

## **Mission – Goals – Objectives**

### **Nondiscrimination**

The District shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, creed, sex, sexual orientation, gender identity/expression, national origin, ancestry, disability, (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, marital status or age or because of the race, color, religion, sex, sexual orientation, gender identity or expression, national origin, disability, genetic information, marital status or age of any other persons with whom the individual associates, status as a Veteran or status as a victim of domestic violence. The District provides equal access to the Boy Scouts and other designated youth groups.

In keeping with requirements of federal and state law, the District strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered to students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; in accommodating the public at public meetings; as well as the District website.

The Board encourages staff to improve human relationships within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The Superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1974, Title VI, Title VII, Title IX and other civil rights or discrimination issues. The Board will adopt and the District will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 4118.113/4218.113 – Harassment)

(cf. 5145.4 – Nondiscrimination)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

(cf. 5145.52 – Harassment)

(cf. 5145.6 – Student Grievance Procedure)

(cf. 6121 – Nondiscrimination)

(cf. 6121.1 - Equal Educational Opportunity)

## Mission – Goals – Objectives

### Nondiscrimination

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.  
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.  
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.  
Title IX Final Rule, May 6, 2020  
Age Discrimination in Education Act, 29 U.S.C. §621  
Americans with Disabilities Act, 42 U.S.C. §12101  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794  
Title II of the Genetic Information Act of 2008  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et. Seq.  
34 CFR Section 106.8(b), OCR Guidelines for Title IX.  
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)  
20 U.S.C. 7905 (Boy Scouts of America Equal Access Act)  
*Meritor Savings Bank. FSB v. Vinson*, 477 U.S. 57 (1986)  
*Faragher v. City of Boca Raton*, No. 97-282 (U.S. Supreme Court, June 26,1998)  
*Gebbsser v. Lago Vista Indiana School District*, No. 99-1866, (U.S. Supreme Court, June 26,1998)  
*Davis v. Monro County Board of Education*, No. 97-843, (U.S. Supreme Court, May 24, 1999.)  
The Vietnam Era Veterans’ Readjustment Act of 1974, as amended, 38U.S.C. §4212  
Title II of the Genetic Information Nondiscrimination Act of 2008  
Connecticut General Statutes  
46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)  
46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)  
46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)  
46a-81a Discrimination on basis of sexual orientation: Definition  
10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include “sexual orientation” and P.A. 11-55 to include “gender identity or expression”)  
10-153 Discrimination on account of marital status.  
17a-101 Protection of children from abuse.  
PA 17-127, An Act Concerning Discriminatory Practices Against Veterans, Leaves of Absence for National Guard Members...  
Public Law 111-256  
*Meacham v. Knolls Atomic Power Laboratory* 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

## **Mission – Goals – Objectives**

### **Nondiscrimination**

Legal Reference: (continued)

*Federal Express Corporation v. Holowecki* 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

*Kentucky Retirement Systems v. EEOC* 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

*Sprint/United Management Co. v. Mendelsohn* 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

*Bostock v. Clayton County, Georgia*, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:

rev 6/20  
rev 1/21  
rev 10/22

*Another version of this mandated policy to consider. This version contains the mandated grievance procedure which could be placed in an administrative regulation.*

## **Mission – Goals – Objectives**

### **Nondiscrimination**

The Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons.

### **Nondiscrimination in School and Classroom Practices**

It is the policy of the District to provide equal opportunity for all students to achieve their maximum potential through the programs offered in all District schools regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity or expression, ancestry, national origin, disability, or status as a victim of domestic violence.

The District shall provide to all students without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The District shall provide equal access to the Boy Scouts and other designated youth groups. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Students and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

### **Nondiscrimination in Employment/Contract Practices**

It is the Board's policy to provide all persons equal access to all categories of employment in this District regardless of race, color, age, creed, religion, gender, gender identity or expression, sexual orientation, ancestry, national origin, status as a victim of domestic violence, marital status, mental or physical disability, genetic information, status as a Veteran or any other basis prohibited by Connecticut state and/or federal laws. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Employees and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

## Mission – Goals – Objectives

### Nondiscrimination

#### Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the

- { } Superintendent
- { } Assistant Superintendent
- { } Business Manager
- { } Personnel Director
- { } Director of Special Education/Services

as the District's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure annually to students, parents, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the areas listed.

