

STUDENTS

POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT

It is the policy of the Avon Old Farms School that any form of sex discrimination or sexual harassment is prohibited, whether by students, faculty, staff or third parties subject to the control of the School. Students, faculty, staff and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently severe or pervasive such that it interferes with or limits a student's ability to participate in or benefit from the school's program. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Sexual Violence: Sexual violence is a form of sexual harassment. For the purposes of this policy, sexual violence refers to physical acts that are sexual in nature, perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

Procedure

It is the express policy of the Avon Old Farms School to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the grievance procedures implementing this Policy. The School will investigate such complaints promptly, take interim measures, and take corrective action where appropriate. The School will maintain confidentiality to the extent appropriate. The School will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

The School will periodically provide training for School administrators, and periodically distribute this Policy and the grievance procedures to faculty, staff and students in an effort to maintain an environment free of sexual discrimination and sex harassment.

Legal References: Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.

Nondiscrimination in Financial Assistance Programs of SBA, 13 C.F.R. § 113.100 et seq.

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

Davis v. Monroe County School of Education, 526 U.S. 629 (1999)

Office for Civil Rights, U.S. Department of Education, Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, 66 Fed. Reg. 5512 (Jan. 19, 2001).

Office for Civil Rights, U.S. Department of Education Dear Colleague Letter: Sexual Violence (April 4, 2011).

ADOPTED: 7/15/2020
REVISED: _____

STUDENTS

COMPLAINT PROCEDURES

SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

It is the policy of the Avon Old Farms School that any form of sex discrimination or sexual harassment is forbidden, whether by students, faculty, staff or other employees or third parties subject to the control of the School. Students, School employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by the School's sex discrimination and sexual harassment policy shall be subject to disciplinary action.

Definitions

Sex discrimination occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

Sexual harassment: In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently severe or pervasive that it interferes with or limits a student's ability to participate in or benefit from the school's program. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other

forms of electronic communications, to engage in any conduct prohibited by this policy.

Sexual Violence: Sexual violence is a form of sexual harassment. For the purposes of this policy, sexual violence refers to physical acts that are sexual in nature, perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

Complaint Procedure

1. It is the express policy of Avon Old Farms School to encourage victims of sex discrimination or sexual harassment to promptly report such claims. 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.
2. As soon as a student feels that he or she has been subjected to sex discrimination or sexual harassment, he/she or his/her parent/legal guardian should make a written complaint to Brian Doyle, Dean of Students. The student will be provided a copy of the School's policy and complaint procedures and made aware of his or her rights.
3. 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. Remedy requested.
4. Any student who makes an oral complaint of harassment or sex discrimination to any of the above-mentioned personnel will be provided a copy of these procedures and will be requested to make a written complaint pursuant to the above procedure. In appropriate circumstances, such as due to the age of the

student making the complaint, a parent or school administrator may be permitted to fill out the form on the student's behalf.

5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed in accordance with the School's policy on the Reports of Suspected Child Abuse or Neglect of Children.
6. All complaints are to be forwarded immediately to Brian Doyle, Title IX Coordinator/Students or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Jim Detora, Head of School] or his/her designee. A copy of any complaint filed under this policy shall be forwarded to the Title IX Coordinator/Student.
7. The Title IX Coordinator or designee shall promptly investigate all complaints of sexual discrimination or sexual harassment against a student, regardless of whether the conduct occurred on or off-school grounds. The investigation shall be conducted discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation.
8. Any student who makes a complaint shall be notified of the Avon Old Farm's School's intent to investigate the complaint. In the event the student requests confidentiality or that an investigation not be conducted, Avon Old Farms School will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the Avon Old Farms School will not investigate the complaint. If the student insists that his/her personally identifiable information not be shared with the alleged perpetrator, the student will be informed that the Avon Old Farms School's ability to investigate and/or take corrective action may be limited.
9. Upon receipt of a sexual harassment or sex discrimination complaint, the Title IX Coordinator shall either promptly commence an investigation of the complaint, or shall designate a school administrator to promptly investigate the complaint. The Title IX Coordinator or designee shall:
 - a) offer to meet with the complainant 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;
 - b) provide the complainant with a copy of the School's sexual harassment policy and accompanying complaint procedures;
 - c) consider whether any interim measures may be appropriate to protect the alleged victim, pending the outcome of the investigation;

