

TRUMBULL PUBLIC SCHOOLS  
TRUMBULL, CONNECTICUT

Policy Committee of the Trumbull Board of Education

Tuesday, March 1, 2022 – 5:30 p.m.

MINUTES

- I. Call to Order/Introduction – The meeting was called to order by Mr. Gallo at 5:35 p.m. Brief introductions were provided of all members present.

Members Present

T. Gallo, Chair of Policy, Vice-Chairman of BOE  
M. Petitti, BOE Member  
A. Squicciarro, BOE Member  
P. Coppola, TAA representative  
K. Lynn, parent representative  
C. Perrone, parent representative  
A. Harmon, Trumbull Community Rep.  
R. Kode, student representative  
C. Wright, student representative  
R. Williams, Director of Human Resources, guest  
S. Iwanicki, Ed.D., administrative designee

Members Absent

Roy Fuchs, community  
J. Mastrianni, TEA representative  
Roy Fuchs, Community Rep.  
E. Diaz, parent representative

- II. Correspondence / Public Comment –Mr. Gallo indicated that he had not received any specifically for this policy meeting. A member of the public asked if Committee members could participate by phone. It was explained that Board members had on some occasions and that this was not general practice. This question will be looked into further.
- III. Approval of Minutes- Special Policy Meeting 1/25/2022- Mrs. Squicciarro motioned to approve the minutes. Mrs. Petitti seconded. The motion was unanimously agreed to.
- IV. Report of New Business/Action Items
- A. Policy 4118.112 Sexual Discrimination and Sexual Harassment in the Workplace  
Mrs. Williams relayed that these policies were asked to be revised based on new changes to the law in May of 2020 and the addition of a Human Resources Director as the new District Title IX Coordinator. The committee reviewed our policy in reference to sample suggested language of CABA policies. Changes were made to pronouns, word choice, and to roles where appropriate. After review and discussion, Mrs. Squicciarro motioned to bring Policy 4118.112 Sexual Discrimination and Sexual Harassment in the Workplace as revised to the Board for review. Mrs. Petitti seconded. The motion was unanimously agreed to.
- B. Policy 5145.5 Sexual Harassment of Students  
The committee also read and reviewed the Sexual Harassment of Students Policy 5145.5. Again, changes to pronouns as well as the role of the new District Title IX Coordinator as a part of the Human Resource Director’s responsibility were discussed. Additionally, one

of our student representatives inquired if there was a time frame in which students had to report their complaint. It was shared that there is not. After discussion of steps should a person disagree with the decision regarding an investigation, Mrs. Squicciarro motioned to bring Policy 5145.5 Sexual Harassment of Students as revised to the Board for review. Mrs. Petitti seconded. The motion was unanimously agree to.

#### Adjournment

Mrs. Petitti motioned to adjourn the meeting at 6:43pm. Mrs. Squicciarro seconded. The motion was unanimously agreed to.

## 5145.5/Sexual Harassment of Students

TRUMBULL PUBLIC SCHOOLS  
BOARD OF EDUCATION  
POLICY MANUAL

SECTION: 5000  
CATEGORY: Students  
POLICY CODE: 5145.5/Sexual Harassment of  
Students

### SEXUAL HARASSMENT OF STUDENTS

#### Policy Statement

Sexual harassment will not be tolerated among students of the Trumbull Public Schools, and any form of sexual harassment is forbidden, whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers in the schools. Students shall exhibit conduct which is respectful and courteous to employees, to fellow students, and to the public.

Sexual harassment is any unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to:

1. insulting or degrading sexual remarks or conduct;
2. threats or suggestions that a student's submission to, or rejection of, unwelcome conduct will in any way influence a decision regarding that student;
3. conduct of a sexual nature which **substantially** interferes with the student's learning or creates an intimidating, hostile, or offensive learning environment, such as the display in the educational setting of sexually suggestive objects or pictures.

