

**WESTPORT BOARD OF EDUCATION**

**AGENDA \***

(Agenda Subject to Modification in Accordance with Law)

**PUBLIC SESSION/PLEDGE OF ALLEGIANCE:**

7:30 p.m., Staples High School, Cafeteria B (Room 301)

**ANNOUNCEMENTS FROM BOARD AND ADMINISTRATION**

**PUBLIC QUESTIONS/COMMENTS ON NON-AGENDA ITEMS (15 MINUTES)**

**MINUTES:** November 28, 2017; December 18, 2017; January 2, 2018; January 5, 2018; and January 8, 2018

**DISCUSSION:**

- 1. Presentation on Gaggle Security, *pages 1-8* (Encl.) Ms. Natalie Carrignan
- 2. FY 2018 Proposed Budget of the Superintendent of Schools Dr. Colleen Palmer  
Mr. Elio Longo
- 3. First Reading of the Following Revised Westport Board of Education Policies: (Encl.) Ms. Karen Kleine  
Dr. Colleen Palmer  
Mr. Mike Rizzo
  - Policy 4118.112 and 4218.112, Personnel – Sexual Harassment, *pages 9-12*
  - Policy 5145.5, Students – Sexual Harassment, *pages 13-16*
  - Policy 0521, Nondiscrimination, *page 17*
  - Policy 1511, Community Relations – Nondiscrimination, *pages 19-21*
  - Policies 4111.1 and 4211.1, Personnel: Certified/ Noncertified – Equal Employment Opportunity, *pages 23-26*
  - Policies 4111.4 and 4211.4, Personal – Policy Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, *pages 27-28*
  - Policy 5145.41, Students – Nondiscrimination, *pages 29-30*
  - Policy 5145.42, Students - Policy Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, *pages 31-32*
- 4. 2018-2019 Board of Education Meeting Calendar, *page 33* (Encl.) Dr. Colleen Palmer

**DISCUSSION/ACTION:**

- 1. Vote on Strategic Plan Dr. Colleen Palmer

**COMMITTEE REPORTS:**

- 1. Insurance Work Group Mr. Michael Gordon  
Mr. Elio Longo

## **ADJOURNMENT**

\*A 2/3 vote is required to go to executive session, to add a topic to the agenda of a regular meeting, or to start a new topic after 10:30 p.m. The meeting can also be viewed on cable TV on channel 78; AT&T channel 99 and by video stream @[www.westportps.org](http://www.westportps.org)

PUBLIC PARTICIPATION WELCOME USING THE FOLLOWING GUIDELINES:

- Comment on non-agenda topics will occur during the first 15 minutes *except* when staff or guest presentations are scheduled.
- Board will not engage in dialogue on non-agenda items.
- Public may speak as agenda topics come up for discussion or information.
- Speakers on non-agenda items are limited to 2 minutes each, except by prior arrangement with chair.
- Speakers on agenda items are limited to 3 minutes each, except by prior arrangement with chair.
- Speakers must give name and use microphone.
- Responses to questions may be deferred if answers not immediately available.
- Public comment is normally not invited for topics listed for action after having been publicly discussed at one or more meetings.

# Gaggle Presentation

BOE Meeting  
January 16, 2018

Natalie Carrigan, Director  
of Technology



# Area of Focus: Healthy Learning Environments

Fostering a culture that promotes kindness and inhibits the incidence of student behaviors that result in social, emotional, or physical harm to self or others.



safety management

# What Gaggle Safety Management (GSM) monitors

District provided **student** Gmail (3-12)