#### School and Classroom Practices:

1. **Curriculum and Materials:** Review curriculum guides, textbooks and supplementary materials for discriminatory bias.
2. **Training:** Provision of training for students and staff to identify and alleviate problems of nondiscrimination.
3. **Student Access:** Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. **District Support:** Assure that like aspects of the school program receive like support as to staffing, compensation, facilities, equipment and related matters.
5. **Student Evaluation:** Review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.

#### Employment/Contract Practices

1. Development of position qualifications, job descriptions and essential job functions.
2. Recruitment materials and practices.
3. Procedures for screening, interviewing and hiring.
4. Promotions.
5. Disciplinary actions, up to and including terminations.

## **Mission – Goals – Objectives**

### **Nondiscrimination**

### **Delegation of Responsibility**

### **Employment/Contract Practices (continued)**

The Building Principal or his/her designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student, employee or third party of the right to file a complaint and the complaint procedures.
2. Inform the student complainant that he/she may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the Building Principal is the subject of the complaint.

### **Complaint Procedure –Student/Employee/Third Party**

#### **Step 1 – Reporting**

A student, employee or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to report the incident immediately to the Building Principal.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Building Principal.

If the Building Principal is the subject of the complaint, the student, employee or third party shall report the incident directly to the Compliance Officer.

The complainant is encouraged to use the report form available from the Building Principal, but oral complaints shall be acceptable.

#### **Step 2 – Investigation**

Upon receiving a complaint of discrimination, the Building Principal shall immediately notify the Compliance Officer, who shall then authorize the Building Principal to investigate the complaint, unless the Building Principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the incident. Other information and materials relevant to the investigation may also be evaluated.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation is pending or has been concluded.

## **Mission – Goals – Objectives**

### **Nondiscrimination**

#### **Complaint Procedure –Student/Employee/Third Party (continued)**

##### **Step 3 – Investigative Report**

The Building Principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

Copies of the report shall be provided to the complainant, the accused and the Compliance Officer.

##### **Step 4 – District Action**

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take prompt, corrective action to ensure that such conduct ceases and will not reoccur.

Disciplinary actions, in the case of students, shall be consistent with the school disciplinary practices, Board policies, administrative regulations, and state and federal laws.

Disciplinary actions, in the case of employees and third parties, shall be consistent with the Board policies, administrative regulations, state and federal laws, and applicable collective bargaining unit agreements.

##### **Step 5 - Appeal Procedure**

The complainant, if not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, he/she may submit a written appeal to the Compliance Officer within fifteen (15) days.

The Compliance Officer shall review the investigation and the investigative report and may also conduct an investigation.

The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Building Principal who conducted the initial investigation.

## Mission – Goals – Objectives

### Nondiscrimination

#### Complaint Procedure – Student/Employee/Third Party (continued)

- (cf. 4000.1 – Title IX)
- (cf. 4111 – Recruitment and Selection)
- (cf. 4111.1/4211.1 – Affirmative Action)
- (cf. 4118.11/4218.11 – Nondiscrimination)
- (cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)
- (cf. 4118.113/4218.113 – Harassment)
- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)
- (cf. 5145.52 – Harassment)
- (cf. 5145.6 – Student Grievance Procedure)
- (cf. 6121 – Nondiscrimination)
- (cf. 6121.1 - Equal Educational Opportunity)

- Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.  
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.  
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The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008  
*Meritor Savings Bank. FSB v. Vinson*, 477 U.S. 57 (1986)  
*Faragher v. City of Boca Raton*, No. 97-282 (U.S. Supreme Court, June 26, 1998)  
*Gebbs v. Lago Vista Indiana School District*, No. 99-1866, (U.S. Supreme Court, June 26, 1998)  
*Davis v. Monro County Board of Education*, No. 97-843, (U.S. Supreme Court, May 24, 1999.)  
The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

## Mission – Goals – Objectives

### Nondiscrimination

Legal Reference (continued)

Title II of the Genetic Information Nondiscrimination Act of 2008

Connecticut General Statutes

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include “sexual orientation” and P.A. 11-55 to include “gender identity or expression”)

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include “gender identity or expression”)

17a-101 Protection of children from abuse.

