

Committee Meeting Agenda/Minutes

Committee: BOE Policy & Legislation Committee			
Location: Superintendent's Office Chase Building/Room 158 236 Grand Street	Date of Meeting: Tuesday October 1, 2024	Start Time: 5:30 p.m.	Finish Time:

Team Norms:
1. All meetings will start on time 2. All team members will agree to stay on specific agenda topics 3. A specific agenda will be set for all meeting

Commissioners Present:	Staff Present:

AGENDA			MINUTES
	Agenda Item	Time Allotted	• Motion • Motion by/seconded by • Vote tally
1.	Combined revised Policy #4112.5-Security Check/Fingerprinting AND revised Policy #4112.52-Security Check/Fingerprinting – Criminal History Record Information (previously discussed at the June 3, 2024 Policy Committee) – Dr. Schwartz		
2.	Revised Policy #5125-Education Records/FERPA – J. Britton		
3.	Revised Policy 6162.51-Surveys of Students (Student Privacy) – J. Britton		
4.	Revised Policy #0521-Nondiscrimination (per Title IX, Final Rule, 08/01/24) – G. Thazhampallath		
5.	Revised Policy #4000.1-Nondiscrimination (per Title IX, Final Rule, 08/01/24) – G. Thazhampallath		
6.	Revised Policy #5145.44-Nondiscrimination (per Title IX, Final Rule, 08/01/24) – G. Thazhampallath		
7.	Revised Policy #5131.911-Bullying/Cyber Policy & Plan – W. Johns		
8.	Revised Policy #5141.5-Suicide Prevention-Intervention ~ W. Johns		
9.	Miscellaneous/Scheduling of next meeting ~ Chair Brown		
10.	Adjournment		

Additional notes/minutes:
Minutes prepared by:

At the June 3 Policy Committee policies "4112.5-Security Check/Fingerprinting" and "4112.52-Security Check/Fingerprinting – Criminal History Record Information)" were presented with recommended changes from CABA due to the updated FBI CJIS Security Policy Version 5.8. After further review the two policies contain much of the same information but split into two policies and regulations therefore this was not presented to the full BOE for approval.

Below is the result after combining both policies which will now become one - 4112.5 "Security Check/Fingerprinting; Criminal Justice Information (CJI); Criminal History Record Information (CHI)".

All "changes" were previously discussed at the June Policy Committee except the addition of one more item to the acronym key "NCJA" which was referenced in the policy but not defined.



**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI)**

In order to create a safe and orderly environment for students, all offers of employment will be conditional upon the successful outcome of a criminal record check. In addition, any person applying for employment with the Board shall submit to a record check of the Department of Children and Families (DCF) Child Abuse and Neglect Registry before the person may be hired.

***Note:** Applicants for all positions, certified or non-certified must submit to a check of Department of Children and Families Child Abuse and Neglect Registry.*

Applicants, as required, shall make disclosures containing (1) current and past employers' contact information; (2) authorization allowing contact with such employers; and (3) statements about any past misconduct, discipline, or licensure penalties as a result of sexual misconduct or abuse allegations.

The District, prior to hiring such applicants, will (1) ensure that they complete the above stated three requirements; (2) review applicants' employment history after making a documented, good faith effort to contact previous employers for information; and (3) request any available information about applicants from SDE.

The background/reference checks shall be done in compliance with the statutory guidelines.

District employees shall within 30 days after they are hired submit to state and national criminal checks. District students employed by the school system are exempted from this requirement.

Workers placed in a school under a public assistance employment program shall also submit to the criminal check if such individuals will have direct contact with students.

School nurses and nurse practitioners appointed by the Board or under contract with the Board shall also submit to a criminal history check.

Student teachers placed in District schools as part of completing preparation requirements for the issuance of an educator certificate shall also be required to undergo the same criminal background checks and DCF child abuse and neglect registry check already required for school employees.

A District student, employed by the District or a person employed by the Board as a teacher for a non-credit adult class or adult education activity (as defined in C.G.S. 10-67) who is not required to hold a teaching certificate, pursuant to C.G.S. 10-145b, as amended by PA 18-51, is exempt from the fingerprinting requirement.

Criminal Justice Information (CJI) is to be maintained in accordance with the administrative regulation pertaining to the use and disclosure of criminal justice information.

The following administrative regulations are developed to ensure Criminal Justice Information compliance:

**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI), continued****Relevant Acronym Key**

AC	Agency Coordinator
CGA	Contracting Government Agency
CHRI	Criminal History Record Information
CJA	Criminal Justice Agency
CJI	Criminal Justice Information
CJI/CJIS	Criminal Justice Information/Services
COLLECT CJBAU	CT On-Line Law Enforcement Communications Teleprocessing Criminal Justice Business Applications Unit
CSA	CJIS Systems Agencies
CSA ISO	CJIS Systems Agency Information Security Officer
CSO	CJIS Systems Officer
FBI CJIS ISO	FBI CJIS Division Information Security Officer
LASO	Local Agency Security Officer
NCJA	Non-Criminal Justice Agency
PII	Personally Identifiable Information
TAC	Terminal Agency Coordinator

Purpose

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for hiring personnel for employment in the Waterbury Public School District.

The following policies were developed using the FBI's Criminal Justice Information Services (CJIS) Security Policy. While the Waterbury Public School District may complement CJIS policy with local requirements, CJIS policy shall always be the minimum standard. The local policy may augment or increase the standards but shall not detract from the CJIS Security Policy Standards.

Scope

This policy applies to any electronic or physical media containing FBI CJI while being stored, accessed or physically moved from a secure location within the District. This policy applies to any authorized person who accesses, stores, and/or transports electronic or physical media.

CHRI RETENTION AND DESTRUCTION**Criminal Justice Information (CJI) and Criminal History Record Information (CHRI)**

CJI refers to all of the FBI CJIS provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.

**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI), continued**

CHRI is a subset of CJI and is considered interchangeable for purposes of this document. Due to its comparatively sensitive nature, additional controls are required for the access, use and dissemination of CHRI. In addition to the dissemination restrictions outlined below, Title 28, Part 20, Code of Federal Regulations (CFR), defines CHRI and provides the regulatory guidance for dissemination of CHRI

Requesting CHRI Checks

Fingerprint-based CHRI checks will only be conducted as authorized by the FBI and the Connecticut Department of Emergency Services and Public Protection – COLLECT CJBAU, in accordance with all applicable state and federal rules and regulations.

If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, they shall be informed of this requirement and instructed on how to comply with the law. Such instructions will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

Acceptable Use of CHRI

All CHRI is subject to strict state and federal rules and regulations. CHRI is used only for the official purpose for which it was requested, and CHRI cannot be shared with other entities for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the COLLECT CJBAU (Connecticut On-Line Law Enforcement Communications Teleprocessing/Criminal Justice Business Applications Unit) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Furthermore, the Waterbury Public School District and the employee responsible for overseeing CJI can be charged with federal and state crimes for the willful, unauthorized disclosure of CHRI.

Personnel Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI for the Waterbury Public School District will review and become familiar with educational and relevant training materials regarding CHRI laws and regulations made available by the appropriate agencies.

In addition to the above, all personnel authorized to receive and/or review CHRI must undergo Security Awareness Training on a biennial basis. This training will be accomplished using the training provided by CJIS Online.

The Superintendent or designee will be responsible for overseeing all training programs and adherence to all training requirements.

Personnel Security (All Personnel)

All personnel requiring access to CHRI must first be deemed “Authorized Personnel” by the Superintendent or designee. The COLLECT CJBAU will review and determine if access is

**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI), continued**

appropriate. Access is denied if the individual has ever had a felony conviction of any kind, no matter when it occurred. Access may be denied if the individual has one or more recent misdemeanor convictions.

In addition to the above, an individual believed to be a fugitive from justice or having an arrest history without convictions will be reviewed to determine if access to CHRI is appropriate. The COLLECT CJBAU will take into consideration extenuating circumstances where the severity of the offense and the time that has passed would support a possible variance.

Persons already having access to CHRI and who are subsequently arrested and/or convicted of a crime will:

1. Have their access to CHRI suspended until the outcome of an arrest is determined and reviewed by the COLLECT CJBAU to determine if continued access is appropriate;
2. Have their access suspended indefinitely if a conviction results in a felony of any kind;
3. Have their access denied by the COLLECT CJBAU, where it is determined that access to CHRI by the person would not be in the public's best interest.

Support personnel, contractors, and custodial workers will be denied access to CHRI. If such persons need to be in an area (s) where CHRI is maintained or processed (at rest or in transit), they will be escorted by authorized personnel or under their supervision at all times while in the area(s).

Personnel Termination

The Local Agency Security Officer (LASO) shall terminate access to CHRI immediately upon notification of an individual's termination of employment.

The Waterbury Public School District shall follow the following CHRI termination process:

1. Notification will be sent via email to the COLLECT CJBAU;
2. This is to be done within 24 hours of receiving notification of termination;
3. All keys, email accounts, and other district accounts and materials identified by the Superintendent or designee. will be obtained/disabled from the user within 24 hours.

Adverse Decisions Based on CHRI

If inclined to make an adverse decision based on an individual's CHRI, the Waterbury Public School District will take the following steps prior to making a final adverse determination:

1. Provide the individual the opportunity to complete or challenge the accuracy of his/her/their CHRI; and
2. Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable fifteen-day period (15) to correct or complete the CHRI.

Security Check/Fingerprinting; Criminal Justice Information(CJI); Criminal History Record Information (CHRI), continued

Terminal Agency Coordinator (TAC)

The Waterbury Public School District TAC is responsible for the following:

1. Maintaining an updated Authorized Personnel List on file with the COLLECT CJBAU.
 - a. Ensuring everyone included on this list must undergo the appropriate level of CJIS Security Awareness Training;
 - b. Ensuring everyone included on the list has appropriate access based on job functions and a need-to-know basis.
2. Inform the COLLECT CJBAU of changes in the agency head or any relevant business information (agency name changes, mailing/physical address changes, etc.).
 - a. Contact the COLLECT CJBAU immediately to update the User Agreement and, if necessary, submit the new authorization to the COLLECT CJBAU;
 - b. Submit a TAC change form to the COLLECT CJBAU in the event of a change in

Local Agency Security Officer (LASO)

The Waterbury Public School District LASO is responsible for the following:

1. Identifying who is using or accessing CHRI and/or systems with access to CHRI;
2. Ensuring that personnel security screening procedures are being followed as stated in this policy.
3. Ensuring the approved and appropriate security measures are in place and working as expected.

Storage of CHRI

CHRI shall only be stored for extended periods of time when necessary to ensure the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which comply with the most recent COLLECT CJBAU and FBI Security Policy, have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to become familiarized with these safeguards.

In addition to the above, each individual involved in handling CHRI will strictly adhere to the policy on its storage and destruction.

Media/Physical Protection

All media containing CHRI must be protected and secured at all times. The following is established and to be implemented to ensure the appropriate security, handling, transporting, and storage of CHRI media in all forms.

