

## **Policy Committee Meeting**

Tuesday, April 6, 2021 8:30 AM

Via Zoom: ?(US) +1 669-900-9128? Passcode: 419420, 24 School Road, Weston, CT  
06883-1623

### **I. Call to Order**

### **II. Approval of Minutes**

### **III. Discussion of policies, regulations, and bylaws**

#### **A. Sustainability Policy Update**

#### **B. Reports of Suspected Abuse or Neglect of Children or Sexual Assault of Students by School Employees (4118.25, 5141.4, Policy and Regulation)**

#### **C. Non-Discrimination (Community, Personnel, Students)**

### **IV. Discussion of policies, regulations, and bylaws in future meetings**

#### **A. Disability Accommodations and Discrimination**

#### **B. Use of School Facilities**

### **V. Adjourn**

## **Policy Committee Meeting**

March 9, 2021 - Via Zoom

### Members Present:

Melissa Walker

Hillary Koyner

### **1. Call to Order**

Melissa Walker called the meeting to order at 10:04am. In attendance, William McKersie, Ph.D., Superintendent of Schools, and Jen Ryan, HR Manager

### **2. Approval of Minutes**

#### Discussion:

February Minutes were approved.

### **3. Discussion of policies, regulations, and bylaws**

Discussion began by Ms. Walker about the District's current DEI policies and the creation of the Districtwide DEI policy to encompass all areas. Ms. Walker then asked about the Complaint policy and process.

#### 3.A. Evaluation, Termination, and Non-Renewal of Athletic Coaches (4116)

Discussion: Ms. Ryan introduced the Shipman and Goodwin changes to policy 4116. After a discussion, it was asked that Mr. Mark Berkowitz (Athletic Director) receive the policy to review it, and then forward on to a first reading in the March Board meeting.

#### 3.B. Reports of Suspected Abuse or Neglect of Children or Sexual Assault of Students by School Employees (4118.25, 5141.4)

Discussion: Ms. Ryan introduced the Shipman and Goodwin changes to the policies and regulations, including the internal updating of coordinator titles. The committee asked that Ms. Tracy Edwards (Director of PPS/SPED) review the changes and then have the committee review again.

#### 3.C. List of policies and regulations that need title/name updates

Discussion: Ms. Ryan explained that the list provided was a comprehensive list of all policies and regulations that referred to a specific title and/or employee name. Not all on the list needed to be updated but the list was a good reference for future changes.

### **Discussion of policies, regulations, and bylaws in future meetings**

Discussion: The committee was presented with a list of policies and regulations that Shipman and Goodwin suggests updates to. The committee decided to focus on the following for the next few meetings:

- Sustainability Policy Update (New)
- Non-Discrimination (Community, Personnel, and Students)
- Use of School Facilities
- Employee use of District Computers

### **5. Adjourn 10:55 am**

DRAFT

## **Students**

### **Reporting of Suspected Child Abuse and Neglect**

The Board of Education (“the Board”) recognizes that a student's mental and physical health will have an effect on the student's ability to obtain the most benefit from attending school. In order to increase the student's ability to learn while in school, the Board realizes the importance of identifying students who may be suffering from abuse, neglect, or placed in imminent danger of serious harm or who has been the victim of sexual assault by a school employee

When any (A) teacher, substitute teacher, school based administrator, district administrator, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board or who is working in a Board elementary, middle or high school; (B) any other person, who, in the performance of his or her duties has regular contact with students and who provides services to or on behalf of students enrolled in the Weston Public Schools, pursuant to a contract with the Board; or (C) any employee or independent contractor of the Board not listed in (A) or (B ) above has reasonable cause to suspect or believe a student under the age of eighteen (18) has been abused or neglected or has been placed in imminent risk of serious harm, or a student, regardless of age, has been the victim of sexual assault by a school employee, he/she shall report such abuse, neglect, or risk of imminent risk of serious harm as required by Board Policy 4118.25/5141.4.

### **Penalty**

Under state law, any person who is: (A) a teacher, substitute teacher, school based administrator, district administrator, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the Board or who is working in a Board elementary, middle or high school; (B) any other person, who, in the performance of his or her duties has regular contact with students and who provides services to or on behalf of students enrolled in the Weston Public Schools, pursuant to a contract with the Board and who fails to make such a report shall be subject to criminal penalties and disciplinary action by the District. Likewise, under state law, any person who knowingly makes a false report of child abuse or neglect shall be subject to criminal penalties and disciplinary action by the District.

### **Protection for Good Faith Reporting**

Under state law, any person who in good faith makes a report of suspected child abuse/neglect is immune from any civil or criminal liability.

### **Emergency Health Care and Reasonable Inquiry**

When reasonable cause to suspect or believe that a child has been abused, neglected or is

placed in serious risk of imminent harm or when a child has a visible injury, or that a student has been the victim of sexual assault by a school employee, school personnel may make reasonable inquiry of the child regarding such suspicion or visible injury. If a school nurse is not readily available and the rendering of emergency first aid is necessary, 911 must be called immediately. If the administration did not initiate the 911 call, an administrator must be notified of the 911 call as soon as possible after the 911 call is made.

### **Removal of Clothing**

In the event that visual confirmation of injury or neglect is necessary, only a school nurse may request or remove the child's clothing. A school nurse may request that a child remove clothing when the following three (3) conditions exist:

1. A child, by word or action, has identified a particular injury, the extent of which can only be determined by removing the child's clothing.
2. The examination is necessary to determine whether medical attention is required and not merely to confirm suspected abuse.
3. The request is made in such a manner that the child clearly understands that compliance with the request is optional and that no adverse consequences will result from a refusal to comply.

In addition to a school nurse, a staff member of the same sex as the child, who, if possible, is known to the child, will be present during such an examination.

A school nurse may not remove or insist that a child remove clothing to confirm suspected abuse or neglect, except in those circumstances where there is a need of emergency medical treatment.

### **Interviewing the Child**

Public school personnel who believe that an interview in the school setting may be necessary in order to protect the child must notify DCF as early in the day as possible to provide both DCF and the school administration ample time to coordinate appropriate activities and actions. Upon receipt of such notice, DCF will advise school personnel whether the child must be interviewed in the school. If school personnel decide to retain the child after the scheduled school day in order to ensure an interview by DCF or local or state police, school personnel must attempt to notify the parents or guardians of the child, except where the alleged abuse involves the parents or guardians.

### **Preparation for the Interview**

If DCF determines that a school interview is appropriate, the DCF social worker shall be required to notify the Director of Pupil Personnel Services prior to the school visit with as much advance notice as possible. The DCF social worker shall provide the ~~Assistant Superintendent~~ Director of Pupil Personnel Services or Building Administration with DCF

identification and the administration shall retain a copy of such identification. If the DCF social worker is not known to school personnel, a verifying call to the local DCF office shall be made. If deemed appropriate by DCF or the administration, the parent or guardian of the child will be notified prior to the interview. DCF personnel are solely responsible for scheduling such interviews. If the DCF social worker does not arrive as scheduled and school personnel decide that the retention of the child beyond the school day is necessary to protect the child's physical well-being, school personnel must attempt to notify the parents or guardians of the child that the child will be late, except where the alleged abuse involves the parents or guardians.

### **The Interview**

To ensure confidential communication, the school administration shall provide a private place to interview the child. As part of the investigative process, the DCF social worker may request that school personnel be present during the interview. In all cases, the school administration shall request that an appropriate staff member (as assigned by the school principal or his/her designee) be present during the interview. The investigation is to be conducted solely by the DCF social worker.

#### Legal References:

Section 10-151

Section 17a-101 *et seq.*

Section 17a-101q, Statewide Sexual Abuse and Assault Awareness and Prevention Program

Section 17a-103

Section 46b-120

Section 53a-65

Public Act 18-17, "An Act Requiring Behavior Analysts to be Mandated Reporters of Suspected Child Abuse and Neglect."

Public Act 18-67, "An Act Concerning Minor Revisions to the Statutes of the Department of Children and Families and Establishing a Pilot Program to Permit Electronic Reporting by Mandated Reporters"

#### Policy References:

Policy 4118.25/5141.4

Regulations revised: December 16, 2002

June 15, 2015

August 26, 2019

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

4118.25  
5141.4

**Personnel**  
**Reports of Suspected Abuse or Neglect of Children or Sexual Assault of Students by School Employees**

Connecticut General Statute Section 17a-101 et seq. requires school employees who have reasonable cause to suspect or believe (1) that a child under eighteen has been abused or neglected, has had a non-accidental physical injury, or injury which is at variance with the history given of such injury, or has been placed at imminent risk of serious harm, or (2) that any person who is being educated by the Technical Education and Career System technical high school or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, and the perpetrator is a school employee, to report such suspicions to the appropriate authority.

In furtherance of this statute and its purpose, it is the policy of the Weston Board of Education ("the Board") to require ALL EMPLOYEES of the Board to report suspected abuse and/or neglect, or imminent risk of serious harm, or sexual assault by a school employee, in accordance with the procedures set forth below.

1. Scope of Policy

This policy applies not only to school employees who are required by law to report suspected child abuse and/or neglect, non-accidental physical injury, imminent risk of serious harm, or sexual assault by a student by a school employee, but to **ALL EMPLOYEES** of the Board.

2. Definitions

For the purposes of this policy:

"Abused" means that a child (a) has had physical injury or injuries inflicted upon him or her other than by accidental means, or (b) has injuries which are at variance with the history given of them, or (c) is in a condition which is the result of maltreatment, such as, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

"Neglected" means that a child (a) has been abandoned, or (b) is being denied proper care and attention, physically, educationally, emotionally or morally, or (c) is being permitted to live under conditions, circumstances or associations injurious to his wellbeing, or (d) has been abused.

"School employee" means (A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school para-educator professional, or coach employed by the Board or who is working in a Board elementary, middle or high school; or (B) any other person, who, in the performance of his or her

duties, has regular contact with students and who provides services to or on behalf of students enrolled in the Weston Public Schools ("District"), pursuant to a contract with the Board.

"Sexual assault" means, for the purposes of the mandatory reporting laws and this policy, a violation of Sections 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a of the Connecticut General Statutes. Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by mandatory reporting laws and this policy.

"Statutorily mandated reporter" means an individual required by Conn. Gen. Stat. Section 17a-101 to report suspected abuse and/or neglect of children. The term "statutorily mandated reporter" includes all school employees, as defined above, any person who is a licensed behavior analyst, and any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletic and is eighteen years of age or older.

### 3. What Must Be Reported

- a) A report must be made when any employee of the Board in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any child under the age of eighteen years:
  - i) has been abused or neglected;
  - ii) has had non-accidental physical injury, or injury which is at variance with the history given for such injury, inflicted upon him/her; or
  - iii) is placed at imminent risk of serious harm; or
  
- b) A report must be made when any employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the Technical Education and Career System ~~technical high school system~~ or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee:
  - i) sexual assault in the first degree;
  - ii) aggravated sexual assault in the first degree;
  - iii) sexual assault in the second degree;
  - iv) sexual assault in the third degree;

Formatted: Indent: Left: 0.5"

- v) sexual assault in the third degree with a firearm; or
- vi) sexual assault in the fourth degree.

Please see Appendix A of this policy for the relevant statutory definitions of sexual assault laws and related terms covered by the mandatory reporting laws and this policy.

- c) The suspicion or belief of a Board employee may be based on factors including, but not limited to, observations, allegations, facts or statements by a child or victim, as described above, or a third party. Such suspicion or belief does not require certainty or probable cause.

#### 4. Reporting Procedures for Statutorily Mandated Reporters

The following procedures apply only to statutorily mandated reporters, as defined above.

(a) When an employee of the Board who is a statutorily mandated reporter and who, in the ordinary course of the person's employment, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee, as describe-d in paragraph 3 above, the following steps shall be taken:

- (1) The employee shall make an oral or electronic report as soon as practicable, but not later than twelve (12) hours after having reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or is a victim of sexual assault by a school employee.

(a) An oral report shall be made by telephone or in person to the Commissioner of ~~Children and Families~~ DCF or the local law enforcement agency. The Department of Children and Families has established a 24 hour Child Abuse and Neglect Careline at 1-800-842-2288 for the purpose of making such oral reports.

(b) An electronic report shall be made in the manner prescribed by the Commissioner of ~~Children and Families~~ DCF. An employee making an electronic report shall respond to further inquiries from the Commissioner of Children and Families or designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.

- (2) The employee shall also make an oral report as soon as practicable to the Building Principal or his/her designee, and/or the Superintendent or the Superintendent's designee. If the Building Principal is the alleged perpetrator of the abuse/neglect

Formatted: Font color: Custom Color(RGB(1,1,1))

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font color: Custom Color(RGB(1,1,1))

Formatted: Indent: Left: 0.5"

or sexual assault of a student, then the employee shall notify the Superintendent or the Superintendent's designee directly.

(3) In cases involving suspected or believed abuse, neglect, or sexual assault of a student by a school employee, the Superintendent or his/her designee shall immediately notify the child's parent or guardian that such a report has been made.

(4) Not later than forty-eight hours of making an oral report the employee shall submit a written or electronic report to the Commissioner of ~~Children and Families~~DCF or the Commissioner's designee containing all of the required information. The written report or electronic report should be submitted in the manner prescribed by the Commission of ~~Children and Families~~DCF. When such report is submitted electronically, the employee shall respond to further inquiries from the Commissioner of ~~Children and Families~~DCF or designee made within twenty-four (24) hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.

(5) The employee shall immediately submit a copy of the written or electronic report to the Building Principal or his/her designee and to the Superintendent or the Superintendent's designee.

(6) If the report concerns suspected abuse, neglect, or sexual assault of a student by a school employee holding a certificate, authorization or permit issued by the State Department of Education, the Commissioner of ~~Children and Families~~DCF, (his/her designee) shall submit a copy of the written or electronic report to the Commissioner of Education (or his/her designee).

##### 5. Reporting Procedures for Employees and Independent Contractors Other Than Statutory Mandated Reporters

The following procedures apply only to employees who are not statutorily mandated reporters, as defined above.

Formatted: Underline

a) When an employee or independent contractor who is not a statutorily mandated reporter and who, in the ordinary course of the person's employment or profession, has reasonable cause to suspect or believe that a child has been abused or neglected or placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee, as described in Paragraph 3 above, the following steps shall be taken:

(1) The employee or independent contractor shall make an oral report as soon as practicable, but not later than twelve (12) hours after the employee or independent

contractor has reasonable cause to suspect or believe that a child has been abused or neglected, placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee. Such oral report shall be made by telephone or in person to the Superintendent of Schools or his/her designee, to be followed by an immediate written report to the Superintendent or his/her designee.

(2) If the Superintendent or his/her designee determines that there is reasonable cause to suspect or believe that a child has been abused or neglected, placed at imminent risk of serious harm, or a student is a victim of sexual assault by a school employee, the Superintendent or his/her designee, in coordination with the reporting employee or independent contractor, shall cause reports to be made in accordance with the procedures set forth above for statutorily mandated reporters.

- b) Nothing in this policy shall be construed to preclude an employee or independent contractor reporting suspected child abuse and/or neglect from reporting the same directly to the Commissioner of Children and Families.

#### 6. Contents of Reports

Any report made pursuant to this policy shall contain the following information, if known:

- a) The names and addresses of the child\* and his/her parents or other persons responsible for his/her care;
- b) the age of the child;
- c) the gender of the child;
- d) the nature and extent of the child's injury or injuries, maltreatment or neglect;
- e) the approximate date and time the injury or injuries, maltreatment or neglect occurred;
- f) information concerning any previous injury or injuries to, or maltreatment or neglect of the child or his/her siblings;
- g) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter;
- h) the name of the person or persons suspected to be responsible for causing such injury or injuries, maltreatment or neglect;
- i) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect;

- j) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and
- k) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child.

\*For purpose of this Paragraph, the term “child” includes any victim of sexual assault by a school employee, as described in paragraph 3, above.

7. Investigation of the Report

- (a) The Superintendent or his/her designee shall thoroughly investigate reports of suspected abuse and neglect if/when such report involves an employee of the Board or other individual under control of the Board, provided such investigation does not impede an investigation by the Department of Children and Families (“DCF”). In all other cases, DCF shall be responsible for conducting the investigation with the cooperation and collaboration of the Board, as appropriate.
- (b) Recognizing the fact that the DCF is the lead agency for the investigation of child abuse and neglect reports and reports of a student’s sexual assault by school employees, the Superintendent’s investigation shall permit and give priority to any investigation conducted by the Commissioner of ~~Children and Families~~ DCF or the appropriate local law enforcement agency. The Superintendent shall conduct the District’s investigation and take any disciplinary action, consistent with state law, upon notice from the Commissioner of ~~Children and Families~~ DCF or the appropriate local law enforcement agency that the District’s investigation will not interfere with the investigation of the Commissioner of ~~Children and Families~~ DCF or the local law enforcement agency.
- (c) The Superintendent, or his/her designee, shall coordinate investigatory activities in or to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate.
- (d) Any person reporting child abuse or neglect or the sexual assault of a student by a school employee, or having any information relevant to alleged abuse or neglect or sexual assault of a student by a school employee, shall provide the Superintendent with all information related to the investigation that is in the possession or control of such person, except as expressly prohibited by state or federal law.

(e) When the school district is conducting an investigation involving suspected abuse or neglect or sexual assault by an employee of the Board or other individual under the control of the Board, the Superintendent’s investigation shall include an opportunity for the individual suspected of abuse or neglect or sexual assault to be heard with respect to the allegations contained within the report.

Formatted: Indent: First line: 0"

Formatted: Normal, Indent: Left: 0"

Formatted: Font: (Default) CG Times

— During the course of such investigation, the Superintendent may suspend a Board employee with pay or may place the employee on administrative leave with pay, pending the outcome of the investigation. If the individual is one who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board, the Superintendent may suspend the provision of such services, and direct the individual to refrain from any contact with students enrolled in the District, pending the outcome of the investigation.

#### 8. Evidence of Abuse, Neglect or Sexual Assault by a School Employee

- ~~(a)~~ If, upon completion of the investigation by the Commissioner of ~~Children and Families~~ DCF ("Commissioner"), the Superintendent has received a report from the Commissioner that he or she has reasonable cause to believe that (1) a child has been abused or neglected by a school employee as defined above, and has recommended that such employee be placed on the ~~DCF eChild Abuse and Neglect r~~Registry, or (2) a student is a victim of sexual assault by a school employee, the Superintendent shall request (and the law provides) that DCF notify the Superintendent not later than five (5) working days after such finding, and provide the Superintendent with records, whether or not created by DCF, concerning such investigation. The Superintendent shall suspend such school employee. Such suspension shall be with pay and shall not result in the diminution or termination of benefits to such employee.
- (b) Not later than seventy-two (72) hours after such suspension, the Superintendent shall notify the Board and the Commissioner of Education, or the Commissioner of Education's representative, of the reasons for and the conditions of the suspension. The Superintendent shall disclose such records to the Commissioner of Education and the Board or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization, if any.
- (c) The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the Superintendent and/or Board acts pursuant to the provisions of Conn. Gen. Stat. §10-151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the Superintendent shall notify the Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.
- (d) The suspension of a school employee employed in a position requiring an authorization or permit shall remain in effect until the Superintendent and/or Board acts pursuant to any applicable termination provisions. If the contract of employment of a school employee holding an authorization or permit from the State Department of Education is terminated, or such school employee resigns such employment, the Superintendent shall notify the

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Commissioner of Education, or the Commissioner of Education's representative, within seventy-two (72) hours after such termination or resignation.

- (e) Regardless of the outcome of any investigation by the Commissioner of ~~Children and Families-DCF~~ and/or the police, the Superintendent and/or the Board, as appropriate, may take disciplinary action, up to and including termination of employment, in accordance with the provisions of any applicable statute, if the Superintendent's investigation produces evidence that a child has been abused or neglected or that the students has been a victim of sexual assault by a school employee.
- (f) The District shall not employ a person whose employment contract is terminated or who resigned from employment following a suspension pursuant to Paragraph 8(a) of this policy and Conn. Gen. Stat. § 17a-101i, if such person is convicted of a crime involving an act of child abuse or neglect or an act of sexual assault of a student, as described in Paragraph 3 of this policy.

9. Evidence of Abuse or Neglect by an Independent Contractor of the Board

If the investigation by the Superintendent and/or the Commissioner of Children and Families produces evidence that a child has been abused or neglected, or a student has been sexually assaulted, by any individual who provides services to or on behalf of students enrolled in the District, pursuant to a contract with the Board, the Superintendent shall permanently suspend the provision of such services, and direct the individual to refrain from contact with students enrolled in the District.

10. Delegation of Authority by Superintendent

The Superintendent may appoint a designee for the purposes of receiving and making reports, notifying and receiving notification, or investigating reports pursuant to this policy.

11. Confidential Rapid Response Team

The Superintendent shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected abuse or neglect or sexual assault of a student by a school employee, as described in Paragraph 3, above, and (2) provide immediate access to information and individuals relevant to the department's investigation. The confidential rapid response team shall consist of a teacher and the Superintendent, a local police officer and any other person the Board of Education, acting through its Superintendent, deems appropriate.

12. Disciplinary Action for Failure to Follow Policy

Except as provided in Section 14 below, any employee who fails to comply with the requirements of this policy shall be subject to discipline, up to and including termination of employment.

13. The District shall not hire any person whose employment contract was previously terminated by a board of education or who resigned from such employment, if such person has been convicted of a violation of Section 17a-101a of the Connecticut General Statutes, as amended, relating to mandatory reporting, when an allegation of abuse or neglect or sexual assault has been substantiated.

14. Non-discrimination Policy/Prohibition Against Retaliation

The Board expressly prohibits retaliation against individuals reporting child abuse or neglect or the sexual assault of a student by a school employee and shall not discharge or in any manner discriminate or retaliate against any employee who, in good faith makes, ~~or in good faith does not make~~, a report pursuant to this policy, or testifies or is about to testify in any proceeding involving abuse or neglect or sexual assault by a school employee. The Board also prohibits any employee from hindering or preventing or attempting to hinder or prevent any employee from making a report pursuant to this policy or state law concerning suspected child abuse or neglect or sexual assault of a student by a school employee or testifying in any proceeding involving child abuse or neglect or the sexual assault of a student by a school employee

15. Distribution of Policy and Posting of Careline Information

This policy shall be distributed annually to all school employees employed by the Board. The Superintendent or his/her designee shall document that all such school employees have received this written policy and completed the training and refresher training programs required by in Section 16, below. The Board shall post the Internet web site address and telephone number for the Department of Children and Families' Child Abuse and Neglect Careline in a conspicuous location frequented by students in each school under the jurisdiction of the Board.

16. Training

- a) All new school employees, as defined above, shall be required to complete an educational training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program shall be developed and approved by the Commissioner of Children and Families.
- b) All school employees, as defined above, shall retake a refresher training course developed and approved by the Commissioner of Children and Families at least

once every three years.

- c) The principal for each school shall annually certify to the Superintendent that each school employee, as defined above, working at such school, is in compliance with the training provisions in this policy and as required by state law. The Superintendent shall certify such compliance to the State Board of Education.

17. Records

- a) The Board shall maintain in a central location all records of allegations, investigations and reports that a child has been abused or neglected by a school employee, as defined above, employed by the Board or that a student has been a victim of sexual assault by a school employee, as defined above, and conducted in accordance with this policy. Such records shall include any reports made to the Department of Children and Families. The State Department of Education shall have access to such records upon request.
- b) Notwithstanding the provisions of Conn. Gen. Stat. §10-151c, the Board shall provide the Commissioner of ~~Children and Families~~DCF, upon request and for the purposes of an investigation by the Commissioner of ~~Children and Families~~DCF of suspected child abuse or neglect by a teacher employed by the Board, any records maintained or kept on file by the Board. Such records shall include, but not be limited to, supervisory records, reports of competence, personal character and efficiency maintained in such teacher's personnel file with reference to evaluation of performance as a professional employee of the Board, and records of the personal misconduct of such teacher. For purposes of this section, "teacher" includes each certified professional employee below the rank of superintendent employed by the Board in a position requiring a certificate issued by the State Board of Education.

18. Child Sexual Abuse and/or Sexual Assault Response Policy and Reporting Procedure

The Board has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of its sexual assault and abuse prevention and awareness program, as outlined in Board Policy **5141.45, Child Sexual Abuse and Assault Policy and Reporting Procedure**. Upon receipt of any report of child sexual abuse and/or sexual assault from any source, a school employee shall report such suspicion to the Safe School Climate Coordinator in addition to complying with his/her obligations under this Policy and the law regarding mandatory reporting of abuse, neglect and sexual assault.

Legal References:

Connecticut General Statutes:

Section 10-151

[Section 10-221s](#)

Section 17a-101 *et seq.*

Section 17a-101q, Statewide Sexual Abuse and Assault Awareness and Prevention Program

Section 17a-103

Section 46b-120

Section 53a-65

Public Act 18-17, “An Act Requiring Behavior Analysts to be Mandated Reporters of Suspected Child Abuse and Neglect.”

Public Act 18-67, “An Act Concerning Minor Revisions to the Statutes of the Department of Children and Families and Establishing a Pilot Program to Permit Electronic Reporting by Mandated Reporters

Policy Adopted: July 16, 1990

Policy Revised: January 21, 1997

Policy Revised: March 15, 2010

Policy Revised: June 15, 2015

Policy Revised: August 26, 2019

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

## Appendix A

### RELEVANT EXCERPTS OF STATUTORY DEFINITIONS OF SEXUAL ASSAULT AND RELATED TERMS COVERED BY MANDATORY REPORTING LAWS AND THIS POLICY

An employee of the Board of Education must make a report in accordance with this policy when the employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the ~~technical high school system~~ Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of the following sexual assault crimes, and the perpetrator is a school employee. The following are relevant excerpts of the sexual assault laws and related terms covered by mandatory reporting laws and this policy.

#### **"Intimate Parts" (Conn. Gen. Stat. § 53a-65)**

"Intimate parts" means the genital area or any substance emitted therefrom, groin, anus or any substance emitted therefrom, inner thighs, buttocks or breasts.

#### **"Sexual Intercourse" (Conn. Gen. Stat. § 53a-65)**

"Sexual intercourse" means vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. ~~Its meaning is limited to persons not married to each other.~~ Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body.

#### **"Sexual Contact" (Conn. Gen. Stat. § 53a-65)**

"Sexual contact" means any contact with the intimate parts of a person ~~not married to the actor~~ for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating

such person or any contact of the intimate parts of the actor with a person ~~not married to the actor~~ for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person.

#### **Sexual Assault in the First Degree (Conn. Gen. Stat. § 53a-70)**

A person is guilty of sexual assault in the first degree when such person (1) compels another person to engage in sexual intercourse by the use of force against such other person or a third person, or by the threat of use of force against such other person or against a third person which reasonably causes such person to fear physical injury to such person or a third person, or (2) engages in sexual intercourse with another person and such other person is under thirteen years of age and the actor is more than two years older than such person, or (3) commits sexual assault in the second degree as provided in section 53a-71 and in the commission of such offense is aided by two or more other persons actually present, or (4) engages in sexual intercourse with another person and such other person is mentally incapacitated to the extent that such other person is unable to consent to such sexual intercourse.

#### **Aggravated Sexual Assault in the First Degree (Conn. Gen. Stat. § 53a-70a)**

A person is guilty of aggravated sexual assault in the first degree when such person commits sexual assault in the first degree as provided in section 53a-70 and in the commission of such offense (1) such person uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a deadly weapon, (2) with intent to disfigure the victim seriously and permanently, or to destroy, amputate or disable permanently a member or organ of the victim's body, such person causes such injury to such victim, (3) under circumstances evincing an extreme indifference to human life such person recklessly engages in conduct which creates a risk of death to the victim, and thereby causes serious physical injury to such victim, or (4) such person is aided by two or more other persons actually present. No person shall be convicted of sexual assault in the first degree and aggravated sexual assault in the first degree upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.

#### **Sexual Assault in the Second Degree (Conn. Gen. Stat. § 53a-71)**

A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and: (1) Such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such other person; or (2) such other person is impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; or (3) such other person is physically helpless; or (4) such other person is less than eighteen years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or (5) such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (6) the actor is a psychotherapist and such other person is (A) a patient of the actor and the sexual intercourse occurs during the psychotherapy session, (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former

patient of the actor and the sexual intercourse occurs by means of therapeutic deception; or (7) the actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a health care professional; or (8) the actor is a school employee and such other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (9) the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (10) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and such other person is under eighteen years of age; or (11) such other person is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

#### **Sexual Assault in the Third Degree (Conn. Gen. Stat. § 53a-72a)**

A person is guilty of sexual assault in the third degree when such person (1) compels another person to submit to sexual contact (A) by the use of force against such other person or a third person, or (B) by the threat of use of force against such other person or against a third person, which reasonably causes such other person to fear physical injury to himself or herself or a third person, or (2) ~~subjects another person to sexual contact and such other person is mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact, or~~ (3) engages in sexual intercourse with another person whom the actor knows to be related to him or her within any of the degrees of kindred specified in section 46b-21.

#### **Sexual Assault in the Third Degree with a Firearm (Conn. Gen. Stat. § 53a-72b)**

A person is guilty of sexual assault in the third degree with a firearm when such person commits sexual assault in the third degree as provided in section 53a-72a, and in the commission of such offense, such person uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a pistol, revolver, machine gun, rifle, shotgun or other firearm. No person shall be convicted of sexual assault in the third degree and sexual assault in the third degree with a firearm upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.

#### **Sexual Assault in the Fourth Degree (Conn. Gen. Stat. § 53a-73a)**

A person is guilty of sexual assault in the fourth degree when: (1) Such person subjects another person to sexual contact who is (A) under thirteen years of age and the actor is more than two years older than such other person, or (B) thirteen years of age or older but under fifteen years of age and the actor is more than three years older than such other person, or (C) ~~mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact, or~~ (D) physically helpless, or (E) less than eighteen years old and the actor is such other person's guardian or otherwise responsible for the

general supervision of such other person's welfare, or (~~FE~~) in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (2) such person subjects another person to sexual contact without such other person's consent; or (3) such person engages in sexual contact with an animal or dead body; or (4) such person is a psychotherapist and subjects another person to sexual contact who is (A) a patient of the actor and the sexual contact occurs during the psychotherapy session, or (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual contact occurs by means of therapeutic deception; or (5) such person subjects another person to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a health care professional; or (6) such person is a school employee and subjects another person to sexual contact who is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (7) such person is a coach in an athletic activity or a person who provides intensive, ongoing instruction and subjects another person to sexual contact who is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (8) such person subjects another person to sexual contact and (A) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and (B) such other person is under eighteen years of age; or (9) such person subjects another person to sexual contact who is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

*[Appendices B and C are optional to include with the policy, however they may be useful as part of training for staff members in identifying the signs of abuse and/or neglect of children.]*

## APPENDIX B

### Operational Definitions of Child Abuse and Neglect

The purpose of this policy is to provide consistency for staff in defining and identifying operational definitions, evidence of abuse and/or neglect and examples of adverse impact indicators.

The following operational definitions are working definitions and examples of child abuse and neglect as used by the Connecticut DCF.

For the purposes of these operational definitions,

- A person responsible for a child's health, welfare or care means:
  - the child's parent, guardian, or foster parent; an employee of a public or private residential home, agency or institution or other person legally responsible under

State law for the child's welfare in a residential setting; or any staff person providing out-of-home care, including center-based child day care, family day care, or group day care.

- A person given access to a child is a person who is permitted to have personal interaction with a child by the person responsible for the child's health, welfare or care or by a person entrusted with the care of a child.
- A person entrusted with the care of a child is a person who is given access to a child by a person responsible for the health, welfare or care of a child for the purpose of providing education, child care, counseling, spiritual guidance, coaching, training, instruction, tutoring or mentoring.
- Note: Only a "child" as defined in the policy above may be classified as a victim of child abuse and/or neglect; only a "person responsible," "person given access," or "person entrusted" as defined above may be classified as a perpetrator of child abuse and/or neglect.
  - While only a child under eighteen may be a victim of child abuse or neglect, a report under mandatory reporting laws and this policy is required if an employee of the Board of Education in the ordinary course of such person's employment or profession has reasonable cause to suspect or believe that any person, regardless of age, who is being educated by the Technical Education and Career System or a local or regional board of education, other than as part of an adult education program, is a victim of sexual assault, as set forth in this policy, and the perpetrator is a school employee.

### Physical Abuse

#### A child may be found to have been physically abused who:

has been inflicted with physical injury or injuries other than by accidental means,

is in a condition which is the result of maltreatment such as, but not limited to, malnutrition, sexual molestation, deprivation of necessities, emotional maltreatment or cruel punishment, and/or

has injuries at variance with the history given of them.

#### Evidence of physical abuse includes, but is not limited to the following:

excessive physical punishment;

bruises, scratches, lacerations;

burns, and/or scalds;

reddening or blistering of the tissue through application of heat by fire, chemical substances, cigarettes, matches, electricity, scalding water, friction, etc.;

injuries to bone, muscle, cartilage, ligaments;  
fractures, dislocations, sprains, strains, displacements, hematomas, etc.;

head injuries;

internal injuries;

death;

misuse of medical treatments or therapies;

malnutrition related to acts of commission or omission by an established caregiver resulting in a child's malnourished state that can be supported by professional medical opinion;

deprivation of necessities acts of commission or omission by an established caregiver resulting in physical harm to child; and/or

cruel punishment.

**Sexual Abuse/Exploitation Sexual Abuse/Exploitation**

**Sexual Abuse/Exploitation** is any incident involving a child's non-accidental exposure to sexual behavior.

**Evidence of sexual abuse includes, but is not limited to the following:**

rape;

penetration: digital, penile, or foreign objects;

oral / genital contact;

indecent exposure for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim;

incest;

fondling, including kissing, for the purpose of sexual gratification of the offender, or for purposes of shaming, humiliating, shocking or exerting control over the victim;

sexual exploitation, including possession, manufacture, or distribution of child pornography, online enticement of a child for sexual acts, child prostitution, child-sex tourism, unsolicited obscene material sent to a child, or misleading domain name likely to attract a child to an inappropriate website;

coercing or forcing a child to participate in, or be negligently exposed to, pornography and/or sexual behavior;

disease or condition that arises from sexual transmission; and/or

other verbal, written or physical behavior not overtly sexual but likely designed to “groom” a child for future sexual abuse.

Legal References: Federal Law 18 U.S.C. 2251 Sexual Exploitation of Children.

### **Emotional Maltreatment-Abuse**

**Emotional Maltreatment-Abuse is an:**

act(s), statement(s), or threat(s), which

has had, or is likely to have an adverse impact on the child; and/or

interferes with a child's positive emotional development.

**Evidence of emotional maltreatment-abuse includes, but is not limited to, the following:**

rejecting;

degrading;

isolating and/or victimizing a child by means of cruel, unusual, or excessive methods of discipline; and/or

exposing the child to brutal or intimidating acts or statements.

**Indicators of Adverse Impact of emotional maltreatment-abuse may include, but are not limited to, the following:**

depression;

withdrawal;

low self-esteem;

anxiety;

fear;

aggression/ passivity;

emotional instability;

sleep disturbances;

somatic complaints with no medical basis;

inappropriate behavior for age or development;

suicidal ideations or attempts;

extreme dependence;

academic regression; and/or

trust issues.

#### **Physical Neglect**

#### **A child may be found neglected who:**

has been abandoned;

is being denied proper care and attention physically, educationally, emotionally, or morally;

is being permitted to live under conditions, circumstances or associations injurious

to his well-being; and/or

has been abused.

#### **Evidence of physical neglect includes, but is not limited to:**

inadequate food;

malnutrition;

inadequate clothing;

inadequate housing or shelter;

erratic, deviant, or impaired behavior by the person responsible for the child's health, welfare or care; by a person given access to the child; or by a person entrusted with the child's care which adversely impacts the child;

permitting the child to live under conditions, circumstances or associations injurious to his well-being including, but not limited to, the following:

substance abuse by caregiver, which adversely impacts the child physically;

substance abuse by the mother of a newborn child and the newborn has a positive urine or meconium toxicology for drugs;

psychiatric problem of the caregiver which adversely impacts the child physically;

exposure to family violence which adversely impacts the child physically;

exposure to violent events, situations, or persons that would be reasonably judged to compromise a child's physical safety;

non-accidental, negligent exposure to drug trafficking and/or individuals engaged in the active abuse of illegal substances;

voluntarily and knowingly entrusting the care of a child to individuals who may be disqualified to provide safe care, e.g., persons who are subject to active protective or restraining orders; persons with past history of violent/drug/sex crimes; persons appearing on the Central Registry;

non-accidental or negligent exposure to pornography or sexual acts;

inability to consistently provide the minimum of child-caring tasks;

inability to provide or maintain a safe living environment;

action/inaction resulting in death;

abandonment:

action/inaction resulting in the child's failure to thrive:

transience:

inadequate supervision:

creating or allowing a circumstance in which a child is alone for an excessive period of time given the child's age and cognitive abilities:

holding the child responsible for the care of siblings or others beyond the child's ability; and/or

failure to provide reasonable and proper supervision of a child given the child's age and cognitive abilities.

**Note:**

- Inadequate food, clothing, or shelter or transience finding must be related to caregiver acts of omission or commission and not simply a function of poverty alone.
- Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level.
- Adverse impact may not be required if the action/inaction is a single incident that demonstrates a serious disregard for the child's welfare.

**Medical Neglect**

**Medical Neglect** is the unreasonable delay, refusal or failure on the part of the person responsible for the child's health, welfare or care or the person entrusted with the child's care to

seek, obtain, and/or maintain those services for necessary medical, dental or mental health care when such person knows, or should reasonably be expected to know, that such actions may have an adverse impact on the child.

**Evidence of medical neglect includes, but is not limited to:**

frequently missed appointments, therapies or other necessary medical and/or mental health treatments;

withholding or failing to obtain or maintain medically necessary treatment from a child with life-threatening, acute or chronic medical or mental health conditions; and/or

withholding medically indicated treatment from disabled infants with life-threatening conditions.

**Note:** Failure to provide the child with immunizations or routine well-child care in and of itself does not constitute medical neglect.

**Educational Neglect**

Except as noted below, Educational Neglect occurs when a school-aged child has excessive absences from school through the intent or neglect of the parent or caregiver.

**Definition of School-Aged Child:** Except as noted below, a school-aged child is a child five years of age and older and under 18 years of age who is not a high school graduate. Note: Excessive absenteeism and school avoidance may be presenting symptoms of a failure to meet the physical, emotional or medical needs of a child. Careline staff shall consider these potential additional allegations at the time of referral.