*Meacham v. Knolls Atomic Power Laboratory* 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

*Federal Express Corporation v. Holowecki* 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

*Kentucky Retirement Systems v. EEOC* 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

*Sprint/United Management Co. v. Mendelsohn* 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

*Bostock v. Clayton County, Georgia*, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:

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rev 10/22

**REPORT FORM FOR COMPLAINTS OF DISCRIMINATION**

Complainant: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Home Phone: \_\_\_\_\_  
School building: \_\_\_\_\_  
Date of Alleged Incident(s): \_\_\_\_\_

Alleged harassment was based on: (Check all that apply.)

- |                                   |                                     |   |  |
|-----------------------------------|-------------------------------------|---|--|
| <input type="checkbox"/> Race     | <input type="checkbox"/> Color      | <input type="checkbox"/> National Origin    | <input type="checkbox"/> Gender Identity or Expression           |
| <input type="checkbox"/> Gender   | <input type="checkbox"/> Disability | <input type="checkbox"/> Religion           | <input type="checkbox"/> Status as a Veteran                     |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Age        | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Status as a Victim of Domestic Violence |

Name of person you believe violated the District's nondiscrimination policy:  
\_\_\_\_\_

If the alleged discrimination was directed against another person, identify the other person:  
\_\_\_\_\_

Describe the incident as clearly as possible, including any verbal statements (i.e., threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When and where incident occurred: \_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_  
\_\_\_\_\_

This complaint is based on my honest belief that \_\_\_\_\_ has discriminated against me or another person. I certify that the information provided in this complaint is true, correct and complete to the best of my knowledge.

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

*Suggest placing nondiscrimination statement in front of manual.  
Two samples are provided.*

## **Mission - Goals - Objectives**

### **Nondiscrimination**

In compliance with regulations of Title VII of the Civil Rights Act 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the American With Disabilities Act, as amended, the \_\_\_\_\_ Board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policies.

### **Equal Employment Opportunity**

Both federal and state law prohibit discriminatory practices in hiring and employment. It is the policy of the \_\_\_\_\_ Board of Education to prohibit acts of discrimination in all matters dealing with employees and applicants for positions with the school district and to further the principle of equal employment opportunity in all actions affecting employees and applicants. As an equal opportunity employer, the \_\_\_\_\_ Board of Education does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, past or present history of mental disorder, intellectual disability, learning disability, regarding any individual who can perform the essential functions of the job with or without reasonable accommodations physical disability (including blindness) or other disability (except in the case of a bona fide occupational qualification or need) or status as a Veteran. The District provides equal access to the Boy Scouts and other designated youth groups.

### **Equal Education Opportunity**

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the \_\_\_\_\_ Board of Education.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinators for the \_\_\_\_\_ Board of Education have the responsibility to monitor the compliance of this policy. The names and location of the Civil Rights Coordinators are set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

## Mission - Goals - Objectives

### Nondiscrimination

#### Equal Education Opportunity (continued)

Students shall not be discriminated against, including but not limited to, in the areas of:

- Admission
- Use of School Facilities
- Vocational Education
- Competitive Athletics
- Student Rules, Regulations and Benefits
- Financial Assistance
- School-sponsored Extracurricular Activities
- Enrollment in Courses
- Counseling and Guidance
- Physical Education
- Graduation Requirements
- Treatment as a Married and/or Pregnant Student
- Health Services
- Most Other Aid, Benefits or Services

Employee/or applicants shall not be discriminated against, including but not limited to, the areas of:

- Hiring and Promotion
- Compensation
- Job Assignments
- Leaves of Absence
- Fringe Benefits
- Labor Organization
- Contracts or Professional Agreements

Sexual harassment has been established as a form of sexual discrimination and is defined as follows:

"Any **unwelcome** sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working environment."

