

## **TITLE IX POLICIES AND FAQ'S**

Title IX of the Education Amendments of 1972 [“Title IX”] provides in relevant part:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

### **Prohibition of Discrimination on the Basis of Sex**

In accordance with Title IX, its implementing regulations, and other federal and state civil rights and anti-discrimination laws, the Norwalk Public School District [the “District”] is committed to providing a working and learning environment that is free from discrimination based on sex, including sexual harassment and sexual violence. In accordance with this commitment, the District does not discriminate, nor will it tolerate any such discrimination, on the basis of sex in any of its education or employment programs or activities

Title IX’s prohibition against discrimination in any of the District’s education programs or activities applies to both students and employees. Inquiries pertaining to the meaning, application, and any alleged violations of Title IX may be referred to the District’s Title IX Coordinator.

### **DISTRICT Title IX Coordinator**

Barbara Namani  
125 East Avenue, Room 335, Norwalk CT  
Email: [namanib@norwalkps.org](mailto:namanib@norwalkps.org)  
Phone: (203) 854-4015

Title IX coordinators are also present within each school, to determine who the local Title IX coordinator is please view “Title IX Coordinator” link on our website.

Retaliation against anyone who in good faith files a complaint alleging sex discrimination, sexual harassment, or sexual violence is **strictly prohibited** and any District employee or student found to have engaged in retaliation shall be subject to discipline, up to and possibly including termination for employees and expulsion for students.

The United States Department of Education’s Office for Civil Rights [“OCR”] enforces Title IX, and inquiries or complaints can also be submitted to the Assistant Secretary for Civil Rights of the United States Department of Education.

<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

Assistant Secretary for Civil Rights  
U.S. Dept. of Education Office for Civil Rights

400 Maryland Ave., SW  
Washington, D.C. 20202-1100  
1-800-421-3481; 1-800-877-8339 (TDD)  
[OCR@ed.gov](mailto:OCR@ed.gov)

The District's policies and procedures for addressing, investigating, and otherwise responding to reports and complaints of sex-based discrimination, which under Title IX includes sexual harassment and sexual violence, are intended to comply with Title IX and its implementing, August 14, 2020 regulations. Should at any juncture the District's policies and procedures be found to be in conflict with Title IX or its regulations, Title IX and its regulations shall control.

## **TITLE IX FAQs**

### **What is a Title IX Coordinator?**

In accordance with Title IX, the District has appointed a District Title IX Coordinator to coordinate and oversee the District's compliance with Title IX and its regulations. Within each school there is also a Title IX Coordinator.

### **Who is the Title IX Coordinator?**

For a list of the Title IX Coordinators at each school please see "Title IX Coordinator".

### **Who can contact the Title IX Coordinator?**

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator, regardless of whether the person making the report is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment.

### **How can I contact the Title IX Coordinator?**

Those reporting sex discrimination, including sexual harassment, can contact the Title IX Coordinator in person, by mail, telephone, or by electronic mail -- using the contact information listed above -- or by any other means that result in the Title IX Coordinator receiving your verbal or written report.

Although initial reports can be made verbally, a formal complaint must be in writing before the District can follow up on and investigate it. The formal complaint can be put in writing either by the individual making the complaint or by the Coordinator upon receiving such verbal complaint and signing the written complaint on behalf of the individual who has alleged to be the victim of sexual harassment.

### **When can I contact the Title IX Coordinator?**

Reports can be made to the Title IX Coordinator at any time by using the telephone number and either speaking with the Title IX Coordinator, the Coordinator's administrative assistant, or by leaving a voice message, or by using the Title IX Coordinator's e-mail address, or by traditional mail to the office address that is listed for the Title IX Coordinator.

### **What is sexual harassment under Title IX?**

Title IX defines sexual harassment as conduct on the basis of sex that satisfies one or more of the following:

1. The provision of a curricular, extracurricular, or other school-related aid, benefit, or service of the District that is predicated upon an individual's participation in unwelcome

sexual conduct, or the denial of such aid, benefit, or service as the result of an individual declining to participate in such unwelcome sexual conduct;

2. Unwelcome conduct that a reasonable person would consider to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education programs or activities; or

3. Sexual assault, dating violence, domestic violence, or stalking pursuant to

### **How does the District respond to reports of sexual harassment?**

The District takes all reports of sexual harassment extremely seriously and responds to them in a prompt and thorough manner.

