

WESTBROOK BOARD OF EDUCATION
EDUCATE, CHALLENGE, & INSPIRE

WESTBROOK BOARD OF EDUCATION
Thursday, November 18, 2021 @ 5:00 p.m.
Policy Subcommittee Meeting
BOE Conference Room

The Policy Subcommittee meeting will be held on Thursday, November 18, 2021 at 5:00 p.m. in the BOE Conference Room.

In accordance with Executive Order 13A and Executive Order 14, all individuals present in person at the Westbrook Board of Education meetings are required to wear face masks.

AGENDA

- I. Call to Order
- II. Approval of Minutes
 1. September 23, 2021
- III. Old Business – continuation of 000 Series
 - A. Policy 0300 – Policies for Westbrook Public Schools – Sunset discussion
 - B. Policy 0500 – Comprehensive Improvement Plan (last reviewed 2007) – Related policies and sunset discussion
 - C. Policy 0521 – Nondiscrimination (last reviewed 2019) – Shipman Series 1000 Recommendation
 - D. Policy 0521.2 - Commitment to Religious Neutrality (last reviewed 2007)
- IV. Continue with review of 1000 series – Plan to review for future meeting(s)
- V. Review of By-laws
- VI. Adjourn

WESTBROOK BOARD OF EDUCATION
EDUCATE, CHALLENGE, & INSPIRE

WESTBROOK BOARD OF EDUCATION Policy Subcommittee Meeting Thursday, September 23, 2021

Members Present: Kim Walker, Mary Ella Luft, Michelle Brigham, Zack Hayden
Absent: Mike Esposito
Also Present: Superintendent Kristina Martineau

MINUTES

- I. Call to Order: K. Walker, Chair, called the Policy Meeting of September 23, 2021 to order at 4:18 p.m.

MOTION by K. Walker and SECOND by Z. Hayden to add "Old Business" to the agenda and upon review of the 3/22/2021 minutes to table review of 3000/6000 policy series. Vote unanimous.

II. Approval of Minutes

1. April 22, 2021: MOTION by M. Luft and SECOND by Z. Hayden to approve the minutes of April 23, 2021. Vote unanimous

III. Review of 000 Series

0100 Westbrook Mission Statement (Last reviewed 2012)

- The Policy Subcommittee reviewed 0100 Westbrook Mission Statement and revised as attached.

0200 Goals and Objectives (Last reviewed 2012)

- Per discussion; 0200 Development of District goals is a required policy – Revisit in May to align with Portrait of a Graduate

0300 Policies for Public Schools (Last reviewed 2007)

- The Policy Subcommittee's recommendation is to "sunset" 0300; as it is an optional policy

0500 Comprehensive Improvement Plans (Last reviewed 2007)

- The Policy subcommittee tabled action on 0500 Comprehensive Improvement Plans/Schedules to do research on redundancy of this policy.

0521 Nondiscrimination (Last reviewed 2019)

- The subcommittee discussed CAFE Nondiscrimination policy and Shipman and Goodwin Nondiscrimination policy. Superintendent Martineau will seek input from legal counsel on 0521; Nondiscrimination and discussion will continue at the next policy meeting. Each committee member was asked to read both versions and discuss thoughts at the next policy meeting.

0521.2 Commitment to Religious Neutrality (Last reviewed 2007)

- Review to be continued at next meeting.

- IV. Legal Updates Related to Policy Review Considerations for 2021-2022: Review to be continued.

V. Next Meeting Agenda Items: Review of 1000 Series/Continuation of 000 Series if needed. 0521.1 – Commitment to Religious Neutrality; 0521 – Nondiscrimination discussion continued; Code of Ethics; etc.

VI. Adjourn: MOTION by M. Brigham and SECOND by M. Luft to adjourn at 5:28 p.m.
Vote unanimous.

Respectfully submitted,

Cecilia S. Lester, Board Recording Clerk

TBA at next meeting



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REQUIRED POLICIES ** REVISED July 2021

The following are policies which boards of education must have due to federal or state law.

SERIES 0000: MISSION-GOALS-OBJECTIVES

- Statement of Educational Goals and Student Objectives (10-220)(b) & (10-4(c)).....#0200
- Nondiscrimination (Title VII – Civil Rights Act of 1964 as amended, 42. U.S.C. 2000e, et seq.
Section 504 of the Rehabilitation Act, 29 U.S.C. §794)#0521

SERIES 1000: COMMUNITY RELATIONS

- Encourage Parent-Teacher Communication/Parent Involvement (10-221)(f) and
20 U.S.C. §6318-ESSA and P.A. 21-46)#1110.1

SERIES 3000: BUSINESS/NON-INSTRUCTIONAL OPERATIONS

- Pesticide Application (10-231a et seq.).....#3524.1
- Reporting of Transportation Safety Complaints (10-221c)#3541.5
- Food Services Personnel Code of Conduct (2 CFR 200.318 General Procurement Standards).....#3542.22
- Food Service Personnel Professional Standards (42 U.S.C. §1776(g)#3542.41
- Charging Policy Food Service (Healthy Hunger-Free Kids Act, P.L. 111-296, §143,
USDA Memo – SP 46-2016, SP 47-2016, P.A. 21-46).....#3542.43