## Mission - Goals - Objectives

### Nondiscrimination

#### Equal Education Opportunity (continued)

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but not be limited to:

Touching	Verbal comments
Sexual name calling	Sexual rumors
Inappropriate public display of affections	Too personal a conversation
Gestures	Corner/blocking
Jokes/cartoons/pictures	Leers
Pulling at clothes	Attempted rape/rape
	Harassing telephone calls

If you believe that you have been discriminated against in regard to either of the preceding policies, you may file a grievance that your rights have been denied or violated.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact \_\_\_\_\_, our system Civil Rights Coordinators, or an administrator.

Forms are available in our Guidance Office or from our Civil Rights Coordinators. Contact with the Civil Rights Coordinators should take place within forty (40) calendar days of the alleged occurrence.

### Discrimination Grievance Procedure

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise concerning claims of discrimination. Evidence of reprisal against a complainant or witness shall be viewed as a violation of this policy.

Any person who wishes to inquire or to register a complaint concerning alleged discrimination in the \_\_\_\_\_ Public Schools shall have an opportunity to bring such concerns to the attention of the Civil Rights Officers or Superintendent, who has the authority to resolve such complaints. The following grievance procedure shall be utilized by any student, parent or employee in making a complaint or inquiry. Officials shall be governed by this procedure.

## Mission - Goals - Objectives

### Nondiscrimination

#### Discrimination Grievance Procedure (continued)

- Level I:** The complainant shall discuss the alleged discriminatory act or practice with the Civil Rights Officers or the individual closest to the daily decision-making level. This will normally be a principal, teacher, counselor, department chairperson, head custodian, or cafeteria manager. If satisfaction cannot be achieved through informal discussion, the following procedure must be initiated.
- Level II:** The complainant shall, within forty (40) calendar days of the alleged incident, on forms provided, put the complaint in writing and file it with either of the Civil Rights Officers. Within five (5) working days a conference must be held. Within five (5) working days following the conference, the complaint must be resolved to the satisfaction of both parties or referred to the Superintendent of Schools. Within five (5) working days, the Civil Rights Officer shall notify the Superintendent and must notify the complainant of this notification. The Board will be apprised by the Superintendent of any grievance reaching Level II.
- Level III:** Within ten (10) working days after receipt of such complaint, the Superintendent must hold a hearing; and within five (5) working days of the hearing, resolve the complaint, negotiate a long-term solution or refer the matter to the Board of Education for consideration.
- Level IV:** The Board of Education, Superintendent and the Civil Rights Officers shall proceed in accordance with appropriate laws or regulations.

A complaint of sexual discrimination or sexual harassment may be a violation of Title IX. Policy 4000.1/5145.44 pertains to such employee or student complaints. The grievance investigation process contained in the Title IX policy shall be adhered in such situations.

- (cf. 4000.1 – Title IX)
- (cf. 4111 – Recruitment and Selection)
- (cf. 4111.1/4211.1 – Affirmative Action)
- (cf. 4118.11/4218.11 – Nondiscrimination)
- (cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)
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- (cf. 6121 – Nondiscrimination)
- (cf. 6121.1 - Equal Educational Opportunity)

## Mission - Goals - Objectives

### Nondiscrimination

Legal Reference: Connecticut General Statutes

10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include gender identity or expression)

46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)

Federal Law

Title VII of the Civil Rights Act 1964

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Boy Scouts of America Equal Access Act

*Chalk v. The United States District Court of Central California.*

Title IX of the Education Amendments of 1972.

Title IX Final Rule, May 6, 2020

Civil Rights Act of 1987.

Public Law 111-256

*Meacham v. Knolls Atomic Power Laboratory* 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

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Policy adopted:  
rev 10/22

*Another sample to consider.*

## **Mission - Goals - Objectives**

### **Equal Opportunity - Nondiscrimination**

The President and the Congress of the United States and the State of Connecticut have enacted laws and issued directives affirming their intent to protect and grant equal opportunity, to all employees and students. Also the federal government and the State of Connecticut have enacted and enforced laws regarding the equality of employment and equality of opportunity in education.