**Criteria:**

- **For children school-aged to age 12, excessive absenteeism** may be indicative of the parent's or caregiver's failure to meet the educational needs of a student.
- **For children older than age 12, excessive absenteeism,** coupled with a failure by the parent or caregiver to engage in efforts to improve the child's attendance, may be indicative of educational neglect.

- For children older than age 12, excessive absenteeism through the child's own intent, despite the parent's or caregiver's efforts, is not educational neglect. Rather, this is truancy, which is handled through the school district.

**Child's Characteristics.** In determining the criteria for excessive absenteeism, the following characteristics of the child shall be considered by the social worker:

- Age;
- Health;
- Level of functioning;
- Academic standing; and
- Dependency on parent or caregiver

**Parent or Caregiver's Characteristics.** In determining the criteria for excessive absenteeism, the following characteristics of the parent or caregiver shall be considered by the social worker:

- Rationale provided for the absences;
- Efforts to communicate and engage with the educational provider; and
- Failure to enroll a school-aged child in appropriate educational programming (including homeschooling)

**Exceptions (in accordance with Conn. Gen. Stat. § 10-184):**

1. A parent or person having control of a child may exercise the option of not sending the child to school at age five (5) or age six (6) years by personally appearing at the school district office and signing an option form. In these cases, educational neglect occurs if the parent or person having control of the child has registered the child at age five (5) or age (6) years and then does not allow the child to attend school or receive home instruction.
2. A parent or person having control of a child seventeen (17) years of age may consent to such child's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form.

**Note:** Failure to sign a registration option form for such child is not in and of itself educational neglect.

**Emotional Neglect**

**Emotional Neglect** is the denial of proper care and attention, or failure to respond, to a child's affective needs by the person responsible for the child's health, welfare or care; by the person

given access to the child; or by the person entrusted with the child's care which has an adverse impact on the child or seriously interferes with a child's positive emotional development.

Note: Whether or not the adverse impact has to be demonstrated is a function of the child's age, cognitive abilities, verbal ability and developmental level. Adverse impact is not required if the action/inaction is a single incident which demonstrates a serious disregard for the child's welfare.

Note: The adverse impact may result from a single event and/or from a consistent pattern of behavior and may be currently observed or predicted as supported by evidence-based practice.

**Evidence of emotional neglect includes, but is not limited to, the following:**

inappropriate expectations of the child given the child's developmental level;

failure to provide the child with appropriate support, attention and affection;

permitting the child to live under conditions, circumstances or associations;

injurious to his well-being including, but not limited to, the following:

substance abuse by caregiver, which adversely impacts the child emotionally;

psychiatric problem of the caregiver, which adversely impacts the child emotionally; and/or

exposure to family violence which adversely impacts the child emotionally.

**Indicators may include, but are not limited to, the following:**

depression;

withdrawal;

low self-esteem;

anxiety;

fear;

aggression/ passivity;

emotional instability;

sleep disturbances;

somatic complaints with no medical basis;

inappropriate behavior for age or development;

suicidal ideations or attempts;

extreme dependence;

academic regression; and/or

trust issues.

### **Moral Neglect**

**Moral Neglect:** Exposing, allowing, or encouraging the child to engage in illegal or reprehensible activities by the person responsible for the child's health, welfare or care or person given access or person entrusted with the child's care.

### **Evidence of Moral Neglect includes but is not limited to:**

stealing;

using drugs and/or alcohol; and/or

involving a child in the commission of a crime, directly or by caregiver indifference.

## Appendix C

### INDICATORS OF CHILD ABUSE AND NEGLECT

#### Indicators of Physical Abuse

##### HISTORICAL

Delay in seeking appropriate care after injury

No witnesses

Inconsistent or changing descriptions of accident by child and/or parent

Child's developmental level inconsistent with history

History of prior "accidents"

Absence of parental concern

Child is handicapped (physically, mentally, developmentally) or otherwise perceived as "different" by parent

Unexplained school absenteeism

History of precipitating crisis

##### PHYSICAL

Soft tissue injuries on face, lips, mouth, back, buttocks, thighs or large areas of the torso

Clusters of skin lesions; regular patterns consistent with an implement

Shape of lesions inconsistent with accidental bruise

Bruises/welts in various stages of healing

Burn pattern consistent with an implement on soles, palms, back, buttocks and genitalia; symmetrical and/or sharply demarcated edges

Fractures/dislocations inconsistent with history

Laceration of mouth, lips, gums or eyes

Bald patches on scalp

Abdominal swelling or vomiting

Adult-size human bite mark(s)

Fading cutaneous lesions noted after weekends or absences

Rope marks

### **BEHAVIORAL**

Wary of physical contact with adults

Affection inappropriate for age

Extremes in behavior, aggressiveness/withdrawal

Expresses fear of parents

Reports injury by parent

Reluctance to go home

Feels responsible (punishment "deserved")

Poor self-esteem

Clothing covers arms and legs even in hot weather

### **Indicators of Sexual Abuse**

### **HISTORICAL**

Vague somatic complaint

Excessive school absences

Inadequate supervision at home

History of urinary tract infection or vaginitis

Complaint of pain; genital, anal or lower back/abdominal

Complaint of genital itching

Any disclosure of sexual activity, even if contradictory

### **PHYSICAL**

Discomfort in walking, sitting

Evidence of trauma or lesions in and around mouth

Vaginal discharge/vaginitis

Vaginal or rectal bleeding

Bruises, swelling or lacerations around genitalia, inner thighs

Dysuria

Vulvitis

Any other signs or symptoms of sexually transmitted disease

Pregnancy

### **BEHAVIORAL**

Low self-esteem

Change in eating pattern

Unusual new fears

Regressive behaviors

Personality changes (hostile/aggressive or extreme compliance)

Depression

Decline in school achievement

Social withdrawal or poor peer relationships

Indicates sophisticated or unusual sexual knowledge for age

Seductive behavior, promiscuity or prostitution

Substance abuse

Suicide ideation or attempt

Runaway

### **Indicators of Emotional Abuse**

#### **HISTORICAL**

Parent ignores/isolates/belittles/rejects/scapegoats child

Parent's expectations inappropriate to child's development

Prior episode(s) of physical abuse

Parent perceives child as "different"

#### **PHYSICAL**

(Frequently none)

Failure to thrive

Speech disorder

Lag in physical development

Signs/symptoms of physical abuse

#### **BEHAVIORAL**

Poor self-esteem

Regressive behavior (sucking, rocking, enuresis)

Sleep disorders

Adult behaviors (parenting sibling)

Antisocial behavior

Emotional or cognitive developmental delay

Extremes in behavior - overly aggressive/compliant

Depression

Suicide ideation/attempt

### **Indicators of Physical Neglect**

#### **HISTORICAL**

High rate of school absenteeism

Frequent visits to school nurse with nonspecific complaints

Inadequate supervision, especially for long periods and for dangerous activities

Child frequently unattended; locked out of house

Parental inattention to recommended medical care

No food intake for 24 hours

Home substandard (no windows, doors, heat), dirty, infested, obvious hazards

Family member addicted to drugs/alcohol

#### **PHYSICAL**

Hunger, dehydration

Poor personal hygiene, unkempt, dirty

Dental cavities/poor oral hygiene

Inappropriate clothing for weather/size of child, clothing dirty; wears same clothes day after day

Constant fatigue or listlessness

Unattended physical or health care needs

Infestations

Multiple skin lesions/sores from infection

#### **BEHAVIORAL**

Comes to school early, leaves late

Frequent sleeping in class

Begging for/stealing food

Adult behavior/maturity (parenting siblings)

Delinquent behaviors

Drug/alcohol use/abuse

**Students****Child Sexual Abuse and Assault – Policy and Reporting Procedure**

The Weston Board of Education has adopted a uniform child sexual abuse and/or sexual assault response policy and reporting procedure in connection with the implementation of its sexual assault and abuse prevention and awareness program.

**I. Procedures for Reporting of Child Sexual Abuse and Sexual Assault**

- A. Parents (or guardians) of students may file a written report of suspected child sexual abuse and/or sexual assault pertaining to any student enrolled in Weston Public Schools. The written report of suspected child sexual abuse and/or sexual assault shall be reasonably specific as to the basis for the report, including the time and place of the suspected abuse and/or sexual assault, the number of incidents, the victim of the child sexual abuse and/or sexual assault, and the names of potential witnesses or others with pertinent information. Such written reports may be filed with any building or central office administrator. All reports shall be forwarded to the Safe School Climate Specialist for the school in which the student is enrolled. The Safe School Climate Specialist or designee shall cause such reports to be reviewed and actions taken consistent with this policy.
- B. Any adult affiliated with the school community may file a written report of suspected child sexual abuse and/or sexual assault pertaining to any student enrolled in Weston Public Schools. The written report of suspected child sexual abuse and/or sexual assault shall be reasonably specific as to the basis for the report, including the time and place of the suspected abuse and/or sexual assault, the number of incidents, the victim of the child sexual abuse and/or sexual assault, and the names of potential witnesses or others with pertinent information. Such written reports may be filed with any building or central office administrator. All reports shall be forwarded to the Safe School Climate Specialist for the school in which the student is enrolled. The Safe School Climate Specialist or designee shall cause such reports to be reviewed and actions taken consistent with this policy.
- C. Students may make written or verbal reports of child sexual abuse and/or sexual assault to any school employee. All reports shall be forwarded to the Safe School Climate Specialist for the school in which the student is enrolled. The Safe School Climate Specialist or designee shall cause such reports to be reviewed and actions taken consistent with this policy.
- D. Upon receipt of any report of child sexual abuse and/or sexual assault from any source, a school employee shall report such suspicion to the appropriate

authority in accordance with Board Policy 4118.25/5141.4, pertaining to Reports of Suspected Abuse or Neglect of Children.