SERIES 4000: PERSONNEL

- Title IX/Sexual Harassment of Employees (20 U.S.C. §§1681-1688, 42 U.S.C. S2000-e).....#4000.1
- Affirmative Action/Recruitment and Selection
(10-15c, 10-183v as amended by P.A. 18-42, 46a-60).....#s 4111/4211, 4111.1/4211.1
- Fingerprinting and Criminal Justice Information Services (FBI Requirement, 10-221d)#4112.52/4212.52**
- Evaluation and Employment of Coaches (10-222e)#4115.3
- Reduction in Force for Certified Staff, *if not covered in negotiated agreements* (10-151).....#4117.3
- Nondiscrimination (Title IX of Educational Amendments of 1972 – 20 U.S.C.
§1681 and 34 C.F.R. §106.9).....#4118.11/4218.11
- Alcohol & Drug Free Workplace (41 U.S.C. §8101-8106)#4118.232/4218.232
- Psychotropic Drug Use (10-212b)#s 4118.234, 5141.231
- Face Masks/Coverings (subject to recommendation of DPH)#s 4118.237/4218.237, 5141.8
- Wage and Benefits/Conditions of Employment, if not covered in negotiated
agreements (31-71f)#s 4141, 4142, 4143, 4144, 4145
- Drug and Alcohol Testing for Bus Drivers (Omnibus Transportation Employee Testing Act of 1991, as amended
by Moving Ahead for Progress in the 21st Century-49 U.S.C. §5331(b), 49 C.F.R. §382.601)#4212.42

**** Either policy 4112.52/4212.52 OR policy 4112.5/4212.5 and its administrative regulation will fulfill the FBI mandate.**

SERIES 5000: STUDENTS

- Attendance/Truancy/Enrollment (10-184, 10-186, 10-198a, 10-199, 10-220, 10-221(b) and P.A. 21-46).....#s 5112, 5113, 5113.2*
- Student Conduct/ Discipline (10-221, P.A. 19-91).....#s 5114, 5131, 5144*
- Homeless Students (20 U.S.C. §6311 – ESSA-PL 114-95 amends McKinney-Vento Homeless Assistance Act-PL 107-110, Sec 1032, 10-253 (c)(f)- 42 U.S.C. §11432(i)(L), P.A. 19-179)#5118.1
- Promotion and Retention of Students (10-221(b), 10-223a).....#5123
- Student Educational Records/Annual Notification of Parental/Student Rights (FERPA – 34 C.F.R. §99.7, 20 U.S.C. §1232g).....#5125
- Health/Medical Records (HIPAA) (42 U.S.C. §§1320d-1, 1320d-2(d), 20 U.S.C. §1232g-FERPA, 45 C.F.R. §164.306 et seq.)#5125.11
- Use , Sale or Possession of Alcohol, or Controlled Drugs (10-221(d)) (adm. regulation also required)..#5131.6
- Weapons and Dangerous Instruments (Gun-Free Schools Act-20 U.S.C. §7157, 20 U.S.C. §7961-ESSA, 18 U.S.C. §8921 et. seq.).....#5131.7
- Bullying Safe School Climate Plan (10-222d).....#5131.911
- Administration of Medication (10-212a(2) as amended by P.A. 18-185) a policy and administrative regulation (procedures required).....#5141.21
- Psychotropic Drug Medications(10-212b)#s 5141.231, 4118.234
- Reporting by Mandated Reporters of Suspected Child Abuse, Neglect & Sexual Assault (17a-101i(e) as amended by P.A. 15-205, P.A. 18-17 and P.A. 18-15).....#5141.4
- Youth Suicide Prevention and Youth Suicide Attempts (10-221(e)) (Adm. reg. also required)#5141.5
- Face Masks/Coverings (subject to recommendation of DPH).....5141.8, 4118.237/4218.237
- Physical Restraints/Seclusion/Exclusionary Time Out** (10-236b) (Administrative Regulation also required)#5144.1
- Use of Exclusionary Time Out (P.A. 18-51).....#5144.2
- Physical Exercise and Discipline of Students (10-221o – 10-221u, P.A. 19-173)#5144.4**
- Uniform Treatment of Recruiters (10-221b)#5145.14
- Nondiscrimination/ Title IX (Title IX of Educational Amendments of 1972, 20 U.S.C. §§1681-1688, 34 C.F.R. §106.9, 10-15c, 46a-60)#5145.44
- Exploitation: Sexual Harassment (20 U.S.C. §1681-Title IX of New Education Amendments; 42 U.S.C. §2000-e; 34CFR §106.9-Title VII of Civil Rights Act of 1964).....#5145.5
- Sexual Abuse Prevention & Education Program (17a-101q).....#5145.511
- Grievance Procedures (Title IX of Educational Amendments of 1972 – 34 C.F.R. §106.8).....#5145.6 (could be covered in Title IX policy)

SERIES 6000: INSTRUCTION

- School Ceremonies and Observances (Pledge of Allegiance) (10-230(c)).....#6115
- Internet Safety Policy/Filtering (47 U.S.C. §254, 20 U.S.C. §6777; Children’s Internet Protection Act-47 U.S.C. §254).....#6141.323
- Physical Activity and Discipline (10-221o – 10-221u) (or #5144.4)#6142.10, 6142.61
- Student Nutrition and Physical Activity (Student Wellness) (P.L. 108-265 – Section 204, 42 U.S.C. 1758b).....#6142.101
- Grading/Assessment Systems [weighting of grades] (10-220g, as amended by P.A. 21-199)#6146.1
- Homework (10-221(b)).....#6154
- Individualized Education/Special Education Program (20 U.S.C. §§1412, 1413(a)(1) IDEA)#6159*, 6171*
- Comparability of Services-Title I (Equivalence in Instructional Staff and Materials) (ESSA, 20 U.S.C. Section 6321(c)(2))#6161.3

- Surveys of Students/Student Privacy (20 U.S.C. §1232(h)(c)(2)(A) - PPRA), ESSA, P.L. 114-95#6162.51
- Student Use, Sale, or Possession of Alcohol or Controlled of Drugs (10-221(d))#6164.11
- Exemption from AIDS Instruction (10-19(b))#6164.12
- Preschool Students with Disabilities (20 U.S.C. §§1412, 1413(a)(1), IDEA)#6171.2
- Alternative Education Programs (10-74j(c)) – *Mandated if district has an alternate program*#6172
- Title I Parental and Family Engagement Policy/Title I Programs (20 U.S.C. §6318 as amended by PL 114-95 ESSA, §1010) (Required only for districts with Title I programs. Policy must be reviewed annually).....#6172.4, 6161.31*

* Any one of these fulfills the mandate.