The Board of Education encourages victims of sexual harassment to report such claims promptly to the appropriate building principal, **the District Title IX Coordinator**, or to the Superintendent of Schools or his/her designee, ~~the Assistant Superintendent of Schools~~. Complaints shall be investigated promptly, in accordance with the Regulations of this policy, and corrective action taken when allegations are verified. Confidentiality shall be maintained **to the extent possible** and no reprisals or retaliation shall occur as a result of good-faith charges of sexual harassment.

The District shall provide, for administrators and other staff, professional development related to sexual harassment, and annually shall distribute this policy to all staff and students. The District shall maintain records of the professional development provided, including the dates, the content, and the names of those attending.

Adopted: 6/15/1993  
Revised: 9/7/1993, 1/13/1998,  
5/23/2017, 6/12/2018, **4/5/2022**

#### References

- Titles VI and VII of the Civil Rights Act of 1964
- **Title IX Final Rule, May 6, 2020**
- Title IX of the Education Amendments of 1972
- United States Department of Education Office of Civil Rights
  
- Connecticut General Statutes § 46a-60

**5145.5/Sexual Harassment of Students**

- Trumbull Board of Education Policy Code 0521: Non-Discrimination
- Trumbull Board of Education Policy Code 4118.112: Sexual Harassment
- Trumbull Board of Education Policy 5131: Student Standard of Conduct
- Trumbull Board of Education Policy Code 6121: Non-Discrimination in Instruction/  
Classroom
- Trumbull Board of Education Policy Code 6161.1: Selection of Instructional Material

**Regulations**

1. If a student believes that he/she/**they** is being or has been sexually harassed, the student is encouraged to immediately inform the harasser that his/her/**their** behavior is unwelcome, offensive, in poor taste, unprofessional, and/or highly inappropriate.
2. As soon as a student believes that he/she/**they** has been subjected to sexual harassment, he/she/**they** should make a written complaint to the building principal **and/or the building principal's designee**. If the building principal is the subject of the complaint, the student should make the complaint to the **District Title IX Coordinator, or Superintendent of Schools or his/her designee, ~~the Assistant Superintendent of Schools~~**.
3. The complaint should state the:
  - (a) Name of the complainant;
  - (b) Date of the complaint;
  - (c) Date of the alleged harassment;
  - (d) Name or names of the alleged harasser or harassers;
  - (e) Location where such alleged harassment occurred; and
  - (f) Details of the circumstances constituting the alleged harassment, including witnesses, if any.
4. Any student who makes an oral complaint of harassment to any of the above-mentioned personnel will be provided a copy of this regulation and will be instructed to make a formal written complaint pursuant to the above procedure. **In appropriate circumstances, due to the age of the student making the complaint, a parent or guardian of the Title IX Coordinator may be permitted to fill out the form, on the student's behalf.**
5. **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.**
6. **All complaints are to be forwarded immediately to the Principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Title IX Coordinator. In addition, a copy of any complaint filed shall also be forwarded to Superintendent or his/her designee.**
7. If possible, within five (5) working days of receipt of the complaint, **the Title IX Coordinator or Principal (~~"the investigator"~~) or Designee, (hereinafter referred to as the Investigator or Title IX Investigator,)** shall **initiate the District's Title IX Grievance/Investigation Process** to commence an effective, thorough, objective and complete investigation of the complaint. The Investigator shall consult with all individuals reasonably believed to have relevant information, including the student and the alleged harasser(s), any witnesses to the conduct, and victims of similar conduct that the Investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discretely, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser(s) will be upheld.

## 5145.5/Sexual Harassment of Students

8. Any student who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the student requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the student insists that his/her/their personally identifiable information not be shared with the alleged perpetrator, the student will be informed that the District's ability to investigate and/or take corrective action may be limited.
9. Upon receipt of a sexual harassment or sex discrimination complaint, the Title IX Coordinator shall provide the formal complaint to a trained Title IX Investigator to commence an investigation of the complaint. The Title IX Investigator and decision-maker shall:
  - a) offer to meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
  - b) provide the complainant with a copy of the Board's sexual harassment policy and accompanying regulations;
  - c) consider whether any interim measures may be appropriate to protect the alleged victim, pending the outcome of the investigation;
  - d) investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
  - e) consider whether alleged sex discrimination or sexual harassment has created a hostile school environment, including consideration of the effects of off-campus conduct on the school;
  - f) communicate promptly the outcome of the investigation in writing to the Title IX decision-maker to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), The decision-maker, in a 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;
  - g) when sex discrimination or sexual harassment has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the harassment or discrimination, as deemed appropriate by the Superintendent or his/her designee, and take steps to remedy the effects of the sex discrimination or sexual harassment;
10. The ~~investigator~~ decision-maker shall make a written report summarizing the results of the findings of the investigation and proposed disposition of the matter, and shall provide copies to the complainant and the alleged harasser(s), ~~and, as appropriate, to others directly concerned.~~ who shall have at least ten days to review the collected and provided material before any determination is reached regarding responsibility.