The Board of Education reaffirms its policy of equal educational opportunity for all students and prohibits discrimination because of race, color, religious creed, age, marital status, national origin, ancestry, genetic information, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, learning disability, intellectual disability and mental disability or physical disability in district educational programs and activities, including, but not limited to course offerings, athletic programs, guidance and counseling, and tests and procedures. The District provides equal access to the Boy Scouts and other designated youth groups. To the maximum extent possible an intensive affirmative action program shall be an integral part of an educational policies and programs.

The Board of Education also reaffirms its policy of equal employment opportunity for all persons and to prohibit discrimination in employment because of race, color, religious creed, age, marital status, national origin, sex, sexual orientation, including gender identity/expression, ancestry, present or past history of mental disorder, mental retardation, pregnancy, or mental or physical disability, status as a victim of domestic violence, or status as a Veteran except in the case of a bona fide occupational qualification or need. Sexual harassment shall not influence employment decisions, nor shall decisions be influenced, affected or determined on the basis of membership in or holding of office in an employee association or union. This policy shall be relevant to every aspect of employment not limited to but including upgrading, demotion or transfer, recruitment and/or recruitment advertising, layoff or termination, rates of pay, other forms of compensation including fringe benefits, employment selection or selection for training and apprenticeships, promotion or tenure.

These statements shall be made available to all present and future employees and students.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

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Title VII of the Civil Rights Act 1964

Boy Scouts of America Equal Access Act

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

*Chalk v. The United States District Court of Central California.*

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008

Title IX of the Education Amendments of 1972.

Title IX Final Rule, May 6, 2020

Civil Rights Act of 1987.

Public Law 111-256

*Meacham v. Knolls Atomic Power Laboratory* 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

*Federal Express Corporation v. Holowecki* 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

*Kentucky Retirement Systems v. EEOC* 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

*Sprint/United Management Co. v. Mendelsohn* 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

*Bostock v. Clayton County, Georgia*, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:

rev 10/22

Sample policies are distributed for demonstration purposes only. Unless so noted, contents do not necessarily reflect official policies of the Connecticut Association of Boards of Education, Inc.

*Another version to consider.*

## **Mission - Goals - Objectives**

### **Equal Opportunity - Nondiscrimination**

#### **Section I - General Statement**

The Board of Education does not discriminate in any employment practice, education program or educational activity on the basis of race, color, national origin, ancestry, religion, age, sex, marital status, sexual orientation, gender identity or expression, or disability (including but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), status as a victim of domestic violence, status as a Veteran or genetic information in its educational programs and services or employment decisions, under the provisions of Titles VI and VII of The Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, as amended, Section 504 of The Rehabilitation Act of 1973, The Americans with Disabilities Act of 1991, and appropriate Connecticut Statutes. In compliance with the Boy Scouts Equal Access Act, the District provides equal access to the Boy Scouts and other designated youth groups.

#### **Section II - Self-Evaluation and Enforcement**

- (a) In order to ensure continued implementation of the policy expressed above, the Superintendent of Schools shall supervise and coordinate the conduct of an evaluation of all existing employment and educational programs and practices.
- (b) Complaints alleging unlawful discrimination of the above shall be filed in writing with the Superintendent of Schools who shall himself, or through a designee, investigate the complaint and render a decision in writing within thirty (30) days. Complaints of sexual discrimination or sexual harassment under Title IX shall be handled in compliance with policy 4000.1/5145.44, "Title IX."
- (c) If the complainant is not satisfied with the decision of the Superintendent of Schools, the complainant may appeal to the Board of Education within ten (10) days of receipt of the decision of the Superintendent.
- (d) Such an appeal shall be filed in writing with the Superintendent of Schools in his capacity as the Executive Agent of the Board of Education.
- (e) The Board of Education shall cause the complaint to be investigated and, if it deems necessary, hold a hearing to gather additional information.
- (f) The Board of Education shall render a decision on any such appeal, in writing, within twenty (20) days of its being filed, or if a hearing should be held, within twenty (20) days of the conclusion of such hearing.

