

Nondiscrimination

It is the policy of the Waterford Board of Education that any form of discrimination or harassment on the basis of race, , religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, disability, pregnancy, gender identity or expression, veteran status as a victim of domestic violence, or any other basis prohibited by state or federal law (“Protected Class”) is prohibited in the Waterford Public Schools (the “District”), whether by students, Board employees, Board members or third parties subject to the control of the Board. Students, Board employees, 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.

Although not an exhaustive list, the following are examples of the types 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 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 individual wishing to file a complaint regarding discrimination may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Non-Discrimination. These regulations accompany Board Policy #1000 and are available online at www.waterfordschools.org or upon request from the main office of any district school.

If the complaint involves allegations of discrimination or harassment based on sex, sexual orientation, pregnancy, or gender identity or expression, such complaints will be handled, , in accordance with other Board policies (e.g., Policy # 4860, Sex Discrimination and Sexual Harassment in the Workplace (Personnel); Policy #5170, Sex Discrimination and Sexual Harassment (Students); Policy #4336/4800, Nondiscrimination (personnel); and Policy #5160, 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 Protected Class of harassment or 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 this Policy and implementing Administrative Regulations to employees and students in an effort to maintain an environment free of harassment and discrimination.

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>

Complaint Procedure

As soon as an individual feels that they, or another individual has been subjected to Protected Class discrimination or harassment the individual should make a written complaint to the Superintendent, or his/her designee. The individual and any respondent (if applicable) will be provided a copy of the Board’s policy and regulation and made aware of his/her rights.

Complaints pertaining to the Superintendent-should be filed with the Board Chair. Complaints pertaining to any Board members other than the Board Chair should be filed with the Board Chair. Complaints pertaining to the Board Chair should be filed with the Board Vice Chair. In all cases, the individual receiving the complaint shall take appropriate steps-to cause the matter to be investigated in a manner consistent with the Board’s non-discrimination policy and regulation.

If any party to the complaint involving the Superintendent or a Board member is not satisfied with the findings and conclusions of an investigation, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair (or, if presented by the Board Chair, the Board Vice 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 complaint should state:

- 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 employee 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 employees 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 or his/her 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 reporter (if different from the complainant) the alleged harasser/discriminator ("respondent") 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, as determined by the investigator.

Upon receipt of a written complaint of discrimination, 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 during periods of time when school is not in session) to discuss the nature of the complaint, discuss the availability of interim measures, identify individuals the complainant or respondent believes has relevant information, and obtain any relevant documents the complainant or respondent may have;

2. Provide the complainant and respondent if applicable, 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 for the complaint, including conducting interviews with individuals with information and review of documents 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 respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) 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;
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 and respondent (if any) 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 harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;

10. if a complaint or respondent 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 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 during periods of time when school is not in session) 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 eliminate the discriminatory/harassing conduct, prevent its recurrence, and 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 or supervisor notification, discipline, counseling, or training.
- 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.

- 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.

For allegations pertaining to a complainant alleging race, color, national origin, sex, disability or age (except age-based employment discrimination) discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with: may file a formal complaint with the Boston Office, Office for Civil Rights, 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 the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd., Hartford, CT 06103-1835 (Telephone Number 800-477-5737).

An employee alleging discrimination related to their employment may also file a complaint with the Equal Employment Opportunity Commission, Boston Area Office.
John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203
(TELEPHONE NUMBER: 800-669-4000).

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Regulation 1000 FORM 1

DISCRIMINATION COMPLAINT FORM

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

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:

Proposed remedy:
