

Students

Nondiscrimination

The CREC Council complies with all applicable federal and state 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, religion, color, national origin, sex, sexual orientation, gender identity or expression, marital status, pregnancy, disability, or on any other basis prohibited by federal or state law. The prohibition of discrimination in educational programs or activities extends to academic, nonacademic and extracurricular activities, including athletics.

Legal Reference: Connecticut General Statutes

10-15c Discrimination in public schools prohibited.

Federal Statutes

Title IX of the Elementary and Secondary Education Act of 1972, 20 U.S.C. §7801, et seq.

Section 504, Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.

Policy adopted: April 18, 2018

CAPITOL REGION EDUCATION COUNCIL
Hartford, Connecticut

Students

Nondiscrimination

CREC is committed to creating and maintaining a safe learning environment for all students that is free from discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, gender identity or expression, marital status, pregnancy, disability, or on any other basis prohibited by federal or state law; and to ensuring that every student has equal access to all school programs and activities.

The Director of Human Resources is designated as CREC's Compliance Officer. (S)he or her/his designee shall be responsible for:

- coordinating continuing surveillance of district educational programs and activities and district compliance with non-discrimination and anti-harassment policies and regulations, including Title IX and its administrative regulations.
- notifying applicants for admission, students, parents/guardians of students, and sources of referral of applicants for admission, that CREC does not discriminate on any basis prohibited by federal or state law; and does not discriminate on the basis of sex in its educational programs or activities and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.
- publishing and disseminating this regulation and the complaint procedure to students, parents, employees, independent contractors, vendors and the public, along with his/her contact information.

Harassment

CREC strives to provide a safe, positive learning climate for its students. Harassment, in any form, whether by students, staff members, board members, parents, vendors, contracted individuals, volunteers, employees or visitors - on CREC grounds or property or on property within CREC's jurisdiction; on buses operated by or for CREC; while attending or engaged in CREC activities - will not be tolerated.

Harassment consists of verbal, written, graphic, or physical conduct relating to an individual's race, color, religion, sex, national origin/ethnicity, physical attributes, disability, parental or marital status, sexual orientation, gender identity/expression or age when such conduct:

- is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive education environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance;

- otherwise adversely affects an individual’s learning opportunities;
- is made either explicitly or implicitly a term or condition of an individual’s education, or participation in district programs or activities; and
- exposure to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual.

Harassment may include, but is not limited to: verbal, physical, or written intimidation or abuse; repeated remarks of a demeaning or condescending nature; repeated demeaning jokes, stories, or activities directed at the individual.

Each staff member shall be responsible for maintaining an educational environment free from all forms of harassment. Each student shall be responsible for respecting the rights of all students and staff and refraining from all forms of harassment.

All allegations of harassment shall be investigated thoroughly and addressed appropriately. There shall be no retaliation against the complainant and/or victim of the alleged harassment.

Students with Disabilities

CREC will coordinate with the LEAs to provide a free and appropriate public education to all students with disabilities within its schools, regardless of the nature or severity of the disability. Non-academic and extracurricular activities and services will be provided in a manner which will afford students with disabilities an equal opportunity to participate.

CREC will provide meaningful access to school-initiated activities to parents with disabilities. Due process rights of students with disabilities and their parents will be enforced.

Transgender and Gender Non-Conforming Students

The following guidelines are designed to address the needs of transgender and gender non-conforming students. The guidelines do not anticipate every situation that might occur, and the needs of each transgender or gender non-conforming student must be assessed on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of the transgender or gender non-conforming student while maximizing the student’s social integration and minimizing stigmatization.

The following definitions provided are not intended to label students. Students might or might not use these terms to describe themselves.

“**Gender identity**” is a person’s deeply held sense or psychological knowledge of his/her own gender, regardless of the gender (s)he was assigned at birth.

“Transgender” describes people whose gender identity or expression is different from that traditionally associated with their assigned sex at birth.