(cf. 4000.1 – Title IX)

(cf. 4111 – Recruitment and Selection)

(cf. 4111.1/4211.1 – Affirmative Action)

(cf. 4118.11/4218.11 – Nondiscrimination)

(cf. 4118.112/4218.112 – Sex Discrimination and Sexual Harassment in the Workplace)

(cf. 4118.113/4218.113 – Harassment)

## Mission - Goals - Objectives

### Equal Opportunity - Nondiscrimination

- (cf. 5145.4 – Nondiscrimination)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)
- (cf. 5145.52 – Harassment)
- (cf. 5145.6 – Student Grievance Procedure)
- (cf. 6121 – Nondiscrimination)
- (cf. 6121.1 - Equal Educational Opportunity)

Legal Reference: Connecticut General Statutes  
10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include gender identity or expression)  
46a-51 Definitions (as amended by PA 17-127, PA 21-2 and PA 22-82)  
46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127 and PA 22-82)  
46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127 and PA 21-69 and PA 22-82)  
Federal Law  
Title VII of the Civil Rights Act 1964  
Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).  
Boy Scouts of America Equal Access Act  
The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008  
*Chalk v. The United States District Court of Central California.*  
Title IX of the Education Amendments of 1972.  
Title IX, Final Rule, May 6, 2020  
Civil Rights Act of 1987.  
*Meacham v. Knolls Atomic Power Laboratory* 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)  
*Federal Express Corporation v. Holowecki* 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)  
*Kentucky Retirement Systems v. EEOC* 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)  
*Sprint/United Management Co. v. Mendelsohn* 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)  
*Bostock v. Clayton County, Georgia*, 140 S.Ct. 1731, 2020 WL3146686 (June 15, 2020)

Policy adopted:  
rev 10/22

*This notice meets the minimum requirement of the regulation enforced by the Department of Education's Office for Civil Rights (OCR)*

**Non-Discrimination Notice**

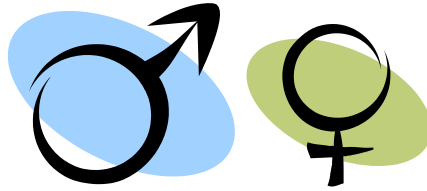
The \_\_\_\_\_ Public Schools doesn't not discriminate on the basis of a disabling condition as it applies under Section 504 of the Rehabilitation Act of 1973.

The \_\_\_\_\_ Public Schools does not discriminate on the basis of race, color, religion, national/ethnic origin, age, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, Veteran status, or disability in its programs, activities, and employment practices. Equal access is provided to the Boy Scouts and other designated youth groups.

The following individuals are coordinators for Title IX (sex discrimination), Title VI (race, creed and color) and Section 504 (disabled):

Title IX and Title VI	_____	_____
	Name	Telephone Number
Section 504	_____	_____
	Name	Telephone Number

# Harassment Is ILLEGAL



**SEXUAL HARASSMENT IS PROHIBITED** based on Federal Law - Title IX of the Education Amendments of 1972, and State Law – Sec. 10-15c. Harassment based on sexual orientation is also protected under State Law – Sec. 10-15c.

**FOR STUDENTS:** Sexual harassment is **unwanted and unwelcome** behavior of a sexual nature which interferes with a student’s right to learn, study, work, achieve, or participate in school activities in a comfortable and supportive atmosphere. You have a right to participate in all school and classroom activities in an atmosphere free from sexual harassment. You have a responsibility not to engage in sexual behaviors that are unwelcome or offensive to others.

**Examples of Sexual Harassment** include: unwelcome sexual advances, suggestive or lewd remarks, unwanted hugs, touches, kisses; requests for sexual favors; retaliation for complaining about sexual harassment, derogatory or pornographic posters, cartoons or drawings.