**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI), continued**

Controls shall be in place to protect electronic and physical media containing CHRI while at rest, stored, or actively being accessed. “Electronic media” includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. “Physical media” includes printed documents and imagery that contain CHRI.

The District shall securely store electronic and physical media within physically secure locations or controlled areas and restrict access to electronic and physical media to only authorized individuals. If physical and personnel restrictions are not feasible, the data shall be encrypted per Section 5.10.1.2.

Physical Storage and Access

Physical CHRI media shall be securely stored within physically secured locations or controlled areas. A physically secure location is a facility or an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect the FBI CJI and associated information systems. The perimeter of the physically secure location shall be prominently posted and separated from non-secure locations by physical controls. Access to such media is restricted to authorized personnel only and shall be secured at all times when not in use or under the supervision of an authorized individual.

Only authorized personnel will have access to physically secure non-public locations. The Superintendent or designee will maintain and keep a list of authorized personnel. Before granting access, all physical access points into the District’s secure areas will be authorized. The Superintendent or designee will implement access controls and monitor physically secure areas to protect all transmission and display mediums of CJI.

Authorized personnel will take necessary steps to prevent and protect the agency from physical, logical, and electronic breaches.

Physical CHRI media:

1. Is to be stored within employee records when feasible or by itself when necessary.
2. Is to be maintained within a lockable filing cabinet, drawer, closet, office, safe, vault, or other secure container.

Electronic CHRI media:

1. Is to be stored on secure servers within a physically secure location when feasible.
2. (Include details on how electronic CHRI is secured.)

**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI), continued****DESTRUCTION OF CHRI****Disposal of Physical Media**

Once physical CHRI media (paper/hard copies) is determined to be no longer needed by the District, it shall be destroyed and disposed of appropriately. Physical CHRI media shall be destroyed by cross-cut shredding or incineration. The Superintendent or designee will ensure such destruction is witnessed or carried out by authorized personnel:

1. The LASO shall witness or conduct disposal
2. Cross-cut shredding will be the method of destruction used by the District.

Media Sanitization and Disposal (Disposal of Electronic Media)

Once the District determines that electronic CHRI media (data stored on computers) are no longer needed, they shall be destroyed and disposed of appropriately.

The Waterbury Public School District shall choose one of the following options below to use in destruction of CHRI:

Option 1: Overwriting

Overwriting involves a program writing onto the media where the file to be sanitized is located. The NCJA will sanitize the electronic CHRI by overwriting the data at least three times before disposing of or reusing the computer/device/system on which it was stored. Overwriting the CHRI data must be completed or witnessed by authorized district personnel.

Option 2: Degaussing

Degaussing is a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Note that common magnets are weak and cannot effectively degauss magnetic media. The NCJA will degauss the electronic CHRI prior to disposing of or reusing the computer/device/system on which the electronic CHRI was stored. Degaussing the CHRI data must be completed or witnessed by authorized district personnel. (Degaussing means neutralizing a magnetic field to erase information from a magnetic disk or other storage device.)

Option 3: Destruction

If the computer/device on which the CHRI data is stored is no longer operational, The NCJA must physically destroy the device. Destruction of the device containing physical electronic CHRI, including printouts and other media, shall be disposed of.

Remote Access

The Superintendent or designee shall authorize, monitor, and control all methods of remote access to the information systems that can access, process, transmit, and/or store FBI CJI. Remote access means any temporary access to an agency's information system by a user or information system communicating temporarily through an external, non-district-controlled network, such as the Internet.

**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI), continued**

The District shall employ automated mechanisms to facilitate the monitoring and control of remote access methods. The Superintendent or designee shall control all remote access through managed access control points and may permit remote access for privileged functions only for compelling operational needs. However, this person shall document the rationale for such access in the security plan for the information system.

It is prohibited to use publicly accessible computers to access, process, store, or transmit CJI. Publicly accessible computers include but are not limited to, hotel business center computers, convention center computers, public library computers, and public kiosk computers.

Personally Owned Information Systems

A personally owned information system shall not be authorized to access, process, store or transmit CJI unless the agency has established and documented the specific terms and conditions for personally owned information system usage. A personal device includes portable technology like a camera, USB flash drives, USB thumb drives, DVDs, CDs, air cards, mobile wireless devices, or any personal desktop computer. When bringing your own devices are authorized, they shall be controlled using the requirements in Section 5.13 of the CJIS Security Policy.

Disciplinary

If an individual employed by the Waterbury Public School District has misused or is currently misusing CHRI, the following requirements will be adhered to:

1. Using CHRI for any purpose other than what is allowed by state statute or Federal code is considered misuse.
2. The appropriate city entity (Human Resources or Human Capital) will determine appropriate disciplinary action.
3. Misuse of CHRI can result in loss of access to CHRI, loss of employment, and/or criminal prosecution.
4. Misuse of CHRI shall be reported to the State.

Incident Response

The security of information and systems in general, and of CHRI in particular, is a top priority for the Waterbury Public School District. Therefore, the District has established appropriate operational incident response procedures for instances of an information security breach. It is each individual's responsibility to adhere to established security guidelines and policies and to be attentive to situations and incidents that pose risks to security. Furthermore, it is each individual's responsibility to immediately report potential or actual security incidents to minimize any breach of security or loss of information.

**Security Check/Fingerprinting; Criminal Justice Information(CJI);
Criminal History Record Information (CHRI), continued**

The following security incident handling procedures must be followed by each individual:

1. All incidents will be reported directly to the LASO.
2. If any records are stolen, the incident will also be reported to appropriate authorities.
3. Once the cause of the breach has been determined, disciplinary measures will be taken in accordance with the disciplinary policy of the District

In addition to the above, the LASO shall report all security-related incidents to the COLLECT CJBAU within 24 hours.

All District personnel with access to FBI and/or COLLECT CJBAU CHRI have a duty to protect the system and related systems from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the information. All existing laws, District regulations, and policies apply, including those that may apply to personal conduct. Misuse or failure to secure any information resources may result in temporary or permanent restriction of all privileges up to employment termination.

The Superintendent or designee shall ensure that all staff members are aware of this policy and that those responsible for implementation and oversight receive adequate training and updates.

(c.f. 4112.52)

Legal Reference:

Connecticut General Statutes

10-221d Criminal history records checks of school personnel. Fingerprinting. Termination or dismissed. (as amended by PA 01-173, PA 04-181 and June 19 Special Session, PA 09-1, PA 11-93, PA 16-67, PA 18-51 and PA 19-91).

17a-101k Registry of findings of abuse or neglect of children maintained by Commissioner of Children and Families. Notice of finding of abuse or neglect of child. Appeal of finding. Hearing procedure. Appeal after hearing. Confidentiality. Regulations.

29-17a Criminal history checks. Procedure. Fees.

PA 16-67 An Act Concerning the Disclosure of Certain Education Personnel Records.

PA 16-83 An Act Concerning Fair Chance Employment.

Criminal Justice Information Services (CJIS) Security Policy, Version 5.4, U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division, October 6, 2015.

Criminal Justice Information Services (CJIS) Security Plan, Version 5.8, 06/01/2019. Prepared by CJIS Information Officer.

Approved by CJIS Advisory Policy Board.

Title 28 C.F.R. Part 20

**Policy adopted by the Waterbury Board of Education on October 17, 2019 and revised
on _____**

Education Records**Definitions; Notification of Rights under FERPA for Elementary and Secondary Institutions; Disclosure**

The Board recognizes its responsibility for the collection, retention, disclosure and protection of student records. The Board also recognizes the legal requirement to maintain the confidentiality of student records and prohibits the unauthorized access, reproduction, and/or disclosure of student education records and personally identifiable information from such records.

The Board shall adopt a comprehensive plan for the collection, maintenance and dissemination of student education records that complies with federal and state laws and regulations.

Definitions

Attendance - includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.

Directory information - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized school activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

Directory information does not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier displayed on a student ID card/badge or used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

Disclosure - permitting access to or the release, transfer or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.

Education records - records that are directly related to a student, maintained by the school district or by a party acting for the school district.

The term does not include:

1. Records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record.
2. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.

Education Records, continued

3. Grades on peer-graded papers before they are collected and recorded by a teacher.
4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.

Eligible student - a student who has attained eighteen (18) years of age or is attending an institution of postsecondary education. All rights accorded to and consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student. In cases where an eligible student is dependent upon the parent as defined in the Internal Revenue Code, the district shall make the education records accessible to the parent of said student.

Parent - includes a natural parent, a guardian or an individual acting as a parent of a student in the absence of a parent/guardian. The district shall give full rights to either parent unless the district has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights. A parent who is incarcerated is also entitled to knowledge of and access to all educational, medical or similar records maintained in the cumulative record of any minor student of such incarcerated parent except in situations (1) where such information is considered privileged as defined in C.G.S. 10-154a, (2) such incarcerated parent has been convicted of sexual assault, or aggravated sexual assault, or (3) such incarcerated parent is prohibited pursuant to a court order.

Personally identifiable information - includes, but is not limited to:

1. The name of a student, the student's parents or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's Social Security Number, student number, or biometric record.
4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.

Student - includes any individual who is or has been in attendance at the district and regarding whom the district maintains education records.

Education Records, continued**Notification of Rights under FERPA for Elementary and Secondary Institutions**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

- The right to inspect and review the student's education records within forty-five (45) days after the day a Waterbury district school ("School" hereafter) receives a request for access. ~~"Education records" are records that directly relate to a student and that are maintained by an educational agency or institution or by a party acting for the agency or institution.~~

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

A parent who is incarcerated is also entitled to knowledge of and access to all educational, medical or similar records maintained in the cumulative record of any minor student of such incarcerated parent except in situations (1) where such information is considered privileged as defined in C.G.S. 10-154a, (2) such incarcerated parent has been convicted of sexual assault, or aggravated sexual assault, or (3) such incarcerated parent is prohibited pursuant to a court order.

- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask a "School" to amend a record should write the school principal (or appropriate school official), clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by a "School" to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Education Records, continued

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Disclosure

FERPA permits the disclosure of personally identifiable information (PII) from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures.

A "School" may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student:

1. To school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, teacher, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. (§99.31(a)(1))
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

Education Records, continued

4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
5. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
6. To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
7. To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
8. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
9. To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
10. To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
11. Information the school has designated as "directory information" under §99.37.
(§99.31(a)(11) A "School" may disclose appropriately designated directory information, (information that is generally not considered harmful or an invasion of privacy if released), without written consent, unless the parent or eligible student have advised the District to the contrary in writing in accordance with District procedures, and have opted out. However, parents and eligible students may not, by opting out of directory information, prevent a local educational agency (LEA) or "School" from requiring a student to wear or to present a student ID or badge. The following may, but is not required to be designated by the District as directory information:

Student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, the most recent educational agency or institution attended, and student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. Student's SSN, in whole or in part, cannot be used for this purpose.

Education Records, continued

Legal Reference: Connecticut General Statutes

1-19(b)(11) Access to public records. Exempt records.

7-109 Destruction of documents.

10-15b Access of parent or guardians to student's records. (as amended by PA 17-68, Section 4)

10-154a Professional communications between teacher or nurse & student.

10-209 Records not to be public.

10-221b Boards of education to establish written uniform policy re: treatment of recruiters.

11-8a Retention, destruction and transfer of documents

11-8b Transfer or disposal of public records. State Library Board to adopt regulations.

46b-56 (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).

Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96, and Final Rule 34 CFR Part 99, December 9, 2008, December 2, 2011)

USA Patriot Act of 2001, PL 107-56, 115 Stat. 272, Sec 507, 18 U.S.C. §2332b(g)(5)(B) and 2331

Owasso Independent Sch. Dist. No.1-011 v. Falvo, 534 U.S.426 (2002)

P.L. 112-278 "The Uninterrupted Scholars Act"

Surveys of Students (Student Privacy)

The Board of Education recognizes the need to collect input from students and parents in order to assist decision-making related to curriculum and instruction, program development and operations. To this end, the Board supports the use of appropriate surveys in accordance with the guidelines contained within this policy. The Superintendent of Schools or his/her designee shall have the authority to administer district-sponsored surveys and shall approve prior to their release. Survey responses will not be used in any identifying manner.

In this policy, “surveys, analyses, or evaluations” refer to methods of gathering data for research purposes.

Unless approved by the Board of Education, nNo student shall be required as part of any program wholly or partially funded by the U.S. Department of Education to submit to any survey, analysis, or evaluation that reveals information concerning:

- A. Political affiliations or beliefs of the student or the student’s parent;
- B. Mental or psychological problems of the student or the student’s family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- G. Religious practices, affiliations, or beliefs of the student or student’s parents; or
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program without the prior written consent of the student’s parent/guardian. For the purpose of this policy, “instructional material” does not include academic tests or assessments.

All instructional materials, regardless of format, including teachers’ manuals, films, tapes or other supplementary material which will be used in connection with any such survey, analysis, or evaluation shall be available upon request for inspection by the student’s parent/guardian, or of the student, if he/she is 18 years of age or older. Academic tests and assessments are not included.

Surveys conducted for other agencies, organizations or individuals must have the recommendation of the Superintendent of Schools and the approval of the Board of Education as to content and purpose. The results of such approved surveys shall be made available to the Board of Education upon request.

~~A parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.~~ Parents/guardians shall have the right to inspect, upon their request, a survey created by a third party before the survey is administered or distributed by a school to a student. Such requests shall be made in writing with a response to be at least two weeks in advance of any survey to be given.

The Superintendent/designee will be responsible for implementing any procedures necessary to protect the privacy of participating students and to provide parents with access to surveys within a reasonable time before administration or distribution.

The schools will notify parents of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Insofar as practicable,* schools will also directly notify parents annually at the beginning of the school year when surveys, analyses, or evaluations are scheduled or anticipated. Parents shall have the opportunity to opt out of such surveys, analyses, or evaluations.

Surveys of Students (Student Privacy), continued

**"Insofar as practicable" acknowledges that there may be circumstances in which a research request is made or is approved only after the school year has begun. When this occurs, the school unit should notify parents far enough in advance for them to access surveys and related instructional materials and to opt their children out, if desired.*

Legal Reference: P.L. 103-227 Section 1017 (which amends Section 439 of the General Education Provisions Act)

P.L. 107-110, (HR 1-“Leave No Child Behind”) § 1061/1062 – Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors.

Policy adopted by the Waterbury Board of Education on March 7, 2013

MISSION-GOALS-OBJECTIVES**0521(a)**

4118.11

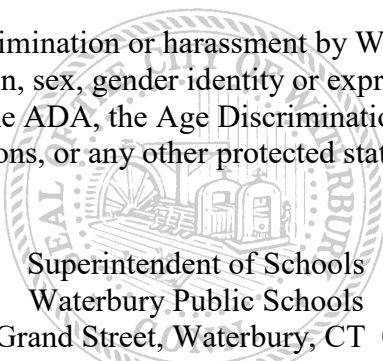
5145.4

Nondiscrimination

The Waterbury Public Schools do not discriminate in admission to, access to, treatment in, or employment in its services, programs, and activities, on the basis of race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972 (Title IX); on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (ADA); on the basis of age, in accordance with the Age Discrimination Act of 1975 (Age Discrimination Act) as amended; gender identity and expression, (PA 11-55); status as a veteran (PA 17-127); or any other protected status, such as sexual orientation. The term “disability” shall be broadly construed. The question of whether an individual’s impairment is a disability under the ADA shall not demand extensive analysis. The District provides equal access to the Boy Scouts and other designated youth groups.

The Waterbury Public Schools do not retaliate against any complainant who alleges discrimination.

To file a complaint alleging discrimination or harassment by Waterbury Public Schools on the basis of race, color, national origin, sex, gender identity or expression, disability, or age, under Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, PA 11-55 or their respective implementing regulations, or any other protected status such as sexual orientation, please contact:



Superintendent of Schools
Waterbury Public Schools
236 Grand Street, Waterbury, CT 06702
(203) 574-8004

Legal Reference:

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

29 CFR 1604.11, EEOC Guidelines on Sex Discrimination.

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

34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

20 U.S.C. 7905 (Boy Scouts of America Equal Access Act)

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

The Vietnam Era Veterans’ Readjustment Act of 1974, as amended, 38U.S.C. §4212

Title II of the Genetic Information Nondiscrimination Act of 2008

Connecticut General Statutes

MISSION-GOALS-OBJECTIVES

0521(b)

4118.11

5145.4

Nondiscrimination, continued

46a-51 Definitions. (as amended by PA 17-127)

46a-58 Deprivation of rights. Desecration of property. Placing of burning cross or noose on property. Penalty. (as amended by PA 17-127)

46a-60 Discriminatory employment practices prohibited. (as amended by PA 17-127)

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include “sexual orientation” and P.A. 11-55 to include “gender identity or expression”)

10-153 Discrimination on account of marital status.

17a-101 Protection of children from abuse.

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Public Law 111-256

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Holowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

MISSION-GOALS-OBJECTIVES

0521(c)

Title IX Nondiscrimination Policy and Notice

Pursuant to Title IX and its regulations (“Final Rule” released on April 19, 2024), the Waterbury Board of Education has adopted and implemented a policy stating that the District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity it operates, including admission and employment.

The Waterbury Public Schools does not discriminate based on race, color, religion, sex, sexual orientation, gender identity or expression, status as a veteran, status as a victim of domestic violence, marital status, pregnancy or related conditions, national origin, protective hairstyles, alienage, ancestry, age, disability, or any other basis prohibited by law and prohibits discrimination, including harassment, in any education program or activity it operates.

The Board shall provide protections from all forms of sex-based harassment, including sexual violence and unwelcome sex-based conduct that creates a hostile environment by limiting or denying a person’s ability to participate in or benefit from a school’s education program or activity.

The District shall take prompt and effective action to end any sex discrimination in its education programs or activities to provide for the prompt and equitable resolution of sex discrimination complaints, prevent recurrence, and remedy its effects. To that end, the District shall act promptly and effectively in response to information about conduct that reasonably may constitute discrimination, including sexual violence and other forms of sex-based harassment. The district shall also ensure that all school employees are trained about their obligations to address sex discrimination and their obligations to notify or provide contact information for the Title IX Coordinator.

The Waterbury Board of Education non-discrimination policy includes protections for students, employees, and applicants against discrimination based on pregnancy, childbirth, termination of pregnancy, lactation, related medical conditions, or recovery from these conditions and shall provide reasonable modifications for students based on pregnancy or related conditions, allow for lactation for employees, and access to a clean, private lactation space for students and employees.

The District shall not disclose personally identifiable information obtained through complying with Title IX, with limited exceptions, such as when there had been prior written consent or when the information is disclosed to the parent of a minor.

Retaliation against anyone who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation or grievance process is also a violation of the Waterbury Board of Education's non-discrimination policy and is prohibited.

MISSION-GOALS-OBJECTIVES

0521(d)

Title IX Nondiscrimination Policy and Notice (continued)

The Waterbury Public Schools shall notify *students, employees, parents, and others* of this policy and publish it widely. The Board recognizes that due to size and format restrictions of different publications, to ensure the broadest level of distribution, the Board shall publish a statement (Short Version) that the District prohibits sex discrimination in any education program or activity that it operates and that individuals may report concerns or questions to the Title IX Coordinator and provide a link to the "Long Version" of the non-discrimination notice on the District's website.

The "Short Version" of the Board's Non-Discrimination statement shall be as follows:

The Waterbury Public Schools prohibits sex discrimination in any educational program or activity that it operates. Individuals are encouraged to report concerns or questions to the Title IX Coordinator. The notice of non-discrimination is located at (insert website address to access the "long version" of the Board's Non-Discrimination Statement.)

The "Long Version" of the Board's Non-Discrimination Statement shall be as follows:

The Waterbury Public Schools does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity it operates, as required by Title IX and its regulations, including admission and employment.

The Waterbury Board of Education has designated the following individual(s) to coordinate efforts to comply with and carry out its non-discrimination responsibilities under Title IX (2024's "Final Rule," applicable State laws, and court decisions). Questions regarding the District's non-discrimination commitments, as well as related laws, regulations, and District policies, may be referred to this/these designated employee(s):

District Title IX Coordinator:

The District shall have a Title IX Coordinator. Any individual may make a report of sex and sex-based discrimination and/or sexual and sex-based harassment to the Title IX Coordinator using any one of the multiple of the points of contact listed on the Waterbury Board of Education website for such coordinator.

MISSION-GOALS-OBJECTIVES

0521(e)

Nondiscrimination Policy and Notice (continued) District's Other Designees Under Section 504

The Waterbury Public School District is required not to discriminate on the basis of sex by Title IX and its implementing regulations. Inquiries about Title IX may be referred to the District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both.

The U.S. Department of Education's Office for Civil Rights Contact Information:

**U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100
OCR@ed.gov
800-421-3481**

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to (include a link to the location(s) on the website or otherwise describe the location(s) where individuals can report sex discrimination). Any person may also report sex discrimination, including harassment, using the contact information listed for the Title IX Coordinator.

The Waterbury Public School's non-discrimination policy and grievance procedures (**Title IX Policy and Administrative Regulation**) **Personnel Policy #4000.1/4200.1** and **Student Policy 5145.44**.