@students.westportps.org

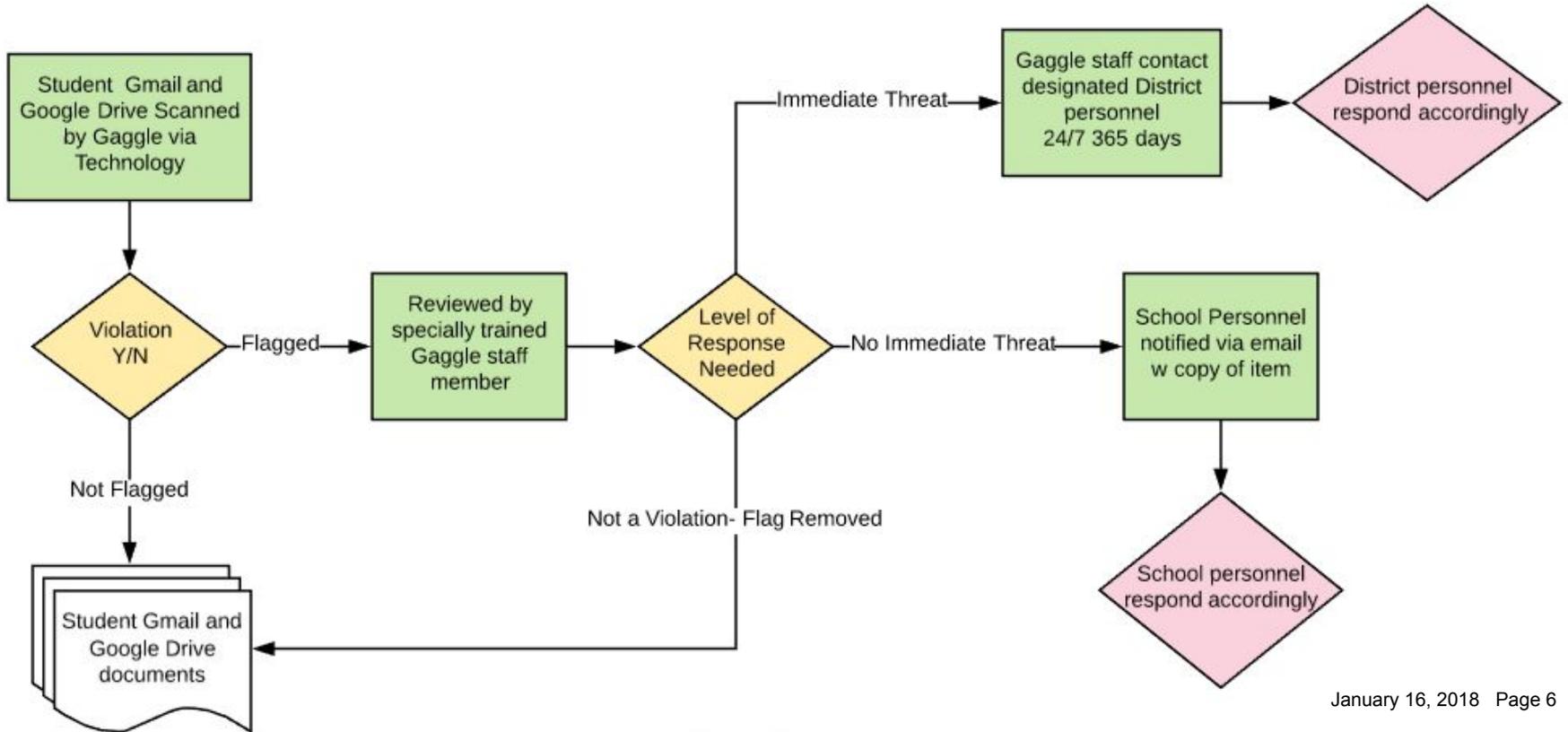
Student Google Drive (K-12)

- Docs
- Sheets
- Slides
- Videos
- Images

# What GSM monitors for

- Suicide and self harm
- Profanity and hate speech (defined by District standards)
- Nudity and sexual content
- Violence towards others
- Drug and alcohol use/abuse

# How GSM monitors



# Quick Facts

- GSM will be a powerful tool to proactively intervene to keep our students safe
- We will continue to keep all other current safety measures in place
- We have contacted other CT districts for best practices
- Upcoming communications to stakeholders
  - Parents- Email from Colleen with link to tonight's presentation
  - Students- Notification by building principal
  - Building admins and teachers- Notified via email

# About our students' privacy

## **WPS Student Acceptable Use Policy**

"I understand that my use of the school system's computers is not private, and that the district reserves the right to monitor use to assure compliance with these guidelines; violations may lead to revocation of computer access and/or other disciplinary measures."

## **Connecticut Public Act 189**

Gaggle is compliant with CT state privacy law. We own all data. Data cannot be sold or used in any other way than agreed upon.