- d) investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
 - e) consider whether alleged sex discrimination or sexual harassment has created a hostile school environment, including consideration of the effects of off-campus conduct on the school;
 - f) communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within sixty (60) school days from the date the complaint was received by Jim Detora i.e., Head of School]’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 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 school will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
 - g) when sex discrimination or sexual harassment has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the harassment or discrimination, as deemed appropriate by Jim Detora, i.e., Head of School] or his/her designee, and take steps to remedy the effects of the sex discrimination or sexual harassment;
10. If the student complainant or alleged perpetrator is dissatisfied with the findings of the investigation, he or she may file a written appeal within thirty (30) calendar days to the Title IX Coordinator, or, if he/she conducted the investigation, to Jim Detora, i.e., Head of School], who shall review the Title IX Coordinator or designee's written report, the information collected by the Title IX Coordinator or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes sexual harassment or sex discrimination. The Title IX Coordinator or Jim Detora, Head of School may determine if further action and/or investigation is warranted. After completing this review, the Title IX Coordinator or Jim Detora, i.e., Head of School shall respond to the complainant, in writing, within fifteen (15) school days following the receipt of the written request for review.

Retaliation against any individual who complains pursuant to the School’s policy and procedures is strictly prohibited. The school will take actions necessary to prevent retaliation as a result of filing a complaint.

At any time, a complainant alleging sex discrimination or sexual harassment may file a formal complaint with the Small Business Administration's Office of Diversity, Inclusion & Civil Rights, 409 Third Street, SW, Suite 6400, Washington, DC 20416, Main Telephone Number: 202-205-6750.

Copies of these procedures will be distributed to all students.

Title IX Coordinator - Students

The Title IX Coordinator for the Avon Old Farms School is: Brian Doyle, whose office is located in the Student Center 500 Old Farms Road and whose telephone number is 860-404-4218, and email address is doyleb@avonoldfarms.com.

ADOPTED: July 15, 2020

REVISED: _____

**Avon Old Farms School
STUDENTS**

**COMPLAINT FORM REGARDING SEX DISCRIMINATION
AND SEXUAL HARASSMENT**

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 _____

Remedy requested _____

STUDENTS
AVON OLD FARMS SCHOOL
NON-DISCRIMINATION

The Avon Old Farms School 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, alienage, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status or gender identity or expression, subject to the conditions and limitations established by law.

It is the policy of the Avon Old Farms School that any form of discrimination or harassment on the basis of race, religion, color, national origin, alienage, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status, gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Avon Old Farms School employees or third parties subject to the control of the Avon Old Farms School. The Avon Old Farms School'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 Avon Old Farms School 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, alienage, disability (including pregnancy), veteran status or gender identity or expression.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard.

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.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination may obtain a copy of Avon Old Farms School's Complaint Procedures for Reports of Discrimination and complaint form online at <https://www.avonoldfarms.com/> or upon request from the Director of Human Resources of Avon Old Farms School.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, such complaints will be handled under the School's policy prohibiting Sex Discrimination and Sexual Harassment Policy (Students).

Any student and/or parent/guardian also may file a complaint with the Small Business Administration's Office of Diversity, Inclusion & Civil Rights:

409 Third Street, SW, Suite 6400
Washington, DC 20416,
202-205-6750
<https://www.sba.gov/offices/headquarters/odicer>

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Avon Old Farms School's complaint procedures or complaint forms related to claims of discrimination, may contact:

Brian Doyle, Dean of Students 860-404-218
Jennifer Hill, Director of Human Resources 860-404-4109
500 Old Farms Road, Avon CT 06001

Anyone who has questions or concerns about Avon Old Farms School's policies regarding discrimination on the basis of gender/sex may contact Brian Doyle's Title IX Coordinator/ Students or Jennifer Hill Title IX Coordinator / Employees