**If you have questions or believe that you or others are being harassed, contact:**

<b>District Title IX Coordinator:</b>
Office Address:
Telephone number:
Email Address:

<b>Building Title IX Coordinator:</b>
Office Address:
Telephone number:
Email Address:

**You may also contact:** The Connecticut Commission on Human Rights and Opportunities (CHRO), 21 Grand Street, Hartford, CT 06106 (Tel: 860-541-3400 or 800-477-5737) Connecticut law requires that a formal complaint be filed with the Commission within 180 days of the date under which the alleged harassment occurred.

**You may also contact:** Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, FAX: 617-289-0150; TDD: 877-521-2172

**Email:** [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov), Filing complaints electronically:  
<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

**Sexual harassment** is not limited to prohibited behavior by a male toward a female, or by a supervisory employee toward a non-supervisory employee, or a teacher to a student. The victim does not have to be the opposite sex of the harasser. Harassment may be student to student, teacher to student, student to teacher or teacher to teacher. The gender of the complainant and/or the alleged harasser is irrelevant, even if they are of the same gender. Sexual harassment based on sexual orientation or gender identity is also prohibited under State Law.

► ***What should I do if I believe I am being sexually harassed?***

- Find out about your school or school district's policy and procedures for handling sexual harassment issues. Follow those procedures.
- Take action and get help when needed. Ignoring sexual harassment is not an effective way to stop it.
- Whenever possible, tell the harasser verbally or in writing what the specific behaviors are that you find offensive. Ask him or her to stop.
- Report the offensive behaviors to a teacher, counselor, Title IX coordinator, or school administrator.
- Keep a detailed record of the harassing behavior to share with school officials who investigate your complaint.
- If not satisfied with the resolution of your concerns, contact one of the appropriate organizations listed.

**The victim** does not have to be the person at whom the unwelcome sexual conduct is directed; the victim may be someone who is a witness to and personally offended by such conduct although directed toward another. Sexual harassment is unwelcome conduct that is personally offensive, lowers morale, and interferes with educational performance. This unwelcome sexual behavior is defined from the perspective of the victim, not the harasser.

► ***Where to Get Help***

- **State Title IX Coordinator:** Dr. William A. Howe, Connecticut State Department of Education, 165 Capitol Ave., Hartford, CT 06106 (860-713-6752)  
email: [william.howe@ct.gov](mailto:william.howe@ct.gov)
- **Permanent Commission on the Status of Women (PCSW)**  
18-20 Trinity Street, Hartford, CT 06106 (860-240-8300)  
<http://www.cga.state.ct.us/PCSW/>
- **Connecticut Women's Education and Legal Fund (CWEALF)**  
75 Charter Oak Avenue, Suite 1-300, Hartford, CT 06106, <http://www.cwealf.org/>

**YOUR SCHOOL'S NON-DISCRIMINATION STATEMENT:**

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**Discrimination Grievance Form**

Any student, parent/guardian, employee or employment applicant who feels that he/she has been discriminated against on the basis of race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity or expression, marital status, mental or physical disability, status as a victim of domestic violence, status as a Veteran or equal access to the Boy Scouts and other designated youth groups may discuss and/or file a grievance with either of the Civil Rights Coordinators of the \_\_\_\_\_ Public Schools. Reporting should take place within 40 calendar days of the alleged discrimination. Civil Rights Coordinators:

\_\_\_\_\_ at \_\_\_\_\_ or \_\_\_\_\_ at \_\_\_\_\_

Name of Presenter/Complainant: \_\_\_\_\_

Employee \_\_\_\_\_ Employment Applicant \_\_\_\_\_ Student \_\_\_\_\_ Parent/Guardian \_\_\_\_\_

Home address \_\_\_\_\_

Phone \_\_\_\_\_ Date of Claim \_\_\_\_\_ Date of Incident \_\_\_\_\_

1. Statement of Incident/Issue (include all pertinent information: who, how, where, when, how often, feelings, witness).
2. Please attach any additional information/documentation as necessary.

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Signature of Presenter: \_\_\_\_\_

Signature of Civil Rights Coordinator: \_\_\_\_\_

Date Received: \_\_\_\_\_