## Personnel -- Certified/Non-Certified

### Sex Discrimination and Sexual Harassment in the Workplace

~~Sexual harassment violates federal and state laws and is insulting and demeaning to the victim. It is the policy of the Westport Board of Education to condemn and prohibit all forms of sexual harassment directed at male or female students or employees by other male or female students or employees, or by those doing business with the Board of Education, or by volunteers under the control of the Board of Education. Supervisory personnel are responsible for assuring that all students and employees enjoy the right to work and learn in an environment free of all forms of sexual harassment.~~

~~**Definition:** Sexual harassment is generally defined under state and federal law as unwelcomed sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where:~~

- ~~1. Submission to such conduct is made either explicitly or implicitly a term or condition of any individual's employment or academic award;~~
- ~~2. Submission to or rejection of such conduct by any individual is used as the basis for employment decisions affecting such individual; or~~
- ~~3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or ability to learn or creating an intimidating, hostile or offensive environment.~~

~~Sexual harassment can include conduct that is verbal, (including sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions or threats, sexual insults and put-downs); non-verbal (including use or display of sexually suggestive objects or pictures, suggestive or insulting sounds or whistles, leers, obscene gestures, etc.); or physical (including unwanted physical contact such as touching, pinching, kissing, brushing the body, fondling, assault or coerced sexual intercourse).~~

~~**Communication:** A copy of this policy will be distributed to all current employees and to all new employees at the time of hire. It will also be distributed annually to all employees and students. Moreover, a copy of this policy will remain posted at all times in each Board of Education facility.~~

~~The Board encourages victims of sexual harassment to report such claims and no reprisals or retaliation will result from good faith reporting.~~

## **Personnel --- Certified/Non-Certified**

### **Sexual Harassment (continued)**

~~**Complaints:** All complaints of sexual harassment will be investigated promptly and discreetly. If investigation reveals the complaint to be valid, promptly action will be taken to stop the harassment and prevent its recurrence.~~

~~**Violations:** Violation of this policy may result in disciplinary action up to and including suspension (students) and discharge (employees).~~

It is the policy of the board of education to maintain a working environment free from harassment, insults or intimidation on the basis of an employee's sex and free from discrimination based on sex. Verbal or physical conduct by a supervisor or co-worker relating to an employee's sex which has the effect of creating an intimidating, hostile or offensive work environment, unreasonably interfering with the employee's work performance, or adversely affecting the employee's employment opportunities is prohibited.

### Discrimination

Sex discrimination is defined as when an employer refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to his or her compensation, terms, conditions, or privileges of employment on the basis of the individual's sex. Sex discrimination is also defined as when a person, because of his or her sex, is denied participation in, or the benefits of, a program that receives federal financial assistance.

### Harassment

Sexual harassment is a form of sex discrimination. While it is difficult to define sexual harassment precisely, it does include any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:

1. Unwelcome sexual advances from a co-worker or supervisor, such as unwanted hugs, touches, or kisses;
2. Unwelcome attention of a sexual nature, such as degrading, suggestive or lewd remarks or noises;
3. Dirty jokes, derogatory or pornographic posters, cartoons or drawings;
4. The threat or suggestion that continued employment advancement, assignment or earnings depend on whether or not the employee will submit to or tolerate harassment;
5. Circulating, showing, or exchanging emails, text messages, digital images or websites of a sexual nature;
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

Any infraction of this policy by supervisors or co-workers should be reported immediately to the Title IX Coordinator, the Superintendent, or his/her designee in accordance with the district's sex discrimination and sexual harassment grievance procedure. Retaliation against any employee for complaining about sex discrimination or sexual harassment is prohibited under this policy and illegal under state and federal law. Violations of this policy will not be permitted and may result in discipline up to and including discharge from employment. Individuals who engage in acts of sex discrimination or sexual harassment may also be subject to civil and criminal penalties.