Brian Doyle doyleb@avonoldfarms.com or Jennifer Hill hillj@avonoldfarms.com

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, § 46a-58, and § 46a-81a, *et seq.*
Connecticut General Statutes § 1-1n, "Gender Identity or Expression"
defined
Connecticut General Statutes § 46a-58. Deprivation of Rights

ADOPTED: July 15, 2020

REVISED: _____

**STUDENTS
AVON OLD FARMS SCHOOL
NON-DISCRIMINATION
COMPLAINT PROCEDURES**

It is the policy of the Avon Old Farms School 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, alienage, disability (including pregnancy), veteran status or gender identity or expression is forbidden, whether by students, Avon Old Farms School employees or third parties subject to the control of the Avon Old Farms School. Students, Avon Old Farms School employees 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 Avon Old Farms School 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, alienage, disability (including pregnancy), veteran status or gender identity or expression.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination may obtain a copy of these Avon Old Farms School's complaint procedures and complaint form online at <https://www.avonoldfarms.com/>.

If a complaint involves allegations of discrimination or harassment based on such as gender/sex, such complaints will be handled under the School's Sex Discrimination and Sexual Harassment policy.

All other complaints by a student or parents/guardians alleging discrimination against a student on the basis of the protected characteristics listed herein should file a written complaint with:

Brian Doyle, Dean of Students

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 school will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The Avon Old Farms School 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, alienage, disability (including pregnancy), veteran status 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 Avon Old Farms School will periodically provide staff development for school administrators and periodically distribute this Policy and its accompanying complaint procedures 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, alienage disability (including pregnancy), veteran status or gender identity or expression, he/she should make a written complaint to Brian Doyle, Dean of Students, or their designees. The student will be provided a copy of the Avon Old Farms School's policy and procedures 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),
- G. Location where such harassment/discrimination occurred,
- H. Names of any witness(es) to the harassment/discrimination,
- I. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- J. 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 these procedures 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 Dean of Students, Brian Doyle or his/her designee. Upon receipt of a complaint alleging harassment or discrimination

under this complaint procedure, Brian Doyle, Dean of Students 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 alleged harasser/discriminator 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, 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 Avon Old Farms School's non-discrimination policy and accompanying complaint procedures;
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;
6. communicate the outcome of the investigation in writing to the complainant (and respondent, if applicable) (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 Brian Doyle office. The complainant (and respondent, if applicable) 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 school will remedy the discrimination or harassment, adhering to the requirements of state and federal law;

7. 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 applicable) will receive notice and interim measures may be implemented as necessary (see subparagraph 6);
8. 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;
9. if the complainant (and/or respondent, if applicable) is not satisfied with the findings and conclusions of the investigation, the complainant (and/or respondent, if applicable) may present the complaint and written outcome to the Jim Detora, Head of School within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant (and/or respondent, if applicable), Jim Detora, Head of School 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 and complainant (and/or respondent, if applicable), a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Head of School, Jim Detora shall provide written notice to the complainant (and respondent, if applicable) 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.

Any student and/or parent/guardian also may file a complaint with the Small Business Administration's Office of Diversity, Inclusion & Civil Rights:

409 Third Street, SW, Suite 6400
Washington, DC 20416,
202-205-6750
<https://www.sba.gov/offices/headquarters/odicer>

Any student and/or parent/guardian may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Blvd.
Hartford, CT 06103-1835
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Avon Old Farms School's complaint procedures or complaint forms related to claims of discrimination, may contact:

Brian Doyle, Dean of Students

Anyone who has questions or concerns about the Avon Old Farm School's policies regarding discrimination on the basis of gender/sex may contact the Avon Old Farm School's Title IX Coordinator:

Brian Doyle, Dean of Students

**STUDENTS
AVON OLD FARMS SCHOOL
DISCRIMINATION COMPLAINT FORM**
**(For complaints based on Race, Color, Religion, Age, Sex, Marital Status, Sexual
Orientation, National Origin, Alienage, Ancestry, Disability (including 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 _____