Legal Reference: 2024 Amendments to the U.S. Department of Education's Title IX Regulations ("Final Rule")

Policy adopted by the Waterbury Board of Education on July 26, 2012

Revised on October 3, 2013, September 7, 2017, and May 17, 2018

Title IX

~~The Board of Education's policy is to maintain a learning and working environment free from any form of sex discrimination or sexual harassment. The Board agrees to comply with Title IX of the Education Amendments of 1972 and the Regulations as amended in the Final Rule promulgated pursuant thereto.~~

~~The Board, as required, shall respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment. Title IX applies to persons in this District because its education programs or activities receive Federal financial assistance. This policy applies to all of the District's programs or activities, whether such programs or activities occur on or off campus.~~

~~The District's response shall be triggered by notice to a Title IX Coordinator, or to an official with authority to institute corrective measures on the recipient's behalf, which charges a school with actual knowledge.~~

Definitions

~~**Sex discrimination** for purposes of this Title IX policy occurs when an individual, because of his or her sex, is denied participation in or the benefits of any program or activity receiving federal financial assistance. It includes when the District, as an employer, refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to such individual's compensation, terms, conditions or privileges of employment on the basis of the individual's sex.~~

~~**Sexual harassment** for purposes of this Title IX policy includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:~~

- ~~1. Any instance of *quid pro quo* harassment by a school's employee;~~
- ~~2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person's equal access to the District's educational programs or activities; or~~
- ~~3. Any instance of sexual assault (as defined in 20 U.S.C. 1092 (f)(6)(A)(v)), dating violence (as defined in 34 U.S.C. 12291(a)(10)), domestic violence (as defined in 34 U.S.C. 12291(a)(8)), or stalking, (as defined in 34 U.S.C. 12291(a)(30)).~~

~~—(This definition does not make sexual harassment dependent on the method by which the harassment is carried out.)~~

~~All information regarding the District's Title IX Procedures and Guidelines, grievance process, as well as the District's complaint form, are available on the District's website.~~

Title IX, continued

(cf. 0521—Nondiscrimination)
(cf. 0521.1—Grievance Procedure for Section 504, Title IX, and Title VII)
(cf. 4118.11/4218.11—Nondiscrimination)
(cf. 4118.112/4218.112—Sex Discrimination and Sexual Harassment in the Workplace)
(cf. 5131.911—Bullying/Safe School Climate Plan)
(cf. 5145.5—Sexual Harassment)
(cf. 5145.51—Peer Sexual Harassment)

~~Legal Reference: United States Constitution, Article XIV~~

~~Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000e2(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, 20 USC §1681, et seq.~~

~~Title IX of the Education Amendments of 1972, 34 CFR §106, et seq.~~

~~Title IX Final Rule, 34 CFR §106.45, et seq., May 6, 2020~~

~~34 CFR Section 106.8(b), OCR Guidelines for Title IX.~~

~~Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)~~

~~The Clery Act, 20 U.S.C. §1092(f)~~

~~The Violence Against Women Act, 34 U.S.C. §12291(a)~~

~~Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)~~

~~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)~~

~~Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)~~

~~Connecticut General Statutes~~

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

~~Conn. Agencies Regs. §46a-54-200 through §46a-54-207~~

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

~~P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment~~

Sexual Harassment/Title IX**Prohibition of Sex Discrimination and Sexual Harassment in The Workplace**

Nondiscrimination Policy, Notices of Nondiscrimination, and Grievance Procedures (under the 2024 Amendments to the U.S. Department of Education's Title IX Regulations) Prohibition of Sex Discrimination and Sexual Harassment (Sex-based Harassment) in the Workplace

Statement of Policy

Pursuant with 2024's Title IX "Final Rule," The Waterbury Public Schools ("the District") prohibits any form of sex-based discrimination or sex-based harassment in all Board of Education ("the Board") programs and activities. All students, staff, and third parties under the Board's authority are expected to follow this policy to maintain a work and educational environment free from sex-based harassment, insults, or intimidation on the basis of sex stereotypes, sex characteristics, sexual orientation, gender identity, and pregnancy or related conditions.

Conduct that may constitute a violation of the Board's policy includes those occurring under the District's education program or activity in the U.S., including conduct that is subject to the District's disciplinary authority. The District shall address matters that create a sex-based hostile environment under its education program and activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the education program or activity or outside the U.S.

Any employee or student who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including termination or expulsion, respectively. Third parties who engage in conduct prohibited by this policy will be subject to other sanctions, which may include exclusion from Board property and/or subject to civil and criminal penalties. All district employees are required to notify the District's Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination and sex-based discrimination.

The Board shall not adopt or implement a policy/practice/procedure regarding, or discriminating in its education program or activity against any student or employee based on the student's/employee's current, potential, or past parental, family, or marital status that treats students/employees differently on the basis of sex. The District shall ensure that when students or parents tell an employee of a student's pregnancy or related conditions unless the employee reasonably believes the Title IX Coordinator has been notified, the employee shall promptly provide the Title IX Coordinator's contact information and inform the person that the Coordinator can coordinate specific actions to prevent discrimination and ensure access. The District shall provide the student with information about the District's obligations, reasonable modifications, voluntary access to a separate comparable portion of the program/activity/or voluntary leaves of absence, and lactation space.

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Statement of Policy (continued)

The Superintendent of Schools shall develop Administrative Regulations (“Grievance Procedures”) implementing this policy in accordance with Title IX, Title VII, and Connecticut law. The Grievance Procedures shall provide for adequate, reliable, and impartial investigation for all sex discrimination complaints, with specific requirements regarding evidence, response, and privacy.

Definitions (Referenced in the District’s Grievance Procedures)

Sex Discrimination: occurs when an employer refuses to hire, discipline, or discharge 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 or gender identity. Sex discrimination (sex-based discrimination) also occurs when a person, because of the person’s sex or gender identity, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

Sexual Harassment under Title IX and Connecticut Law: means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the Board conditioning the provision of aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct. (i.e., quid pro quo) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board’s education programs or activities. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment; or
3. “**Sexual Assault**” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “**dating violence**” as defined in 34 U.S.C 1229(a)(10), “**domestic violence**” as defined in 34 U.S.C. 12291(a)(8), or “**stalking**” as defined in 34 U.S.C 12291 (a)(30).

Sexual Harassment under Title VII and Connecticut Law: means 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;

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (Referenced in the District's Grievance Procedures) (continued)

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.

Title IX Coordinator is the person designated and authorized to coordinate the District's efforts to comply with its responsibilities under Title IX (2024 Final Rule) and the regulations. If the District has more than one Title IX Coordinator, it must designate one of its Coordinators to retain ultimate oversight over those responsibilities and ensure the District's consistent compliance with its responsibilities under Title IX. As appropriate, the District may delegate, or permit the Title IX Coordinator to delegate specific duties to one or more designees.

Complainant means:

1. A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Disciplinary sanctions mean consequences imposed on a respondent following a determination under Title IX that the respondent violated the District's prohibition on sex discrimination.

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged sex discrimination occurred.

Remedies means measures provided, as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after the District determines that sex discrimination occurred.

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (Referenced in the District's Grievance Procedures) (continued)

Respondent means a person who is alleged to have violated the District's prohibition on sex discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person under Board control, a student, or an employee or other person authorized by the Board to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. **Quid pro quo harassment.** An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such aid, benefit, or service on a person's participation in unwelcome sexual conduct;
2. **Hostile environment harassment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a District education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - a. The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
 - b. The type, frequency, and duration of the conduct;
 - c. The parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the District's education program or activity; or
3. **Specific offenses.**
 - a. Sexual assault meaning an offense classified as a forcible or non-forcible sex offense under the uniform crime system of the Federal Bureau of Investigation;
 - b. Dating violence meaning violence committed by a person:

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (Referenced in the District's Grievance Procedures) (continued)

- i. Who is or has been in a relationship of a romantic or intimate nature with the victim; and
- ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 1. The length of the relationship;
 - 2. The type of relationship; and
 - 3. The frequency of interaction between the persons involved in the relationship.
- c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
 - ii. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - iii. Shares a child in common with the victim; or
 - iv. Commits acts against youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

Supportive measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- 1. Restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or a school's educational environment; or
- 2. Provide support during the District's grievance procedures or during an informal resolution process.

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (Referenced in the District's Grievance Procedures) (continued)

Confidential employees are those whose communications are privileged or confidential under federal or state law and whom the District has designated as confidential for the purpose of providing services to persons related to sex discrimination. **“Confidential employees”** are required to explain to any person informing them of conduct that reasonably may constitute sex discrimination (1) their confidential status and circumstances in which they are not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination; (2) how to contact the Title IX Coordinator and to make a complaint; and (3) that the Title IX Coordinator may be able to offer and coordinate supportive measures and initiate an informal resolution process/investigation. The District shall notify all participants in its program or activity of how to contact confidential employees, if any.

Prohibition Against Retaliation

The District expressly prohibits intimidation, threats, coercion, or discrimination against any person by the District, a student, an employee, or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. When the District has information about conduct that reasonably may constitute retaliation under Title IX or this part, the District will respond promptly and effectively within its Title IX framework.

Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment

The Board expressly encourages victims of sex discrimination, sexual harassment, or sex-based harassment to report such claims. Employees are encouraged to report complaints promptly in accordance with the appropriate process established in the grievance procedures provided in the Administrative Regulations

Employee violations of this Policy will not be permitted and may result in discipline, up to and including termination. Individuals who engage in acts of sex discrimination or sexual or sex-based harassment may also be subject to civil and criminal penalties.

The district administration will provide training to the Title IX Coordinator, those who may serve in the role of investigators, decision-makers, and any person who facilitates an informal resolution process. Training shall include the definition of sex and sex-based discrimination and sexual and sex-based harassment, the scope of the Board's education program and activity, how to conduct an investigation and implement the grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment (continued)

The Administration will periodically provide training to all Board employees on the topic of sex and sex-based discrimination and sexual and sex-based harassment under Title IX, Title VII, and Connecticut law, which includes but not be limited to when reports of discrimination and harassment must be made. The Administration will distribute this Policy and the Administrative Regulations to employees, union representatives, students, parents, and legal guardians and make the Policy and the Administrative Regulations available on the Board's website to promote an environment free from sex and sex-based discrimination and sexual and sex-based harassment. Administration will make the training materials used to provide these trainings publicly available on the Board's website.

The District shall have a Title IX Coordinator. Any individual may make a report of sex and sex-based discrimination and/or sexual and sex-based harassment to the Title IX Coordinator using any one of the multiple of the points of contact listed on the Waterbury Board of Education website for such coordinator.

Any Board employee in receipt of allegations of sex or sex-based discrimination or sexual or sex-based harassment or in receipt of a formal complaint shall immediately forward such information to the Title IX Coordinator. Board employees may also make a report of sex or sex-based discrimination or sex-based harassment to the U.S. Department of Education: Office of Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone: 617-289-0111).

Employees may also report sex or sex-based discrimination and/or sexual or sex-based harassment to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll-Free Number: 1-800-477-5737).

Notice of Non-Discrimination

The Waterbury Board of Education (the "Board") is obligated to provide an educational environment free from discrimination on the basis of sex and, therefore, prohibits any form of sex discrimination in any education program or activity that it operates, pursuant to Title IX (Final Rule, August 1, 2024). Therefore, the Board assigns the task of providing a notice of nondiscrimination to the Superintendent of Schools. Such discrimination or harassment prohibition includes students, staff, or third parties under the Board's authority.

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Notice of Non-Discrimination (continued)

This notice is to be disseminated to students, parents, guardians, or other authorized legal representatives of elementary school and secondary school students, employees, applicants for employment, and all unions and professional organizations holding bargaining agreements with the District.