** Requirement can also be fulfilled with #6142.10 or #6142.61.

Action of 2021 General Assembly Resulting in Future New Required Policies:

- I. Not later than July 1, 2022, Board shall adopt a policy pertaining to:
 - a) The equitable identification of gifted and talented students that uses multiple identification methods that comply with SDE guidelines. (P.A. 21-199, Section 2)
 - b) Student placement in advanced academic courses or programs that are not based exclusively on academic performance. (P.A. 21-199, Section 3)
 - c) A challenging curriculum policy. (P.A. 21-199, Section 5)
 - d) Improvement of the completion rates of the Free Application for Federal Student Aid. (P.A. 21-199, Section 6)
 - e) Education and training in exertional heat illness for coaches, parents/guardians and students (P.A. 21-87, Section 1)
 - f) Creation of an emergency action plan to respond to serious and life-threatening sports-related injuries during interscholastic or intramural athletic events. (P.A. 21-92)
- II. Effective July 1, 2023 a change in the age a student may withdraw from high school from age 17 to age 18. (P.A. 21-199, Section 10)
- III. The Budget Implementer Bill (P.A. 21-2 – June Special Session)
Sections 414-415 addresses minority recruitment residency program applicable beginning with the 2022-2023 school year.



POLICY SERVICES
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RECOMMENDED POLICIES ** REVISED – July 2021

The following are policies that are considered "good practice" policies and are recommended for inclusion in the board of education policy manual.

SERIES 0000: MISSION – GOALS – OBJECTIVES

- Code of Ethics#0050
- Mission/Vision/Philosophy Statements#0100
- Anti-Racism.....#0521.1
- Commitment to Religious Neutrality#0521.2
- Equity & Diversity#0523

SERIES 1000: COMMUNITY RELATIONS

- Advertising, Promotion and Commercial Activities..... #s 1111.2, 1325
- School Governance Councils (10-233, as amended by P.A. 18-42, & P.A. 19-91, PL 114-95 – ESSA).#1110.3
- Media Access to Students.....#1112.5
- Public Participation at Board Meetings #s 1120, 9325
- Distribution of Materials by Students (Use of Students).....#1140
- Public Complaints#1312
- Soliciting Funds from and by Students.....#1314/1324
- Use of School Facilities.....#s 1330 or 3515
- Relations with Law Enforcement Officials #s 1411, 5145.11
- Otherwise Lawful Possession of Firearms on School Property.....#1700

SERIES 2000: ADMINISTRATION

- Board – Superintendent Relationship#2000.1
- Professional Development.....#2112
- Job Description of the Superintendent of Schools.....#2131
- Appointment of Designee for Superintendent#2131.1
- Superintendent Succession#2140.1
- Administrative Leeway in the Absence of Board Policy.....#2210
- Code of Ethics#2300
- Evaluation of Administrators and Administration (including Evaluation of the Superintendent).....#2400

SERIES 3000: BUSINESS & NON-INSTRUCTIONAL OPERATIONS

- Budget Planning#3110
- Spending Public Funds for Advocacy#3152
- Budget Transfers#3160
- Federal Grants and Awards Administration (Federal Fiscal Compliance).....#3230.1
- Medical Reimbursement for Special Education Students (10-76d as amended by P.A. 18-182).....#3231
- IDEA Fiscal Compliance.....#3232
- Tuition Fees.....#3240

SERIES 3000: BUSINESS & NON-INSTRUCTIONAL OPERATIONS (continued)

• Sale and Disposal of Books, Equipment and Supplies	#3260
• Gifts, Grants and Bequests	#3280
• School Fund Raisers	#3281
• Purchasing Procedures	#3320
• Soliciting Prices, Bids	#3323
• Ordering Goods and Services, Paying for Goods and Services	#3326
• System of Accounts	#3410
• Fraud Prevention and Investigation	#3435
• Inventories	#3440
• Student Activity Funds	#3453
• Compliance with 504 Regulations	#3511
• Energy Conservation	#3513.1
• Use of School Facilities	#s 3515 or 1330
• Safe and Secure School Facilities, Equipment, Grounds	#3516
• Hazardous Materials Communication	#3516.11
• Sex Offender Notification	#3516.4
• Sexual Offenders on School Property	#3516.5
• Security of Building and Grounds	#3517
• Data Security in Schools	#3520.1
• Electronic Information Security	#3520.11
• Protection & Privacy/Cloud-Based Issues (10-234bb, 10-234dd, as amended by P.A. 18-125)	#3520.13
• Green Cleaning Program	#3524.2
• Transportation	#3541ff
• Food Service - Free and Reduced Price Lunches (7 C.F.R. §245.5)	#3542.31
• Food Sales by Students and Others	#3542.33
• Retention of Electronic Records	#3543.31

