

PERSONNEL

Series 4000

Policy #4016.1.1

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, as amended, and Section 504 of the Rehabilitation Act of 1973, the Civil Rights Act of 1987 and the American With Disabilities Act, the EASTCONN Board of Directors 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 EASTCONN Board of Directors 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 EASTCONN Board of Directors does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, genetic information, gender identity or expression, disability, (including pregnancy), status as a Veteran, or any classification protected by state or federal law, 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.)

"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.

EASTCONN recognizes that it is a discriminatory practice to request or require, on an initial employment application, a prospective employee's age, date of birth, dates of attendance at or date of graduation from an educational institution on an initial employment application, unless requesting or requiring such information is based on a bona fide occupational qualification or need, or when such information is required to comply with any provision of state or federal law."

Equal Education Opportunity

Pursuant to the IDEA, Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, no otherwise qualified individual with handicaps shall, solely by reason of such handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program of the EASTCONN Board of Directors.

Every student has the right to participate fully in classroom instruction and extracurricular activities and shall not be abridged or impaired because of age, sex, sexual orientation, gender identity or expression, race, religion, color, national origin, disability (including pregnancy), parenthood, marital status, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinator and the Title IX Coordinators for the EASTCONN Board of Directors have the responsibility to monitor the compliance of this policy. The names and location of the Civil Rights Coordinators are set forth below. Further compliance with policy is a responsibility of all district administrators in accordance with the procedures set forth in the attached regulations.

Students shall not be discriminated against, including but not limited to, in the areas of:

Admission

Use of School Facilities
Vocational Education
Competitive Athletics
Student Rules, Regulations and Benefits Financial
Assistance

School-sponsored Extracurricular Activities
Enrollment in Courses
Counseling and Guidance
Physical Education Graduation
Requirements
Treatment as a Married and/or Pregnant Student
Health Services
Most Other Aid, Benefits or Services

Employee/or applicants shall not be discriminated against, including but not limited to, the areas of:

Hiring and Promotion Compensation
Job Assignments
Leaves of Absence
Fringe Benefits Labor
Organization
Contracts or Professional Agreements

Sexual harassment has been established as a form of sexual discrimination and is defined as follows:

"Any **unwelcome** sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or participation in an educational function (2) submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting the individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working environment."

Examples of specific behaviors (that are unwanted and sexual in nature) that could constitute sexual harassment include, but not be limited to:

Inappropriate Touching	Sexually explicit comments
Sexual name calling	Sexual rumors
Inappropriate public display of affections	Overly personal a conversation
Gestures	Corner/blocking
Sexually explicit jokes/cartoons/pictures	Leers
Pulling at clothes	Attempted rape/rape
	Harassing telephone calls

If an employee believes that he or she has been discriminated against in regard to either of the preceding policies, a grievance may be filed charging that the employee's personal rights have been denied or violated.

Employees wishing to discuss these regulations or rights under this policy, the need for a reasonable accommodation, or wish to discuss or file a grievance, should contact the Agency's Civil Rights Coordinator, or an administrator.

Forms are available from our Civil Rights Coordinator, Director of Human Resources. Contact with the Civil Rights Coordinator should take place within forty (40) calendar days of the alleged occurrence.

Discrimination Grievance Procedure (This procedure is not applicable to a Title IX sex discrimination or sexual harassment claim)

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to problems which may arise concerning claims of discrimination. Evidence of reprisal against a complainant or witness shall be viewed as a violation of this policy.

Any person who wishes to inquire or to register a complaint concerning alleged discrimination in EASTCONN Schools shall have an opportunity to bring such concerns to the attention of the Civil Rights Officers or Executive Director, who has the authority to resolve such complaints. The following grievance procedure shall be utilized by any student, parent or employee in making a complaint or inquiry. Officials shall be governed by this procedure.

Level I: The complainant shall discuss the alleged discriminatory act or practice with the Civil Rights Officers or the individual closest to the daily decision-making level. This will normally be a Principal,

teacher, counselor. If satisfaction cannot be achieved through informal discussion, the following procedure must be initiated.

Level II: The complainant shall, within forty (40) calendar days of the alleged incident, on forms provided, put the complaint in writing and file it with either of the Civil Rights Officers. Within five (5) working days a conference must be held. Within five (5) working days following the conference, the complaint must be resolved to the satisfaction of both parties or referred to the Executive Director. Within five (5) working days, the Civil Rights Officer shall notify the Superintendent and must notify the complainant of this notification. The EASTCONN Board of Directors will be apprised by the Executive Director of any grievance reaching Level II.

Level III: Within ten (10) working days after receipt of such complaint, the Executive Director must hold a hearing; and within five (5) working days of the hearing, resolve the complaint, negotiate a long-term solution or refer the matter to the EASTCONN Board of Directors for consideration.

Level IV: The EASTCONN Board of Directors, Executive Director and the Civil Rights Officers shall proceed in accordance with appropriate laws or regulations.

Legal Reference: Connecticut General Statutes

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

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

[46a-51](#) Definitions as amended by PA 17-127 and PA 21-2)

[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. (as amended by PA 17-127 and PA 21- 69)

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.

Title IX Final Rule, May 6, 2020

The Vietnam's Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. §4212 Title II of the Genetic Information Nondiscrimination Act of 2008

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Revised

Replaces 4118.11