

## **Personnel - Certified/Non-Certified**

### **Nondiscrimination**

#### Background

Discrimination and/or harassment towards or against any employee of the Ellington School District on the basis of the individual's race, color, religion, age, sex, veteran's status, gender identity, past history of mental disorder, marital status, sexual orientation, national origin, ancestry, disability or genetic information, by personnel, individuals under contract, students or volunteers subject to the control of the Board of Education will not be tolerated. Employees of the District are expected to adhere to a standard of conduct that is respectful and courteous to fellow school employees, students and to the public.

The Board seeks to provide for the prompt and equitable resolution of complaints and/or grievances alleging any such discrimination and/or harassment. 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.

If a complaint involves allegations of discrimination or harassment based on sex such complaints will be handled under Policy #[4118.112](#) Sexual Discrimination/ Harassment and the accompanying Administrative Regulation.

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 race, color, religion, age, sex, veteran's status, gender identity, past history of mental disorder, marital status, sexual orientation, national origin, ancestry, disability or genetic information. Any such reprisals or retaliation may result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The District will provide staff development for school administrators and periodically distribute this Administrative Regulation to staff and students to help maintain an environment free of harassment and discrimination.

#### Grievance Procedure in Ellington

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, veteran's status, gender identity, past history of mental disorder, marital status, sexual orientation, national origin, ancestry, disability or genetic information, he/she should make a written complaint to the Civil Rights and Section 504 Coordinator. The individual and any respondent (if applicable) will be provided a copy of the Board's policy and regulation and made aware of his/her rights.

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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 should be provided a copy of this Administrative Regulation and should be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the Civil Rights and Section 504 Coordinator will try to assist the individual with completing the written complaint form or reduce the complaint to writing.

\*As soon as an individual feels that he or she has been subjected to discrimination or harassment on the basis of sex, he/she should make a written complaint to the Title IX Coordinator, in accordance with Board Policy #[4118.112](#) Sexual Discrimination/ Harassment and the accompanying Administrative Regulation.

#### *Investigation*

Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Civil Rights and Section 504 Coordinator or his/her designee shall promptly investigate the complaint.

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 the Board's Non-Discrimination Policy and accompanying Administrative Regulation;

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#### *Investigation (continued)*

3. Investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals with information relevant to the complaint, and reviewing applicable documents

#### *Determination / Remedies*

At conclusion of the investigation process, the investigator should:

1. 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 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 filed. 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.
2. If 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.

#### *Appeal*

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 fifteen (15) calendar days of receiving the findings.

Upon review of a written request from the party requesting an appeal, the Superintendent shall review the investigator's written documentation 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 the initial 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 during periods of time when school is not in session) following his/her receipt of the written appeal.

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#### *Timelines*

All complaints will be investigated promptly within the timeframes identified above.

Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances.

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.

#### *Confidentiality*

Confidentiality will be maintained by all persons involved in the investigation to the extent possible under applicable law, as determined by the investigator.

### Complaints to State and Federal Agencies

For allegations pertaining to race, color or national origin discrimination, discrimination on the basis of sex, disability; or of age, the employee has the right, at any stage of the school district complaint process, to file a formal complaint regarding such matter(s) with:

Office of Civil Rights  
U.S. Department of Education  
8th Floor, 5 Post Office Square, Suite 900  
Boston, Ma 02109-3921  
[OCR.BOSTON@ED.GOV](mailto:OCR.BOSTON@ED.GOV)

An employee who feels that he/she has been discriminated against or harassed on the basis of race, color, religion, age, sex, veteran's status, gender identity, past history of mental disorder, marital status, sexual orientation, national origin, ancestry, disability or genetic information may file a complaint with the Connecticut Commission on Human Rights and Opportunities, 1229 Albany Avenue, Hartford, CT 06112 (Telephone Number 860 566-7710) and/or Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (Telephone Number 617-565- 3200).

Anyone who has questions or concerns about this Non-Discrimination Regulation may contact the Board's Civil Rights and Section 504 Coordinator.

Dr. Kristy LaPorte  
Director of Special Services  
Ellington Public Schools  
47 Main Street, P.O. Box 179  
Ellington, CT 06029-0179  
Telephone: (860) 896-2300

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Legal Reference: Connecticut General Statutes  
46a-60 Discriminatory employment practices prohibited.  
46a-81a Discrimination on the basis of sexual orientation.  
10-153 Discrimination on account of marital status.  
10-153a Rights concerning professional organization and regulations.  
10-15c Discrimination in public schools prohibited

Federal Law:  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et. seq.  
Section 504 of the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b)  
American Disability Act 42 U.S.C. 12101 as amended by the ADA Amendments Act of 2008.  
Civil Rights Act of 1987  
Title VI of the Civil Rights Acts of 1964, 42 U.S.C. 2000d, et. seq.  
Age Discrimination in Employment Act, 29 U.S.C. 621.

Regulation revised: August, 2020

ELLINGTON PUBLIC SCHOOLS  
Ellington, Connecticut

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**DISCRIMINATION COMPLAINT FORM**

(For Complaints Based on Race, Color, Religion, Age, Marital Status, Sexual Orientation, National Origin, Ancestry, Disability, Genetic Information, or Gender Identity or Expression)

Name of person making the complaint: \_\_\_\_\_

Date this form was completed: \_\_\_\_\_

Date of the alleged discrimination or harassment: \_\_\_\_\_

Location of the alleged discrimination or harassment: \_\_\_\_\_  
\_\_\_\_\_

Names of individual(s) alleged to have engaged in discrimination and/or sexual harassment:  
\_\_\_\_\_

Names of individual(s) to have witnessed alleged discrimination and/or sexual harassment:  
\_\_\_\_\_

Statement of the circumstances constituting the alleged discrimination and/or sexual harassment:  
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\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

Proposed remedy: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date \_\_\_\_\_