SERIES 4000: PERSONNEL

• Personnel Policies for Staff Not Represented by a Union	4000 series
• Recruitment of Minority Staff Members (a plan is required) (10-220(a) as amended by P.A. 18-23 & P.A. 19-74)	#s 4111.3/4211.3
• Appointment and Conditions of Employment	#4112
• Security Check/Fingerprinting (Criminal Records Checks)	#4112.5/4212.5
• Reference Checks (20 U.S.C. §7926 (2012))	#s 4112.51/4212.51
• Access to Employee Records (Personnel Records)	#s 4112.6/4212.6
• Use & Disclosure of Employee Medical Information (HIPAA)	#s 4112.61/4212.61
• Nepotism	#4112.8
• Evaluation/Supervision/Support Program	#s 4115/4215
• Non-renewal/Suspension of Certified Staff	#4117.4
• Sexual Harassment	#s 4118.112/4218.112, 5145.5
• Conflict of Interest	#4118.13/4218.13
• Nondiscrimination on the Basis of Disabilities	#s 4118.14/4218.14
• Academic Freedom	#4118.21
• Staff/Student Relations	#4118.24/4218.24
• E-Mail (Electronic Monitoring)	#s 4118.4/4218.4
• Acceptable Computer Network use	#s4118.5/4218.5
• Social Networking	#4118.51
• Staff Development	#s 4131/4231
• Tutoring	#4134

SERIES 4000: PERSONNEL (continued)

• Employee Protection	#s 4148/4248
• Family and Medical Leave Act	#s 4152.6/4252.6
• Suspension/Dismissal of Non-Certified Staff.....	#4217.4
• Teacher Aids/Paraprofessionals	#4222

SERIES 5000: STUDENTS

• Ages of Attendance	#5112
• Children in Foster Care	#5118.3
• Assignment to Teachers and Classes	#5122
• Graduation Ceremonies	#5123.3
• Video Cameras/Video Surveillance.....	#s 5131.11, 5131.111
• Off-School Grounds Misconduct.....	#5131.8
• Use of Electronic Devices (Cell Phones, I-Pads, etc.)	#5131.81
• Cyberbullying	#5131.913
• Dress and Grooming	#5132
• Foreign Students Attending Schools	#5136
• Opioid Overdose Prevention	#5141.213
• Communicable Diseases.....	#5141.22
• Students with HIV/ARC or AIDS	#5141.24
• Accommodating Students with Special Dietary Needs (Food Allergy Management) -(10-212c)	#s 5141.25, 5141.251
• Use of Automatic External Defibrillators (AEDs)	#5141.27
• Sudden Cardiac Arrest Prevention	#5141.28
• Health Assessments & Immunizations/Student Health Services (as amended by P.A. 21-46) ...	#s 5141, 5141.3
• Crisis Management	#5141.6
• Student Sports-Concussions	#5141.7
• Student Safety.....	#5142
• School Resource Officers (if used in school district)	#5142.4
• Discipline of Students with Disabilities	#5144.3
• Questioning and Apprehension (Police in Schools)	#5145.11
• Student Search/Seizure.....	#5145.12
• Directory Information (if not addressed in Policy #5125).....	#5145.15
• Freedom of Speech/Expression	#5145.2
• Transgender and Non-Conforming Youth.....	#5145.53

SERIES 6000: INSTRUCTION

• Instruction (Concept and Roles).....	#6000
• School Calendar/School Day (as amended by P.A. 19-195 & P.A. 21-46).....	#s 6111, 6112
• Emergency and Disaster Preparedness	#s 6114, 6114.4, 6114.6, 6114.7
• Fire Emergency (Drills)/Crisis Response Drills	#6114.1
• Pandemic/Epidemic Emergencies	#6114.8
• Objectives of the Instructional Program.....	#6120
• Curriculum/Design/Revision.....	#s 6140, 6141
• Religion in the Public Schools.....	#6141.21
• Programs for Limited English Proficient Students	#6141.311
• Migrant Students (20 U.S.C. §6391 as amended by P.A. 114-95 – ESSA).....	#6141.312
• Student Use of the Internet (Acceptable Use) (47 U.S.C. §254, 20 U.S.C. §6777).....	#6141.321
• Web Sites/Pages	#6141.322
• Website Accessibility	#6141.3221

SERIES 6000: INSTRUCTION (continued)

• Online Social Networking	#6141.326
• Basic Instructional Program	#6142
• Social and Emotional Learning (as amended by P.A. 21-95)	#6142.102
• Trauma Informed Schools	#6142.103
• Controversial Issues, Teaching of:	#6144
• Exemption from Instruction	#6144.1
• Extra-Class Activities/Equal Access Issues	#6145
• Review of Student Publications	#6145.3
• Electronic Resources (including Bring Your Own Device; One-to-One Tablet Program)	#s 6141.327, 6141.328, 6141.3291
• Activity Funds Management	#6145.8
• Graduation Requirements	#6146
• Uniform System for Assignment and Changing of Student Grades	#6146.111
• Grouping/Tracking	#6152
• Field Trips	#6153
• Teacher Aides (Paraprofessionals)	#6159.1
• Textbooks, Curriculum and the School Library (10-221b)	#s 6160, 6161, 6161.1
• Care of Instructional Materials	#6161.2
• Copyright (Use of Copying Devices – Compliance with Copyright Law)	#6162.6
• Home Schooling	#6172.3
• Virtual/Online/Distance Learning Courses	#6172.6
• Distance Learning Plan Due to Health Based School Closure	#6172.61
• Evaluation of the Instructional Program	#6180
• Student Achievement	#6180.1
• Evaluation of the Special Education Program	#6181
• Adult Education	#6200

SERIES 7000: NEW CONSTRUCTION

• Planning	#7100
• Developing Educational Specifications	#7115
• Selection of Site	#7221
• Indoor Air Quality	#7230.2
• Acoustics	#7230.3
• Naming of Facilities	#7551

