



State of Connecticut  
**COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES**

Central Office --25 Sigourney Street, 7<sup>th</sup> Floor, Hartford, CT 06106

*Promoting Equality and Justice for all People*

---

March 4, 2013

School Principal,  
Superintendent  
PTA/PTO President

Dear Colleague:

In February, 2011, this office sent you a letter discussing the “Dear Colleague” letter that was issued by the Federal Office of Civil Rights in October 2010 that addressed the issue of bullying and harassment in schools and provided examples of how a school’s failure to address instances of bullying and harassment can violate civil rights. Both this agency and the Connecticut Department of Education continue to receive complaints about harassment and discrimination against students including but not limited to students who are **transgendered**.

The purpose of this letter is to remind you that, in addition to being a Federal Civil Rights violation, harassment and bullying on the basis of race, color, religion or creed, national origin, ancestry, sex, marital status, age, lawful source of income, mental retardation, mental or physical disability, sexual orientation or **gender identity or expression**, constitute a violation of Connecticut laws. **Discrimination on the basis of transgender status is illegal, as codified by Public Act 11-55, which added “gender identity or expression” to the protected classes covered under Connecticut law.** A more detailed explanation about gender identity discrimination is contained in the “Doe” declaratory ruling issued by this agency in 2000, which can be found on the Commission on Human Rights and Opportunities’ website. As “places of public accommodation”, public schools have an affirmative obligation to prevent and respond to harassment and bullying that is based on the protected class of the victim. As parents, teachers and school administrators, you have both the ability and obligation to prevent bullying and to eliminate its harmful effects.

The Commission on Human Rights and Opportunities (CHRO) along with the State Department of Education has concurrent jurisdiction over complaints of discrimination based on the protected classes listed above. While Connecticut law is co-extensive with Federal law in many respects, Connecticut law often provides more protections to individuals than may be available under the Federal law. Failure to address harassment or bullying based on the protected classes listed above, can lead to liability for the school district and result in damages

being assessed on the school district or organization that knows about but fails to act to prevent or stop said conduct. Under Connecticut law, these complaints can be brought before the CHRO and the State Board of Education in addition to the United States Department of Justice for federal issues. Failure to appropriately respond to complaints of this kind can be costly for communities and schools.

The Federal "Dear Colleague" letter gives detailed examples of the types of harassment and bullying that can rise to a Civil Rights violation. It provides an excellent resource for schools to use in responding to harassment and bullying and to prevent the behavior before it starts. **In addition, the CHRO website and State Department of Education website have links to Guidelines for Schools on Gender Identity and Expression that can provide assistance.**

The CHRO, along with counsel to your Boards of Education and the State Board of Education are available to assist you in obtaining training and resources that you may need to respond to these complaints. Please contact Robin Fox, Cheryl Sharp or Alix Simonetti at 860-541-3423 if you have any questions.

Very truly yours,

A handwritten signature in blue ink that reads "Robert J. Brothers, Jr." with a stylized, cursive flourish at the end.

Robert J. Brothers, Jr.  
Executive Director