

#4118.1

Non-Discrimination

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

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11 It is the policy of the Board that any form of discrimination or harassment on the basis of
12 race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage,
13 ancestry, disability, pregnancy, genetic information, veteran status, or gender identity or
14 expression, or any other basis prohibited by state or federal law is prohibited, whether by
15 students, Board employees or third parties subject to the control of the Board. The
16 Board’s prohibition of discrimination or harassment in its educational programs or
17 activities expressly extends to academic, nonacademic and extracurricular activities,
18 including athletics. It is also the policy of the Board of Education to provide for the
19 prompt and equitable resolution of complaints alleging any discrimination on the basis of
20 protected characteristics such as race, color, religion, age, sex, sexual orientation, marital
21 status, national origin, alienage, ancestry, disability, pregnancy, genetic information,
22 veteran status, or gender identity or expression.

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

33 For the purposes of this policy, “veteran” means any person honorably discharged from,
34 or released under honorable conditions from active service in, the United States Army,
35 Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof,
36 including the Connecticut National Guard.

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

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47 Any employee wishing to file a complaint regarding discrimination may obtain a copy of
48 the Board’s complaint procedures and complaint form, which are included in the Board’s
49 Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations
50 accompany Board Policy #4118.1 and are available online at
51 <https://www.madison.k12.ct.us/board-of-education/policies> or upon request from the
52 main office of any district school.

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

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

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62 Office for Civil Rights, Boston Office
63 U.S. Department of Education
64 8th Floor
65 5 Post Office Square
66 Boston, MA 02109- 3921
67 (617) 289-0111

68 <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

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70 Employees may also file a complaint regarding employment discrimination with the

71 Equal Employment Opportunity Commission:

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73 Equal Employment Opportunity Commission, Boston Area Office

74 John F. Kennedy Federal Building

75 475 Government Center

76 Boston, MA 02203

77 (800-669-4000)

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79 Employees may also file a complaint with the Connecticut Commission on Human Rights

80 and Opportunities:

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82 Connecticut Commission on Human Rights and Opportunities

83 450 Columbus Blvd.

84 Hartford, CT 06103-1835

85 (800-477-5737)

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87 Anyone who has questions or concerns about this policy, or would like a copy of the

88 Board's complaint procedures or complaint forms related to claims of discrimination,

89 may contact:

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91 **Office of the Superintendent**

92 **10 Campus Drive**

93 **Madison, CT 06443**

94 **(203) 245-6322**

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96 Anyone who has questions or concerns about the Board's policies regarding

97 discrimination on the basis of gender/sex may contact the Board's Title IX Coordinator:

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99 **Director of Special Education**

100 **10 Campus Drive**

101 **Madison, CT 06443**

102 **(203) 245-6341**

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104 Anyone who has questions or concerns about the Board's policies regarding

105 discrimination on the basis of disability may contact the Board's Section 504/ADA

106 Coordinator:

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108 **Director of Special Education**

109 **10 Campus Drive**

110 **Madison, CT 06443**
111 **(203) 245-6341**
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116 Legal References:
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- 118 Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
119 Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
120 Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
121 Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
122 Americans with Disabilities Act, 42 U.S.C. § 12101
123 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
124 Title II of the Genetic Information Nondiscrimination Act of 2008,
125 Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.
126 Connecticut General Statutes § 1-1n, “Gender Identity or Expression”
127 defined
128 Connecticut General Statutes § 10 153, Discrimination on the basis of sex,
129 gender indemnity or expression or marital status prohibited
130 Connecticut General Statutes § 46a 58, Deprivation of rights
131 Connecticut Fair Employment Practices Act, Connecticut General Statutes
132 § 46a-60
133 Connecticut General Statutes § 46a-81a Sexual orientation discrimination:
134 Definitions
135 Connecticut General Statutes § 46a-81c, Sexual orientation discrimination:
136 Employment-
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140 Second Reading: March 2, 2021
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