



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Board Policy Statement

0521.00 – Equal Employment Opportunity – Non-Discrimination

Approved on May 19, 2014 | Revised on April 6, 2020

The Board of Education provides equal employment opportunities for all employees and applicants for employment. Except in the case of a bona fide occupational qualification or need or as otherwise permitted or required by law, all employment decisions are made without regard to race, color, national origin, sex, gender identity, age, disability, religion, sexual orientation, marital status, ancestry, genetic information, veteran status, or any other basis prohibited by law. Employment decisions include, but are not limited to, recruitment, hiring, promotion, transfer, compensation, benefits, training, layoff and termination.

The school district hires people based on their qualifications for the position being filled by virtue of job-related standards of suitability. Unless provided otherwise by contract, the school district's promotional decisions are based upon an employee's performance and qualifications as they relate to the new responsibilities.

Reasonable accommodations shall be available to disabled employees in a manner consistent with state and federal law. Pre-employment inquiries shall be made only regarding an applicant's ability to perform job-related functions. Medical records shall be kept separate from other employee information and shall be treated confidentially in accordance with applicable state and federal law.

Any employee or applicant who feels he or she has been denied an equal opportunity with regard to employment decisions in violation of this policy should bring the matter to the immediate attention of the Building Principal or the Title IX Coordinator. Any staff member or administrator who receives a complaint should bring the matter to the immediate attention of the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the complaint should be brought to the attention of the Superintendent of Schools.

The district's Title IX Coordinator for students is the Director of Pupil Services. The Pupil Services Department is located at 272 Main Street, P.O. Box 1960, New Britain, CT 06050. The phone number is 860-827-2234. The Title IX Coordinator shall have responsibility for coordinating compliance with this policy and investigating or supervising the investigation of complaints.

A copy of this policy shall be distributed to all present and future employees.

Legal References/Citations

10-153 Discrimination Based on Marital Status
46a-60(a) Connecticut Fair Employment Practices Act
46a-81c Sexual Orientation Discrimination- Employment
R.S.C.A. 46a-54-200 through 46a-54-207
20 U.S.C. 1681 Title IX of the Education Amendments of 1972
29 U.S.C. 623 Age Discrimination in Employment Act
29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1973

38 U.S.C. 4311 Uniformed Services Employment and Re-employment Rights Act
42 U.S.C. 2000d and 2000e Titles VI and VII of the Civil Rights Act of 1964
42 U.S.C. 2000ff Genetic Information Nondiscrimination Act of 2008
42 U.S.C. 6101 Age Discrimination Act of 1975
42 U.S.C. 12101 Americans with Disabilities Act
29 C.F.R. 1604.11 EEOC Guidelines on Sexual Harassment



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Administrative Procedure

0521.00 – Equal Employment Opportunity – Non-Discrimination

Approved on May 19, 2014 | Revised on April 6, 2020

I. Regarding Employee Complaints of Discrimination

The Board of Education provides equal employment opportunities for all employees and applicants for employment. All employment decisions are made without regard to race, color, national origin, sex, gender identity, age, disability, religion, sexual orientation, marital status, ancestry, genetic information, veteran status, or any other basis prohibited by law.

Although discrimination also includes sexual, racial or other unlawful harassment, the prohibition of such conduct is governed by a separate Board policy. Please refer to Board Policy 4118.11 and administrative procedures for complaints of sexual, racial or other unlawful harassment.

Employees who believe they have suffered discrimination in violation of this policy are encouraged to promptly report such incidents to a Building Principal or the district's Title IX Coordinator. Timely reporting of incidents of unlawful harassment enables the school district to properly investigate and resolve such complaints.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Any reprisals or retaliations found to have occurred as a result of reporting discrimination may result in disciplinary action against the retaliator.

II. Reporting a Complaint of Discrimination

Any applicant or employee who feels that he/she has been discriminated against on the basis of race, color, national origin, sex, gender identity, age, disability, religion, sexual orientation, marital status, ancestry, genetic information, or veteran status or should immediately bring his/her complaint to the attention of one of the following school officials within 30 days of the alleged incident: Building Principal or Title IX Coordinator.

The district's Title IX Coordinator for students is the Director of Pupil Services. The Pupil Services Department is located at 272 Main Street, P.O. Box 1960, New Britain, CT 06050. The phone number is 860-827-2234.