Legal References: ~~Civil Rights Act of 1964, Title VII, 42 U.S. §2000-e2(a)~~  
~~Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88~~  
~~Meritor Savings Bank, FSB v. Vinson 477 US.57 (1986)~~  
~~29 CFR Para. 1604.11 (EEOC)~~  
~~Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26,1998)~~  
~~Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court, June 26,1998)~~  
~~Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26,1998)~~  
~~Connecticut General Statutes~~  
~~46a-60 Discriminatory employment practices prohibited.~~

United States Constitution, Amendment XIV  
Civil Rights Act of 1964, Title VII, 42 U.S.C. § 2000e-2(a).  
Equal Employment Opportunity Commission Policy Guidance on Current Issues of Sexual Harassment (N-915.050), March 19, 1990.  
Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, et seq.  
Title IX of the Education Amendments of 1972, 34 CFR § 106, et seq.  
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)  
Constitution of the State of Connecticut, Article I, Section 20  
Connecticut General Statutes § 46a-60 Discriminatory employment practices prohibited.

Policy adopted: June 23, 1995  
REVISED: \_\_\_\_\_

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Students

### Policy Regarding Sex Discrimination and Sexual Harassment

~~Sexual harassment violates both federal and state laws and is insulting and demeaning to the victim. It is the policy of the Westport Board of Education to condemn and prohibit all forms of sexual harassment directed at male or female students or employees by other male or female students or employees, or by those doing business with the Board of Education, or by volunteers under the control of the Board of Education. Supervisory personnel are responsible for assuring that all students and employees enjoy the right to work and learn in an environment free of all forms of sexual harassment.~~

~~**Definition:** Sexual harassment is generally defined under state and federal law as unwelcomed sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where:~~

- ~~1. Submission to such conduct is made either explicitly or implicitly a term or condition of any individual's employment or academic award;~~
- ~~2. Submission to or rejection of such conduct by any individual is used as the basis for employment decisions affecting such individual; or~~
- ~~3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or ability to learn or creating an intimidating, hostile or offensive environment.~~

~~Sexual harassment can include conduct that is verbal, (including sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions or threats, sexual insults and put-downs); non-verbal (including use or display of sexually suggestive objects or pictures; suggestive or insulting sounds or whistles, leers, obscene gestures, etc.); or physical (including unwanted physical contact such as touching, pinching, kissing, brushing the body, fondling, assault or coerced sexual intercourse).~~

~~**Communication:** A copy of this policy will be distributed to all current employees and to all new employees at the time of hire. It will also be distributed annually to all employees and students. Moreover, a copy of this policy will remain posted at all times in each Board of Education facility.~~

~~The Board encourages victims of sexual harassment to report such claims and no reprisals or retaliation will result from good faith reporting.~~

~~**Complaints:** All complaints of sexual harassment will be investigated promptly and discreetly. If investigation reveals the complaint to be valid, prompt action will be taken to stop the harassment and prevent its recurrence.~~

~~**Violations:** Violation of this policy may result in disciplinary action up to and including suspension (students) and discharge (employees).~~

It is the policy of the Board of Education that any form of sex discrimination or sexual harassment is prohibited, 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. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action.

The Superintendent of Schools shall develop Administrative Regulations implementing this Policy.

### Definitions

**Sex discrimination** occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance.

**Sexual harassment:** In a school setting, sexual harassment is conduct that 1) is sexual in nature; 2) is unwelcome; and 3) denies or limits a student's ability to participate in or benefit from a school's educational program. Sexual harassment can be verbal, nonverbal or physical. Sexual violence is a form of sexual harassment. Sexual harassment creates a hostile environment if the conduct is sufficiently severe or pervasive such that it interferes with or limits a student's ability to participate in or benefit from the school's program. Although not an exhaustive list, the following are examples of sexual conduct prohibited by this policy:

1. Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
2. Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
3. Display of sexually suggestive objects, or use of sexually suggestive or obscene remarks, invitations, letters, emails, text messages, notes, slurs, jokes, pictures, cartoons, epithets or gestures.
4. Touching of a sexual nature or telling sexual or dirty jokes.
5. Transmitting or displaying emails or websites of a sexual nature.
6. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.

**Sexual Violence:** Sexual violence is a form of sexual harassment. For the purposes of this policy, sexual violence refers to physical acts that are sexual in nature, perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

### Procedure

It is the express policy of the Board of Education to encourage victims of sex discrimination or

sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. The district will investigate such complaints promptly, take interim measures, and take corrective action where appropriate. The district will maintain confidentiality to the extent appropriate. The district will not tolerate any reprisals or retaliation that occur as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator.

