

*Existing policy with modification based on P.A. 21-2, Section 441.*

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

### **Nondiscrimination**

The conditions or privileges of employment in the school district, including the wages, hours, terms and benefits, shall be applied without regard to race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information, except in the case of a bona fide occupational qualification. The Board of Education seeks to extend the advantages of public education with full equality of educational opportunity to all students and personnel. For purposes of this policy, “genetic information” means the information about genes, gene products, or inherited characteristics that may derive from an individual or family member.

“Race” is inclusive of ethnic traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. “Protective hairstyles” includes, but is not limited to, wigs, headwraps and hairstyles such as individual braids, cornrows, locs, twists, Bantu knots, afros and afro puffs.

### **Association Membership**

No employee shall suffer any professional disadvantage by reason of the employee's membership in an employee association or participation in its lawful activities.

### **Grievances**

No employee, employee association representative, member of any employee organization or any other participant in a grievance procedure shall suffer reprisals in any other way or suffer any professional disadvantage by reason of their opposition to any unfair labor practices or because of participation in the processing of any grievance. The Superintendent will provide procedures for alleged violations of Board policies, administrative regulations, and school district operations in general when not otherwise covered in employee organization agreements.

(cf. 4111 - Recruitment and Selection)

(cf. 4111.1 - Affirmative Action)

(cf. 4118.112/4218.112 - Sexual Harassment)

(cf. 4135 - Organizations/Units)

Legal References: Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127)

46a-81a Discrimination on the basis of sexual orientation

10-15c Discrimination in public schools prohibited. School attendance by five-year olds (as amended by PA 21-2 §441.)

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

### **Nondiscrimination**

Legal References: Connecticut General Statutes (continued)

P.A. 11-55 An Act Concerning Discrimination

10-153 Discrimination on account of marital status.

10-153a Rights concerning professional organization and regulations.

Public Act 07-62 An Act Concerning the Deprivation of Rights on Account of Sexual Orientation

Public Act 07-245 An Act Concerning Family and Medical Leave for Municipal Employees and the Applicability of Certain Statutory Provisions to Civil Union Status

Federal Law:

Title VI of the Civil Rights Acts of 1964, 42 USC 2000d, et seq.

Title VII of the Civil Rights Acts of 1964, 42 USC 2000e et seq.

Title IX of the Educational Amendments of 1972, 20 USC 1681, et seq.

Age Discrimination in Employment Act, 29 USC 621

Americans with Disabilities Act, 42 USC 12101, as amended

Section 504 of the Rehabilitation Act of 1973, 29 USC 794

Policy adopted: June 1, 2006  
Policy revised: August 19, 2010  
Policy revised: November 17, 2011  
Policy revised: March 1, 2018  
Policy revised:

NEW FAIRFIELD PUBLIC SCHOOLS  
New Fairfield, Connecticut

*No change necessary.*

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### **Nondiscrimination**

It is the express policy of the New Fairfield 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, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information. In order to facilitate the timely resolution of such complaints and/or grievances, any employee who feels that he/she has been discriminated against on the basis of these protected characteristics should file a written complaint with:

Office of the Superintendent of Schools  
New Fairfield Board of Education  
3 Brush Hill Road  
New Fairfield, CT 06812

Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints and/or grievances facilitates the investigation and resolution of such complaints and/or grievances.

Complaints and/or grievances will be investigated promptly and corrective action will be taken when allegations are verified.

Specifically, upon receipt of a written complaint of discrimination, the Superintendent and/or his or her designee should:

1. offer to meet with the complainant to discuss the nature of his/her complaint;
2. provide the complainant with a copy of the Board's anti-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 the investigation in a confidential manner, to the extent practicable, adhering to the requirements of state and federal law;
5. communicate the findings and/or results of any investigation to the complainant;  
and
6. take appropriate corrective and disciplinary action, as deemed appropriate by the Superintendent and/or his or her designee.

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If the complaint involves an allegation of discrimination based on disability or sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act (for claims of discrimination and/or harassment based on disability) and Sex Discrimination/Sexual Harassment. (for claims of discrimination and/or harassment based on sex).

For allegations pertaining to race, color or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Boston Office  
Office of Civil Rights  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Tel. (617) 289-0111

If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than one hundred eighty (180) days after the occurrence of the alleged discrimination.

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 1229 Albany Avenue, Hartford, CT 06112 (860 566-7710) and/or the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3200).

(cf. 4118.112 – Sexual Harassment)  
(cf. 5145.4 – Nondiscrimination on the Basis of Disability)  
(cf. 5145.5 – Exploitation: Sexual Harassment)

Regulation approved: August 19, 2010  
Regulation revised: November 17, 2011  
Regulation revised: March 1, 2018

**NEW FAIRFIELD PUBLIC SCHOOLS**  
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**DISCRIMINATION COMPLAINT FORM**

**(For Complaints Based on race, color, religion, sex, age, natural origin, ancestry, marital status, Veteran status, pregnancy, sexual orientation, gender identity or expression, disability, or genetic information)**

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the discriminator(s) or harasser(s) \_\_\_\_\_

\_\_\_\_\_

Location where such discrimination/harassment occurred \_\_\_\_\_

\_\_\_\_\_

Name(s) of any witness(es) to the discrimination/harassment. \_\_\_\_\_

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Detailed statement of the circumstances constituting the alleged discrimination or harassment

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