

Mission – Goals – Objectives

Nondiscrimination

District Values

The New London Board of Education, in compliance with federal and state law, affirms its policy of equal educational opportunity for all students and equal employment opportunity for all persons.

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Chief Talent and Human Resources Officer and Director of Special Services as the District's Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure annually to students, parents, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

Nondiscrimination in School and Classroom Practices

It is the policy of the District to provide equal opportunity for all students to achieve their maximum potential through the programs offered in all District schools regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity or expression, ancestry, national origin or disability. The Board also assures that non-English proficiency will not be a barrier to admission and participation in the all educational programs as well as enrichment activities available to students.

The Board encourages staff to improve human relations within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The District shall provide to all students without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The District shall provide equal access to the Boy Scouts and other designated youth groups. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Students and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

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Nondiscrimination in School and Classroom Practices (continued)

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the areas listed.

School and Classroom Practices:

- 1. Curriculum and Materials:** Review curriculum guides, textbooks and supplementary materials for discriminatory bias.
- 2. Training:** Provision of training for students and staff to identify and alleviate problems of nondiscrimination.
- 3. Student Access:** Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
- 4. District Support:** Assure that like aspects of the school program receive like support as to staffing, compensation, facilities, equipment and related matters.
- 5. Student Evaluation:** Review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.

Nondiscrimination in Employment/Contract Practices

It is the Board's policy to provide all persons equal access to all categories of employment in this District regardless of race, color, age, creed, religion, gender, gender identity or expression, sexual orientation, ancestry, national origin, marital status, disability or genetic information, or any other basis prohibited by Connecticut state and/or federal laws. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with federal and state statutes and regulations.

Employees and third parties who have been subject to discrimination are encouraged to promptly report such incidents to the District's Compliance Officer.

All complaints of discrimination shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

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Nondiscrimination in Employment/Contract Practices (continued)

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the areas listed below.

Employment/Contract Practices:

1. Development of position qualifications, job descriptions and essential job functions.
2. Recruitment materials and practices.
3. Procedures for screening, interviewing and hiring.
4. Promotions.
5. Disciplinary actions, up to and including terminations.

The Building Principal or his/her designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student, employee or third party of the right to file a complaint and the complaint procedures.
2. Inform the student complainant that he/she may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the Building Principal is the subject of the complaint.

(cf. 4111 – Recruitment and Selection)
(cf. 4111.1/4211.1 – Affirmative Action)
(cf. 4118.11 – Nondiscrimination)
(cf. 4118.113/4218.113 – Harassment)
(cf. 5145.4 – Nondiscrimination)
(cf. 5145.5 – Sexual Harassment)
(cf. 5145.51 – Peer Sexual Harassment)
(cf. 5145.52 – Harassment)
(cf. 5145.6 – Student Grievance Procedure)
(cf. 6121 – Nondiscrimination)
(cf. 6121.1 - Equal Educational Opportunity)

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Legal Reference: Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited.
10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include “sexual orientation” and P.A. 11-55 to include “gender identity or expression”)
10-153 Discrimination on account of marital status. (as amended by PA 11-55 to include “gender identity or expression”)
17a-101 Protection of children from abuse.
Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.
29 CFR 1604.11, EEOC Guidelines on Sex Discrimination
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No Child Left Behind Act of 2001)
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)
The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008
Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)
Gebbser v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)
Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)
The Vietnam Era Veterans’ Readjustment Act of 1974, as amended, 38U.S.C. §4212
Title II of the Genetic Information Nondiscrimination Act of 2008
Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)
Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)
Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)
Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Policy adopted: June 9, 2016

NEW LONDON PUBLIC SCHOOLS
New London, Connecticut

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Administrative Regulations

Complaint Procedure –Student/Employee/Third Party

Step 1 – Reporting

A student, employee or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to report the incident immediately to the Building Principal.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Building Principal.

If the Building Principal is the subject of the complaint, the student, employee or third party shall report the incident directly to the Compliance Officer.

The complainant is encouraged to use the report form available from the Building Principal, but oral complaints shall be acceptable.

Complaint Procedure –Student/Employee/Third Party

Step 2 – Investigation

Upon receiving a complaint of discrimination, the Building Principal shall immediately notify the Compliance Officer, who shall then authorize the Building Principal to investigate the complaint, unless the Building Principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the incident. Other information and materials relevant to the investigation may also be evaluated.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation is pending or has been concluded.

Step 3 – Investigative Report

The Building Principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

Copies of the report shall be provided to the complainant, the accused and the Compliance Officer.

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Administrative Regulations (continued)

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take prompt, corrective action to ensure that such conduct ceases and will not reoccur.

Disciplinary actions, in the case of students, shall be consistent with the school disciplinary practices, Board policies, administrative regulations, and state and federal laws.

Disciplinary actions, in the case of employees and third parties, shall be consistent with the Board policies, administrative regulations, state and federal laws, and applicable collective bargaining unit agreements.

Step 5 - Appeal Procedure

The complainant, if not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, he/she may submit a written appeal to the Compliance Officer within fifteen (15) days.

The Compliance Officer shall review the investigation and the investigative report and may also conduct an investigation.

The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Building Principal who conducted the initial investigation.

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____
Home Address: _____
Home Phone: _____
School building: _____
Date of Alleged Incident(s): _____

Alleged harassment was based on: (Check all that apply.)

- | | | | |
|-----------------------------------|-------------------------------------|---|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color | <input type="checkbox"/> National Origin | <input type="checkbox"/> Gender Identity or Expression |
| <input type="checkbox"/> Gender | <input type="checkbox"/> Disability | <input type="checkbox"/> Religion | |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Age | <input type="checkbox"/> Sexual Orientation | |

Name of person you believe violated the District's nondiscrimination policy:

If the alleged discrimination was directed against another person, identify the other person:

Describe the incident as clearly as possible, including any verbal statements (i.e., threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary:

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has discriminated against me or another person. I certify that the information provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date

