



WOODBRIDGE SCHOOL DISTRICT

40 Beecher Road – South
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: October 7, 2021

RE: Proposed Revisions of Policies 0521 (“Nondiscrimination”), 2111 (“Equal Employment Opportunity”), 4118.11/4218.11 (“Nondiscrimination”), & 5145.4 (“Nondiscrimination”)

Please find attached proposed revisions of Policies 0521, 2111, 4118.11/4218.11, & 5145.4, a quartet of policies representing the District’s non-discrimination practices in various contexts.

All four are proposed for revision in one identical way:

- Connecticut Public Act 21-2, “An Act Creating a Respectful and Open World for Natural Hair,” has amended human rights law protection to specify that discrimination on the basis of “race” is “inclusive of ethnic traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.” The proposed language comes directly from the amended statute.

The additional proposed revisions to Policy 5145.4 will align it with the other non-discrimination policies and with current legally protected classes.

The proposed changes to each policy are represented in red.

Mission - Goals - Objectives

Nondiscrimination

The District shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity/expression, national origin, ancestry, disability, (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, marital status or age or because of the race, color, religion, sex, sexual orientation, gender identity or expression, national origin, disability, genetic information, marital status or age of any other persons with whom the individual associates or status as a Veteran. The District provides equal access to the Boy Scouts, Girl Scouts and all other designated youth groups. **“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.**

In keeping with requirements of federal and state law, the District strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered to students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relationships within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The Superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1974, Title VI, Title VII, Title IX and other civil rights or discrimination issues. The Board will adopt and the District will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

(cf. [4111](#) - Recruitment and Selection **of Administrative Staff**)

(cf. [4111.1/4211.1](#)—**Affirmative Action**)

(cf. [4118.11](#) - Nondiscrimination)

(cf. [4118.113/4218.113](#) - Harassment)

(cf. [5145.4](#) - Nondiscrimination)

(cf. [5145.5](#) - **Sexual Discrimination and Sexual Harassment**)

~~(cf. [5145.51](#)—**Peer Sexual Harassment**)~~

(cf. [5145.52](#) - Harassment)

(cf. [5145.6](#) - Student Grievance Procedure)

(cf. [6121](#) - Nondiscrimination)

~~(cf. [6121.1](#)—**Equal Educational Opportunity**)~~

Legal Reference: Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq.

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.

34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

20 U.S.C. 7905 (Boy Scouts of America Equal Access Act)

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26,1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26,1998)

Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008

Connecticut General Statutes

[46a-51](#) Definitions

[46a-58](#) Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127)

[46a-60](#) Discriminatory employment practices prohibited.

[10-15c](#) Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation" and P.A. 11-55 to include "gender identity or expression")

[10-153](#) Discrimination on account of marital status.

[17a-101](#) Protection of children from abuse.

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Public Law 111-256

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

[PA 21-2](#), “An Act Creating a Respectful and Open World for Natural Hair”

Policy adopted: ~~June-17, 2019~~

WOODBRIIDGE PUBLIC SCHOOLS

Woodbridge, Connecticut

Administration

Equal Employment Opportunity

The Board of Education affirms its policy of equal employment opportunity for all persons and prohibits discrimination in employment because of race, color, religious creed, age, marital status, veteran status, national origin, gender, sexual orientation, ancestry, genetic information, or disability (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability, or learning disability), including pregnancy, or any other basis prohibited by state and/or federal non-discrimination laws, except nothing prohibits the Board from requiring employees to comply with bona fide occupational qualifications or needs. “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.

Legal References: Title VII of the Civil Rights Act of 1964, 42 U.S.C., sub 2000e.

Age Discrimination in Employment Act, 29 U.S.C. Sec 621.

Executive Order 11246.

Connecticut General Statutes

Connecticut Constitution Article I, Section 20; Amendment V Equal Rights Protection Amendment.

[46a-51](#) (8), (17), (18) Discriminatory practices.

[46a-58\(a\)](#) Deprivation of rights.

[46a-60](#) Discriminatory employment practices prohibited.

[46a-79](#) State policy re employment of criminal offenders.

[46a-80](#) Denial of employment based on prior conviction of crime.

[46a-81a](#) Discrimination on the basis of sexual harassment

[10-153](#) Discrimination on account of marital status.

PA 21-2, “An Act Creating a Respectful and Open World for Natural Hair”

Policy adopted: April 20, 2021

WOODBIDGE PUBLIC SCHOOLS

Woodbridge, Connecticut

Personnel -- Certified/Non-Certified

Nondiscrimination

In compliance with regulations of Title VII of the Civil Rights Act 1964, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the Americans With Disabilities Act, the Woodbridge Board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policies.

~~Equal Employment Opportunity~~

~~Both federal and state law prohibits discriminatory practices in hiring and employment. The Board of Education prohibits discriminatory acts in all district matters dealing with employees and applicants for positions and requires equal employment opportunities for all employees and applicants. As an equal opportunity employer, the Woodbridge Board of Education does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, gender identity or expression, pregnancy, physical disability or any classification protected by law, past or present history of mental disorder, intellectual disability, learning disability, regarding any individual who can perform the essential functions of the job with or without reasonable accommodations physical disability (including blindness) or other disability (except in the case of a bona fide occupational qualification or need.)~~

(cf. 2111 - Equal Employment Opportunity)

Legal Reference: Connecticut General Statutes

[10-153](#) Discrimination on account of marital status.

[46a-60](#) Discriminatory employment practices prohibited.

P.A. 11-55 An Act Concerning Discrimination

Federal Law

Title VII of the Civil Rights Act 1964

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

American Disability Act of 1989, as amended by the ADA Amendments Act of 2008

Chalk v. The United States District Court of Central California.

Title IX of the Education Amendments of 1972.

Civil Rights Act of 1987.

Policy adopted: ~~November 19, 2012~~

WOODBRIIDGE PUBLIC SCHOOLS

Woodbridge, Connecticut

Students

Nondiscrimination

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, creed, color, national origin, **ancestry**, sex, sexual orientation, gender identity or expression, marital status, age, ~~or~~ disability, **or genetic information** subject to the conditions and limitations established by law. **“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.**

Legal Reference: Connecticut General Statutes

[10-15c](#) Discrimination in public school prohibited. (Amended by P.A. 97-247 to include "sexual orientation" and PA 11-55 to include "gender identity or expression")

[10-153](#) Discrimination on account of marital status

[46a-60](#) Discriminatory employment practices prohibited Federal Law

[19-581](#) through [585](#) AIDS testing and medical information.

[10-209](#) Records not to be public.

[46a-60](#) Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

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

Public Act 11-55 An Act Concerning Discrimination

PA 21-2, “An Act Creating a Respectful and Open World for Natural Hair”

Policy adopted: ~~March 17, 2014~~

WOODBIDGE SCHOOL DISTRICT

Woodbridge, Connecticut