

Students

Nondiscrimination

The Waterford Board of Education complies with all 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 any protected characteristic (or protected class) including race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression or veteran status, status as a victim of domestic violence or any other basis prohibited by state or federal law (“Protected Class”), subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of an individual’s actual or perceived membership in a Protected Class, whether by students, Board employees, Board members or third parties subject to the control of the Board is prohibited in the Waterford Public Schools. Students, Board members 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 also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging Protected Class discrimination or harassment. The District will investigate both formal and informal complaints of discrimination, harassment or retaliation.

Although not an exhaustive list, the following are examples of the type of conduct that may be considered Protected Class harassment and can lead to a hostile environment, and are therefore prohibited:

- objectively offensive racial, ethnic, or religious epithets (or epithets commonly associated with any Protected Class membership);
- other words or phrases commonly considered demeaning or degrading on the basis of Protected Class membership;
- display of images or symbols commonly associated with discrimination against individuals on the basis of their membership in a Protected Class;
- graphic, written or electronic communications that are harmful, or humiliating based on Protected Class membership;
- bigoted conduct or communications; or
- physical, written, electronic or verbal threats based on Protected Class membership.

Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Any student, staff member and/or parent/guardian who believes a student has experienced Protected Class discrimination or harassment ~~or~~ an act of retaliation or reprisal in violation of Board policy should report such concern in writing to the Assistant Superintendent in accordance with the Board’s complaint procedures included in these Administrative Regulations Regarding

Regulation 5110

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Non-Discrimination/Students.

If a complaint involves allegations of discrimination or harassment based on sexual orientation, pregnancy, or gender identity or expression, such complaints will be handled in accordance with the procedures set forth in **Board Policy #5170, Policy Regarding Title IX of the Educational Amendments of 1972 – Prohibition of Sex Discrimination and Sexual Harassment; (Students)**. Complaints involving allegations of discrimination or harassment based on disability will be addressed in accordance with the procedures set forth in **Board Policy #5160, Section 504/ADA; (Students)**. In the event reported conducted allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

If the complaint involves an allegation of discrimination or harassment based on reasons such as gender/sex, disability, or pregnancy, such complaints will be handled under the appropriate policies (e.g. Policy #5170 Sex Discrimination/Sexual Harassment; Policy #5160, Section 504/ADA).

All other complaints by a student or parents/guardians alleging discrimination against a student on the basis of the protected characteristics listed herein should file a written complaint with:

Assistant Superintendent of Schools
15 Rope Ferry Road
Waterford, CT 06385
860-444-5854

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 Protected Class discrimination or harassment. The Board further prohibits reprisal or retaliation against any individual who participates in the investigation of reports of alleged Protected Class harassment/discrimination. 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 the Non-Discrimination policy and the administrative regulations to employees and students in an effort to maintain an environment free of harassment and discrimination.

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Complaint Procedure

As soon as a student feels that they, or another student has been subjected to Protected Class discrimination or harassment, the individual should make a written complaint to the Superintendent of Schools or to the building principal, or his/her designee. The student will be provided a copy of this 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 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 student and/or parent/guardian 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 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 (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 administrator to 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 individual alleged to have experienced Protected Class discrimination and/or harassment (the “complainant”), the reporter (if different from 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 to the extent consistent with principles of the due process , as determined by the investigator.

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

1. Offer to meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;

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2. Provide the complainant with a copy of the Board's non-discrimination policy and accompanying regulations;
3. Conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis of the complaint, including as applicable, conducting interviews with the parties to the complaint and any relevant witnesses or other individuals deemed relevant to the complaint;
4. Review any records, notes, statements, or other documents relevant to the complaint;
5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Complete a final investigation report that includes: (i) a findings of fact based on the evidence gathered; (ii) for each allegation, the conclusion(s) and reasoning(s) as to whether the discrimination or harassment occurred; and (iii) for any individual(s) found to have engaged in discrimination or harassment, a broad statement of consequences imposed (to the extent permitted by state and federal confidentiality requirements) (i.e. "Consequences were imposed.")
7. 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;
8. If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of employees and/or other individuals who may have information relevant to the complaint. If fixed timeframes cannot be met, the complainant will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
9. 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 designed to avoid continuing discrimination;
10. If a complainant is not satisfied with the findings and conclusions of the investigation, the complainant 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 complainant, the Superintendent shall review the investigative

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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 thirty (30) business days following the receipt of the written request for review.

If the District makes a finding of discrimination, harassment or retaliation, the District will take appropriate remedial action designed to 1) eliminate the discriminatory/harassing conduct, 2) prevent its recurrence, and 3) address its effects on the complainant and any other affected individuals. Examples of appropriate action may include:

- (a) Interventions for the individual who engaged in the discrimination/harassment, such as parent/guardian notification, discipline, or counseling.
- (b) Interventions for the complainant, such as counseling, academic support, and information on how to report further incidents of discrimination.
- (c) Separating the complainant and the individual who engaged in the discrimination/harassment, provided the separation does not penalize the complainant.
- (d) Follow-up inquiries with the complainant and witnesses to ensure that the discriminatory/harassing conduct has stopped and that they have not experienced any retaliation.
- (e) Training or other interventions for the larger school community to ensure that students, staff, and parents understand the types of behavior that constitute discrimination/harassment, that the District does not tolerate it, and how to report it.

Any student and/or parent/guardian also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"),

Office for Civil Rights, 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>

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Any student and/or parent/guardian 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)

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities,

Connecticut Commission on Human Rights and Opportunities
25 Sigourney Street, Hartford, CT 06106
(800-477-5737).

The Board's Title IX Coordinator and Section 504/ADA Coordinator is the Assistant Superintendent of Schools:

Assistant Superintendent of Schools
15 Rope Ferry Road
Waterford, CT 06385
860-444-5854

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WATERFORD PUBLIC SCHOOLS
Waterford, Connecticut

DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, , marital status, , national origin, alienage, ancestry, , or veteran status) , or status as a victim of domestic violence)

Name of the complainant:

Date of the complaint:

Date of the alleged discrimination/harassment:

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

Location where such discrimination/harassment occurred:

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

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