

## Personnel

### NON-DISCRIMINATION

The Portland 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, sexual orientation, national origin, ancestry, disability (including pregnancy), genetic information, or gender identity or expression, except in the case of a bona fide occupational qualification.

It is the policy of the Portland Board of Education that any form of discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), genetic information, gender identity or expression, blindness, mental disability, physical disability, status as a Veteran, 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. 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, disability (including pregnancy), or gender identity or expression and status as a Veteran.

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 pugs.

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.

The District recognizes that it is a discriminatory practice to request or require, on an initial employment application, a prospective employee's age, date of birth, dates of attendance at or date of graduation from an educational institution on an initial employment application, unless requesting or requiring such information is based on a bona fide occupational qualification or need, or when such information is required to comply with any provision of state or federal law.

The following person has been designated to handle inquiries regarding the Board's non-discrimination policies: Director of Student Services, 33 East Main Street, Portland, CT. Telephone: 860-342-2778

The Board's Title IX Coordinator is:  
Director of Student Services, 33 East Main Street, Portland, CT  
Telephone: 860-342-2778

The Board's Section 504/ADA Coordinator is:  
Director of Student Services, 33 East Main Street, Portland, CT  
Telephone: 860-342-2778

#### Legal References:

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

Title IX Final Rule, May 6, 2020

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. §4212  
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; 34 CFR 1635.1 et seq.

Connecticut General Statutes

[4a-60](#) Nondiscrimination and affirmative action provisions in contracts of the state and political subdivisions rather than municipalities

[4a-60a](#) Contracts of the state and political subdivisions, other than municipalities, to contain provisions re nondiscrimination on the basis of sexual orientation

[10-15c](#) Discrimination in public schools prohibited. School attendance by five-year olds (as amended by PA 21-2 441)

[10-153](#). Discrimination on basis of marital status

[46a-51](#) Definitions (as amended by PA 17-127 and PA 21-69)

461-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 1-127)

Connecticut Fair Employment Practices Act, Connecticut General Statutes § 46a-60 (as amended by PA 17-127)

Connecticut General Statutes § 46a-81a Discrimination on basis of sexual orientation: Definitions

Connecticut General Statutes § 46a-81c Sexual orientation discrimination: Employment.

Public Act 11-55, An Act Concerning Discrimination.

**Policy adopted: February 2, 2016**

**Policy revised and approved: October 3, 2017**

**Policy reviewed and approved: December 5, 2017**

**Policy revised and approved: June 19, 2018**

**Policy revised and approved: September 21, 2021**

**Policy revised and approved: February 1, 2022**

Portland Public Schools

Portland, CT

**R4118.11**

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

It is the policy of the Portland 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, disability (including pregnancy), or gender identity or expression, blindness, mental disability, physical disability, and status as a Veteran, 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 students.

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, ancestry, disability (including pregnancy), genetic information, or gender identity or expression, blindness, mental disability, physical disability, and status as a Veteran. 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:

Office of the Superintendent of Schools  
33 East Main Street, Portland, CT 06480  
Telephone: 860-342-6790

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, the Superintendent and/or his or her designee should:

1. offer to meet with the complainant to discuss the nature of his/her complaint;
2. provide the complainant 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 the investigation in a confidential manner, to the extent practicable, adhering to the requirements of state and federal law;
5. communicate the findings and/or results of any investigation to the complainant; and
6. take appropriate corrective and disciplinary action, as deemed appropriate by the Superintendent and/or his or her designee.

If the complaint involves an allegation of discrimination based on disability or sex, the complainant should be referred to the Board's policies and procedures related to Section 504 of the Rehabilitation Act/Americans with Disabilities Act (ADA) Board Policy #[5145.41](#) (for claims of discrimination and/or harassment based on disability) and Sex Discrimination/Sexual Harassment Board Policy [4118.112](#) (for claims of discrimination and/or harassment based on sex).

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

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, 450 Columbus Blvd., Hartford, CT 06103-1835 (TELEPHONE NUMBER 800-477-5737) 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).

The Board's Title IX Coordinator is:  
Director of Student Services, 33 East Main Street, Portland, CT 06480  
Telephone: 860-342-2778

The Board's Section 504/ADA Coordinator is:  
Director of Student Services, 33 East Main Street, Portland, CT 06480  
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Regulation reviewed and approved: December 5, 2017