In addition to the above attestation, the notice of nondiscrimination shall direct all inquiries regarding Title IX to the District Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. This notice shall include the name and title, office address, email address, and telephone number of the District Title IX Coordinator. This notice shall also include that the District's nondiscrimination policy and grievance procedures can be located at [www.https://www.waterbury.k12.ct.us/](https://www.waterbury.k12.ct.us/) Finally, the notice shall include language that encourages those needing to report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX; please refer to <https://www.waterbury.k12.ct.us/>

To ensure full compliance, the Superintendent shall prominently include all elements of the Board's notice of nondiscrimination on the District website and in each handbook, catalog, announcement, bulletin, and application form that the District makes available to people entitled to notice or which are otherwise used in connection with the recruitment of employees. Minimally, such notice shall be covered in the following statement:

Pursuant to Title IX's 2024 Final Rule, the Waterbury Public School District does not discriminate on the basis of sex and prohibits sex discrimination in any educational program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.

Inquiries about Title IX may be referred to the Waterbury Public School District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The District shall have a Title IX Coordinator. Any individual may make a report of sex and sex-based discrimination and/or sexual and sex-based harassment to the Title IX Coordinator using any one of the multiple of the points of contact listed on the Waterbury Board of Education website for such coordinator.

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Notice of Non-Discrimination (continued)

The Waterbury Public School District's nondiscrimination policy and grievance procedures can be located at <https://www.waterbury.k12.ct.us/>

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to <https://www.waterbury.k12.ct.us/>

Due to the format or size limitations of various publications, the District may instead include in those publications the information covered in the following statement:

The Waterbury Public Schools prohibits sex discrimination in any educational program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at <https://www.waterbury.k12.ct.us/>

In developing administrative regulations conforming with 2024's Title IX Final Rule Regulations, the superintendent shall ensure the grievance procedures provide vital protections from all forms of sex-based harassment, including sexual violence and unwelcome sex-based conduct that creates a hostile environment by limiting or denying a person's ability to participate in or benefit from a school's education program or activity.

District schools are required to take prompt and effective action to end any sex discrimination in their education programs and activities, prevent its recurrence, and remedy its effects. To that end, the Board shall require and support the training of employees about the school's obligation to address sex discrimination and the employee's obligation to notify or provide contact information for the Title IX Coordinator.

Prohibition Against Retaliation

The District expressly prohibits intimidation, threats, coercion, or discrimination against any person by the District, a student, an employee, or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. When the District has information about conduct that reasonably may constitute retaliation under Title IX or this part, the District will respond promptly and effectively within its Title IX framework.

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace (continued)

Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment

The Board expressly encourages victims of sex discrimination, sexual harassment, or sex-based harassment to report such claims. Employees are encouraged to report complaints promptly in accordance with the appropriate process established in the grievance procedures provided in the Administrative Regulations

Employee violations of this Policy will not be permitted and may result in discipline, up to and including termination. Individuals who engage in acts of sex discrimination or sexual or sex-based harassment may also be subject to civil and criminal penalties.

Legal Reference: United States Constitution, Article XIV
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, 20 USCS §1681, *et seq.*
Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*
Title IX Final Rule, 34 CFR §106.45, *et seq.*, May 6, 2020
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)
The Clery Act, 20 U.S.C. §1092(f)
The Violence Against Women Act, 34 U.S.C. §12291(a)
Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)
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)
Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

Personnel -- Certified/Non-Certified

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Legal References: (continued)

Connecticut General Statutes

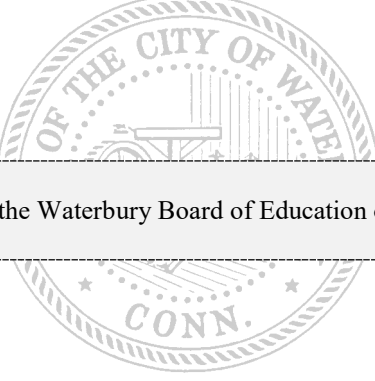
46a-60 Discriminatory employment practices prohibited.

Conn. Agencies Regs. §46a-54-200 through §46a-54-207

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

P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment

Title IX, Final Rule, August 1, 2024



Policy adopted by the Waterbury Board of Education on ~~March 18, 2021~~

Students

5145.44(a)

Title IX

~~The Board of Education's policy is to maintain a learning and working environment free from any form of sex discrimination or sexual harassment. The Board agrees to comply with Title IX of the Education Amendments of 1972 and the Regulations as amended in the Final Rule promulgated pursuant thereto.~~

~~The Board, as required, shall respond whenever any employee has notice of sexual harassment, including allegations of sexual harassment. Title IX applies to persons in this District because its education programs or activities receive Federal financial assistance. This policy applies to all of the District's programs or activities, whether such programs or activities occur on or off campus.~~

~~The District's response shall be triggered by notice to a Title IX Coordinator, or to an official with authority to institute corrective measures on the recipient's behalf, which charges a school with actual knowledge.~~

Definitions

~~**Sex discrimination** for purposes of this Title IX policy occurs when an individual, because of his or her sex, is denied participation in or the benefits of any program or activity receiving federal financial assistance. It includes when the District, as an employer, refuses to hire, disciplines or discharges any individual, or otherwise discriminates against an individual with respect to such individual's compensation, terms, conditions or privileges of employment on the basis of the individual's sex.~~

~~**Sexual harassment** for purposes of this Title IX policy includes any of the three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:~~

- ~~1. Any instance of *quid pro quo* harassment by a school's employee;~~
- ~~2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person's equal access to the District's educational programs or activities; or~~
- ~~3. Any instance of sexual assault (as defined in 20 U.S.C. 1092 (f)(6)(A)(v)), dating violence (as defined in 34 U.S.C. 12291(a)(10)), domestic violence (as defined in 34 U.S.C. 12291(a)(8)), or stalking, (as defined in 34 U.S.C. 12291(a)(30).~~

~~(This definition does not make sexual harassment dependent on the method by which the harassment is carried out.)~~

~~All information regarding the District's Title IX Procedures and Guidelines, grievance process, as well as the District's complaint form, are available on the District's website.~~

Title IX, continued

~~(cf. 0521—Nondiscrimination)~~

~~(cf. 0521.1—Grievance Procedure for Section 504, Title IX, and Title VII)~~

~~(cf. 4118.11/4218.11—Nondiscrimination)~~

~~(cf. 4118.112/4218.112—Sex Discrimination and Sexual Harassment in the Workplace)~~

~~(cf. 5131.911—Bullying/Safe School Climate Plan)~~

~~(cf. 5145.5—Sexual Harassment)~~

~~(cf. 5145.51—Peer Sexual Harassment)~~

Legal Reference:—

~~United States Constitution, Article XIV~~

~~Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000e2(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, 20 USCS §1681, et seq.~~

~~Title IX of the Education Amendments of 1972, 34 CFR §106, et seq.~~

~~Title IX Final Rule, 34 CFR §106.45, et seq., May 6, 2020~~

~~34 CFR Section 106.8(b), OCR Guidelines for Title IX.~~

~~Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)~~

~~The Clergy Act, 20 U.S.C. §1092(f)~~

~~The Violence Against Women Act, 34 U.S.C. §12291(a)~~

~~Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)~~

~~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)~~

~~Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)~~

~~Connecticut General Statutes~~

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

~~Conn. Agencies Regs. §46a-54-200 through §46a-54-207~~

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

~~P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment~~

Sexual Harassment/Title IX**Prohibition of Sex Discrimination and Sexual Harassment in The Workplace**

Nondiscrimination Policy, Notices of Nondiscrimination, and Grievance Procedures (under the 2024 Amendments to the U.S. Department of Education's Title IX Regulations) Prohibition of Sex Discrimination and Sexual Harassment (Sex-based Harassment) in the Workplace

Statement of Policy

Pursuant with 2024's Title IX "Final Rule," The Waterbury Public Schools ("the District") prohibits any form of sex-based discrimination or sex-based harassment in all Board of Education ("the Board") programs and activities. All students, staff, and third parties under the Board's authority are expected to follow this policy to maintain a work and educational environment free from sex-based harassment, insults, or intimidation on the basis of sex stereotypes, sex characteristics, sexual orientation, gender identity, and pregnancy or related conditions.

Conduct that may constitute a violation of the Board's policy includes those occurring under the District's education program or activity in the U.S., including conduct that is subject to the District's disciplinary authority. The District shall address matters that create a sex-based hostile environment under its education program and activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the education program or activity or outside the U.S.

Any employee or student who engages in conduct prohibited by this Policy shall be subject to disciplinary action, up to and including termination or expulsion, respectively. Third parties who engage in conduct prohibited by this policy will be subject to other sanctions, which may include exclusion from Board property and/or subject to civil and criminal penalties. All district employees are required to notify the District's Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination and sex-based discrimination.

The Board shall not adopt or implement a policy/practice/procedure regarding, or discriminating in its education program or activity against any student or employee based on the student's/employee's current, potential, or past parental, family, or marital status that treats students/employees differently on the basis of sex. The District shall ensure that when students or parents tell an employee of a student's pregnancy or related conditions unless the employee reasonably believes the Title IX Coordinator has been notified, the employee shall promptly provide the Title IX Coordinator's contact information and inform the person that the Coordinator can coordinate specific actions to prevent discrimination and ensure access. The District shall provide the student with information about the District's obligations, reasonable modifications, voluntary access to a separate comparable portion of the program/activity/or voluntary leaves of absence, and lactation space.

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Statement of Policy (continued)

The Superintendent of Schools shall develop Administrative Regulations (“Grievance Procedures”) implementing this policy in accordance with Title IX, Title VII, and Connecticut law. The Grievance Procedures shall provide for adequate, reliable, and impartial investigation for all sex discrimination complaints, with specific requirements regarding evidence, response, and privacy.

Definitions (Referenced in the District’s Grievance Procedures)

Sex Discrimination: occurs when an employer refuses to hire, discipline, or discharge 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 or gender identity. Sex discrimination (sex-based discrimination) also occurs when a person, because of the person’s sex or gender identity, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

Sexual Harassment under Title IX and Connecticut Law: means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the Board conditioning the provision of aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct. (i.e., quid pro quo) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board’s education programs or activities. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment; or
3. “**Sexual Assault**” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “**dating violence**” as defined in 34 U.S.C 1229(a)(10), “**domestic violence**” as defined in 34 U.S.C. 12291(a)(8), or “**stalking**” as defined in 34 U.S.C 12291 (a)(30).

Sexual Harassment under Title VII and Connecticut Law: means 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;

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (Referenced in the District's Grievance Procedures) (continued)

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.

Title IX Coordinator is the person designated and authorized to coordinate the District's efforts to comply with its responsibilities under Title IX (2024 Final Rule) and the regulations. If the District has more than one Title IX Coordinator, it must designate one of its Coordinators to retain ultimate oversight over those responsibilities and ensure the District's consistent compliance with its responsibilities under Title IX. As appropriate, the District may delegate, or permit the Title IX Coordinator to delegate specific duties to one or more designees.

Complainant means:

1. A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Disciplinary sanctions mean consequences imposed on a respondent following a determination under Title IX that the respondent violated the District's prohibition on sex discrimination.

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged sex discrimination occurred.

