

NON-DISCRIMINATION

It is the policy of the Board of Education (the “Board”) that any form of discrimination or harassment on the basis of race, religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, veteran status, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees 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 extracurricular activities, including athletics, as well as the district website. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, ancestry, alienage, disability, pregnancy, gender identity or expression, or veteran status.

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, “veteran” means any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition 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. “Qualifying condition” means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veteran Affairs facility, (B) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

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, twists, Bantu knots, afros and afro puffs.

Any individual wishing to file a complaint regarding discrimination or harassment may obtain a copy of the Board’s complaint procedures and complaint form that are included in the Board’s Administrative Regulations Regarding Non-Discrimination. These regulations accompany Board Policy #1100 and are available online at www.rockyhillps.com 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, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled in accordance with other appropriate policies (e.g., Policy # 4020, Sex Discrimination/Harassment in the Workplace; Policy #5120, Sex Discrimination and Sexual Harassment (Students); Policy # 4030, Section 504/ADA (Personnel), and Policy # 5410, Section 504/ADA (Students)).

Individuals 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)

Individuals 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
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Anyone who has questions or concerns about this policy, **and/or who may wish to request or discuss accommodations based on religion, and/or who** would like a copy of the Board’s complaint procedures or complaint forms related to claims of discrimination or harassment; or anyone who has questions or concerns about the Board’s policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation; or anyone who has questions or concerns about the Board’s policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the following person who has been designated as the Board’s Title IX Coordinator, the Board’s Section 504/ADA Coordinator, and to handle inquiries regarding the Board’s non-discrimination policies:

**Ms. Amy Stevenson
Assistant Superintendent for Personnel and Student Services
Rocky Hill Public Schools
761 Old Main St.
Rocky Hill, CT 06067
860-258-7704**

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 U.S.C. § 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

Connecticut General Statutes § 1-1n, “Gender Identity or Expression” defined

Connecticut General Statutes § 27-103

Connecticut General Statutes § 46a-51, Definitions

Connecticut General Statutes § 46a-58, Deprivation of rights

Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-60

Connecticut General Statutes § 46a-81a, Sexual orientation discrimination: Definitions

Connecticut General Statutes § 46a-81c, Sexual orientation discrimination: Employment

Public Act No. 21-79, “An Act Redefining ‘Veteran’ and Establishing a Qualifying Review Board”

**NON-DISCRIMINATION
ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION
COMPLAINTS (COMMUNITY MEMBERS)**

It is the policy of the Rocky Hill Board of Education (the “Board”) that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, 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.

It is the express policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status.

If the complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy #4020-Sex Discrimination and Harassment in the Workplace (Personnel); Policy #5120-Sex Discrimination and Harassment (Students); Policy #4030-Section 504/ADA (Personnel); and Policy #5410-Section 504/ADA (Students)).

Preferably, complaints should be filed within thirty (30) calendar 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 school district will periodically provide staff development for district administrators and periodically distribute this policy and implementing administrative regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedures

As soon as an individual feels that he or she has been subjected to discrimination or harassment 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 he/she should make a written complaint to the Superintendent, or designee.

**SERIES 1000 – COMMUNITY/BOARD OPERATION
NON-DISCRIMINATION ADMINISTRATIVE REGULATIONS REGARDING
DISCRIMINATION COMPLAINTS (COMMUNITY MEMBERS) (Continued)**

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If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will take appropriate steps, such as retaining an independent investigator, to cause the matter to be investigated in a manner consistent with the Board’s non-discrimination policy and regulation. If either the Superintendent or any other party to the complaint is not satisfied with the findings and conclusions of the investigation, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair, who will take appropriate steps, such as retaining an independent investigator different from the investigator who investigated the complaint, to cause the matter to be reviewed in a manner consistent with the Board’s non-discrimination policy and regulation.

The individual and any respondent (if applicable) will be provided a copy of the Board’s policy and regulation and made aware of the individual’s rights under this policy and regulation. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on gender/sex, gender identity, sexual orientation, disability, or pregnancy, the Superintendent or designee shall follow the procedures identified in the appropriate Board policies (e.g., Policy # 4020, Sex Discrimination/Harassment in the Workplace; Policy #5120, Sex Discrimination and Sexual Harassment (Students); Policy # 4030, Section 504/ADA (Personnel), and Policy # 5410, Section 504/ADA (Students)), where applicable, rather than the complaint procedures provided in this policy.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any individual who makes an oral complaint of harassment or discrimination will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual with completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or designee shall promptly investigate 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 (“respondent”) and any witnesses to the conduct.

**SERIES 1000 – COMMUNITY/BOARD OPERATION
NON-DISCRIMINATION ADMINISTRATIVE REGULATIONS REGARDING
DISCRIMINATION COMPLAINTS (COMMUNITY MEMBERS) (Continued)**

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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/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

Upon receipt of a written complaint of discrimination or harassment, the investigator should:

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, the complexity of the investigation, and/or other extenuating circumstances) 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 respondent (if applicable) with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
4. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of any extension of the investigation timeline. 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;
7. 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, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);

**SERIES 1000 – COMMUNITY/BOARD OPERATION
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8. 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 discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment;
9. If either party to the complaint is not satisfied with the findings and conclusions of the investigation, such party may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the party requesting an appeal, 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 a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

A complainant alleging discrimination or harassment may file a formal complaint with:

Office for Civil Rights – Boston Office
U.S. Department of Education, 8th Floor
5 Post Office Square
Boston, MA 02109-3921
TELEPHONE NUMBER: 617-289-0111

A complainant may also file a complaint with:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
TELEPHONE NUMBER: 860-541-3400

An employee alleging discrimination or harassment related to their employment may also file a complaint with:

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

**SERIES 1000 – COMMUNITY/BOARD OPERATION
NON-DISCRIMINATION ADMINISTRATIVE REGULATIONS REGARDING
DISCRIMINATION COMPLAINTS (COMMUNITY MEMBERS) (Continued)**

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Anyone who has questions or concerns about these regulations, and/or who may wish to request or discuss accommodations based on religion; or anyone who has questions or concerns about the Board’s policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation; or anyone who has questions or concerns about the Board’s policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability may contact the Board’s Title IX Coordinator and Section 504/ADA Coordinator:

Ms. Amy Stevenson
Assistant Superintendent for Personnel and Student Services
Rocky Hill Public Schools
761 Old Main St.
Rocky Hill, CT 06067
860-258-7704

DISCRIMINATION/HARASSMENT COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status)

Name of Complainant: _____

Date of Complaint: _____ Date of alleged discrimination/harassment: _____

Name(s) of the discriminator(s) or harasser(s): _____

Location where such discrimination/harassment occurred: _____

Name(s) of witness(es) to the discrimination/harassment: _____

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

Proposed remedy: _____

Reviewed by: _____ Date: _____