Although there is no requirement that the complaint be in writing, the school official should encourage the complainant to submit the complaint in writing and may assist the complainant in writing the complaint.

The written complaint should state the following (the form in Appendix A may be provided for the convenience of the complainant, but is not required):

1. Name of the complainant;
2. Date that the complaint was made;

3. Name(s) of the person(s) who discriminated against complainant;
4. Date and place of the alleged discriminatory conduct;
5. Names of any witnesses;
6. List of documentary evidence, if any;
7. Statement of the facts supporting the complaint of discrimination.

III. Investigation of Complaints of Discrimination other than Harassment

A. Investigator

The Title IX Coordinator is responsible for designating the investigator of any complaint, which may be himself/herself or a properly trained staff member, administrator or outside investigator. The advice of legal counsel should be sought as necessary. The designation of the investigator, if other than the Title IX Coordinator, shall be done promptly. During any stage of the investigation, the investigator may attempt to resolve the complaint in the least disruptive, most prompt and confidential manner.

B. Interim measures

The investigator shall assess whether there is a necessity to take immediate interim measures to prevent further allegations of discrimination or retaliation of any kind while the investigation is pending.

C. Investigation

The investigation shall be conducted with objectivity and completed in a timely manner. The investigator shall consult with all individuals believed to have relevant information including the complainant, the person(s) accused of the discriminatory conduct, potential witnesses and other possible victims of the alleged conduct. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the investigative process, the due process rights of the person(s) accused of discrimination shall be respected. The investigator shall keep the complainant apprised of the status of the investigation on a periodic basis.

D. Documentation

The investigator should carefully document all aspects of the investigation, including any informal resolution of the complaint. Documentation should be maintained in an investigative file. Documentation of disciplinary actions taken should be maintained in the employee's personnel file or the student's disciplinary file.

E. Written Report

After an impartial and prompt investigation of the complaint, the investigator should ascertain (1) whether the alleged discrimination occurred and (2) whether such conduct constitutes a violation of the Board's policy. If there is a violation, the investigator should recommend any remedial action appropriate to redress the discrimination and/or prevent any recurrence of such conduct in the future. The investigator should commit the findings and recommendations to writing and forward the report to the Title IX Coordinator and Superintendent of Schools. Unless unusual circumstances exist, the written report shall be completed within 10 school days of receipt of the complaint. If the Superintendent is the subject of the investigation, the Board of Education shall receive the findings and recommendations.

F. Notification of Results of Investigation

The results of the investigation will be promptly communicated to the parties involved in a manner consistent with state and federal laws regarding data and records privacy.

G. Request for Review

If the complainant is unsatisfied with the results of the investigation, he/she may request a review by the Superintendent of Schools within 10 school days of the notification of the results of the investigation. The

Superintendent (or designee) shall review the investigator's written report and further investigation may be conducted if necessary. The complainant may present additional evidence or witnesses for the reviewer to consider. Absent unusual circumstances, the review process shall be completed within 20 days of the request for the review. The Superintendent shall promptly notify the complainant in writing of the results of his/her review.

H. Corrective Action

If discrimination in violation of Board policy has been determined to have occurred, the school district will take prompt remedial action to redress the discrimination. School district action taken for violation of this policy shall be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and other school district policies.

IV. Alternative Complaint Procedures

There are various federal and state agencies that investigate complaints of discrimination of employees. If you believe you have been discriminated against on the basis of race, color, national origin, sex, age, disability, religion, sexual orientation, marital status, ancestry, or genetic information, you may file a complaint with the Connecticut Commission of Human Rights and Opportunities (CHRO), located at 450 Columbus Boulevard, Suite 2, Hartford, CT, 06103, 860-566-7710.

If you believe you have been discriminated against by an employer when applying for a job or while on the job because of your race, color, sex, religion, national origin, age, or disability, you may file a complaint with the U. S. Equal Employment Opportunity Commission (EEOC) located at John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, 1-800-669-4000.

If you have a complaint of discrimination based upon veteran status, you may file a complaint with the U. S. Department of Labor, Veteran's Employment and Training Service at 1-866-4-USA-DOL.

The EEOC and CHRO apply a statute of limitation of three hundred (300) days to such complaints.