Remedies means measures provided, as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after the District determines that sex discrimination occurred.

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (Referenced in the District's Grievance Procedures) (continued)

Respondent means a person who is alleged to have violated the District's prohibition on sex discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person under Board control, a student, or an employee or other person authorized by the Board to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. **Quid pro quo harassment.** An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such aid, benefit, or service on a person's participation in unwelcome sexual conduct;
2. **Hostile environment harassment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a District education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - a. The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
 - b. The type, frequency, and duration of the conduct;
 - c. The parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the District's education program or activity; or
3. **Specific offenses.**
 - a. Sexual assault meaning an offense classified as a forcible or non-forcible sex offense under the uniform crime system of the Federal Bureau of Investigation;
 - b. Dating violence meaning violence committed by a person:

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (Referenced in the District's Grievance Procedures) (continued)

- i. Who is or has been in a relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 1. The length of the relationship;
 - 2. The type of relationship; and
 - 3. The frequency of interaction between the persons involved in the relationship.
- c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
 - ii. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - iii. Shares a child in common with the victim; or
 - iv. Commits acts against youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

Supportive measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- 1. Restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or a school's educational environment; or
- 2. Provide support during the District's grievance procedures or during an informal resolution process.

Students**Sexual Harassment/Title IX****Prohibition of Sex Discrimination and Sexual Harassment in The Workplace****Definitions (Referenced in the District's Grievance Procedures) (continued)**

Confidential employees are those whose communications are privileged or confidential under federal or state law and whom the District has designated as confidential for the purpose of providing services to persons related to sex discrimination. **“Confidential employees”** are required to explain to any person informing them of conduct that reasonably may constitute sex discrimination (1) their confidential status and circumstances in which they are not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination; (2) how to contact the Title IX Coordinator and to make a complaint; and (3) that the Title IX Coordinator may be able to offer and coordinate supportive measures and initiate an informal resolution process/investigation. The District shall notify all participants in its program or activity of how to contact confidential employees, if any.

Prohibition Against Retaliation

The District expressly prohibits intimidation, threats, coercion, or discrimination against any person by the District, a student, an employee, or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. When the District has information about conduct that reasonably may constitute retaliation under Title IX or this part, the District will respond promptly and effectively within its Title IX framework.

Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment

The Board expressly encourages victims of sex discrimination, sexual harassment, or sex-based harassment to report such claims. Employees are encouraged to report complaints promptly in accordance with the appropriate process established in the grievance procedures provided in the Administrative Regulations

Employee violations of this Policy will not be permitted and may result in discipline, up to and including termination. Individuals who engage in acts of sex discrimination or sexual or sex-based harassment may also be subject to civil and criminal penalties.

The district administration will provide training to the Title IX Coordinator, those who may serve in the role of investigators, decision-makers, and any person who facilitates an informal resolution process. Training shall include the definition of sex and sex-based discrimination and sexual and sex-based harassment, the scope of the Board's education program and activity, how to conduct an investigation and implement the grievance process, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment (continued)

The Administration will periodically provide training to all Board employees on the topic of sex and sex-based discrimination and sexual and sex-based harassment under Title IX, Title VII, and Connecticut law, which includes but not be limited to when reports of discrimination and harassment must be made. The Administration will distribute this Policy and the Administrative Regulations to employees, union representatives, students, parents, and legal guardians and make the Policy and the Administrative Regulations available on the Board's website to promote an environment free from sex and sex-based discrimination and sexual and sex-based harassment. Administration will make the training materials used to provide these trainings publicly available on the Board's website.

The District shall have a Title IX Coordinator. Any individual may make a report of sex and sex-based discrimination and/or sexual and sex-based harassment to the Title IX Coordinator using any one of the multiple of the points of contact listed on the Waterbury Board of Education website for such coordinator.

Any Board employee in receipt of allegations of sex or sex-based discrimination or sexual or sex-based harassment or in receipt of a formal complaint shall immediately forward such information to the Title IX Coordinator. Board employees may also make a report of sex or sex-based discrimination or sex-based harassment to the U.S. Department of Education: Office of Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921 (Telephone: 617-289-0111).

Employees may also report sex or sex-based discrimination and/or sexual or sex-based harassment to the Connecticut Commission on Human Rights and Opportunities, 450 Columbus Boulevard, Hartford, CT 06103-1835 (Telephone: 860-541-3400 or Connecticut Toll-Free Number: 1-800-477-5737).

Notice of Non-Discrimination

The Waterbury Board of Education (the "Board") is obligated to provide an educational environment free from discrimination on the basis of sex and, therefore, prohibits any form of sex discrimination in any education program or activity that it operates, pursuant to Title IX (Final Rule, August 1, 2024). Therefore, the Board assigns the task of providing a notice of nondiscrimination to the Superintendent of Schools. Such discrimination or harassment prohibition includes students, staff, or third parties under the Board's authority.

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Notice of Non-Discrimination (continued)

This notice is to be disseminated to students, parents, guardians, or other authorized legal representatives of elementary school and secondary school students, employees, applicants for employment, and all unions and professional organizations holding bargaining agreements with the District.

In addition to the above attestation, the notice of nondiscrimination shall direct all inquiries regarding Title IX to the District Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. This notice shall include the name and title, office address, email address, and telephone number of the District Title IX Coordinator. This notice shall also include that the District's nondiscrimination policy and grievance procedures can be located at [www.https://www.waterbury.k12.ct.us/](https://www.waterbury.k12.ct.us/) Finally, the notice shall include language that encourages those needing to report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX; please refer to <https://www.waterbury.k12.ct.us/>

To ensure full compliance, the Superintendent shall prominently include all elements of the Board's notice of nondiscrimination on the District website and in each handbook, catalog, announcement, bulletin, and application form that the District makes available to people entitled to notice or which are otherwise used in connection with the recruitment of employees. Minimally, such notice shall be covered in the following statement:

Pursuant to Title IX's 2024 Final Rule, the Waterbury Public School District does not discriminate on the basis of sex and prohibits sex discrimination in any educational program or activity that it operates, as required by Title IX and its regulations, including in admission and employment.

Inquiries about Title IX may be referred to the Waterbury Public School District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The Waterbury Public School District Coordinator is Geen Thazhampallath and can be reached the following ways:

Geen Thazhampallath-HR Director, Human Capital Office
236 Grand Street, Waterbury, CT 06702
Geen.thaz@waterbury.k12.ct.us
Or alternatively harrassmentix@waterbury.k12.ct.us
(203) 574 8019 ext. 11244

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Notice of Non-Discrimination (continued)

The Waterbury Public School District's nondiscrimination policy and grievance procedures can be located at <https://www.waterbury.k12.ct.us/>

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to <https://www.waterbury.k12.ct.us/>

Due to the format or size limitations of various publications, the District may instead include in those publications the information covered in the following statement:

The Waterbury Public Schools prohibits sex discrimination in any educational program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at <https://www.waterbury.k12.ct.us/>

In developing administrative regulations conforming with 2024's Title IX Final Rule Regulations, the superintendent shall ensure the grievance procedures provide vital protections from all forms of sex-based harassment, including sexual violence and unwelcome sex-based conduct that creates a hostile environment by limiting or denying a person's ability to participate in or benefit from a school's education program or activity.

District schools are required to take prompt and effective action to end any sex discrimination in their education programs and activities, prevent its recurrence, and remedy its effects. To that end, the Board shall require and support the training of employees about the school's obligation to address sex discrimination and the employee's obligation to notify or provide contact information for the Title IX Coordinator.

Prohibition Against Retaliation

The District expressly prohibits intimidation, threats, coercion, or discrimination against any person by the District, a student, an employee, or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. When the District has information about conduct that reasonably may constitute retaliation under Title IX or this part, the District will respond promptly and effectively within its Title IX framework.

Students**Sexual Harassment/Title IX****Prohibition of Sex Discrimination and Sexual Harassment in The Workplace (continued)****Reporting Sex Discrimination, Sexual Harassment, or Sex-Based Harassment**

The Board expressly encourages victims of sex discrimination, sexual harassment, or sex-based harassment to report such claims. Employees are encouraged to report complaints promptly in accordance with the appropriate process established in the grievance procedures provided in the Administrative Regulations

Employee violations of this Policy will not be permitted and may result in discipline, up to and including termination. Individuals who engage in acts of sex discrimination or sexual or sex-based harassment may also be subject to civil and criminal penalties.

Legal Reference: United States Constitution, Article XIV
 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, 20 USCS §1681, *et seq.*
 Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*
 Title IX Final Rule, 34 CFR §106.45, *et seq.*, May 6, 2020
 34 CFR Section 106.8(b), OCR Guidelines for Title IX.
 Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49,
 29 CFR Sec. 1606.8 (a) 62 Fed Reg. 12033 (March 13, 1997) and 66 Fed.
 Reg. 5512 (January 19, 2001)
 The Clery Act, 20 U.S.C. §1092(f)
 The Violence Against Women Act, 34 U.S.C. §12291(a)
 Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)
 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)
 Davis v. Monroe County Board of Education, No. 97-843, (U.S. Supreme
 Court, May 24, 1999.)

Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Legal References: (continued)
Connecticut General Statutes
46a-60 Discriminatory employment practices prohibited.
Conn. Agencies Regs. §46a-54-200 through §46a-54-207
Constitution of the State of Connecticut, Article I, Section 20.
P.A. 19-16 An Act Combatting Sexual Assault and Sexual Harassment
Title IX, Final Rule, August 1, 2024

Policy adopted by the Waterbury Board of Education on March 18, 2021



Bullying/Cyber-Bullying Policy

The Waterbury Public Schools are committed to providing an educational environment where the right and dignity of every student is respected.

A. POLICY STATEMENT: The Waterbury Board of Education is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by Board of Education. The Board also prohibits any form of bullying behavior outside of the school setting if such bullying 1) causes physical or emotional harm to a student or such student's property; 2) places a student in reasonable fear of harm to himself or herself or of damage to his or her property; 3) creates a hostile environment at school for such student; 4) infringes on the rights of such student at school; or 5) substantially disrupts the educational process.

Discrimination and/or retaliation against an individual who reports or assists in the investigation of any act of bullying are likewise prohibited. Any student who engages in bullying behavior shall be subject to appropriate disciplinary action, which action may include suspension and expulsion, and/or referral to law enforcement officials in accordance with the Board's policies and state and federal law. In addition, the Waterbury Board of Education will address teen dating violence in accordance with its Safe School Climate Plan.

