

STUDENTS

SERIES 5000

Non-Discrimination (Students)

POLICY

The Board of Education complies with all applicable federal, state and local 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 because of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), or gender identity or expression 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 race, religion, color, national origin, sex, sexual orientation, marital status, age, disability— (including pregnancy), gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), gender identity or expression.

For the purposes of this policy, "gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

No. 5155 Non Discrimination (Students)

All complaints involving allegations of discrimination or harassment against a student on the basis of sex or disability shall be handled in accordance with the Board's respective policies for such claims (Policy #5156, Sex Discrimination and Sexual Harassment; Policy #4156 and 5150, Section 504). All other complaints of discrimination or harassment for any of the other protected characteristics listed herein shall be handled in accordance with the complaint procedures contained in the Administrative Regulations corresponding to this policy (Policy #5155, Non-Discrimination-(Students)). All district policies and applicable regulations/procedures, including complaint forms, are available online at <http://www.region15.org/policies> or upon request at the main office of any district school.

The district is required by Title IX not to discriminate on the basis of sex in its programs and activities. Any questions regarding the application of Title IX or concerning complaints involving allegations of sex discrimination or sexual harassment may be directed to the District's Title IX Coordinators:

<p>Mrs. Heidi Szymanski Assistant Principal Title IX Coordinator Pomperaug High School 234 Judd Road Southbury, CT 06488-1950 hszymanski@region15.org Tel. (203) 262-3200</p>	<p>Mr. Jon Romeo Principal Title IX Coordinator Gainfield Elementary School 307 Old Field Road Southbury, CT 06488 jromeo@region15.org Tel. (203) 264-5312</p>
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Individuals with questions or concerns regarding Title IX may also contact the Assistant Secretary for the Office for Civil Rights ("OCR") at:

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100

Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Any questions regarding the application of Section 504 or Title II of the ADA or concerning complaints involving discrimination or harassment on the basis of a disability may be directed to the District's Section 504 Coordinator or to the Assistant Secretary for OCR (listed above). The District's Section 504 Coordinator is:

Mrs. Jessica Sciarretto
Director of Student Services
P.O. Box 395
Middlebury, CT
06762-0395
Tel: (203) 758-8259
Email: jsciarretto@region15.org

All other complaints or questions regarding discrimination or harassment against a student on the basis of the other protected characteristics may also be directed to the appropriate building principal or to any of the other individuals listed above.

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*
Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*
Connecticut General Statutes § 10-15c and § 46a-81a, *et seq.* - Discrimination on
basis of sexual orientation
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, *et seq.*
Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined

Adopted: 11 September 2006
Revision Approved: 14 November 2011
Revision Approved: 8 June 2015
Revision Approved: 22 May 2017

ADMINISTRATIVE REGULATIONS
REGARDING DISCRIMINATION COMPLAINTS (STUDENTS)

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students.

It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression.

If the complaint involves an allegation of discrimination or harassment against a student based on disability or sex, the complainant should be referred to the Board's student policies and procedures related to Section 504 of the Rehabilitation Act/Americans with Disabilities Act (ADA) (Policy #5150 for claims of discrimination and/or harassment based on disability) and Title IX/Sex Discrimination/Sexual Harassment (Policy #5156 for claims of discrimination and/or harassment based on sex).

All other complaints by a student or parents/guardians alleging discrimination against a student on the basis of the other protected characteristics listed herein should file a written complaint with the building principal for the student's school or the following individuals:

<p>Mrs. Heidi Szymanski Assistant Principal Title IX Coordinator Pomperaug High School 234 Judd Road Southbury, CT 06488-1950 hszymanski@region15.org Tel. (203) 262-3200</p>	<p>Mr. Jon Romeo Principal Title IX Coordinator Gainfield Elementary School 307 Old Field Road Southbury, CT 06488 jromeo@region15.org Tel. (203) 264-5312</p>
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No. 5155 Non Discrimination (Students)

Section 504 Coordinator
Jessica Sciarretto
Director of Student Services
P.O. Box 395
Middlebury, CT 06762-0395
Tel: (203) 758-8259
Email: jsciarretto@region15.org

Regina L. Botsford
Office of the Superintendent of Schools
Region 15
P.O. Box 395
Middlebury, CT 06762-0395
Tel. (203-) 758-8259 Ext. 110
Email: rbotsford@region15.org

Preferably, 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 harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure:

As soon as a student feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression, he/she should make a written complaint to the district's Title IX Coordinators, Section 504 Coordinator, Superintendent or to the building principal for the student's school, or his/her designee. The student and any respondent (if applicable) will be provided a copy of the Board's 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 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 or school 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 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 complainant¹ and respondent (if applicable) 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;
2. provide the complainant and respondent (if applicable) 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 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;
5. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;

¹ For purposes of these procedures, a complainant is considered to be the student who experienced the harassment or discrimination or the parent/guardian of such student.

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) 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 and respondent (if any) 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;

5. if a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff 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);
6. 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 to avoid continuing discrimination;
7. if either party to the complaint 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 the investigator, complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigators conclusions or findings. The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) school days following the receipt of the written request for review.

No. 5155 Non Discrimination (Students)

At any time, a complainant alleging race, color or national origin discrimination or harassment has the right to 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).

Adopted: 11 September 2006
Revised: 14 November 2011
Revised: 8 June 2015
Revised: 22 May 2017

REGION 15 DISCRIMINATION COMPLAINT FORM

(For complaints based on Race, Color, Religion, Age, Sex, Marital Status, Sexual Orientation, National Origin, Ancestry, Disability (including Pregnancy), 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: _____