All students and employees are encouraged to report sexual harassment to the District. Furthermore, *any and all District employees* who witness or who are informed of suspected sex discrimination, sexual harassment, or sexual violence, *are required* to report it to the District's Title IX Coordinator. The failure to do so can result in discipline up to and possibly including suspension and/or termination.

Upon receiving a report of sexual harassment in an education program or activity, the Title IX Coordinator will contact the **complainant** -- who is the individual alleged to be the victim of conduct that could constitute sexual harassment -- to discuss the availability of supportive measures and to explain the process for filing a formal complaint of sexual harassment.

As is required under Title IX's regulations, the **respondent** -- who is the individual alleged to be the perpetrator of conduct that could constitute sexual harassment -- will not be presumed as not responsible until it is ultimately determined otherwise. Furthermore, under the Title IX regulations, the respondent also has an equal right to supportive measures throughout the Title IX investigatory and adjudicatory processes.

### **What is a formal complaint of sexual harassment?**

To qualify as a formal complaint of sexual harassment, the complaint document -- consisting of either an actual, hard copy signed by the complainant or an electronic submission that contains the complainant's physical or digital signature, or that otherwise indicates that the complainant is the person filing the formal complaint -- must be filed by the complainant or signed on the complainant's behalf by the Title IX Coordinator.

The written complaint document must allege sexual harassment against a respondent, detailing the time, the location, and the nature of such harassment, and it **must request** that the District investigate the allegation of sexual harassment.

At the time a formal complaint is filed, the complainant must be participating in or attempting to participate in the District's education program or activity.

**Is there alleged conduct that does not constitute a complaint of sexual harassment?**

Under certain circumstances, a formal complaint of sexual harassment may not be subject to the jurisdiction of Title IX and the District’s grievance process.

**PLEASE NOTE:** Notwithstanding the foregoing, and even if the investigatory and adjudicatory processes under Title IX have not been finalized, the respondent may still be subject to non-Title IX disciplinary procedures should the District determine that he or she violated a publicized policy of the Board, for which violation either Board policy or Connecticut law prescribes suspension and/or expulsion.

**Can a Complainant withdraw a claim of sexual harassment?**

Yes. Should for any reason a complainant decide to no longer pursue an allegation of sexual harassment, she or he can withdraw the formal complaint in writing at any time, even following the conclusion of the investigation into the complaint but prior to the subsequent issuance of a finding.

**PLEASE NOTE:** Withdrawing the complaint will terminate the investigation and result in the dismissal of the complaint.

**PLEASE ALSO NOTE:** The withdrawal of a formal complaint of sexual harassment for any of, or in accordance with, the foregoing reasons does not preclude action under another of the District’s disciplinary policies should the conduct in question be deemed a violation of a publicized policy of the Board, for which violation either Board policy or Connecticut law prescribes suspension and/or expulsion.

**Does the District have a process for responding to, investigating, and deciding formal complaints of sexual harassment?**

Yes. Formal complaints of sexual harassment trigger the grievance process prescribed by Title IX and its regulations.

**PROHIBITION AGAINST THREATS, INDUCEMENTS, OR RETALIATION**

Threats or inducements intended to dissuade or discourage parties from reporting or filing formal complaints under Title IX and this Grievance Process or from otherwise participating in the investigation and/or determination of such formal complaints, including as parties or as witnesses, is strictly prohibited and shall be subject to discipline, including up to expulsion for students who engage in such conduct and up to termination for employees who do so.

Furthermore, retaliation against any party or witness for having reported sex discrimination, including sexual harassment, for having filed a formal complaint, or for otherwise participating in

the investigation and/or determination of such formal complaints is strictly prohibited, and those individuals found to have engaged in such conduct shall be subject to discipline, including up to expulsion for students and up to termination for employees.

In addition to the foregoing, should any individual be found to have filed and pursued a formal complaint in bad faith, knowing it to be without foundation and designed solely to injure, harass, retaliate against, or otherwise damage the standing and reputation of an employee or student shall be subject to discipline, including up to expulsion for students and up to termination for employees.