B. DEFINITIONS:

Bullying is defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyber-bullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

- a) causes physical or emotional harm to such student or damage to such student's property;
- b) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
- c) creates a hostile environment at school for such student;
- d) infringes on the rights of such student at school; or
- e) substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but is not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

Cyber-bullying means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

Bullying/Cyber-Bullying Policy, continued

C. DISTRICT PROGRAM AND SAFE SCHOOL CLIMATE PLAN: The Safe School Climate Plan (“Plan”) is a multi-faceted approach to improving overall school climate and to prohibit and address any incidences of bullying and teen dating violence in the Waterbury Public Schools. The Waterbury Board of Education authorizes the Superintendent of the Waterbury Public Schools or his/her designee, along with the District Safe School Climate Coordinator, Safe School Climate Specialists and Safe School Climate Committees to develop, approve and adopt a Safe School Climate Plan in accordance with state law in furtherance of this policy. The Plan is to be periodically reviewed and revised as appropriate. Such Plan shall include, but not be limited to provisions which:

1. Enable students to anonymously report acts of bullying to school employees and require students and the parents/guardians of students to be notified annually of the process by which students may make such reports;
2. Enable parents/guardians to file written reports of suspected bullying;
3. Address teen dating violence.
4. Require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such an oral report;
5. Require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written report;
6. Require the safe school climate specialist to provide prompt notice that such investigation has commenced to the parents or legal guardians of the student alleged to have committed an act or acts of bullying and the parents or legal guardians of the student against whom such alleged act or acts were directed;
7. Require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;
8. Require each school to have a prevention and intervention strategy, as defined by statute, for school employees to deal with bullying and teen dating violence;
9. Provide for the inclusion of language about bullying and teen dating violence in student codes of conduct and in all students’ handbooks;
10. Require each school to notify parents or guardians of students who commit any verified act of bullying and the parents or guardians of any student against whom such acts were directed not later than forty-eight hours after the completion of the investigation;
11. Require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;

Bullying/Cyber-Bullying Policy, continued

12. Require each school to invite the parents or legal guardians of the student who commits any verified act of bullying to a meeting separate and distinct from the meeting referenced in 11 above of this subsection, to discuss specific interventions undertaken by the school to prevent further acts of bullying.
13. Establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;
14. Direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;
15. Prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;
16. Require the development of student safety support plans for students against whom an act of bullying was directed that addresses safety measures the school will take to protect such students against further acts of bullying;
17. Require the principal of a school or the principal's designee, to notify the appropriate local law enforcement agency when such principal or the principal's designee believes that any act of bullying constitutes criminal conduct;
18. Prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the students against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) subsequently disrupts the education process or the orderly operation of a school;
19. Require, at the beginning of each school year, for each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and
20. Require all school employees to annually complete the training required by C.G.S. 10-220a, as amended on bullying prevention and related topics.

Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights and Privacy Act ("FERPA") and any Board policy regarding student confidentiality and access to records.

Legal Authority: Conn. Gen. Stat. Section 10-222d et. seq. as amended by Public Acts 14- 242, 14-172 and 14-232.

**Policy adopted by the Waterbury Board of Education on July 26, 2012.
Revised on November 6, 2014 and September 15, 2022**

Bullying – Safe School Climate Plan (Regulation)**Purpose/Priority Statement**

The Waterbury Board of Education (Board) is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, teen dating violence, harassment and discrimination. The District has developed the following Safe School Climate Plan to promote a secure and happy school climate, conducive to teaching and learning, create a consistency of approach and to create a climate in which all types of bullying are regarded as unacceptable. Attitudes and practices can contribute to bullying, to lower levels of confidence, self-esteem and lack of achievement.

The following plan, “The Waterbury Public Schools Safe School Climate Plan (Plan),” addresses the mandated areas of compliance which are required under C.G.S.10-222d as amended. In addition to the following current efforts, the administration, faculty and staff of this District commit to continue to improve, enhance, and update both the Plan and its implementation in order to best serve the students, parents, guardians and the community.

I. Prohibition Against Bullying**A. On School Grounds**

The Board of Education (Board) prohibits bullying (a) on school grounds, at a school- sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the Board, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.

B. Off Campus/Outside the School Setting

The Board also prohibits any form of bullying outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or orderly operation of a school.

C. Retaliation Prohibited

In addition to prohibiting student acts which constitute bullying, the Board also prohibits discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying.

D. Student Discipline

Students who engage in bullying behavior in violation of Board policy and the Plan shall be subject to school discipline, up to and including expulsion in accordance with the Board’s policies on student discipline and consistent with state and federal law.

II. Definitions

(Starting 2025-26 school year...) “Bullying” means unwanted and aggressive behavior among children in grades kindergarten to twelve, inclusive, that involves a real or perceived power imbalance.

“Bullying” means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, or a physical act or gesture by one or more students repeatedly directed at or referring to another student attending school in the same school district that:



Bullying – Safe School Climate Plan (Regulation) continued

- A. causes physical or emotional harm to such student or damage to such student's property,
- B. places such student in reasonable fear of harm to himself or herself, or of damage to his or her property,
- C. creates a hostile environment at school for such student,
- D. infringes on the rights of such student at school, or
- E. substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics. (The student against whom the activity is directed must be attending school in the same district as the students engaged in the activity.)

“Challenging behavior” means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.

“Connecticut school climate policy” means the school climate policy developed, updated and approved by an association in the state that represents boards of education and adopted by the Social and Emotional Learning and School Climate Advisory Collaborative, established pursuant to section 10-222q of the general statutes, as amended by this act, that provides a framework for an effective and democratically informed school climate improvement process that serves to implement Connecticut school climate standards, and includes a continuous cycle of (A) planning and preparation, (B) evaluation, (C) action planning, and (D) implementation.

“Cyberbullying” means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

“Emotional intelligence” means the ability to (A) perceive, recognize, and understand emotions in oneself or others, (B) use emotions to facilitate cognitive activities, including, but not limited to, reasoning, problem solving and interpersonal communication, (C) understand and identify emotions, and (D) manage emotions in oneself and others.

“Evidence Based Practices” in education refers to instructional and school-wide improvement practices that systematic empirical research has provided evidence of statistically significant effectiveness.

“Effective School Climate Improvement” is a restorative process that engages all stakeholders in the following six essential practices:

- A. Promoting decision-making that is collaborative and actively involves all stakeholders (e.g., school personnel, students, families, community members) with varied and meaningful roles and perspectives where all voices are heard;
- B. Utilizing psychometrically sound quantitative (e.g., school climate survey, discipline data) and qualitative (e.g., interviews, focus groups) data to drive action planning, preventive and intervention practices and implementation strategies that continuously improve all dimensions of school climate, including regularly collecting data to evaluate progress and inform the improvement process;
- C. Tailoring improvement goals to the unique needs of the students, educators, and broader school community. These goals shall be integrated into overall school improvement efforts thereby leveraging school strengths to address evidence-based areas of need, while sustaining the improvement process over time;
- D. Fostering adult learning in teams and/or professional learning communities to build capacity building among school personnel and develop common staff skills to educate the whole child;
- E. Basing curriculum, instruction, student supports, and interventions on scientific research and grounding in cognitive, social-emotional, and psychological theories of youth development. Interventions include strength-based programs and practices that together represent a comprehensive continuum of approaches to promote healthy student development and positive learning environments as well as address individual student barriers to learning and adult barriers to teaching; and
- F. Strengthening policies and procedures related to:
 - a. climate and restorative informed teaching and learning environments;
 - b. infrastructure to facilitate data collection, analysis, and effective planning;
 - c. implementation of school climate improvement plans with the goal of becoming restorative;
 - d. evaluation of the school climate improvement process; and
 - e. sustainability of school climate and restorative improvement efforts.

"Gender expression" refers to the manner a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, or mannerisms.

"Gender identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth. One's gender identity can be the same or different than the gender assigned at birth. Everyone has a gender identity.

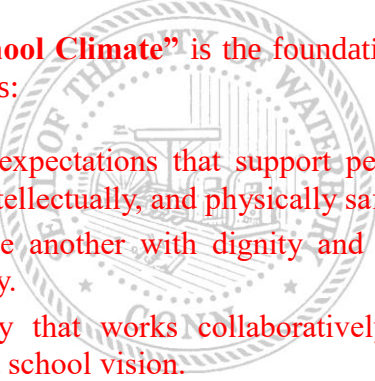
"Electronic communication" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system.

"Hostile environment" means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate.

"Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted.

"Outside of the school setting" means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional Board of Education.

"Positive Sustained School Climate" is the foundation for learning and positive youth development and includes:

- 
- a. Norms, values, and expectations that support people feeling socially, emotionally, culturally, racially, intellectually, and physically safe.
 - b. People who treat one another with dignity and are engaged, respected and solve problems restoratively.
 - c. A school community that works collaboratively together to develop, live, and contribute to a shared school vision.
 - d. Adults who model and nurture attitudes that emphasize the benefits and satisfaction gained from learning; and
 - e. A school community that contributes to the operations of the school and the care of the physical environment.

"Prevention and Intervention Strategy" may include but is not limited to, (1) implementation of a positive behavioral interventions and supports process or another

Bullying – Safe School Climate Plan (Regulation) continued

evidence-based model approach for safe school climate or for the prevention of bullying identified by the Department of Education, (2) School rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts, (3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur, (4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school, (5) individual interventions with the bully, parents and school employees and interventions with the bullied child, parents and school employees, (6) school wide training related to safe school climate, (7) student peer training, education and support and (8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.

“Restorative practices” means evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, (B) holding each student accountable for any challenging behavior, and (C) ensuring each such student has a role in repairing relationships and reintegrating into the school community.

“School climate” means the quality and character of school life with a particular focus on the quality of the relationships within the school community between and among students and adults. (It is based on peoples’ experiences of school and reflects norms, goals, values, interpersonal relationships, teaching and learning practices and organizational structures.)

“School climate improvement plan” means a building-specific plan developed by the school climate committee, in collaboration with the school climate specialist, using school climate survey data and any other relevant information, through a process that engages all members of the school community and involves such members in a series of overlapping systemic improvements, school-wide instructional practices and relational practices that prevent, identify and respond to challenging behavior, including, but not limited to alleged bullying and harassment in the school environment.

“School climate survey” means a research-based, validated and developmentally appropriate survey administered to students, school employees and families of students, in the predominant languages of the members of the school community, that measures and identifies school climate needs and tracks progress through a school climate improvement plan.

“School community” means any individuals, groups, businesses, public institutions and nonprofit organizations that are invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

“School employee” means (a) a teacher, substitute teacher, school administrator, school Superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional Board of Education or working

in a public elementary, middle or high school; or (b) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional Board of Education.

“School environment” means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs that occur outside of a school-sponsored or school-related activity, function or program if bullying at or during such other activities, functions or programs negatively impacts the school environment.

“Social and emotional learning” means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills and responsible decision-making.

“Teen Dating Violence” means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or have recently been in a dating relationship.

III. Leadership, Administrative and School Personnel Responsibilities

A. School Employees

Any school employee who witnesses acts of bullying or receives a report of must orally notify the Safe School Climate Specialist or another administrator when the Safe School Climate Specialist is not available not later than one school day after such employee witnesses or receives a report of bullying. The school employee must file a written report not later than two school days after making such oral report. (Form B) Reports shall be appropriately investigated by the Safe School Climate Specialist or another administrator when the Safe School Climate Specialist is not available.

