

**#4118.1
Non-Discrimination**

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The Board of Education (the “Board”) will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, veteran status, except in the case of a bona fide occupational qualification.

It is the policy of the Board that any form of discrimination or harassment on the basis of race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability, pregnancy, genetic information, veteran status, or gender identity or expression, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board’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 Board of Education 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, ancestry, disability, pregnancy, genetic information, veteran status, or gender identity or expression.

For the purposes of this policy, “genetic information” means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. “Genetic information” may also include an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

#4118.1(b)

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33 For the purposes of this policy, “veteran” means any person honorably discharged from, or
34 released with an other than under honorable discharge based on a qualifying conditions from
35 active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and
36 any reserve component thereof, including the Connecticut National Guard. “Qualifying
37 condition” means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made
38 by an individual licensed to provide health care services at a United States Department of
39 Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual
40 licensed to provide health care services at a United States Department of Veterans Affairs
41 facility, or (C) a determination that sexual orientation, gender identity, or gender expression was
42 more likely than not the primary reason for an other than honorable discharge, as determined in
43 accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

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45 For the purposes of this policy, “gender identity or expression” means a person's gender-related
46 identity, appearance or behavior, whether or not that gender-related identity, appearance or
47 behavior is different from that traditionally associated with the person's physiology or assigned
48 sex at birth, which gender-related identity can be shown by providing evidence including, but not
49 limited to, medical history, care or treatment of the gender-related identity, consistent and
50 uniform assertion of the gender-related identity or any other evidence that the gender-related
51 identity is sincerely held, part of a person's core identity or not being asserted for an improper
52 purpose.

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54 For the purposes of this policy, “race” is inclusive of ethnic traits historically associated with
55 race, including but not limited to, hair texture and protective hairstyles. “Protective hairstyles”
56 includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids,
57 cornrows, locs, twists, Bantu knots, afros and afro puffs.

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59 Any employee wishing to file a complaint regarding discrimination or harassment may obtain a
60 copy of the Board’s complaint procedures and complaint form, which are included in the Board’s
61 Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations
62 accompany Board Policy #4118.1 and are available online at
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64 #4118.1 (c)
65 <https://www.madison.k12.ct.us/board-of-education/policies> or upon request from the main office
66 of any district school.

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68 If a complaint involves allegations of discrimination or harassment based on reasons such as
69 gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be
70 handled under other appropriate policies (e.g., Policy #4116.1, Sex Discrimination and Sexual
71 Harassment and Policy #4118.14, Americans with Disabilities Act/Section 504).

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73 Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of
74 Education (“OCR”):

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76 Office for Civil Rights, Boston Office
77 U.S. Department of Education
78 8th Floor
79 5 Post Office Square
80 Boston, MA 02109- 3921
81 (617) 289-0111
82 <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

83
84 Employees may also file a complaint regarding employment discrimination or harassment with
85 the Equal Employment Opportunity Commission:

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87 Equal Employment Opportunity Commission, Boston Area Office
88 John F. Kennedy Federal Building
89 475 Government Center
90 Boston, MA 02203
91 (800-669-4000)

92
93 Employees may also file a complaint with the Connecticut Commission on Human Rights and
94 Opportunities:

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96 Connecticut Commission on Human Rights and Opportunities
97 450 Columbus Blvd.
98 Hartford, CT 06103-1835
99 (860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

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101 Anyone who has questions or concerns about this policy, ~~or~~ or and/or who may wish to request
102 or discuss accommodations based on religion, and/or who would like a copy of the Board’s

103 #4118.1(d)

104 complaint procedures or complaint forms related to claims of discrimination or harassment, may
105 contact:

106
107 **Office of the Superintendent**
108 **10 Campus Drive**
109 **Madison, CT 06443**
110 **(203) 245-6322**

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112 Anyone who has questions or concerns about the Board’s policies regarding discrimination or
113 harassment on the basis of gender/sex, gender identify or sexual orientation -may contact the
114 Board’s Title IX Coordinator:

115
116 **Director of Special Education**
117 **10 Campus Drive**
118 **Madison, CT 06443**
119 **(203) 245-6341**

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121 Anyone who has questions or concerns about the Board’s policies regarding discrimination or
122 harassment on the basis of disability, and/or who may wish to request or discuss accommodations
123 for a disability, may contact the Board’s Section 504/ADA Coordinator:

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125 **Director of Special Education**
126 **10 Campus Drive**
127 **Madison, CT 06443**
128 **(203) 245-6341**

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130 **Legal References:**

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132 Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
133 Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
134 Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
135 Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
136 Americans with Disabilities Act, 42 U.S.C. § 12101
137 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
138 Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110-
139 233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.
140 Connecticut General Statutes § 1-1n, “Gender Identity or Expression” defined
141 Connecticut General Statutes § 46a-51, Definitions
142 Connecticut General Statutes § 10 153, Discrimination on the basis of sex, gender
143 indemnity or expression or marital status prohibited
144 Connecticut General Statutes § 27-103

#4118.1(e)

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Connecticut General Statutes § 46a 58, Deprivation of rights
Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-
60
Connecticut General Statutes § 46a-81a Sexual orientation discrimination:
Definitions
Connecticut General Statutes § 46a-81c, Sexual orientation discrimination:
Employment-
Public Act No. 21-79, “An Act Redefining ‘Veteran’ and Establishing a
Qualifying Review Board”

Date Adopted: March 16, 2021