



School Board Policies, Regulations and Bylaws

0521(a) / 5145.4(a)

Mission – Goals – Objectives / Students

Nondiscrimination

The Board shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity/expression, national origin, ancestry, disability, (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, marital status or age or because of the race, color, religion, sex, sexual orientation, gender identity or expression, national origin, disability, genetic information, marital status or age of any other persons with whom the individual associates. The Board provides equal access to the Boy Scouts and other designated youth groups.

In keeping with requirements of federal and state law, the Board strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered to students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

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

The Director shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1974, Title VI, Title VII, Title IX and other civil rights or discrimination issues. The Board will adopt and the District will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

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Nondiscrimination

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates:

District Title IX Compliance Officer:
Betsy Sneath
(203) 389-0823 ext. 1211
bsneath @commongroundct.org

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.

The board designates Keith Johnston, as the School Building Compliance Officer:

School Building Title IX Compliance Officer
Keith Johnston
(203) 389-0823 ext.1218
kjohnston @commongroundct.org

Grievance Procedure –For ADA, Section 504, Title VI, Title VII, Title IX, and other Civil Rights or Discrimination Issues

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 School Director.

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 School Director.

If School Administrators are the subject of the complaint, the student, employee or third party shall report the incident directly to the District Title IX Compliance Officer and School Board.

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

Step 2 – Investigation

Upon receiving a complaint of discrimination, the Director shall immediately notify the District Title IX Compliance Officer, who shall then authorize the Director or his/her designee to investigate the complaint. If the Director is the subject of the complaint or is unable to conduct the investigation, the investigation will be undertaken by the District Title IX Compliance Officer.

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Grievance Procedure –For ADA, Section 504, Title VI, Title VII, Title IX, and other Civil Rights or Discrimination Issues (continued)

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 Director or his/her designee' shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. If the Director is the subject of the investigation, the District Title IX Compliance Officer shall prepare the report. 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, the District Title IX Compliance Officer, and School Building Title IX Compliance Officer.

Step 4 – School Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the school 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, is 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 District Title IX Compliance Officer within fifteen (15) days.

If the District Title IX Compliance Officer was the first investigator of the complaint, the appeal should be directed to the Board of Education.

The District Title IX Compliance Officer or Board of Education shall review the investigation and the investigative report and may also conduct an investigation.

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Nondiscrimination

Grievance Procedure –For ADA, Section 504, Title VI, Title VII, Title IX, and other Civil Rights or Discrimination Issues (continued)

The District Title IX Compliance Officer or the Board 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 School Director who conducted the initial investigation.

- (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)

- Legal Reference:
- 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.
 - 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 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)
 - 20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No Child Left Behind Act of 2001)
 - 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)
 - Gebbs v. Lago Vista Indiana School District*, No. 99-1866, (U.S. Supreme Court, June 26,1998)
 - Davis v. Monro 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
 - 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.
 - 17a-101 Protection of children from abuse.

Mission – Goals – Objectives

Nondiscrimination

Legal Reference (continued)

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Public Law 111-256

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)

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