

## Students

## NON-DISCRIMINATION (STUDENTS)

The Board of Education complies with all federal, state, and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities on the basis of race, color, religion, national origin, sex, sexual orientation, marital status (including civil union partners), age, ethnicity, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and expression, transgender status, or any other basis prohibited by state or federal law, subject to the conditions and limitations established by law.

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 (including civil union partners), age, ethnicity, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and expression, transgender status, or any other basis prohibited by state or federal law, subject to the conditions and limitations established by law is prohibited, whether by students, Board employees, the Board, 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, non-academic 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, "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.

**Legal References:**

Title IX of the Education Amendments of 1972, 20 USCS § 1681, *et seq.*  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d, *et seq.*  
Americans with Disabilities Act, 42 U.S.C. § 12101

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794

Regulation Adopted: May 04, 1992  
Regulation Revised: April 21, 2014

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 (including civil union partners), age, ethnicity, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and expression, transgender status, or any other basis prohibited by state or federal law, subject to the conditions and limitations established by law is prohibited, whether by students, Board employees, the Board, 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.

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 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.

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 (including civil union partners), age, ethnicity, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and expression, transgender 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 or the individual school 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.

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 parent(s)/guardian to discuss the nature of his/her complaint, identify the individuals the complainant believes have 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 (including civil union partners), age, ethnicity, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and expression, transgender 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

Copies of this regulation will be distributed to all students.

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

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 (Including Civil Union Partners), Age, Ethnicity, Ancestry, Learning Disability, Past or Present History of Mental Disability, Intellectual Disability, Physical Disability, Pregnancy, Gender Identity and Expression, Transgender 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 \_\_\_\_\_

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