SERIES 9000: BOARD BYLAWS

• Role of Board and Members (Powers, Purposes, Duties)	#9000
• Limits of Authority	#9010
• Legal Responsibilities of Boards of Education	#9012
• Number of Members/Terms of Office	#9110
• Officers & Auxiliary Personnel	#s 9120, 9121, 9122, 9123
• Committees	#9130
• Formulation, Adoption, Amendment of Policies, Bylaws, Administrative Regulations	#s 9311, 9312, 9313
• Student Representatives on the Board of Education	#9160
• Filling Vacancies	#9221
• New Board Member Orientation	#9230
• Board Member Development	#9240
• Remuneration & Reimbursement	#9250
• Conflict of Interest	#9270
• Code of Ethics	#9271

SERIES 9000: BOARD BYLAWS (continued)

• Civility Code.....	#9273
• Suspension of Policies, Bylaws, Regulations.....	#s 1120, 9314
• Electronic Board of Education Meetings	#9321.2
• Meeting Conduct/Public Participation at Board Meetings	#9325
• Parliamentary Procedure	#9325.3
• Attendance at Meetings via Electronic Communications.....	#9325.43
• Voting Method/Minutes	#9326
• Electronic Mail Communications	#9327
• Board Self-Evaluation	#9400

Constitutional Considerations

The chief constitutional limitations affecting school boards are:

- A. Freedom of speech, association and expression under the First Amendment.
- B. The right to due process of law under the First, Fifth and Fourteenth Amendments.
- C. Separation of church and state and free exercise of religion under the First Amendment.
- D. The right to privacy under the Fourteenth Amendment.
- E. The right to freedom from unreasonable searches and seizures under the Fourth and Fourteenth Amendments.
- F. Equal protection of laws under the Fourteenth Amendment.

Practical Considerations in Policy Drafting:

- A. Clear and easy to understand.
- B. Statement of objectives.
- C. Provision of an escape clause. (“includes, but not limited to, the following...”)
- D. Brainstorm the proposed policy to make sure it meets your goals.
- E. Consider the legality of your objective. The policy must not violate existing contracts, or state and federal statutes, regulations, constitutions, charters, and judicial decisions.
- F. Determine the need for policy in the area of consideration. Does the policy address an issue of lasting effect?
- G. Examine your policies in their totality. How does this new policy mesh with existing policies? Consider a “sunset review” of all board policies.

0300 Policies for Public Schools and 0500 Comprehensive Improvement Plans

Our Question to Shipman:

We would like to "sunset" or remove these policies (still talking about 0500 to make sure we have it covered somewhere else). What is the proper procedure, terminology, and requirement for this process and for keeping a copy of the inactive policy?

Shipman's Response and Recommendation:

Whenever the Board wishes to adopt, revise, or repeal policies, it must follow the procedures laid out in its bylaws. Westbrook Board of Education Bylaw #9311 (Formulation, Adoption, Amendment or Deletion of Policies) provides, in relevant part:

4. Policy proposals and suggested amendments to, revisions of, or deletions of existing policies shall normally be submitted to all members of the Board of Education by the Superintendent in writing prior to a regular Board of Education meeting in which such proposed policies, amendments, revisions or deletions thereof shall be read and discussed.
7. Except for emergency situations, policies will be adopted, amended, or deleted after consideration at two regular meetings of the Board of Education. The agenda shall be marked to indicate such policy matters.
9. The formal adoption or deletion of policies and the adoption of policy changes shall be by majority vote of all members of the Board, and the action shall be recorded in the minutes of the Board.

In light of the above, if the Board wishes to repeal a policy, (1) the Superintendent must submit, in writing, suggested deletions prior to the Board meeting at which they are read and discussed, (2) the Board must consider the proposed deletions at two regular Board meetings, and (3) at the second meeting, there must be a motion to repeal or delete each of the policies, and such motion must be voted upon by the Board. As with all Board actions, the Board must include these items on relevant agendas and record the discussions and votes in the meeting minutes.

Regarding retention, as you may know, boards of education are required to retain public records according to the relevant records schedule established by the Public Records Administrator. The Municipal Records Retention Schedule M8 (Education Records), available at <https://ctstatelibrary.org/wp-content/uploads/2015/05/M8.pdf>, requires that policy and procedures manuals must be retained permanently, and revised as required. The schedule directs

boards to “[k]eep old policies and procedures separately,” but former policies and procedures also must be retained permanently.

Mission - Goals - Objectives**Policies for Westbrook Public Schools**

The Board of Education will maintain a set of policies as the basis for school district governance. The policies shall be periodically reviewed and be maintained and be consistent with applicable law.

The Board of Education views its policies as aids to decision making and will, to the best of its abilities, make all its actions consistent with those policies.

Policy adopted: March 13, 2007

WESTBROOK PUBLIC SCHOOLS

Westbrook, Connecticut

Mission - Goals - Objectives**Comprehensive Improvement Plans/Schedules**

The Board of Education will develop a long-range plan based on its goals and objectives.

The Board of Education's long-range plan will specify targets in the areas of regular and special learning programs, technology, transportation, staffing, building utilization, capital improvements, and maintenance of buildings and grounds. The comprehensive long-range plan will focus on the achievement of Board adopted goals and objectives.

Legal Reference: Connecticut General Statutes

10-220 Duties of boards of education

Policy adopted: March 13, 2007

WESTBROOK PUBLIC SCHOOLS

Westbrook, Connecticut

0521 Non Discrimination

Our Question to Shipman:

Do we need all three policies related to Non Discrimination (I attached all three Shipman model policies that we are looking at)? We are trying to keep the 0000 Series just about mission (0100) and then an updated educational goals and students objectives policy once the portrait of a graduate work is complete (0200). The 0521 doesn't seem to fit the slim downed 0000 series. We were thinking about keeping only a revised version of the one in the 4000s for personnel and the one in 5000s for students.

