

The Manchester 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 on the basis of a protected race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, pregnancy, or gender identity or expression, and genetic information subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, or any other basis prohibited by state or federal law is prohibited. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination.

The Board will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of discrimination.

Definition: "Gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.

Legal References:

Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, *et seq.*

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*

Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*

Connecticut General Statutes § 10-15c and § 46a-81a, *et seq.* -

Discrimination on basis of sexual orientation

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, *et seq.*

ADOPTED: November 13, 2013

ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (STUDENTS)

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, disability (including pregnancy), or gender identity or expression, he/she should make an oral complaint to the school principal. The student will be provided a copy of this regulation and made aware of his or her rights. The student will be requested to make a written complaint. If a student (or individual acting on behalf of the student) is unable to make a written complaint, the administrator receiving the oral complaint will either reduce the complaint to writing or assist the student (individual acting on behalf of the student) in completing the written complaint form.

All complaints are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging discrimination under this complaint procedure, the Superintendent will designate a district or school administrator to promptly investigate the complaint. During the course of the investigation, the investigator shall interview or consult with all individuals reasonably believed to have relevant information, including the complainant, the alleged harasser/discriminator and any witnesses to the conduct. Complaints will be investigated promptly within the timeframes identified below. Timeframes may be extended as needed given the complexity of the investigation, availability of individuals with relevant information and other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.

Upon receipt of a written complaint of discrimination, the investigator should:

1. offer to meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
2. conduct an investigation that is adequate, reliable, and impartial. Investigate the factual basis for the complaint, including conducting interviews with individuals with information and review of documents relevant to the complaint;
3. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law; and
4. communicate the outcome of the investigation in writing to the complainant, and to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), within thirty

(30) school days from the date the complaint was received by the Superintendent's office. The investigator may extend this deadline for no more than fifteen (15) additional school days if needed to complete the investigation. The complainant shall be notified of such extension. The written notice shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination, adhering to the requirements of state and federal law. Corrective action should include steps to avoid continuing discrimination.

If a complaint is made during summer recess, the complaint will be reviewed and addressed as quickly as possible given the availability of staff and/or other individuals who may have information relevant to the complaint.

If the complainant is not satisfied with the findings and conclusions of the investigation, the complainant may present the complaint and written outcome to the Superintendent within thirty (30) calendar days of receiving the findings. Upon review of a written request from the complainant, the Superintendent shall review the investigative results of the investigator and determine if further action and/or investigation is warranted. Such action may include consultation with the investigator and complainant, a meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling the investigator's conclusions or findings. The Superintendent shall provide written notice to the complainant of the proposed actions within fifteen (15) school days following the receipt of the written request for review.

At any time, a complainant alleging race, color or national origin discrimination has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (TELEPHONE NUMBER (617) 289-0111).

DISCRIMINATION COMPLAINT FORM

(For Complaints Based on Race, Color, Religion, Age, Sex, Marital Status, Sexual Orientation, National Origin, Ancestry, Disability, Pregnancy, or Gender Identity or Expression)

Name of the complainant _____

School: _____

Date of the complaint _____

Date of the alleged discrimination _____

Name or names of the discriminator(s) _____

Location where such discrimination occurred _____

Name(s) of any witness(es) to the discrimination _____

Detailed statement of the circumstances constituting the alleged discrimination