## **II. Procedures for Review of Reports of Child Sexual Abuse and/or Assault**

- A. The Safe School Climate Specialist or designee for the school in which the student is enrolled shall be responsible for reviewing any reports of suspected child sexual abuse and/or sexual assault. In the event that the suspected child sexual abuse and/or sexual assault has not yet been reported to the appropriate authority in accordance with Board Policy 4118.25/5141.4, pertaining to Reports of Suspected Abuse and/or Neglect of Children, the Safe School Climate Specialist or designee shall promptly cause such a report to be made.
- B. If/when such report alleges that an employee of the Board of Education or other individual under the control of the Board is the perpetrator of child sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall immediately notify the Superintendent of Schools, who shall cause such report to be investigated in accordance with Board Policy 4118.25/5141.4, pertaining to Reports of Suspected Abuse and/or Neglect of Children.
- C. The Safe School Climate Specialist or designee shall also promptly notify the parents or guardians of the student about whom a report of suspected child sexual abuse and/or sexual assault has been made. The notification requirement shall not apply if a parent or guardian is the individual suspected of perpetrating the child sexual abuse and/or sexual assault. The Safe School Climate Specialist or designee shall offer to meet with the parents or guardians of the student about whom a report of suspected child sexual abuse and/or sexual assault has been made, in order to discuss the district's review and support procedures, including but not limited to: 1) actions that child victims of sexual abuse and/or sexual assault and their families may take to obtain assistance, 2) intervention and counseling options for child victims of sexual abuse and/or assault, and 3) access to educational resources to enable child victims of sexual abuse and/or sexual assault to succeed in school. If either a Department of Children and Families ("DCF") investigation or a police investigation is pending pertaining to the report of suspected child sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall obtain the permission of DCF and/or the police department conducting the investigation prior to informing the parents/guardians of the report.
- D. In the event that the report of suspected child sexual abuse and/or sexual assault alleges that another student enrolled in Weston Public Schools is the perpetrator of the sexual abuse and/or sexual assault, the Safe School Climate Specialist or designee shall also take appropriate action to

investigate or cause such a report to be investigated, and appropriate remedial actions taken, in accordance with Board Policy 4118.25/5141.4, pertaining to Report of Suspected Abuse and/or Neglect of Children. Board Policy 5131.911, pertaining to Bullying Prevention and Intervention, and Board Policy 5114.6, Sex Discrimination and Sexual Harassment. In the event either a DCF investigation or police investigation is pending pertaining to the report of suspected child sexual abuse and/or sexual assault, the Safe School Climate Specialist shall coordinate investigatory activities with DCF and/or police in order to minimize the number of interviews of any child or student victim of sexual assault and share information with other persons authorized to conduct an investigation of child abuse or neglect, as appropriate and permitted by law.

- E. The Safe School Climate Specialist or designee shall develop a student support plan for any student who has been a victim of child sexual abuse and/or sexual assault. The report of suspected sexual abuse and/or assault need not be verified prior to the implementation of a support plan. The elements of the support plan shall be determined in the discretion of the Safe School Climate Specialist or designee, and shall be designed to support the student victim's ability to access the school environment.

### **III. Support Strategies**

- A. Child sexual abuse and/or sexual assault can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to child sexual abuse and/or sexual assault.
- B. The following sets forth possible interventions and supports which may be utilized to support individual student victims of child sexual abuse and/or sexual assault:
  - 1. Referral to a school counselor, psychologist or other appropriate social or mental health service.
  - 2. Encouragement of the student victim to seek help when feeling overwhelmed or anxious in the school environment.
  - 3. Facilitated peer support groups.
  - 4. Designation of a specific adult in the school setting for the student victim to seek out for assistance.
  - 5. Periodic follow-up by the Safe School Climate Specialist and/or Title IX Coordinator with the victim of sexual abuse and assault.

- C. The following sets forth possible interventions and supports which may be utilized systemically as prevention and intervention strategies pertaining to child sexual abuse and/or sexual assault:
1. School rules prohibiting sexual assault and establishing appropriate consequences for those who engage in such acts.
  2. School-wide training related to prevention and identification of, and response to, child sexual abuse and/or sexual assault.
  3. Age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and sexual assault awareness and prevention that will include information pertaining to, and support for, disclosures of sexual abuse and sexual assault, including but not limited to:
    - (a) the skills to recognize child sexual abuse and sexual assault, boundary violations and unwanted forms of touching and contact, and the ways offenders groom or desensitize victims; and
    - (b) strategies to promote disclosure, reduce self-blame and mobilize bystanders.
  4. Promotion of parent involvement in child sexual abuse and sexual assault prevention and awareness through individual or team participation in meetings, trainings and individual interventions.
  5. Respectful and supportive responses to disclosures of child sexual abuse and/or sexual assault by students.
  6. Use of peers to help ameliorate the plight of victims and include them in group activities.
  7. Continuing awareness and involvement on the part of students, school employees and parents/guardians with regard to prevention and intervention strategies.

#### **IV. Safe School Climate Specialists**

The Safe School Climate Specialists for the Weston Public Schools are:

Kim Kus – Assistant Principal, Hurlbutt Elementary School  
Nicole Wilhelm – Assistant Principal, Weston Intermediate School  
Dru Walters, Assistant Principal, Weston Middle School  
Matthew Filip, Assistant Principal, Weston High School

The Safe School Climate Coordinator for Weston Public Schools is the Director of Pupil Personnel Services

## V. Community Resources

The Board of Education recognizes that prevention of child sexual abuse and sexual assault requires a community approach. Supports for victims and families will include both school and community sources. The national, state and local resources below may be accessed by families at any time, without the need to involve school personnel.

### A. National Resources:

#### National Center for Missing & Exploited Children Resource Center

<http://www.missingkids.com/Publications>

333 John Caryle Street, Suite #125, Alexandria, Virginia 22314-3175

**24-hour call center: 1-800-843-5678**

- Online resource center contains publications on child safety and abuse prevention, child sexual exploitation, and missing children.

#### National Children's Advocacy Center

[www.nationalcac.org](http://www.nationalcac.org)

210 Pratt Ave., Huntsville, Alabama 35801

Telephone: (256) 533-5437

#### National Child Traumatic Stress Network

[www.nctsn.org](http://www.nctsn.org)

General information on childhood trauma, including information on child sexual abuse.

- NCCTS — Duke University  
1121 West Chapel Hill Street Suite 201  
Durham, NC 27701  
Telephone: (919) 682-1552

#### National Sexual Violence Resource Center (Includes Multilingual Access)

<http://www.nsvrc.org/projects/multilingual-access/multilingual-access>

2101 N. Front Street

Governor's Plaza North, Building #2

Harrisburg, PA 17025

Toll Free Telephone: 877-739-3895

#### Darkness to Light

<http://www.d21.org>

Grassroots national non-profit organization to educate adults to prevent, recognize and react responsibly to child sexual abuse.

1064 Gardner Road, Suite 210

Charleston, SC 29407

National Helpline: (866) FOR-LIGHT

Administrative Office: (843) 965-5444

B. Statewide Resources:

Department of Children and Families

<http://www.ct.gov/dcf/site/default.asp>

Connecticut agency responsible for protecting children who are abused or neglected

505 Hudson Street

Hartford, Connecticut 06106

*Child Abuse and Neglect Careline: 1-800-842-2288*

Telephone, Central Office: (860) 550-6300

- FAQs About Reporting Suspected Abuse and Neglect:

<http://www.ct.gov/dcf/cwp/view.asp?a=2534&Q=314388&dcfNav=>

The Connecticut Alliance to End Sexual Violence

<http://EndSexualViolenceCT.org/>

Telephone: (860) 282-9881

24-hour toll-free hotline: 1-888-999-5545 English/1-888-568-8332 Espanol

Statewide coalition of community-based sexual assault crisis service programs working to end sexual violence through victim assistance, public policy advocacy, and prevention education training. Each member center provides free and confidential 24/7 hotline services in English and Spanish, individual crisis counseling, support groups, accompaniment and support in hospitals, police stations, and courts, referral information, and other services to anyone in need.

- *To find a Connecticut Alliance to End Sexual Violence member program please visit:* <http://endsexualviolencect.org/who-we-are/our-members/>

Connecticut Children's Alliance

[www.ctchildrensalliance.org](http://www.ctchildrensalliance.org)

75 Charter Oak Ave Suite 1-309

Hartford, Connecticut 06106

Phone: (860) 610-6041

CCA is a statewide coalition of Child Advocacy Centers and Multidisciplinary Teams.

Connecticut Network of Care

<http://connecticut.networkofcare.org>

Connecticut Network of Care is an online information portal listing programs and support groups for sexual assault and abuse in Connecticut.

C. Local Resources:

Town of Weston  
Youth Services  
24 School Road  
Weston, CT 06883  
(203) 222-2586

**Legal References:**

Conn. Gen. Stat s. 17a-101b, Report by mandated reporter.  
Conn. Gen. Stat s. 17a-101q, Statewide Sexual Abuse and Assault Awareness and  
Prevention Program

ADOPTED: June 19, 2017

## Community/Board Operation

### Non-Discrimination

It is the policy of the Board of Education 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 (including pregnancy), genetic information, 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 on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, [ancestry](#), [alienage](#), disability (including pregnancy), genetic information, gender identity or expression, or veteran status.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

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, or released under honorable conditions 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.

