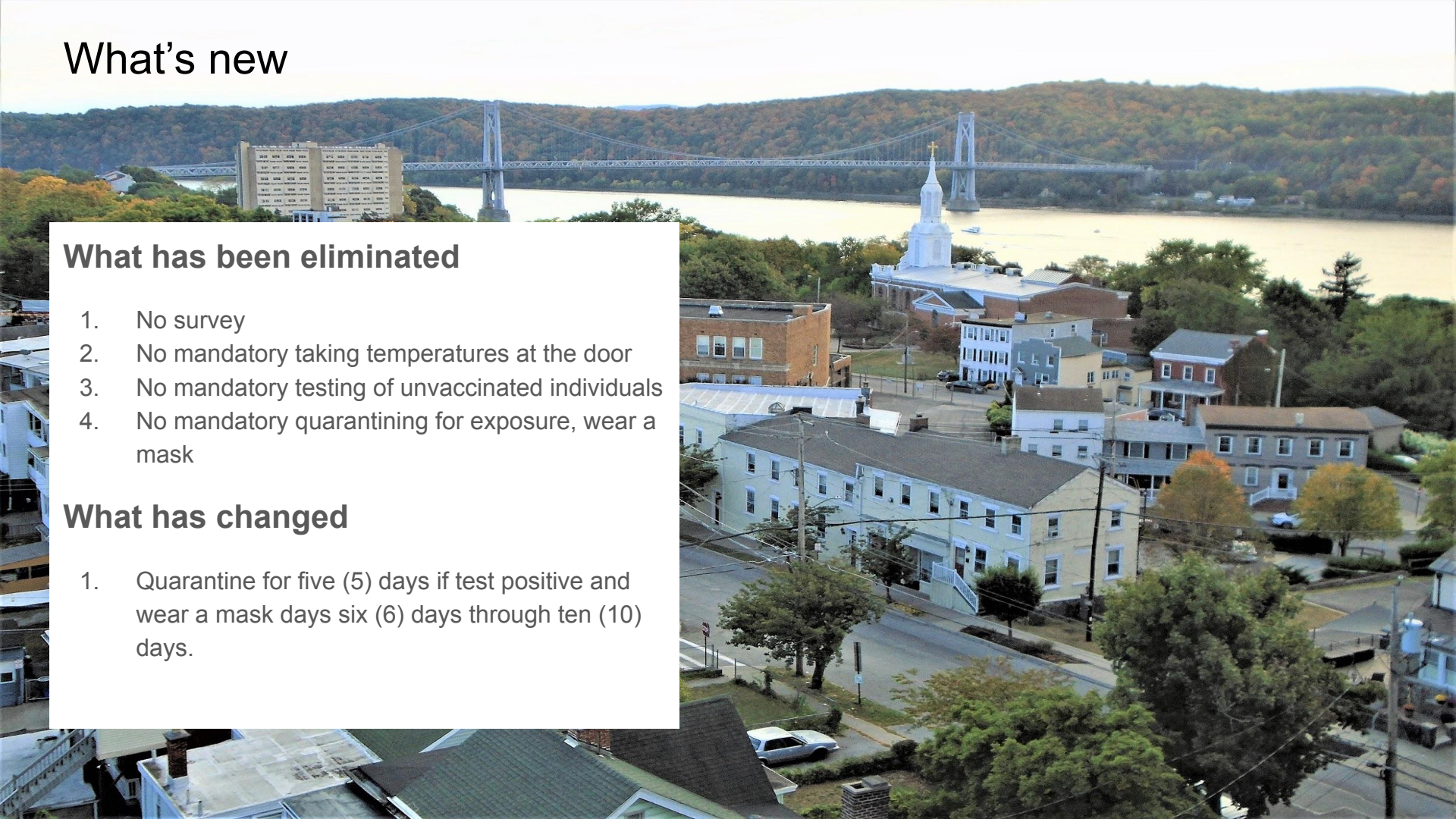
What's new

What has been eliminated

1. No survey
2. No mandatory taking temperatures at the door
3. No mandatory testing of unvaccinated individuals
4. No mandatory quarantining for exposure, wear a mask

What has changed

1. Quarantine for five (5) days if test positive and wear a mask days six (6) days through ten (10) days.



Dear Parent(s):

It has been determined that your child *may* have been exposed to a case of COVID-19 at school. It is recommended that your child wear a mask for five (5) days without any symptoms. Should your child develop symptoms, it is recommended that he or she test for COVID-19.

If your child tests positive for COVID-19, please inform the principal of your child's building.

It is essential you and your child are looking out for symptoms including sore throat, nasal congestion or runny nose, fever, cough, body aches and fatigue. If any symptoms develop, please isolate your child immediately and seek testing.

DBCH wants you to know that **the best way to protect yourself and your family is by getting yourself and your children vaccinated.**

In addition, you can take everyday precautions to help stop the spread of germs:

- Stay home if you are sick. Do not send your children to school if they are sick or you think they may be getting sick.
- Prioritize healthy foods, regular exercise and sleep to support your immune system.
- Cover coughs and sneezes. Use a tissue then throw it out.
- Wash your hands frequently with soap and water or use hand sanitizer.

If you feel you need to seek medical attention, please contact your healthcare provider.

Sincerely,

[School Information]

COVID-19 Dashboard

Poughkeepsie City
School District