Do we need a separate 0521 (if so, we would replace our 0521 with Shipman's 1000 Series model policy)?

Shipman's Recommendation:

Shipman recommends three non-discrimination policies in the Community, Personnel, and Students series because boards of education have legal obligations not to discriminate in all three areas. In light of your concerns, the Board could consider adopting the Non-Discrimination (Community) policy in its 1000 series (not 0000 series) because the 1000 series addresses Community Relations, and it would be a more logical "landing place" for such a policy. As such, we recommend that the Board consider repealing its 0521 Policy (which addresses non-discrimination for students and staff) and replacing it with the three Non-Discrimination model policies we recommend in the 1000, 4000, and 5000 series.

In addition, the Board may have already considered our model policies in the 4000 and 5000 series regarding Section 504/ADA /prohibition against disability discrimination and Title IX/prohibition against sex discrimination and sexual harassment. Those policies and regulations prohibit and address specific types of discrimination and are important components of Board policies, as well.

NON-DISCRIMINATION

It is the policy of the Board of Education (the "Board") that any form of discrimination or harassment on the basis of race, religion, color, national origin, ancestry, alienage, sex, sexual orientation, marital status, age, disability, pregnancy, gender identity or expression, veteran status, or any other basis prohibited by state or federal law is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics, as well as the district website. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, ancestry, alienage, disability, pregnancy, gender identity or expression, or veteran status.

For the purposes of this policy, "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.

For the purposes of this policy, "veteran" means any person honorably discharged from, released under honorable conditions from or released with an other than honorable discharge based on a qualifying condition from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard. "Qualifying condition" means (A) a diagnosis of post-traumatic stress disorder or traumatic brain injury made by an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, (B) an experience of military sexual trauma disclosed to an individual licensed to provide health care services at a United States Department of Veterans Affairs facility, or (C) a determination that sexual orientation, gender identity or gender expression was more likely than not the primary reason for an other than honorable discharge, as determined in accordance with Conn. Gen. Stat. §§ 27-103(c), (d).

For the purposes of this policy, "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.

Any individual wishing to file a complaint regarding discrimination or harassment may obtain a copy of the Board's complaint procedures and complaint form that are included in the Board's Administrative Regulations Regarding Non-Discrimination. These regulations accompany Board Policy #_____ **[Insert Policy # for Community/Non-Discrimination Policy]** and are available online at **[Insert website address for Board policies]** or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled in accordance with other appropriate policies (e.g., Policy #_____ **[Insert Policy #]**, Sex Discrimination/Harassment in the Workplace ; Policy #_____ **[Insert Policy #]**, Sex Discrimination and Sexual Harassment (Students); Policy #_____ **[Insert Policy #]**, Section 504/ADA (Personnel), and Policy #_____ **[Insert Policy #]**, Section 504/ADA (Students)).

Individuals also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109- 3921
(617-289-0111)
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination or harassment with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800-669-4000)

Individuals may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities

450 Columbus Blvd.
Hartford, CT 06103-1835
(860-541-3400 or Connecticut Toll Free Number 1-800-477-5737)

Anyone who has questions or concerns about this policy, and/or who may wish to request or discuss accommodations based on religion, and/or who would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination or harassment, may contact:

[Insert name/title, address, telephone number of person(s)]

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

[Insert name/title, address, telephone number, e-mail address]

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

[Insert name/title, address, telephone number]

Legal References:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
Americans with Disabilities Act, 42 U.S.C. § 12101
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794
Connecticut General Statutes § 1-1n, "Gender Identity or
Expression" defined
Connecticut General Statutes § 27-103
Connecticut General Statutes § 46a-51, Definitions
Connecticut General Statutes § 46a-58, Deprivation of rights
Connecticut Fair Employment Practices Act, Connecticut General
Statutes § 46a-60
Connecticut General Statutes § 46a-81a, Sexual orientation
discrimination: Definitions
Connecticut General Statutes § 46a-81c, Sexual orientation
discrimination: Employment
Public Act No. 21-79, "An Act Redefining 'Veteran' and Establishing
a Qualifying Review Board"

ADOPTED: _____
REVISED: _____

6/28/2021

ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (COMMUNITY MEMBERS)

It is the policy of the _____ Board of Education (the "Board") that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is the express policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, gender identity, sexual orientation, disability, or pregnancy, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy # _____ [Insert Policy #], Sex Discrimination/Harassment in the Workplace (Personnel); Policy # _____ [Insert Policy #], Sex Discrimination and Sexual Harassment (Students); Policy # _____ [Insert Policy #], Section 504/ADA (Personnel), and Policy # _____ [Insert Policy #], Section 504/ADA (Students)).

Preferably, complaints should be filed within thirty (30) calendar days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status. 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 implementing administrative regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status he/she should make a written complaint to the Superintendent, or designee.

If the complaint being filed is against the Superintendent, the complaint should be filed with the Board Chair, who will take appropriate steps, such as retaining an independent investigator, to cause the matter to be investigated in a manner consistent with the Board's non-discrimination policy and regulation. If either the Superintendent or any other party to the complaint is not satisfied with the findings and conclusions of the investigation, within (30) calendar days of receiving the findings, such party may present the complaint and written outcome to the Board Chair, who will take appropriate steps, such as retaining an independent investigator different from the investigator who investigated the complaint, to cause the matter to be reviewed in a manner consistent with the Board's non-discrimination policy and regulation.