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 may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Regarding Non-Discrimination. These regulations accompany this policy and are available online [www.westonps.org](http://www.westonps.org) or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy and Administrative Regulation #4118.12/4218.12, Sex Discrimination/Harassment in the Workplace (Personnel); Policy and Administrative Regulation #5114.6, Sex Discrimination and Sexual Harassment (Students); Policy and Administrative Regulation #4118.13, Disability and Accommodations (Personnel), Policy and Administrative Regulation 4118.11/4218.11, Non-Discrimination (Personnel) and Policy and Administrative Regulation #5145, Non-Discrimination (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>

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  
(800-477-5737)

Employees may also file a complaint regarding employment discrimination with the Equal Employment Opportunity Commission and/or the Connecticut Commission on Human Rights and Opportunities:

Equal Employment Opportunity Commission, Boston Area Office  
John F. Kennedy Federal Building  
475 Government Center

Boston, MA 02203  
(800-669-4000)

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 06103-1835  
(800-477-5737)

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

[The Human Resources Manager](#)

**Lewis D. Brey**  
**Director of Human Resources and Internal Counsel**  
**24 School Road**  
**Weston, CT 06883**  
**(203) 291-1412**  
**[lewisbrey@westonps.org](mailto:lewisbrey@westonps.org)**

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

[The Director of Special Education](#)

**Lewis D. Brey**  
**Director of Human Resources and Internal Counsel**  
**24 School Road**  
**Weston, CT 06883**  
**(203) 291-1412**  
**[lewisbrey@westonps.org](mailto:lewisbrey@westonps.org)**

Anyone who has questions or concerns about the Board's policies regarding discrimination on the basis of disability may contact the Board's ADA Coordinator:

[The Human Resources Manager](#)

**Lewis D. Brey**  
**Director of Human Resources and Internal Counsel**  
**24 School Road**  
**Weston, CT 06883**  
**(203) 291-1412**  
**[lewisbrey@westonps.org](mailto:lewisbrey@westonps.org)**

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  
Americans with Disabilities Act, 42 U.S.C. § 12101  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794  
Title II of the Genetic Information Nondiscrimination Act of 2008,  
Pub.L.110-233, 42 U.S.C. § 2000ff; 29 CFR 1635.1 et seq.  
Connecticut General Statutes § 10-153. Discrimination on basis of marital  
status  
Connecticut Fair Employment Practices Act, Connecticut General Statutes  
§ 46a-60  
Connecticut General Statutes § 46a-81a Discrimination on basis of sexual  
orientation: Definitions  
Connecticut General Statutes § 46a-81c Sexual orientation discrimination:  
Employment.  
Public Act 17-127, An Act Concerning Discriminatory Practices Against  
Veterans, Leaves of Absence for National Guard Members, Application  
for Certain Medicaid Programs, and Disclosure of Certain Records to  
Federal Military Law Enforcement

Policy Adopted: January 22, 2018

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

## Community/Board Operation

### Non-Discrimination (Complaint Procedure)

It is the policy of the Weston 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](#), [ancestry](#), disability (including pregnancy), genetic information, 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 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, gender identity or expression, or veteran status.

If a complaint involves allegations of discrimination or harassment, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy and Administrative Regulation #4118.12/4218.12, Sex Discrimination/Harassment in the Workplace (Personnel); Policy and Administrative Regulation #5114.6, Sex Discrimination and Sexual Harassment (Students); Policy and Administrative Regulation #4118.13, Disability and Accommodations (Personnel), Policy and Administrative Regulation 4118.11/4218.11, Non-Discrimination (Personnel) and Policy and Administrative Regulation #5145, Non-Discrimination (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, 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, ancestry**, 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 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 subparagraph 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.

A complainant alleging race, color, national origin, [alienage](#), [ancestry](#), sex, disability or age discrimination may file a formal complaint with the Boston Office, Office for Civil Rights, U.S. Department of Education, 8<sup>th</sup> 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: 800-477-5737).

An employee alleging discrimination 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) and/or with the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Blvd., Hartford, CT 06103-1835 (TELEPHONE NUMBER: 800-477-5737).

Regulation Adopted \_\_\_\_\_

WESTON PUBLIC SCHOOLS  
Weston, 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, 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: \_\_\_\_\_

## Personnel - Certified/Non-Certified

### NON-DISCRIMINATION

The Board of Education will not make employment decisions (including decisions related to hiring, assignment, compensation, promotion, demotion, disciplinary action and termination) on the basis of race, color, religion, age, sex, marital status (including civil union partners), sexual orientation, ethnicity, alienage, ancestry, national origin, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, genetic information, veteran status, or gender identity and expression, transgender status, or any other basis prohibited by state or federal law, except in the case of a bona fide occupational qualification.

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, color, religion, age, sex, marital status (including civil union partners), sexual orientation, ethnicity, alienage, ancestry, national origin, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, genetic information, veteran status, or gender identity and expression, transgender status, or any other basis prohibited by state or federal law is prohibited, whether by Board employees, the Board, students, 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 co-curricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of the protected characteristics listed above.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions 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.

For the purposes of this policy, "genetic information" means the information about genes, gene products, or inherited characteristics that may derive from an individual or a family member. "Genetic information" may also include an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

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, “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, teists, Bantu knots, afros and afro puffs.

Any employee wishing to file a complaint regarding discrimination may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Regarding Non-Discrimination/Personnel. These regulations accompany this Board Policy #4118.11/4218.11 and are available online at <http://www.westonps.org/page.cfm?p=2775> 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 or disability, such complaints will be handled under other appropriate policies (e.g., Policy #4118.12/4218.12, Sex Discrimination and Sexual Harassment in the Workplace; Policy 4118.13, Disability Accommodations and Discrimination).

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 this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

### **The Human Resources Manager**

**Lewis D. Brey**  
**Director of Human Resources and Internal Counsel**  
**24 School Road**  
**Weston, CT 06883**  
**(203) 291-1412**  
**lewisbrey@westonps.org**

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

**Lewis D. Brey**  
**Director of Human Resources and Internal Counsel**  
**24 School Road**  
**Weston, CT 06883**  
**(203) 291-1412**  
**lewisbrey@westonps.org**

### **The Director of Special Education**

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

### **The Human Resources Manager**

**Lewis D. Brey**  
**Director of Human Resources and Internal Counsel**  
**24 School Road**  
**Weston, CT 06883**  
**(203) 291-1412**  
**lewisbrey@westonps.org**

### **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 USCS § 1681, *et seq.*  
Age Discrimination in Employment Act, 29 U.S.C. § 621  
Americans with Disabilities Act, 42 U.S.C. § 12101  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794  
Title II of the Genetic Information Nondiscrimination Act of 2008, Pub.L.110  
233, 42 USC 2000ff; 34 CFR 1635  
Connecticut Fair Employment Practices Act, Connecticut General  
Statutes § 46a-60  
Connecticut General Statutes § 10-153. Discrimination on basis of  
marital status  
Connecticut General Statutes § 46a-81a Discrimination on basis of  
sexual orientation: Definitions  
Connecticut General Statutes § 46a-81c Sexual orientation discrimination:  
Employment.  
Public Act 05-10: An Act Concerning Civil Unions  
Public Act 11-55, An Act Concerning Discrimination.  
Public Act 17-127, An Act Concerning Discriminatory Practices Against Veterans,  
Leaves of Absence for National Guard Members, Application for Certain Medicaid  
Programs, and Disclosure of Certain Records to Federal Military Law Enforcement.

**Policy References:**

Policy and Regulation 4111, Recruitment and Selection, Certified  
Policy 4111.1, Minority Staff Recruitment  
Policy and Regulation 4118.12/4218.12, Sex Discrimination and Sexual Harassment  
Policy and Regulation 4118.13, Disability Accommodations and Discrimination  
Policy 4211, Recruitment and Selection, Non-certified

Policy Adopted: July 16, 1990  
Policy Revised: February 24, 1992  
Policy Revised: October 6, 2005  
Policy Revised: November 21, 2005  
Policy Revised: December 15, 2008  
Policy Revised: February 25, 2014  
Policy Revised: March 19, 2018

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

**Personnel – Certified/Non-Certified**

**ADMINISTRATIVE REGULATIONS REGARDING DISCRIMINATION  
COMPLAINTS (PERSONNEL)**

It is the policy of the Weston Board of Education that any form of discrimination or harassment on the basis of protected characteristics such as race, color, religion, age, sex, marital status ~~(including civil union partners)~~, sexual orientation, national origin, ethnicity, ancestry, **alienage**, **learning disability**, ~~past or present history of mental disability, intellectual disability, physical disability~~, pregnancy, genetic information, gender identity or expression, transgender status, or any other basis prohibited by state or federal law 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 employees.

It is the express policy of the Weston Board of Education 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 ~~(including civil unions)~~, sexual orientation, national origin, ethnicity, ancestry, **alienage**, **learning disability**, ~~past or present history of mental disability, intellectual disability, physical disability~~, pregnancy, genetic information, gender identity or expression, transgender status, or any other protected characteristic as provided by state or federal law.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex, disability, or pregnancy, such complaints will be handled, as appropriate, in accordance with other Board policies (e.g., Policy #4118.12/4218.12, Sex Discrimination/Harassment in the Workplace (Personnel) and Policy #4118.13/4218.13, Section 504/ADA (Personnel)).

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, genetic information, veteran status, 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 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, genetic information, veteran status, or gender identity or expression 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. In the event the Superintendent or designee receives a complaint alleging discrimination or harassment based on gender/sex or disability, the Superintendent or designee shall follow the procedures identified in the appropriate Board policies ((e.g., Policy #4118.12/4218.12, Sex Discrimination/Harassment in the Workplace (Personnel); and Policy #4118.13/4218.13, Section 504/ADA (Personnel)), 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 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.