## **5145.5/Sexual Harassment of Students**

11. If the student complainant **or alleged perpetrator** is dissatisfied with the result of the investigation, he or she may file a written appeal within thirty (30) calendar days with the Superintendent or his/her designee, ~~the Assistant Superintendent of Schools~~, who shall review the **investigator's decision-maker's** written report, the information collected by the Investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment. The Superintendent, Superintendent ~~or his/her designee, the Assistant Superintendent of Schools, may conduct an independent investigation,~~ **will direct a different Title IX trained decision-maker** to conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completion of this review, the Superintendent, ~~or his/her designee, the Assistant Superintendent of Schools,~~ shall respond to the complainant, in writing ~~as soon as possible,~~ **within fifteen (15) schooldays following the receipt of the written request for appeal.**

If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment may include reassignment, transfer, and/or disciplinary action, ~~or warnings that appropriate action shall be taken if further acts of harassment or retaliation occur.~~ **Further, if a sex discrimination complaint raises a concern about bullying behavior, the Title IX Coordinator shall notify the Safe School Climate Specialist who shall coordinate any bullying investigation with the Title IX Coordinator.**

**The harasser and any other students or employees, if appropriate, will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If further acts of harassment or retaliation do occur, appropriate action shall be taken.**

**Retaliation against any individual who complains pursuant to the Board's policy and regulations is strictly prohibited. The district will take actions necessary to prevent retaliation as a result of filing a complaint.**

**At any time, a complainant alleging sex discrimination or sexual harassment may file formal complaint with the U.S. Department of Education, Office for Civil Rights, 8<sup>th</sup> Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (Telephone Number (617) 289-0111).**

TRUMBULL PUBLIC SCHOOLS  
BOARD OF EDUCATION  
POLICY MANUAL

SECTION: **4000**  
CATEGORY: **Personnel – Certified and  
Non-Certified**  
POLICY CODE: **4118.112/Sex Discrimination  
and Sexual Harassment in the  
Workplace**

**SEX DISCRIMINATION AND SEXUAL HARASSMENT IN THE WORKPLACE**

**Policy Statement**

The Trumbull Board of Education is committed to safeguarding the right of all employees within the District to a work environment free from all forms of sexual **discrimination and/or** harassment. Therefore, the Board condemns and prohibits all unwelcome behavior of a sexual nature which is designed to extort sexual favors from an employee as a term or condition of employment, or which has the purpose or effect of creating an intimidating, hostile, or offensive working environment **substantially-unreasonably** interfering with the employee's work performance or adversely affecting the employee's employment opportunities. The Board also strongly opposes any retaliatory behavior against complainants or witnesses. ~~to allegations of sexual harassment.~~

Any employee who believes that he/she/**they** has been subjected to sex discrimination or sexual harassment should report the alleged misconduct immediately so that appropriate corrective action may be taken at once. In the absence of a ~~victim's~~ complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, must ensure that an investigation is promptly commenced by the appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures related to reporting, investigating, and remedying allegations of sex discrimination and/or sexual harassment.

A copy of this Policy and its accompanying Regulations is to be distributed to all employees at the start of the school year.