“Gender expression” is the manner a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, or mannerisms.

“Gender non-conforming” describes people whose gender expression differs from stereotypical expectations, such as “feminine” boys, “masculine” girls, and those who are perceived as androgynous.

“Transition” is the process in which a person changes his/her gender expression to better reflect his/her gender identity. This may involve a variety of steps, such as using a nickname or legally changing one’s name; choosing clothes and hairstyles to reflect one’s gender identity; and generally living and presenting oneself to others, consistently with one’s gender identity; taking hormones or undergoing surgical procedures to change one’s body to better reflect one’s gender identity.

1. School personnel should not disclose information that may reveal a student’s transgender status or gender non-conforming presentation to others, unless legally required to do so or unless the student has authorized such disclosure.
2. A student has the right to be addressed by a name and pronoun that corresponds to the student’s gender identity. A court-ordered name or gender change is not required, and the student need not change his or her official records. CREC shall modify its student information system, as necessary, to prevent disclosure of confidential information and ensure that school personnel use a student’s preferred name and pronouns consistent with the student’s gender identity.
3. CREC will change a student’s official record to reflect a change in legal name or legal gender upon receipt of documentation that such change has been made pursuant to a court order.
4. To the extent possible, schools should reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, such as for selected health education classes, students should be included in the group that corresponds to their consistently asserted gender identity.
5. Students shall have access to the restroom that corresponds to their consistently asserted gender identity. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single user restroom. However, no student shall be required to use such a restroom because (s)he is transgender or gender non-conforming.
6. The use of locker rooms by transgender students shall be assessed on a case-by-case basis with the goals of maximizing the student’s social integration and equal opportunity to participate in physical education classes and sports, ensuring the student’s safety and comfort, and minimizing stigmatization of the student.

8. Transgender and gender non-conforming students shall be permitted to participate in physical education classes, interscholastic athletics and intramural sports in a manner consistent with their gender identity and in compliance with the applicable regulations of the Connecticut Interscholastic Athletic Association (CIAC).
9. Transgender and gender non-conforming students have the right to dress in a manner consistent with their gender identity or gender expression. In general, CREC schools may not adopt dress codes that restrict students' clothing or appearance on the basis of gender.
10. It is the responsibility of each school and CREC to ensure that transgender and gender non-conforming students have a safe school environment. Complaints alleging discrimination or harassment based on a person's actual or perceived transgender status or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.
11. Schools should aim to keep transgender and gender non-conforming students at their original school site. Transfer should not be a school's first response to harassment and should be considered only when necessary for the protection or personal welfare of the transferred student, or when requested and/or consented to by the student or the student's parent/guardian.

Student Complaint Procedure

Any incident or complaint of discrimination or harassment will given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Every student shall have a ready means of resolving any complaint of discrimination or harassment.

A student who believes that (s)he has been subjected to discrimination or harassment is to report the matter to a teacher or counselor. If such person is the alleged perpetrator, the report shall be made to the school principal. If the school principal is the alleged perpetrator, the report shall be made to the Director of Human Resources. The student may make the complaint verbally or in writing.

If the complaint is made verbally, the district staff member receiving it will memorialize it in writing, noting the date of the complaint; the name of the complainant; the date(s) of the alleged discrimination or harassment; the name(s) of the alleged perpetrator; the location where such discrimination or harassment occurred; a description of the alleged discrimination of harassment; and any other pertinent information provided by the student. If the complainant is a minor student, the district staff member should consider whether a child abuse report should be completed.

Within five (5) working days of receipt of the complaint, the district staff member receiving it will start a thorough, objective and complete investigation. (S)he shall consult with all individuals reasonably believed to have relevant information, including the student and the alleged perpetrator,

any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discreetly, maintaining legally required confidentiality, and upholding the due process rights of the complainant and the accused.

The investigator shall make a written report summarizing the results of the investigation and proposed disposition of the matter, and shall provide copies to the complainant, the alleged harasser, and to the appropriate administrator(s).

