

Personnel - Certified/Non-Certified

NON-DISCRIMINATION

The Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status, sexual orientation, alienage, ancestry, national origin, disability, pregnancy, genetic information, veteran status, or gender identity and expression, or any other basis prohibited by state or federal law, except in the case of a bona fide occupational qualification.

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, color, religion, age, sex, marital status, sexual orientation, alienage, ancestry, national origin, disability, pregnancy, genetic information, veteran status, or gender identity and expression, or any other basis prohibited by state or federal law is prohibited, whether by Board employees, the Board, students, or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and co-curricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of the protected characteristics listed above.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

For the purposes of this policy, “race” is inclusive of ethnic traits historically associated with race, including but not limited to, hair texture and protective hairstyles. “Protective hairstyles” includes, but is not limited to, wigs, headwraps, and hairstyles such as individual braids, cornrows, locs, teists, Bantu knots, afros and afro puffs.

Any employee wishing to file a complaint regarding discrimination may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations accompany this Board Policy #4118.11/4218.11 and are available online at <http://www.westonps.org/page.cfm?p=2775> or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #4118.12/4218.12, Sex Discrimination and Sexual Harassment in the Workplace; Policy 4118.13, Disability Accommodations and Discrimination).

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education (“OCR”):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617) 289-0111
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

The Human Resources Manager

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

The Director of Special Education

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of disability may contact the Board's Section 504/ADA Coordinator:

The Human Resources Manager

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*
Title IX of the Education Amendments of 1972, 20 USCS § 1681, *et seq.*
Age Discrimination in Employment 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 Nondiscrimination Act of 2008, Pub.L.110
233, 42 USC 2000ff; 34 CFR 1635
Connecticut Fair Employment Practices Act, Connecticut General
Statutes § 46a-60
Connecticut General Statutes § 10-153. Discrimination on basis of
marital status
Connecticut General Statutes § 46a-81a Discrimination on basis of
sexual orientation: Definitions
Connecticut General Statutes § 46a-81c Sexual orientation discrimination:
Employment.
Public Act 05-10: An Act Concerning Civil Unions
Public Act 11-55, An Act Concerning Discrimination.
Public Act 17-127, An Act Concerning Discriminatory Practices Against Veterans,
Leaves of Absence for National Guard Members, Application for Certain Medicaid
Programs, and Disclosure of Certain Records to Federal Military Law Enforcement.

Policy References:

Policy and Regulation 4111, Recruitment and Selection, Certified
Policy 4111.1, Minority Staff Recruitment
Policy and Regulation 4118.12/4218.12, Sex Discrimination and Sexual Harassment

Policy and Regulation 4118.13, Disability Accommodations and Discrimination
Policy 4211, Recruitment and Selection, Non-certified

Policy Adopted: July 16, 1990
Policy Revised: February 24, 1992
Policy Revised: October 6, 2005
Policy Revised: November 21, 2005
Policy Revised: December 15, 2008
Policy Revised: February 25, 2014
Policy Revised: March 19, 2018
Policy Revised: May 17, 2021

WESTON PUBLIC SCHOOLS
Weston, Connecticut

Students

Administrative Regulations Regarding Discrimination Complaints (Students)

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

If the complaint involves an allegation of discrimination based on sex or sexual harassment, the complainant should also be referred to the Board's policies and procedures related to sexual harassment (See Policy and Administration Regulation 5114.6).

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The district will periodically provide staff development for district administrators and periodically distribute these Administrative Regulations and the related Policy to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status or any other basis prohibited by state or federal law, he/she should make a written complaint to the Superintendent of Schools as noted above or to the building principal, or his/her designee. Written complaints may also be submitted to the District Title IX Coordinator. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.

The complaint should state the:

- a. Name of the complainant,
- b. Date of the complaint,
- c. Date(s) of alleged harassment/discrimination,
- d. Name(s) of the alleged harasser(s) or discriminator(s),
- e. Location where such alleged harassment/discrimination occurred,
- f. Names of any witness(es) to the alleged harassment/discrimination, and
- g. Detailed statement of the circumstances constituting the alleged harassment/discrimination.
- h. Proposed remedy.

Any student who makes an oral complaint of harassment or discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and the related policy and will be requested to make a written complaint pursuant to the above procedure-

If a student (or individual acting on behalf of the student) is unable to make a written complaint, the administrator receiving the oral complaint will either reduce the complaint to writing or assist the student (or individual acting on behalf of the student) in completing the written complaint form.

All complaints are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent shall designate a district or school administrator to investigate promptly the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.

Upon receipt of a written complaint of discrimination, the investigator shall:

1. Offer to meet with the complainant (and respondent, if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) to discuss the nature of the complaint, identify

individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;

2. provide the complainant and parent(s)/guardian with a copy of the Board's anti-discrimination policy and accompanying regulations;

investigate the factual basis of the complaint, including, as applicable, conducting interviews with all individuals deemed relevant to the complaint;

3. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
4. communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within thirty (30) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
5. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, complainant will receive notice and interim measures may be implemented as necessary (see sub-paragraph 4);
6. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;
7. If the complainant is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent of Schools within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant of the proposed actions within fifteen (15) school days following the receipt of the written request for review.

If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed. Notification will be made to the parent(s) or guardian or other person(s) responsible for the child if a child abuse report is completed.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status or any other basis prohibited by state or federal law. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

If the student complainant is dissatisfied with the findings of the investigation, he or she may file a written appeal to the Superintendent, who shall review the building principal's or designee's written report, the information collected by the building principal or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes discrimination. The Superintendent may also investigate the complaint further. After completing this review, the Superintendent shall respond to the complainant, in writing, as soon as possible.

For allegations pertaining to race, color or national origin discrimination or harassment, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Boston Office
Office of Civil Rights
U.S. Department of Education, 8th Floor
5 Post Office Square, Suite 900
Boston, MA 02109-3921
Tel. (617) 289-0111
ocr.boston@ed.gov

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Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

The Director of Special Education

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

The Director of Special Education

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Section 504/ADA Coordinator:

The Director of Special Education

Copies of this regulation will be distributed to all students.

Regulation Adopted: June 18, 2007
Regulation Revised: May 17, 2010
April 21, 2014
May 17, 2021

WESTON PUBLIC SCHOOLS
Weston, Connecticut

**WESTON PUBLIC SCHOOLS
DISCRIMINATION COMPLAINT FORM**

(For Complaints Based on Race, Color, Religion, National Origin, Sex, Sexual Orientation, Marital Status, Age, Alienage, Ancestry, Disability, Pregnancy, Gender Identity or Expression, or veteran status or any other Basis Prohibited by State or Federal Law)

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name or names of the alleged discriminator(s) or harasser(s)

Location where such alleged discrimination/harassment occurred

Name(s) of any witness(es) to the alleged discrimination/harassment

Detailed statement of the circumstances constituting the alleged discrimination or harassment _____

Proposed remedy _____