Administrative Regulation – 5000A

Students-

PROCEDURE FOR COMPLAINTS OF DISCRIMINATION

Students are entitled to an equal opportunity to participate in and benefit from the activities, programs, and courses of study offered by the school district without discrimination on the basis of race, color, national origin, sex, disability, religion, sexual orientation, gender identity or expression, alienage or any other basis prohibited by law. Discrimination involves being excluded, rejected, or treated differently based upon one's membership (or perceived membership) in one of these protected groups.

Although discrimination also includes sexual, racial or other unlawful harassment, the prohibition of such conduct is governed by a separate Board policy. Please refer to Board Policy 5145.5 and regulations for the procedure for complaints of sexual, racial or other unlawful harassment.

Students who believe they have suffered discrimination in violation of this policy are encouraged to report such incidents promptly. Timely reporting of incidents of discriminatory conduct enables the school district to properly investigate and resolve such complaints.

Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Any reprisals or retaliations found to have occurred as a result of reporting discrimination are considered to be a violation of this policy and may result in disciplinary action against the retaliator.

Complaints regarding the identification, evaluation, or educational placement of a student with a disability will be addressed pursuant to the procedures established by Section 504 of the Rehabilitation Act of 1973 and/or the Individuals with Disabilities Education Act.

Reporting a Complaint of Discrimination

Any student who feels that he/she has been discriminated against on the basis of race, color, national origin, sex, disability, religion, sexual orientation, gender identity or expression, or alienage in violation of Board Policy 5000 should bring his/her complaint to the attention any of the following school officials within 30 days of the alleged incident: Guidance Counselor, Assistant Principal, Building Principal, or the district's Title IX Coordinator.

The district's Title IX Coordinator is:

Director of Special Services
Regional School District #14

5 Minortown Road
Woodbury, CT 06798
203-263-0416

Although there is no requirement that the complaint be in writing, the school official should encourage the complainant to submit the complaint in writing and may assist the complainant in writing the complaint.

The written complaint should state the following (the form in Appendix A may be provided for the convenience of the complainant, but is not required):

1. name of the complainant;
2. date that the complaint was made;
3. name(s) of the person(s) who discriminated against complainant;
4. date and place of the alleged discriminatory conduct;
5. names of any witnesses;
6. list of documentary evidence, if any;
7. statement of the facts supporting the complaint of discrimination.

Investigation of Complaints of Discrimination

Investigator: The Title IX Coordinator is responsible for designating the investigator of any complaint, which may be himself/herself or a properly trained staff member, administrator or outside investigator. The advice of legal counsel should be sought as necessary. The designation of the investigator, if other than the Title IX Coordinator, shall be done promptly. During any stage of the investigation, the investigator may attempt to resolve the complaint in the least disruptive, most prompt and confidential manner.

Interim measures: The investigator shall assess whether there is a necessity to take immediate interim measures to prevent further allegations of discrimination or retaliation of any kind while the investigation is pending.

Investigation: The investigation shall be conducted with objectivity and completed in a timely manner. The investigator shall consult with all individuals believed to have relevant information, including the complainant, the person(s) accused of the discriminatory conduct, potential witnesses and other possible victims of the alleged conduct. The investigation shall be carried on discreetly, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the investigative process, the due process rights of the person(s) accused of discrimination shall be respected. The investigator shall keep the complainant apprised of the status of the investigation on a periodic basis.

Documentation: The investigator should carefully document all aspects of the investigation, including any informal resolution of the complaint. Documentation should be maintained in an investigative file. Documentation of disciplinary actions taken should be maintained in the employee's personnel file or the student's disciplinary file.

Written Report: After an impartial and prompt investigation of the complaint, the investigator should ascertain (1) whether the alleged discrimination occurred and (2) whether such conduct constitutes a violation of the Board's policy. If there is a violation, the investigator should recommend any remedial action appropriate to redress the discrimination and/or prevent any recurrence of such conduct in the future. The investigator should commit the findings and recommendations to writing and forward the report to the Title IX Coordinator and Superintendent of Schools. Unless unusual circumstances exist, the written report shall be completed within 10 school days of receipt of the complaint. If the Superintendent is the subject of the investigation, the Board of Education shall receive the findings and recommendations.

Notification of Results of Investigation: The results of the investigation will be promptly communicated to the parties involved in a manner consistent with state and federal laws regarding data and records privacy.

Request for Review: If the complainant is unsatisfied with the results of the investigation, he/she may request a review by the Superintendent of Schools within 10 school days of the notification of the results of the investigation. The Superintendent (or designee) shall review the investigator's written report and further investigation may be conducted if necessary. The complainant may present additional evidence or witnesses for the reviewer to consider. Absent unusual circumstances, the review process shall be completed within 20 days of the request for the review. The Superintendent shall promptly notify the complainant in writing of the results of his/her review.

Corrective Action: If discrimination in violation of Board policy has been determined to have occurred, the school district will take prompt remedial action to redress the discrimination. School district action taken for violation of this policy shall be consistent with the requirements of applicable collective bargaining agreements, state and federal law, and other school district policies.

Alternative Complaint Procedures

The federal and state agencies that investigate complaints of discrimination of students are the Office for Civil Rights, U.S. Department of Education (OCR) and the Connecticut Commission of Human Rights and Opportunities (CHRO). Any student who wants his or her complaint to be investigated by either of these agencies may do so by contacting the following: CHRO is located at 21 Grand Street, Hartford, CT 06106, (860)-541-5737; Office for Civil Rights-Boston, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (617)289-0111. The OCR and CHRO apply a statute of limitations of one hundred and eighty (180) days to such complaints.