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

Sex discrimination and/or sexual harassment may also constitute bullying behavior under the Board's Bullying Behavior in the Schools Policy.

## **Students**

### **Sexual Harassment**

Legal Reference: ~~Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a).~~

~~Equal Employment Opportunity Commission Policy Guidance (N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88.~~

~~Title IX of the Education Amendments of 1972, 34 CFR Section 106.~~

United States Constitution, Amendment XIV

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

Title IX of the Education Amendments of 1972, 34 C.F.R § 106.1, et seq.

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Office for Civil Rights, U.S. Department of Education, Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, 66 Fed. Reg. 5512 (Jan. 19, 2001).

Office for Civil Rights, U.S. Department of Education Dear Colleague Letter: Sexual Violence (April 4, 2011).

Constitution of the State of Connecticut, Article I, Section 20.

Policy adopted: June 23, 1993  
REVISED:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

**Mission - Goals - Objectives**

**Nondiscrimination**

In compliance with Titles VI and VII of Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of Rehabilitation Act of 1973, THE WESTPORT PUBLIC SCHOOLS shall exclude no person from participation in, denied benefits of, or be otherwise discriminated against in employment or in educational opportunity in the basis of sex, sexual orientation, disability, past or present history of mental disorder, mental retardation, race, color, creed, religion, national origin, ancestry, age or marital status.

**Complaint Procedures**

File complaint with Principal; copy to coordinator (see below)  
If not satisfied, you may appeal to the Assistant Superintendent  
Next level is appeal to Superintendent  
Next level appeal is to Board of Education

**Title VI, Title VII**

**and Title 504 Coordinator**

**Title IX Coordinator**

Michael Rizzo	John Bayers, Director of Human Resources
Director of Pupil Services	Westport Town School Office
Staples High School	Westport Town Hall
70 North Avenue	110 Myrtle Avenue, Room 302
Westport, CT 06880	Westport, CT 06880
341-1250	341-1004

Legal Reference: Connecticut General Statutes

- 10-153 Discrimination on account of marital status.
- 46a-60 Discriminatory employment practices prohibited.
- Federal Law
- Title VII of the Civil Rights Act 1964
- Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).
- American Disability Act of 1989.
- Chalk v. The United States District Court of Central California.*
- Title IX of the Education Amendments of 1972.
- Civil Rights Act of 1987.

Policy adopted: June 12, 1978 WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

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## Community Relations

### 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, 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, 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.

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 Board Policy #1511 and are available online at <http://www.westportps.org/district/policies> or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled in accordance with other appropriate policies (e.g., Policy #4118.112 and Policy #4218.112, Sex Discrimination/Harassment in the Workplace; Policy #5145.5, Sex Discrimination and Sexual Harassment (Students); Policy #4111.4 and Policy #4211.4, Section 504/ADA (Personnel), and Policy #5145.42, Section 504/ADA (Students)).

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

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

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

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

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

Connecticut Commission on Human Rights and Opportunities  
450 Columbus Blvd.  
Hartford, CT 06103-1835  
(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:

**Office of the Superintendent, 203-341-1025**

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 Human Resources and General Administration, 203-341-1023**

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:

**Director of Pupil Services, 203-341-1250**

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

ADOPTED:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

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## Personnel -- Certified/Non-Certified

### ~~Equal Employment Opportunity~~ Non-Discrimination

#### **Affirmative Action**

~~The Westport Public Schools shall comply with all federal and state laws and regulations related to equal employment opportunities and prohibition of discrimination.~~

~~The Westport Board of Education shall insure that there is equal employment opportunity within the Westport School district. No person shall, on the basis of:~~

- ~~a) — age~~
- ~~b) — ancestry~~
- ~~e) — color~~
- ~~d) — creed~~
- ~~e) — disability~~
- ~~f) — marital status~~
- ~~g) — national origin~~
- ~~h) — race~~
- ~~i) — religion~~
- ~~j) — sex or sexual orientation~~

~~be excluded from, denied benefits of, or be discriminated against under any program, activity, or service of the Board of Education.~~

~~The Assistant Superintendent for Personnel and General Administration has been designated as the employee responsible for coordinating the Westport Schools' efforts to implement this non-discriminatory policy.~~