If after a thorough investigation, it is found that discrimination and/or harassment has occurred, the investigator shall take all reasonable actions to resolve the matter and ensure that the conduct ceases and will not recur, and will notify the complainant student. The investigator will also inform the perpetrator that appropriate action shall be taken if further acts of discrimination, harassment or retaliation occur. If the matter cannot be resolved at the investigator's level, (s)he shall refer the complaint to the appropriate administrator for review, further investigation, if necessary, and action.



Incident Investigation Form

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act

School: _____

School Personnel Completing Form: _____

Position: _____

Today's date: ____ / ____ / ____

Person Reporting Incident

Name: _____

Telephone: ____ - ____ - ____ Ext. _____

E-mail: _____

Place an X in the appropriate box:

Student Student (witness) Parent/Guardian School Staff Member

Unknown/anonymous Other _____

Name of alleged student target(s): _____

Grade / Level / Position: _____ LEA: _____

Name(s) of Alleged Offender(s), if known	Grade / Level / Positon	Is this individual a member of our community?
		Y N Not Sure
		Y N Not Sure
		Y N Not Sure
		Y N Not Sure
		Y N Not Sure
		Y N Not Sure
		Y N Not Sure

Investigation

Date of Incident: ____ / ____ / ____

Where did the incident happen?

What happened? (use as much space as needed)

What was the process of the investigation?

Please attach any notes or relevant evidence to this document.

Describe what, if any, motivations may have surfaced: *(Be sure to consider, but not be limited to: race, color, national origin, religion, sex, disability, age, citizenship, genetics, marital status, sexual orientation, AIDS/HIV and gender identity or expression)*

What, if any, consequences or follow-up were implemented as a result of this incident?
Please explain:

Mandatory Notification *(only required when substantiated, but always recommended)*

When were the parents of all students involved notified? (Please note date and time.)

Student	Parent/Guardian	Method	Date	Time

Meetings (recommended)

Date of Parent Meeting with Perpetrator(s)	Disposition

Date of Parent Meeting with Target(s)	Disposition

BULLYING AND/OR HARASSMENT INCIDENT REPORTING PROCEDURES, DEFINITIONS AND FORM

This form is to be completed upon completion of investigations involving allegations of bullying or harassment. Please submit completed forms to the designated central office personnel within 24 hours of the completion of the investigation.

Timelines for reporting: (A) School employees witnessing potential acts of bullying must file an oral report within 1 school day and written report within 2, (B) Investigations must be completed within a “reasonable period of time”; (C) Parents of students who commit any acts of bullying, and parents of students who are victims of bullying; must be notified within 48 hours of the completion of the investigation.

Public Act No. 11-232 defines bullying as: (A) the **repeated** use by one or more students of a written, oral, or electronic communication, such as cyber-bullying, directed at or referring to another student attending school in the same school district, or (B) a **physical act or gesture** by one or more students repeatedly directed at another student attending school in the same school district, that: (i) Causes **physical or emotional harm** to such student or damage to such student’s property, (ii) places such student in **reasonable fear of harm** to himself or herself, or of damage to his or her property, (iii) creates a **hostile environment** at school for such student, (iv) **infringes on the rights** of such student at school, or (v) **substantially disrupts the education process** or the orderly operation of a school.

Physical acts or gestures, based on any actual or perceived differentiating characteristics, such as: race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, gender identity, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics are to be considered under the classification of **harassment** and are enforced by the Department’s Office for Civil Rights (OCR). The statutes that OCR enforces include Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of race, color, or national origin; Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex; Section 504 of the Rehabilitation Act of 1973(Section 504); and Title II of the Americans with Disabilities Act of 1990(Title II). Section 504 and Title II prohibit discrimination on the basis of disability.

"Cyber-bullying" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

"Teen Dating Violence" means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening that occurs between two students who are currently in or have recently been in a dating relationship.

"Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital photographs are taken or transmitted.

"Electronic communication" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.