Adopted: 1/20/1981  
Revised: 10/20/1992, 9/7/1993,  
10/4/2000, 3/27/2018, 1/14/2020, **4/5/2022**

**References**

- Title IX of the Education Amendments of 1972
- Connecticut General Statutes §§ 17a-101, 46a-54, 46a-60



## 4118.112/Sex Discrimination and Sexual Harassment in the Workplace

- Connecticut Public Act 19-16, “An Act Combatting Sexual Assault and Sexual Harassment”
- [Title IX Final Rule, May 6, 2020](#)
- Trumbull Board of Education Policy Code 0521: Non-Discrimination
- Trumbull Board of Education Policy Code 5145.5: Sexual Harassment of Students  
4118.112/Sex Discrimination and Sexual Harassment in the Workplace

### Regulations

#### I. Definitions

- A. “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/her/~~their~~ 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/her sex, is denied participation in, or the benefits of, a program that receives federal financial assistance.
- B. “Sexual harassment,” a form of sex discrimination, means any unwelcome sexual advances or requests for sexual favors or any 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 ~~substantially~~ interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.
- C. “Employee” means any individual hired by the Board of Education.
- D. “Immediate supervisor” shall mean the person to whom the employee is directly responsible.

#### II. Policy Awareness

- A. Each school shall post in a prominent and accessible location information concerning the illegality of sexual harassment and remedies available to victims of sexual harassment.
- B. Each employee shall be provided, no later than three months after the employee’s start date with the District, a copy of the information concerning the illegality of sexual harassment, and remedies available to victims of sexual harassment, by electronic mail with a subject line that includes the words “Sexual Harassment Policy” or similar, if the District has provided an e-mail account to the employee, or if the employee has provided the District with an e-mail address.
- C. The Board will also post such information on the District’s website.

## 4118.112/Sex Discrimination and Sexual Harassment in the Workplace

- D. A copy of this Policy and its accompanying Regulations is to be distributed to all employees at the start of the school year.
- E. Consistent with requirements of the State of Connecticut, staff training in the prevention of sex discrimination and sexual harassment in the workplace shall be conducted annually as part of the District's continuing staff development program. Training and education shall also take place no later than six months after the date of a new employee's hire.

### III. Complaint Procedures

- A. ~~The Assistant Superintendent~~ The Director of Human Resources or the Superintendent's designee will serve as the District's Title IX Coordinator.
- B. If an employee believes that he/she/they is being or has been subjected to sex discrimination or sexually harassed, the employee is to report the incident to the Title IX Coordinator and his/her/their immediate supervisor. Should the Title IX Coordinator, or the immediate supervisor, be the subject of the complaint, the report shall be made to the Superintendent, who shall investigate or appoint a designee to do so. Incidents of sex discrimination or sexual harassment may be reported informally or through the filing of a formal complaint.
- C. All reports of sexual harassment shall be held in confidence subject to all applicable state and federal laws.
- D. Consistent with federal and state law, the following procedures shall be employed in handling any report, investigation, and remedial action concerning allegations of sexual harassment.

#### 1. Informal Complaints

- i. An employee who believes that he/she/they is being or has been subjected to sex discrimination or sexually harassed may request that an informal meeting be held between himself/herself/themselves and his/her/their immediate supervisor. The purpose of such a meeting will be to discuss the allegations and remedial steps available. The supervisor will then promptly discuss the complaint with the alleged perpetrator.
- ii. Should the perpetrator admit the allegations, the supervisor is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the supervisor may recommend that further disciplinary action be taken. Thereafter, the supervisor is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the supervisor's report whether he/she/they is satisfied with the resolution. If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened

## 4118.112/Sex Discrimination and Sexual Harassment in the Workplace

for investigation if a recurrence of sex discrimination or sexual harassment is reported. The supervisor is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur.

- iii. If, during the supervisor's informal attempt to resolve the complaint, the perpetrator admits the allegations but refuses to give assurance that he/she/they will refrain from the unwelcome behavior in the future, the supervisor is to file a report with the Title IX Coordinator. The report is to indicate the nature of the complaint, a description of what occurred when the supervisor informed the perpetrator of the allegations against him/her, the perpetrator's response to the allegations, and a recommendation that stronger corrective actions be taken. This report should be accompanied by a formal complaint.
- iv. Should the alleged perpetrator deny the allegations, the supervisor is to inform the complainant of the denial and state that a formal written complaint will be required for further formal investigation. The supervisor will file a report with the Title IX Coordinator on what has transpired to date. If the complainant submits a formal complaint, a copy of it should accompany the supervisor's report with a recommendation for further action.