~~In order to facilitate the timely resolution of such complaints and/or grievances, any employee who feels that he/she has been discriminated against on the basis of these protected characteristics should file a written complaint with:~~

~~**Director of Human Resources  
Weston Public Schools  
24 School Road  
Weston, Connecticut 06883**~~

~~Preferably, complaints should be filed within thirty (30) days of the alleged occurrence. Timely reporting of complaints and/or grievances facilitates the investigation and resolution of such complaints and/or grievances.~~

~~Complaints and/or grievances will be investigated promptly and corrective action will be taken when allegations are verified.~~

~~Specifically, upon receipt of a written complaint of discrimination, **Director of Human Resources** should:~~

- ~~10. offer to meet with the complainant to discuss the nature of his/her complaint;~~
- ~~11. provide the complainant with a copy of the Board's anti-discrimination policy and  
—— accompanying regulations;~~
- ~~12. investigate the factual basis of the complaint, including, as applicable,  
—— conducting  
—— interviews with individuals deemed relevant to the complaint;~~
- ~~13. conduct the investigation in a confidential manner, to the extent practicable,  
—— adhering to the requirements of state and federal law;~~
- ~~14. communicate the findings and/or results of any investigation to the complainant;  
—— and~~
- ~~15. take appropriate corrective and disciplinary action, as deemed appropriate by the  
—— Superintendent, following consultation with the Director of Human Resources.~~

~~If the complaint involves an allegation of discrimination based on sexual harassment, the complainant should also be referred to the Board's policies and procedures related to sexual harassment (See Policy and Administration Regulation 4218.11).~~

For allegations pertaining to race, color or national origin discrimination, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Office of Civil Rights  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square, Suite 900  
Boston, MA 02109-3921  
Tel. (617) 289-0111  
ocr.boston@ed.gov  
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

If a complaint is filed with the Office of Civil Rights, it must be filed in writing no later than one hundred eighty (180) days after the occurrence of the alleged discrimination.

A complainant may also file a complaint with the:

Connecticut Commission on Human Rights and Opportunities, Southwest Region Office, 350 Fairfield Avenue, 6<sup>th</sup> Floor, Bridgeport, CT 06604 (Telephone Number: 203-579-6246)

and/or 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 this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

**Human Resources Manager**

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

**Director of Special Education**

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

**Human Resources Manager**

Regulation Approved: December 15, 2008  
Regulation Revised: March 17, 2014

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

**DISCRIMINATION COMPLAINT FORM**

**(For complaints based on race, color, religion, age, sex, marital status (including civil union partners), sexual orientation, national origin, ethnicity, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, genetic information, ~~or~~ gender identity or expression, transgender status, or any other protected characteristic as provided by state or federal law)**

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 \_\_\_\_\_

## Students

## NON-DISCRIMINATION (STUDENTS)

The Board of Education complies with all 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 race, color, religion, national origin, sex, sexual orientation, marital status (including civil union partners), age, ethnicity, alienage, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and or expression, or veteran status, transgender status, or any other basis prohibited by state or federal law, subject to the conditions and limitations established by law.

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, color, religion, national origin, sex, sexual orientation, marital status (including civil union partners), age, ethnicity, alienage, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and or expression, or veteran status, transgender status, or any other basis prohibited by state or federal law, subject to the conditions and limitations established by law is prohibited, whether by students, Board employees, the Board, 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, non-academic and ~~ee~~ extracurricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of the protected characteristics listed above.

For the purposes of this policy, "veteran" means any person honorably discharged from, or released under honorable conditions 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.

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, “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 student and/or parent/guardian wishing to file a complaint regarding discrimination may obtain a copy of the Board’s complaint procedures and complaint form which are included in the Board’s Administrative Regulations Regarding Non-Discrimination. These regulations accompany this policy and are available online [www.westonps.org](http://www.westonps.org) 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, disability, or pregnancy, such complaints will be handled under other appropriate policies (e.g., Policy #5114.6, Students/Sex Discrimination and Harassment; Policy #4118.13/4218.13, Section 504/ADA).

Any student and/or parent/guardian 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>

Any student and/or parent/guardian 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 this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

**The Director of Special Education**

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

**The Director of Special Education**

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

**The Director of Special Education**

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.

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

Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined

Connecticut General Statutes § 10-15c

Connecticut General Statutes § 46a-51, Definitions

Connecticut General Statutes § 46a-58, Deprivation of rights

Connecticut General Statutes § 46a-81a, et seq.

**Legal References:**

~~Title IX of the Education Amendments of 1972, 20 USCS § 1681, et seq.~~

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

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

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

Regulation Adopted: May 04, 1992

Regulation Revised: April 21, 2014

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

## Students

### Administrative Regulations Regarding Discrimination Complaints (Students)

It is the policy of the Board of Education that any form of discrimination or harassment on the basis of race, color, religion, national origin, sex, sexual orientation, marital status (including civil union partners), age, ethnicity, alienage, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and or expression, transgender status, 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. or any other basis prohibited by state or federal law, subject to the conditions and limitations established by law is prohibited, whether by students, Board employees, the Board, 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 co-curricular activities, including athletics. It is also the policy of the Board of Education to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of the protected characteristics listed above.

If the complaint involves an allegation of discrimination based on sex or sexual harassment, the complainant should also be referred to the Board's policies and procedures related to sexual harassment (See Policy and Administration Regulation 5114.6).

Preferably, complaints should be filed within thirty (30) 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 district will periodically provide staff development for district administrators and periodically distribute these Administrative Regulations and the related Policy to staff and students in an effort to maintain an environment free of harassment and discrimination.

As soon as an individual feels that he or she has been subjected to discrimination or harassment on the basis of race, color, religion, national origin, sex, sexual orientation, marital status (including civil union partners), age, ethnicity, alienage, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and or expression, transgender status, or veteran status or any other basis

prohibited by state or federal law, he/she should make a written complaint to the Superintendent of Schools as noted above or to the building principal, or his/her designee. Written complaints may also be submitted to the District Title IX Coordinator ~~or the individual school Title IX Coordinator~~. The student will be provided a copy of the Board's policy and regulation and made aware of his or her rights.

The complaint should state the:

- a. Name of the complainant,
- b. Date of the complaint,
- c. Date(s) of alleged harassment/discrimination,
- d. Name(s) of the alleged harasser(s) or discriminator(s),
- e. Location where such alleged harassment/discrimination occurred,
- f. Names of any witness(es) to the alleged harassment/discrimination, and
- g. Detailed statement of the circumstances constituting the alleged harassment/discrimination.
- h. Proposed remedy.

Any student who makes an oral complaint of harassment or discrimination to any of the above-mentioned personnel will be provided a copy of this regulation and the related policy and will be requested to make a written complaint pursuant to the above procedure-

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 (or 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 harassment or discrimination under this complaint procedure, the Superintendent shall designate a district or school administrator to investigate promptly 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 shall:

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;  
~~offer to meet with the complainant and parent(s)/guardian to discuss the nature of his/her complaint, identify the individuals the complainant believes have relevant information, and obtain any relevant documents the complainant may have;~~
2. provide the complainant and parent(s)/guardian with a copy of the Board's anti-discrimination policy and accompanying regulations;  
  
investigate the factual basis of the complaint, including, as applicable, conducting interviews with all individuals deemed relevant to the complaint;
3. maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
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 or harassment, adhering to the requirements of state and federal law;
5. 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, complainant will receive notice and interim measures may be implemented as necessary (see sub-paragraph 4);
6. 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;
7. 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 of Schools 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.

If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed. Notification will be made to the parent(s) or guardian or other person(s) responsible for the child if a child abuse report is completed.

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, national origin, sex, sexual orientation, marital status (including civil union partners), age, ethnicity, alienage, ancestry, learning disability, past or present history of mental disability, intellectual disability, physical disability, pregnancy, gender identity and/or expression, transgender status, or veteran status or any other basis prohibited by state or federal law. Any such reprisals or retaliation will result in disciplinary action against the retaliator, and other corrective actions as appropriate.

If the student complainant is dissatisfied with the findings of the investigation, he or she may file a written appeal to the Superintendent, who shall review the building principal's or designee's written report, the information collected by the building principal or designee together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes discrimination. The Superintendent may also investigate the complaint further. After completing this review, the Superintendent shall respond to the complainant, in writing, as soon as possible.

For allegations pertaining to race, color or national origin discrimination or harassment, at any stage in this complaint procedure, the complainant has the right to file formal complaints regarding such matters with:

Boston Office  
Office of Civil Rights  
U.S. Department of Education, 8th Floor  
5 Post Office Square, Suite 900  
Boston, MA 02109-3921  
Tel. (617) 289-0111  
ocr.boston@ed.gov

Anyone who has questions or concerns about this policy, or would like a copy of the Board's complaint procedures or complaint forms related to claims of discrimination, may contact:

**The Director of Special Education**

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

**The Director of Special Education**

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:

**The Director of Special Education**

Copies of this regulation will be distributed to all students.

Regulation Adopted: June 18, 2007  
Regulation Revised: May 17, 2010  
April 21, 2014

WESTON PUBLIC SCHOOLS  
Weston, Connecticut

**WESTON PUBLIC SCHOOLS  
DISCRIMINATION COMPLAINT FORM**

**(For Complaints Based on Race, Color, Religion, National Origin, Sex, Sexual Orientation, Marital Status (Including Civil Union Partners), Age, Ethnicity, Alienage, Ancestry, Learning Disability, Past or Present History of Mental Disability, Intellectual Disability, Physical Disability, Pregnancy, Gender Identity and or Expression, Transgender Status, or veteran status or any other Basis Prohibited by State or Federal Law)**

Name of the complainant \_\_\_\_\_

Date of the complaint \_\_\_\_\_

Date of the alleged discrimination/harassment \_\_\_\_\_

Name or names of the alleged discriminator(s) or harasser(s)

\_\_\_\_\_  
\_\_\_\_\_

Location where such alleged discrimination/harassment occurred

\_\_\_\_\_  
\_\_\_\_\_

Name(s) of any witness(es) to the alleged discrimination/harassment

\_\_\_\_\_  
\_\_\_\_\_

Detailed statement of the circumstances constituting the alleged discrimination or harassment \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed remedy \_\_\_\_\_