

## **Personnel – Certified/Non-Certified**

### **Procedures for Employee Complaints of Discrimination**

The New Milford Board of Education provides equal employment opportunities for all employees and applicants for employment. All employment decisions are made without regard to race, color, national origin, sex (including pregnancy), age, disability, religion, sexual orientation, gender identity or expression, marital status, ancestry, genetic information, veteran status, status as a victim of domestic violence or any other basis prohibited by law.

“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, hairwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots and afro puffs.”

Although discrimination also includes sexual, racial or other unlawful harassment, the prohibition of such conduct is governed by a separate Board policy. Please refer to Board Policy 4118.112, 4218.112 and regulations for the procedure for complaints of sexual, racial or other unlawful harassment.

Employees who believe they have suffered discrimination in violation of this policy are encouraged to promptly report such incidents to a Building Principal or the district’s Title IX Coordinator or both. Timely reporting of incidents of unlawful harassment enables the school district to properly investigate and resolve such complaints.

Complaints will be investigated promptly and corrective action will be taken when warranted. Any reprisals or retaliations found to have occurred as a result of reporting discrimination may result in disciplinary action against the retaliator.

#### **Reporting a Complaint of Discrimination**

Any applicant or employee who feels that he/she has been discriminated against on the basis of race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity or expression, marital status, ancestry, genetic information, ~~or~~ veteran status, status as a victim of domestic violence or any other basis prohibited by law should promptly bring his/her complaint to the attention of one of the following school officials: Building Principal or Title IX Coordinator.

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The Title IX Coordinator for the New Milford Board of Education is:

STAFF:

Ms. Rebecca Adams  
Director of Human Resources  
50 East Street  
New Milford, CT 06776  
860-210-2200  
[adamsr@newmilfordps.org](mailto:adamsr@newmilfordps.org)

Although there is no requirement that the complaint be in writing, the school official should encourage the complainant to submit the complaint in writing and may assist the complainant in writing the complaint.

The written complaint should state the following (the form in Appendix A may be provided for the convenience of the complainant, but is not required):

1. name of the complainant;
2. date that the complaint was made;
3. name(s) of the person(s) who discriminated against complainant;
4. date and place of the alleged discriminatory conduct;
5. names of any witnesses;
6. list of documentary evidence, if any;
7. statement of the facts supporting the complaint of discrimination.

### **Investigation of Complaints of Discrimination other than Harassment**

*Investigator:* The Title IX Coordinator is responsible for designating the investigator of any complaint, which may be himself/herself or a properly trained staff member, administrator or outside investigator. The advice of legal counsel should be sought as necessary. The designation of the investigator, if other than the Title IX Coordinator, shall be done promptly.

During any stage of the investigation, the investigator may attempt to resolve the complaint in the least disruptive, most prompt and confidential manner.

*Interim measures:* The investigator shall assess whether there is a necessity to take immediate interim measures to prevent further allegations of discrimination or retaliation of any kind while the investigation is pending.

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*Investigation:* The investigation shall be conducted with objectivity and completed in a timely manner. The investigator shall consult with all individuals believed to have relevant information, including the complainant, the person(s) accused of the discriminatory conduct, potential witnesses and other possible victims of the alleged conduct. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the investigative process, the due process rights of the person(s) accused of discrimination shall be respected. The investigator shall keep the complainant apprised of the status of the investigation on a periodic basis.

*Documentation:* The investigator should carefully document all aspects of the investigation, including any informal resolution of the complaint. Documentation should be maintained in an investigative file. Documentation of disciplinary actions taken should be maintained in the employee's personnel file or the student's disciplinary file.

*Written Report:* After an impartial and prompt investigation of the complaint, the investigator should ascertain (1) whether the alleged discrimination occurred and (2) whether such conduct constitutes a violation of the Board's policy. If there is a violation, the investigator should recommend any remedial action appropriate to redress the discrimination and/or prevent any recurrence of such conduct in the future. The investigator should commit the findings and recommendations to writing and forward the report to the Title IX Coordinator and Superintendent of Schools. Unless unusual circumstances exist, the written report shall be completed without delay. If the Superintendent is the subject of the investigation, the Board of Education shall receive the findings and recommendations.

*Notification of Results of Investigation:* The results of the investigation will be promptly communicated to the parties involved in a manner consistent with state and federal laws regarding data and records privacy.

*Request for Review:* If the complainant is unsatisfied with the results of the investigation, he/she may request a review by the Superintendent of Schools within 10 school days of the notification of the results of the investigation. The Superintendent (or designee) shall review the investigator's written report and further investigation may be conducted if necessary. The complainant may present additional evidence or witnesses for the reviewer to consider. Absent unusual circumstances, the Superintendent shall promptly notify the complainant in writing of the results of his/her review.

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*Corrective Action:* If discrimination in violation of Board policy has been determined to have occurred, the school district will take prompt remedial action to redress the discrimination. School district action taken for violation of this policy shall be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and other school district policies.

#### **Alternative Complaint Procedures**

The Connecticut Commission of Human Rights and Opportunities (CHRO) investigates complaints of employment discrimination based upon race, color, national origin, sex (including pregnancy), age, disability, religion, sexual orientation, gender identity or expression, marital status, ancestry, ~~or~~ genetic information, veteran status or status as a victim of domestic violence. CHRO may be contacted at 21 Grand Street, Hartford, CT 06106 (860-541-5737).

The U. S. Equal Employment Opportunity Commission (EEOC) investigates complaints of employment discrimination based upon race, color, sex, religion, national origin, age, or disability. The EEOC may be contacted at John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, 1-800-669-4000.

The EEOC and CHRO apply a statute of limitation of one hundred and eighty (180) days to complaints of employment discrimination.

The U. S. Department of Labor, Veteran’s Employment and Training Service investigates complaints of discrimination based upon veteran status. The Veteran’s Employment and Training Service may be contacted at 1-866-4-USA-DOL.

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NEW MILFORD BOARD OF EDUCATION  
New Milford, Connecticut