The individual and any respondent (if applicable) will be provided a copy of the Board's policy and regulation and made aware of the individual's rights under this policy and regulation. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on gender/sex, gender identity, sexual orientation, disability, or pregnancy, the Superintendent or designee shall follow the procedures identified in the appropriate Board policies ((e.g., Policy # _____ **[Insert Policy #]**, Sex Discrimination/Harassment in the Workplace (Personnel); Policy # _____ **[Insert Policy #]**, Sex Discrimination and Sexual Harassment (Students); Policy # _____ **[Insert Policy #]**, Section 504/ADA (Personnel), and Policy # _____ **[Insert Policy #]**, Section 504/ADA (Students)), where applicable, rather than the complaint procedures provided in this policy.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,

- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any individual who makes an oral complaint of harassment or discrimination will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual with completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or designee shall 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 ("respondent") 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/or other extenuating circumstances. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, as determined by the investigator.

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

1. Offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) 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. Provide the complainant and respondent (if applicable) with a copy of the Board's non-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 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;

5. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
6. Communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) shall be notified of any extension of the investigation timeline. 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 or harassment, adhering to the requirements of state and federal law;
7. 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 fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);
8. Whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the discrimination or harassment. Corrective action should include steps to avoid continuing discrimination or harassment;
9. If either party to the complaint is not satisfied with the findings and conclusions of the investigation, such party 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 party requesting an appeal, 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 a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based

on the availability of necessary witnesses and/or participants, the complexity of the investigation, and/or other extenuating circumstances) following the receipt of the written request for review.

A complainant alleging discrimination or harassment may file a formal complaint with the Boston Office, Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (TELEPHONE NUMBER: 617-289-0111).

A complainant may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd., Hartford, CT 06103-1835 (TELEPHONE NUMBER: 860-541-3400).

An employee alleging discrimination or harassment related to their employment may also file a complaint with the Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (TELEPHONE NUMBER: 800-669-4000).

Anyone who has questions or concerns about these regulations, and/or who may wish to request or discuss accommodations based on religion, may contact:

[Insert name/title, address, telephone number of person(s)]

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of gender/sex, gender identity, or sexual orientation may contact the Board's Title IX Coordinator:

[Insert name/title, address, telephone number, e-mail address]

Anyone who has questions or concerns about the Board's policies regarding discrimination or harassment on the basis of disability, and/or who may wish to request or discuss accommodations for a disability, may contact the Board's Section 504/ADA Coordinator:

[Insert name/title, address, telephone number]

6/28/2021

DISCRIMINATION/HARASSMENT COMPLAINT FORM
(For complaints based on race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, ancestry, disability, pregnancy, gender identity or expression, or veteran status)

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 _____

Detailed statement of the circumstances constituting the alleged discrimination or harassment

Proposed

remedy: _____

6/28/2021

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 American With Disabilities Act, as amended, the Westbrook Board of Education adopts the following Equal Employment Opportunity and Equal Education Opportunity Policies.

Equal Employment Opportunity

Both federal and state law prohibit discriminatory practices in hiring and employment. It is the policy of the Westbrook Board of Education to prohibit acts of discrimination in all matters dealing with employees and applicants for positions with the school district and to further the principle of equal employment opportunity in all actions affecting employees and applicants. As an equal opportunity employer, the Westbrook Board of Education does not discriminate on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation past or present history of mental disorder, mental retardation, 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.)

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 Westbrook Board of Education.

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, race, religion, national origin, pregnancy, parenthood, marriage, or for any reason not related to his/her individual capabilities.

The Civil Rights Coordinator for the Westbrook Board of Education has the responsibility to monitor the compliance of this policy. The name and location of the Civil Rights Coordinator is 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.

Equal Education Opportunity (continued)

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.”

Equal Education Opportunity (continued)

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

Touching Verbal comments

Sexual name calling Sexual rumors

Inappropriate public display Too personal a conversation

of affections Corner/blocking

Gestures Leers

Jokes/cartoons/pictures Attempted rape/rape

Pulling at clothes Harassing communications

If you believe that you have been discriminated against in regard to either of the preceding policies, you may file a grievance that your rights have been denied or violated.

If you wish to discuss these regulations or your rights under this policy, or wish to discuss or file a grievance, please contact Supt. Patricia A. Ciccone,, Title IX Coordinator, Westbrook Board of Education, 158 McVeagh Road, Westbrook, CT 06498 (Tel. 860-399-6432), the system Civil Rights Coordinator or Jill Britton, WHS/WMS Building Compliance Officer.

Forms are available in our Guidance Office.

ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION COMPLAINTS (PERSONNEL)

It is the policy of the Westbrook Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, veteran status or gender identity or expression is forbidden, whether by students, Board employees or third parties subject to the control of the Board. Students, Board employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of all members of the school community.

It is the express policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression.

Preferably, complaints should be filed within thirty (30) calendar days of the alleged occurrence. Timely reporting of complaints facilitates the investigation and resolution of such complaints. The district will investigate such complaints promptly and equitably, and will take corrective action when allegations are verified.

The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of harassment or discrimination on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status. 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 implementing Administrative Regulations to staff and students in an effort to maintain an environment free of harassment and discrimination.

Complaint Procedure

As soon as an individual feels that he or she has been subjected to discrimination or

harassment on the basis of race, color, religion, age, sex, sexual orientation, marital status, national origin, alienage, disability (including pregnancy), genetic information, gender identity or expression, or veteran status he/she should make a written complaint to the Superintendent, or his/her designee. The individual and any respondent (if applicable) will be provided a copy of the Board's policy and regulation and made aware of his/her rights.