### 2. Formal Complaints

- i. A formal complaint may be submitted either to initially report any incidence of sex discrimination or sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint.
- ii. The formal written complaint should state the:
  - (a) Name of the complainant;
  - (b) Date of the complaint;
  - (c) Date of the alleged discrimination/harassment;
  - (d) Name or names of the alleged perpetrator(s);
  - (e) Location where such alleged discrimination/harassment occurred;
  - (f) Details of the circumstances constituting the alleged discrimination/harassment, including witnesses, if any; and,
  - (g) If the incident has been reported before, details of the prior report, prior resolution, and complainant's dissatisfaction.
- iii. Any employee who believes that he/she/they has been discriminated against or sexually harassed in the workplace in violation of this policy may also file a complaint with the Southwest Region Office of the Connecticut Commission on Human Rights and Opportunities, 350 Fairfield Avenue, 6<sup>th</sup> Floor, Bridgeport, CT, 06604, 203-579-6246, and/or the Equal Employment Opportunity Commission, Boston Area Office, 475 Government Center, Boston, MA, 02203, 617-565-3200. Connecticut law requires that a formal written complaint be filed with the Commission on Human Rights and Opportunities within 180 days of the date when the alleged discrimination/harassment occurred. Remedies for sex discrimination and

## 4118.112/Sex Discrimination and Sexual Harassment in the Workplace

sexual harassment may include cease and desist orders, back pay, compensatory damages, hiring, promotion, and/or reinstatement.

### 3. Complaint Investigations, Remedial Actions, Appeals, and Post-Remedial Actions

- i. Complaints will be investigated promptly. Corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible, and reprisals or retaliation that occur as a result of the good-faith reporting of charges of sex discrimination or sexual harassment will result in disciplinary action against the retaliator.
- ii. If the investigation reveals that sex discrimination or sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law. Depending on the gravity of the misconduct, these may range from a reprimand up to and including dismissal from employment.
- iii. Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law.
- iv. If an investigation reveals that no sex discrimination or sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sex discrimination or sexual harassment, the complainant may appeal in writing to the Superintendent or the Board of Education. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing.
- v. Following a finding of sex discrimination or sexual harassment, victims will be periodically interviewed by the appropriate supervisory personnel to ensure that the discrimination/harassment has not resumed and that no retaliatory action has occurred. These follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response.

### 4. Complaint Records

A complainant should receive a copy of any resolution report filed by the supervisor concerning his/her/**their** complaint. Copies should also be filed with the employment records of both the complainant and the alleged perpetrator.

### 5. Investigation in the Absence of a Complaint

In the absence of a victim's complaint, the Board, upon learning of, or having reasons to suspect, the occurrence of any sex discrimination or sexual harassment, must ensure that an investigation is commenced by the appropriate individuals to the extent required by, and in accordance with, federal and state law.

**4118.112/Sex Discrimination and Sexual Harassment in the Workplace**

6. Role of the District's Title IX Coordinator The District's Title IX Coordinator shall immediately institute an inquiry into allegations which shall include, but not be limited to:
- i. Advising the Superintendent of Schools that a complaint of alleged sex discrimination or sexual harassment has been filed.
  - ii. Interviewing the complaining adult or student in a confidential setting. In the case of a student, the parent/guardians shall be notified (unless the parent/guardian is the subject of the allegations) and invited to be present for the interview.
  - iii. Conducting interviews with all parties named as perpetrators of and witnesses to the alleged sex discrimination or sexual harassment.
  - iv. Filing a report of findings with the Superintendent of Schools. If the findings result in reasonable cause to suspect or believe that any child under the age of eighteen has been abused, the District's Title IX Coordinator shall also file a report with the State of Connecticut Commissioner of Children and Youth Services. Nothing contained herein shall abrogate the reporting requirements of school personnel pursuant to Connecticut General Statutes §17a-101 in cases of suspected child abuse.