#### **Complaint Procedures**

- ~~1. — File complaint with Principal; copy to Coordinator (see below).~~
- ~~2. — If not satisfied with Principal's resolution, you may appeal to Coordinator.~~
- ~~3. — Next level appeal is to Superintendent of Schools.~~
- ~~4. — Next level appeal is to Board of Education~~

~~Title VI and 504 Coordinator: Director of Pupil Services  
Location: PPS Office, Staples High School~~

~~Title IX Coordinator: Assistant Superintendent for Personnel  
Location: Town School Office, Town Hall Room 305~~

~~Superintendent of Schools  
Location: Town School Office, Town Hall Room 306~~

## ~~Personnel -- Certified/Non-Certified~~

### ~~Equal Employment Opportunity~~

#### ~~Affirmative Action (continued)~~

~~Legal Reference: Connecticut General Statutes~~

~~10-153 Discrimination on account of marital status.~~

~~46a-60 Discriminatory employment practices prohibited.~~

~~Title VII, Civil Rights Act 42 U.S.C. 2000e, et seq.~~

~~PA 91-58 An act concerning discrimination on the basis of sexual orientation.~~

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, sexual orientation, national origin, ancestry, disability (including pregnancy), genetic information, veteran status or gender identity or expression, 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, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), genetic information, veteran status or gender identity or expression, 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), veteran status or gender identity or expression.

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, "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.

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 Board Policy #4111.1 and Board Policy #4211.1 and are available online at <http://www.westportps.org/district/policies> or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #4118.112 and Policy #4218.112, Sex Discrimination/Harassment in the Workplace; Policy #4111.4 and 4211.4, Section 504/ADA).

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 Office of the Superintendent, 203-341-1025**

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 Human Resources and General Administration, 203-341-1023**

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:

**Director of Pupil Services, 203-341-1250**

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: October 1976  
Policy amended: December 1978  
Policy amended: March 2005  
Policy amended: \_\_\_\_\_

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Personnel -- Certified/Non-Certified

### Policy Regarding Employees and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Westport Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the Westport Public Schools prohibit discrimination against any person with a disability in any of the services, programs or activities of the school system.

Employees who are interested in requesting or discussing reasonable accommodations for a disability should contact:

#### Director of Human Resources, 203-341-1023

Any employee may file an internal grievance/complaint regarding discrimination on the basis of disability by or within the district by utilizing the grievance/complaint procedures outlined in the Board’s Administrative Regulations Regarding Employees and Section 504 of Rehabilitation Act of 1973 and Title II of Americans with Disabilities Act, and/or 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  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109- 3921  
(617) 289-0111

Employees may also file a complaint regarding employment discrimination on the basis of disability 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).

Employees may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, 25 Sigourney Street, Hartford, CT 06106 (TELEPHONE NUMBER 800-477-5737).

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact the Director of Pupil Services, the Section 504/ADA

Coordinator for the Westport Public Schools, at phone number 203-341-1250.

Legal References:

29 U.S.C. §§ 705, 794

34 C.F.R. Part 104

42 U.S.C. § 12101 et seq.

28 C.F.R. Part 35

ADOPTED:

WESTPORT PUBLIC SCHOOLS

Westport, Connecticut

## **Students**

### **Non-Discrimination**

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), veteran status or gender identity or expression, subject to the conditions and limitations established by law.

It is the policy of the Board 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), veteran status, gender identity or expression, 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 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), veteran status or gender identity or expression.

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.

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/Students. These regulations accompany Board Policy #5145.41 and are available online at <http://www.westportps.org/district/policies> or upon request from the main office of any district school.

If a complaint involves allegations of discrimination or harassment based on reasons such as gender/sex or disability, such complaints will be handled under other appropriate policies (e.g., Policy #5145.5, Students/Sex Discrimination and Harassment; Policy #5145.42, 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:

**Office of the Superintendent, 203-341-1025**

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 Human Resources and General Administration, 203-341-1023**

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:

**Director of Pupil Services, 203-341-1250**

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 § 10-15c, § 46a-58, and § 46a-81a, et seq.  
Connecticut General Statutes § 1-1n, "Gender Identity or Expression" defined  
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.