The complaint should state the:

- A. Name of the complainant,
- B. Date of the complaint,
- C. Date(s) of the alleged harassment/discrimination,
- D. Name(s) of the harasser(s) or discriminator(s),
- E. Location where such harassment/discrimination occurred,
- F. Names of any witness(es) to the harassment/discrimination,
- G. Detailed statement of the circumstances constituting the alleged harassment/discrimination; and
- H. Proposed remedy.

Any individual who makes an oral complaint of harassment or discrimination will be provided a copy of this regulation and will be requested to make a written complaint pursuant to the above procedure. If an individual is unable to make a written complaint, the staff member receiving the oral complaint will either reduce the complaint to writing or assist the individual with completing the written complaint form.

All complaints received by staff members are to be forwarded immediately to the Superintendent or his/her designee. Upon receipt of a complaint alleging harassment or discrimination under this complaint procedure, the Superintendent or his/her designee shall 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 ("respondent") 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, as determined by the investigator.

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

1. offer to meet with the complainant and respondent (if applicable) within ten (10) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) 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. provide the complainant and respondent (if applicable) with a copy of the Board's non-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 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;

5. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;

6. communicate the outcome of the investigation in writing to the complainant and respondent (if any) (to the extent permitted by state and federal confidentiality requirements), within thirty (30) business days (provided that such timeframe may be extended by fifteen (15) business days during periods of time when school is in session or reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) from the date the complaint was received by the Superintendent's office. The complainant and respondent (if any) 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 or harassment, adhering to the requirements of state and federal law;

7. 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 fixed timeframes cannot be met, the complainant and respondent (if any) will receive notice and interim measures may be implemented as necessary (see sub-paragraph 6);

8. whenever allegations are verified, ensure that appropriate corrective action is taken (including, but not limited to, disciplinary action) aimed at preventing the recurrence of the harassment or discrimination. Corrective action should include steps to avoid continuing discrimination;

9. if either party to the complaint 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 party requesting an appeal, 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 a designated investigator (if applicable), complainant, and respondent (if any) and meeting with appropriate individuals to attempt to resolve the complaint, or a decision affirming or overruling a designated investigator's conclusions or findings (if applicable). The Superintendent shall provide written notice to the complainant and respondent (if any) of the proposed actions within fifteen (15) business days (provided that such timeframe may be reasonably extended based on the availability of necessary witnesses and/or participants during periods of time when school is not in session) following the receipt of the written request for review.

Any employee also may file a complaint with the Office for Civil Rights, U.S. Department of Education ("OCR"):

Office for Civil Rights, Boston Office

U.S. Department of Education

8th Floor

5 Post Office Square

Boston, MA 02109- 3921

(617) 289-0111

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission, Boston Area Office

John F. Kennedy Federal Building

475 Government Center

Boston, MA 02203

(800-669-4000)

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities:

Connecticut Commission on Human Rights and Opportunities

450 Columbus Blvd.

Hartford, CT 06103-1835

(800-477-5737)

Anyone who has questions or concerns about these regulations may contact:

~~Patricia A. Ciccone~~, Superintendent: 860-399-6432]

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of gender/sex may contact the Board's Section 504/ADA Coordinator:

~~Madeline Illinger~~, Director of Special Education and Student Support Services, @ 860-399-6432 or 860-399-7925.

Policy adopted: July 11, 2006

Policy revised: May 12, 2009

Policy revised: June 12, 2012

Policy revised: October 22, 2019

Policy revised: October 25, 2019

WESTBROOK PUBLIC SCHOOLS

Westbrook, Connecticut

DISCRIMINATION COMPLAINT FORM

(For complaints based on race, color, religion, age, sex, marital status, sexual orientation, national origin, alienage, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression)

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

Detailed statement of the circumstances constituting the alleged discrimination or harassment

Proposed remedy _____

Mission – Goals – Objectives

Nondiscrimination

Commitment to Religious Neutrality (Prayer in the Schools)

It is the policy of the Board of Education to not prevent, or otherwise deny participation in, constitutionally protected prayer in the district's schools, consistent with current guidance issued by the U.S. Department of Education under the No Child Left Behind Act of 2001, and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other Board Policy that might be inconsistent with it.

(cf. 1140 - Distribution of Materials to and by Students)

(cf. 4118.21 - Academic Freedom)

(cf. 6115 - Religious Ceremonies)

(cf. 6115.1 - Religious Observances and Displays)

(cf. 6115.11 - Graduation Exercises - Prayer)

(cf. 6141.2 - Separation of Church and State)

(cf. 6141.21 - Religion in the Public Schools)

(cf. 6144 - Controversial Issues)

(cf. 6144.1 - Exemption from Instruction)

(cf. 6145 - Extra-Class Activities)

(cf. 6162.51 - Student Surveys)

(cf. 6145.3 - Distribution of Printed Matter, Freedom of School Press; Publications)

(cf. 9030.1 - Religious Guidelines)

Legal Reference: Connecticut General Statutes

10-16a Silent meditation.

10-15c Discrimination in public schools prohibited.

Lee v. Weisman, 112 S. Ct. 2649 (1992).

Jones v. Clear Creek Independent School District, 977 F. 2d 963 (5th Cir. 1992).

Harris v. Joint School District, 41 F.3d 447 (9th Cir., 1994).

American Civil Liberties Union of NJ v. Black Horse Pike Regional Board of Education, 84 F.3d 1471 (3rd Cir., 1996).

20 U.S.C. 7904 (No Child Left Behind Act of 2001)

Policy adopted: March 13, 2007

WESTBROOK PUBLIC SCHOOLS

Westbrook, Connecticut