

Regulation 4336/4800

Personnel - Certified/Non-Certified Nondiscrimination

Procedure for Processing Complaints of Alleged Discrimination

The Waterford Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, veteran status gender identity or expression is status as a victim of domestic violence, or any other basis prohibited by state or federal law (“Protected Class”), except in the case of a bona fide occupational qualification.

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 (the “District”). 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. 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 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 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 employee who believes an employee 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:

Assistant Superintendent of Schools
15 Rope Ferry Road
Waterford, CT 06385

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In the event conduct reported as Protected Class discrimination and/or harassment allegedly violates more than one policy, the Board will coordinate any investigation in compliance with the applicable policies.

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints and/or grievances facilitates the investigation and resolution of such complaints and/or grievances.

Complaints and/or grievances will be investigated promptly, and corrective action will be taken when allegations are verified.

Specifically, upon receipt of a written complaint of discrimination, the Superintendent and/or his or her designee should:

1. offer to meet with the complainant to discuss the nature of his/her complaint.
2. provide the complainant with a copy of the Board's non-discrimination policy and accompanying regulations.
3. investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint.
4. conduct the investigation in a confidential manner, to the extent practicable, adhering to the requirements of state and federal law.
5. communicate the findings and/or results of any investigation to the complainant; and
6. take appropriate corrective and disciplinary action, as deemed appropriate by the Superintendent and/or his or her designee.

Procedure for Processing Complaints of Alleged Discrimination (continued)

If the complaint involves an allegation of discrimination or harassment based on reasons such as disability or gender/sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act/Americans with Disabilities Act (ADA) (Policy# 4336/4800) (for claims of discrimination and/or harassment based on disability) and Sex Discrimination/Sexual Harassment (Policy # 4448/4860) (for claims of discrimination and/or harassment based on sex).

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. 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

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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 is not satisfied with the findings and conclusions of an investigation in which the Superintendent or a member of the Board is the respondent, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair (or, if initially presented by the Board Chair, the Board Vice Chair), who will take appropriate steps to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation. Such steps may include retention of an independent investigator different from the investigator who investigated the complaint.

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 discrimination/harassment, such as supervisor notification, discipline, or training.
- (b) 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.
- (c) 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.

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For allegations pertaining to race, color, or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Office of Civil Rights
U.S. Department of Education
8th Floor
5 Post Office Square, Suite 900
Boston, MA 02109-3921
Tel. (617) 289-0111
ocr.boston@ed.gov

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 1229 Albany Avenue, Hartford, CT 06112 (Telephone Number 860 566-7710) and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (Telephone Number 617-565-3200).

The Board's Title IX Coordinator and Section 504/ADA Coordinator is:
Assistant Superintendent of Schools
15 Rope Ferry Road
Waterford, CT 06385
860-444-5854

Regulation issued:	October 7, 2004	
Regulation revised:	December 19, 2013	WATERFORD PUBLIC SCHOOLS
Regulation revised:	March 23, 2017	Waterford, Connecticut
Regulation revised:	October 24, 2019	
Regulation revised:	February 27, 2020	
Regulation revised:	August 24, 2023	

DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability, pregnancy, genetic information, 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(s) 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: _____