ADOPTED:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

## Students

### Policy Regarding Students and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. Similarly, Title II of the Americans with Disabilities Act of 1990 (“Title II” or “ADA”) prohibits discrimination against individuals with a disability by state and local governments. To be protected under Section 504 and the ADA (“collectively, “Section 504/ADA”), an individual must (1) have a physical or mental impairment that substantially limits one or more major life activities; (2) have a record of such an impairment; or (3) be regarded as having such an impairment.

In order to fulfill its obligation under Section 504/ADA, the Westport Public Schools recognize a responsibility to avoid discrimination in policies and practices regarding its personnel, students, parents/guardians and members of the public who participate in school sponsored programs. In this regard, the Westport Public Schools prohibit discrimination against any person with a disability in any of the services, programs or activities of the school system.

The school district has specific responsibilities under Section 504 to identify, evaluate and provide an educational placement for students who have a physical or mental impairment that substantially limits a major life activity. The school district’s obligation includes providing access to a free appropriate public education (“FAPE”) for students determined to be eligible under Section 504/ADA. Under Section 504, FAPE is defined as the provision of regular or special education and related services that are designed to meet the individual educational needs of a student with a disability as adequately as the needs of students without disabilities are met, and that are provided without cost (except for fees imposed on nondisabled students/parents).

If the parent/guardian of a student disagrees with the decisions made by the professional staff of the school district with respect to the identification, evaluation or educational placement of his/her child, the parent/guardian has a right to request an impartial due process hearing.

In addition, a student or parent/guardian of a student may also file an internal grievance/complaint on these issues or any other type of discrimination on the basis of disability by or within the district by utilizing the grievance/complaint procedures outlined in the Board’s Administrative Regulations Regarding Students and Section 504 of Rehabilitation Act of 1973 and Title II of Americans with Disabilities Act, and/or 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  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109- 3921  
(617) 289-0111

Anyone who wishes to file a grievance/complaint with the district, or who has questions or concerns about this policy, should contact The Director of Pupil Services, the Section 504/ADA Coordinator for the Westport Public Schools, at phone number 203-341-1250.

Legal References:

29 U.S.C. §§ 705, 794

34 C.F.R. Part 104

42 U.S.C. § 12101 et seq.

28 C.F.R. Part 35

*Protecting Students with Disabilities, Frequently Asked Questions About Section 504 and the Education of Children with Disabilities*, Office for Civil Rights (March 17, 2011), available at <http://www.ed.gov/about/offices/list/ocr/504faq.html>

*Dear Colleague Letter*, United States Department of Education, Office for Civil Rights (January 19, 2012)

ADOPTED:

WESTPORT PUBLIC SCHOOLS  
Westport, Connecticut

**WESTPORT PUBLIC SCHOOLS**  
**PROPOSED BOARD OF EDUCATION MEETING CALENDAR**  
 July 2018-June 2019

**JULY (0)**

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

4 Independence Day

**AUGUST (4)**

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	*22	*23	*24	25
26	*27 (28)	29	30	31		

\*22-24, 27 Staff Dev. Days  
 (28) Students' First Day

**September (17)**

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

3 Labor Day  
 10 Rosh Hashanah  
 19 Yom Kippur

**October (23)**

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**November (18)**

S	M	T	W	Th	F	S
				1	2	3
4	5	*6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

6 Election Day/\*Staff Development Day  
 No School Students  
 21-23 Thanksgiving Recess

**December (15)**

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

24-31 Holiday Recess

**January (21)**

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

1 New Years Day  
 21 Martin Luther King Day

**February (14)**

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	*15	16
17	18	19	20	21	22	23
24	25	26	27	28		

\*15 Staff Development Day  
 No School Students  
 18 Presidents' Day - No School  
 19-22 February Recess

**March (21)**

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**April (17)**

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

15-19 Spring Vacation  
 19 Good Friday

**May (22)**

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

27 Memorial Day

**June (10)**

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

21 Students' Last Day/Graduation Day  
 Shortened Day for Students Only

 = Proposed Board Meeting Dates

Students'/Teachers' Last Day will be June 21. If there are no snow days, Students'/Teachers' Last Day will be June 14  
 In the event additional make-up school days are needed, the District schools will use, in the following order: Monday, April 15;  
 Tuesday, April 16; Wednesday, April 17; Thursday, April 18.