

Discrimination Complaints

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, ancestry, disability, 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 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 any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy or gender identity or expression.

Any student and/or parent/guardian wishing to file a complaint regarding discrimination or harassment may obtain a copy of the Board's complaint procedures and complaint form which are included in the administrative regulations regarding Non-Discrimination/Students. These regulations accompany Board Policy #5145.4 and are available online at www.bethany-ed.org or upon request from the school's main office or Superintendent's office.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled under other appropriate policies and administrative regulations.

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

Susan Carpenter
Title IX Coordinator
Bethany Public School District
44 Peck Road
Bethany, CT 06524
203-393-1170
scarpenter@bethany-ed.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 Bethany Public School District (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, alienage, ancestry, disability, pregnancy, gender identity or expression. 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 administrators and periodically distribute this administrative regulation to staff and students in an effort to maintain an environment free of harassment and discrimination.

STUDENTS

Regulation 5145.4(b)

Complaint Procedure

As soon as a student feels that they have been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability, pregnancy, or gender identity or expression, the individual should make a written complaint to the school principal 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 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 regulation.

The student will be provided a copy of the Board's policy and regulation and made aware of the student's rights under this policy and regulation. In the event the school principal or designee receives a complaint alleging discrimination or harassment based on gender/sex, gender identity, sexual orientation, disability, or pregnancy, the school principal or designee shall follow the procedures identified in the appropriate Board policies and accompanying administrative regulations, where applicable, rather than the complaint procedures provided in this policy and accompanying administrative regulation.

The complaint should state the:

1. name of the complainant;
2. date of the complaint;
3. date(s) of the alleged harassment/discrimination;
4. name(s) of the harasser(s) or discriminator(s);
5. location where such harassment/discrimination occurred;
6. names of any witness(es) to the harassment/discrimination;
7. a detailed statement of the circumstances constituting the alleged harassment/discrimination; and
8. 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.

STUDENTS

Regulation 5145.4(c)

All complaints 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 shall designate a 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, 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 or harassment, 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, 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 applicable) (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 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 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 applicable) will receive notice and interim measures may be implemented as necessary (see sub-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;

STUDENTS

Regulation 5145.4(d)

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 Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant (and/or respondent, if applicable), the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation are 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 Superintendent shall provide written notice to the complainant (and/or 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, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

Any student and/or parent/guardian may file a 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 Number: 617-289-0111
Facsimile: 617-289-0150
Email: OCR.Boston@ed.gov
<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>

Any student and/or parent/guardian may also file a complaint with the:

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

Anyone who has questions or concerns about these regulations and/or who may wish to request or discuss accommodations based on religion, and/or who would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment, or discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation, may contact:

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

STUDENTS

Regulation 5145.4(e)

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.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, et seq.
Connecticut General Statutes § 1-1n
Connecticut General Statutes § 10-15c
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-51
Connecticut General Statutes § 46a-58
Connecticut General Statutes § 46a-81a, et seq.
Public Act 21-79

Regulation approved: May 13, 2015
Regulation revised: October 6, 2016
Regulation revised: January 9, 2018
Regulation revised: November 15, 2019
Regulation revised: October 1, 2021

Source: Shipman

DISCRIMINATION/HARASSMENT COMPLAINT FORM

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

Name of the complainant _____

Date of the complaint _____

Date of the alleged discrimination/harassment _____

Name(s) 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 _____

I certify that the information provided in this complaint is true, correct, and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date