Discrimination Complaints from Community Members

It is the policy of the Bethany Board of Education (Board) 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, pregnancy, gender identity or expression, veteran status or any other basis prohibited by state or federal law, 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 all members of the school community.

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

If a complaint involves allegations of discrimination or harassment based on reasons such as gender, sex ~~or~~ , gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled, as appropriate, in accordance with Board Policies and Administrative Regulations.

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 Bethany Public School District (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, alienage, disability, pregnancy, gender identity or expression, or veteran status. 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 appropriate Policy and Administrative Regulation to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual 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, pregnancy, gender identity, or expression, or veteran status he/she should make a written complaint to the Superintendent, or designee.

If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will take appropriate steps, such as retaining an independent investigator, to cause the matter to be investigated in a manner consistent with the Board's Non-Discrimination Policy and Administrative Regulation. If either the Superintendent or any other party to the complaint is not satisfied with the findings and conclusions of the investigation, within thirty (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board 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 Administrative Regulation.

The individual and any respondent (if applicable) will be provided a copy of the Board's Policy and Regulation and made aware of the individual's rights under these Policies and Administrative Regulations. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on gender/sex, gender identity, sexual orientation, disability, or pregnancy, the Superintendent or designee shall follow the procedures identified in the appropriate Board Policies and Administrative Regulations.

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 individual who makes an oral complaint of harassment or discrimination will be provided a copy of the policy and accompanying 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 staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual in completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or 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 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/or 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 take the following steps.

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, the complexity of the investigation, and/or other extenuating circumstances) 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.

6. 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 reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) 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.

7. If a complaint is made during the 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 paragraph 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 discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment.

9. If either party to the complaint is not satisfied with the findings and conclusions of the investigation, such party 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, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

A complainant alleging discrimination or harassment may file a formal complaint with the:

Office for Civil Rights
Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: (617) 289-0111

A complainant may also file a complaint with:

Connecticut Commission on Human Rights and Opportunities
450 Columbus Boulevard
Hartford, CT 06103-1835
Telephone: 1-800-477-5737

An employee alleging discrimination or harassment related to their employment may also file a complaint with:

Equal Employment Opportunity Commission
Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Telephone: 1-800-669-4000

Anyone who has questions or concerns about these Administrative Regulations, and/or who may wish to request or discuss accommodations based on religion, may contact:

Susan Carpenter
Human Resources Coordinator
Bethany Public School District
44 Peck Road
Bethany, CT 06524
(203) 393-1170
scarpenter@bethany-ed.org

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

Susan Carpenter
Title IX Coordinator
Bethany Public School District
44 Peck Road
Bethany, CT 06524
(203) 393-1170
scarpenter@bethany-ed.org

Anyone who has questions or concerns about the Board's Policies or Administrative Regulations regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

Susan Carpenter
Human Resources Coordinator
Bethany Public School District
44 Peck Road
Bethany, CT 06524
(203) 393-1170
scarpenter@bethany-ed.org

Legal Reference: Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Connecticut General Statutes § 1-1n
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-51
Connecticut General Statutes § 46a-58
Connecticut General Statutes § 46a-60
Connecticut General Statutes § 46a-81a
Connecticut General Statutes § 46a-81c
Public Act No. 21-79

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Source: Shipman

DISCRIMINATION/HARASSMENT COMPLAINT FORM for COMMUNITY MEMBERS

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

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: _____

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Detailed statement of the circumstances constituting the alleged discrimination or harassment:

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Proposed remedy: _____

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