B. District Safe School Climate Coordinator

~~For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent of Schools shall appoint, from among existing District staff, a District Safe School Climate Coordinator.~~

~~The Coordinator shall:~~

B. School Climate Coordinator Roles and Responsibilities

For the school year commencing July 1, 2025, and each school year thereafter, the superintendent of schools for each school district, or an administrator appointed by the superintendent, shall serve as the school climate coordinator for the school district.

The school climate coordinator shall be responsible for:

1. providing district-level leadership and support for the implementation of the school climate improvement plan for each school;
2. collaborating with the school climate specialist, for each school to (A) develop a continuum of strategies to prevent, identify and respond to challenging behavior, including, but not limited to, alleged bullying and harassment in the school environment, and (B) communicate such strategies to the school community, including, but not limited to,

through publication in the district student handbook;

3. collecting and maintaining data regarding school climate improvement, including, but not limited to, school discipline records, school climate assessments, attendance rates, social and emotional learning assessments, academic growth data, types and numbers of alleged and verified bullying complaints submitted by members of the school community, types and numbers of challenging behaviors addressed using the restorative practices response policy, and data concerning the implementation and outcome of restorative practices; and
4. meeting with the school climate specialist for each school at least twice during the school year to (A) identify strategies to improve school climate, including, but not limited to, by responding to challenging behavior and implementing evidence and research-based interventions, such as restorative practices, (B) propose recommendations for revisions to the school climate improvement plan, and (C) assist with the completion of the school climate survey.



Bullying – Safe School Climate Plan (Regulation) continued

1. Implement the District's Safe School Climate Plan;
2. ~~Collaborate with safe school climate specialists, the Board, and the Superintendent to prevent, identify, and respond to bullying in District schools;~~
3. ~~Provide data and information derived from the safe school climate assessments, in collaboration with the Superintendent, to the Department of Education; and~~
4. ~~Meet with the safe school climate specialists at least twice during the school year to discuss bullying issues in the district and make recommended changes to the District's safe school climate plan.~~

C. Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, each school Principal shall serve, or designate someone to serve, as the Safe School Climate Specialist for the school.

The Specialist in each school shall:

1. ~~Provide prompt notice to parents and legal guardians of the investigation, investigate or supervise the investigation of reported acts of bullying in the school in accordance with the District's Safe School Climate Plan (Form C) and meet separately with parents or legal guardians within 48 hours of the completion of the investigation;~~
2. ~~Collect and maintain records of reports and investigations of bullying in the school; and~~
3. ~~Act as the primary school official responsible for preventing, identifying and responding to bullying reports in the school.~~

School Climate Specialist

For the school year commencing July 1, 2025, and each school year thereafter, the principal of each school, or a school employee who holds professional certification pursuant to section 10-145 of the general statutes, is trained in school climate improvement or restorative practices and is designated as the school climate specialist by the school principal, shall serve as the school climate specialist for the school.

The school climate specialist shall be responsible for:

1. leading in the prevention, identification, and response to challenging behavior, including, but not limited to, reports of alleged bullying and harassment;
2. implementing evidence and research-based interventions, including, but not limited to, restorative practices;
3. scheduling meetings for and leading the school climate committee; and
4. leading the implementation of the school climate improvement plan.

IV. Development and Review of Safe School Climate Plan

- ~~A. For the school year commencing July 1, 2012 and each school year thereafter, the Principal of each school shall establish a committee or designate at least one existing committee ("Committee") in the school to be responsible for developing and fostering a safe school climate and addressing issues relating to bullying and teen dating violence in the school. Such committee shall include at least one parent/guardian of a student enrolled in the school, as appointed by the school principal.~~
- ~~Beginning July 1, 2021 and each school year thereafter, such committee shall also include: (a) school personnel, including, but not limited to, at least one teacher selected by the exclusive bargaining unit representative for certified employees, (b) medical and mental health personnel assigned to each school, and (c) at the high school level at least one student enrolled at the school. The student is to be selected by the students in a manner determined by the school principal.~~



Bullying – Safe School Climate Plan (Regulation) continued

- ~~B. The Committee shall: 1) receive copies of completed reports following bullying investigations; 2) identify and address patterns of bullying among students in the school; 3) review and amend school policies relating to bullying; 4) review and make recommendations to the Coordinator regarding the Safe School Climate Plan based on issues and experiences specific to the school; 5) educate students, school employees and parents/guardians on issues relating to bullying; 6) collaborate with the Coordinator in the collection of data regarding bullying; 7) perform any other duties as determined by the Principal that are related to the prevention, identification and response to school bullying; and implement the provisions of the school security and safety plan, developed pursuant to Section 87 of PA 13-3, regarding the collection, evaluation and reporting of information relating to instances of disturbing or threatening behavior that may not meet the definition of bullying or teen dating violence (defined in C.G.S. 10-222d) and report such information, as necessary, to the District Safe School Climate Coordinator and to the school's security and safety committee.~~
- ~~C. Parent/guardian and student members serving on the Committee shall not participate in any activities which may compromise the confidentiality of any student, including, but not limited to receiving copies of investigation reports, or identifying or addressing patterns of bullying among students in the school. In addition, the Committee as a whole must be mindful of the Board's obligations under state and federal law regarding the privacy and confidentiality of student information. No information shall be shared with the Committee that compromises student confidentiality in violation of state or federal law pertaining to the confidentiality of student information and educational records.~~
- ~~D. Not later than January 1, 2012, the Board of Education shall approve the Safe School Climate Plan developed pursuant to Board policy and submit such plan to the Department of Education. Not later than thirty (30) calendar days after approval by the Board, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.~~

School Climate Committee

For the school year commencing July 1, 2025, and each school year thereafter, each school climate specialist shall appoint members to the school climate committee who are diverse, including members who are racially, culturally, and linguistically representative of various roles in the school community.

The school climate committee shall consist of:

1. the school climate specialist;

2. a teacher selected by the exclusive bargaining representative for certified employees chosen pursuant to section 10-153b of the general statutes;
3. a demographically representative group of students enrolled at the school, as developmentally appropriate;
4. families of students enrolled at the school; and
5. at least two members of the school community, as determined by the school climate specialist.

Membership of the school climate committee shall be annually reviewed and approved by the school climate specialist, in coordination with the school climate coordinator.

The school climate committee shall be responsible for:

1. assisting in the development, annual scheduling, and administration of the school climate survey, and reviewing of the school climate survey data.
2. using the school climate survey data to identify strengths and challenges to improve school climate, and to create or propose revisions to the school climate improvement plan.
3. assisting in the implementation of the school climate improvement plan and recommending any improvements or revisions to the plan.
4. advising on strategies to improve school climate and implementing evidence and research-based interventions, including, but not limited to, restorative practices, in the school community.
5. annually providing notice of the uniform challenging behavior and/or bullying complaint form, or similar complaint form used by the school, to the school community.

School Climate Survey

For the school year commencing July 1, 2025, and biennially thereafter, the school climate committee, for each school, shall administer a school climate survey to students, school employees and families of students, provided the parent or guardian of each student shall receive prior written notice of the content and administration of such school climate survey and shall have a reasonable opportunity to opt such student out of such school climate survey.

School Climate Improvement Plan

For the school year commencing July 1, 2025, and each school year thereafter, the school climate specialist, for each school, in collaboration with the school climate coordinator, shall develop, and update as necessary, a school climate improvement plan. Such plan shall be based on the results of the school climate survey, any recommendations from the school climate committee, including the protocols, supports, and any other data the school climate specialist and school climate coordinator deem relevant. Such plan shall be submitted to the school climate coordinator for review and approval on or before December thirty-first of each school year. Upon approval of such plan, a written or electronic copy of such plan shall be made available to members of the school community and such plan shall be used in the prevention of, identification of and response to all challenging behavior.

Additionally, districts may place the school climate improvement plans into their district and school improvement plans.

Training

For the school year commencing July 1, 2024, and each school year thereafter, each local and regional Board of Education shall provide resources and training to school employees regarding:

1. social and emotional learning;
2. school climate and culture and evidence and research-based interventions; and
3. restorative practices.

Such resources and training may be made available at each school under the jurisdiction of such board and include technical assistance in the implementation of a school climate improvement plan. Any school employee may participate in any such training offered by the board under this section. The school climate coordinator, shall select, and approve, the individuals or organizations that will provide such training.

Funding

The school district shall in its discretion allocate sufficient funding to satisfy the requirements of this policy for all schools in the district. Such funding shall be distributed accordingly, with Superintendent approval, for assessments and professional development, as well as for school community outreach, training, and technical assistance.

Accountability

The Board shall adopt and allocate adequate resources to support the Connecticut School Climate Policy and adhere to state regulations set forth in Public Act 23-167.

Connecticut School Climate Standards

1. The school district community¹ has a shared vision and plan for promoting and sustaining a positive school climate² that focuses on prevention, identification, and response to all challenging behavior³.
2. The school district community adopts policies that promote:
 - a. a sound school environment that develops and sustains academic, social, emotional, ethical, civic, and intellectual skills; and
 - b. a restorative school environment focused on overcoming barriers to teaching and learning by building and supporting meaningful school-wide relationships, and intentionally re-engaging any disengaged students, educators, and families of students

¹ School Community means any individuals, groups or businesses, public institutions and nonprofit organizations invested in the welfare and vitality of a public school system and the community in which it is located, including, but not limited to, students and their families, members of the local or regional board of education, volunteers at a school and school employees.

² School climate means the quality and character of the school life, with a particular focus on the quality of relationships within the school community, and which is based on patterns of people's experiences of school life, and that reflects the norms, goals, values and interpersonal relationships, teaching, learning, leadership practices and organizational structures within the school community.

³ Challenging behavior means behavior that negatively impacts school climate or interferes, or is at risk of interfering, with the learning or safety of a student or the safety of a school employee.

- in the school community.
3. The school community's practices are identified, prioritized, and supported to:
 - a. promote learning and the positive academic, social, emotional, ethical, and civic development of students;
 - b. enhance engagement in teaching, learning, and school-wide activities;
 - c. address barriers to teaching and learning; and
 - d. develop and sustain a restorative infrastructure that builds capacity, accountability, and sustainability.
 4. The school community creates a school environment⁴ where *everyone* is safe, welcomed, supported, and included in all school-based activities.
 5. The school community creates a restorative system that cultivates a sense of belonging through norms and activities that promote social and civic responsibility, and a dedication to cultural responsiveness, diversity, equity, and inclusion.

V. Procedures for Reporting Bullying

A. Annual Notification of the Reporting Process

Students and parents/guardians shall be notified at the beginning of each school year regarding the process by which students may make reports of bullying and such information shall be included in the student handbook of each of the District schools. In addition, this Safe School Climate Plan shall be placed on the District website and on the website of each District school. The Board shall also ensure that language regarding bullying and teen dating violence is included in student codes of conduct (i.e. discipline policies).

⁴ School environment means a school-sponsored or school-related activity, function or program, whether on or off school grounds, including at a school bus stop or on a school bus or other vehicle owned, leased or used by a local or regional board of education, and may include other activities, functions or programs if bullying at or during such other activities, functions, or programs negatively impacts the school environment.

Bullying – Safe School Climate Plan (Regulation) continued**B. Written Reports**

Students and/or their parents or guardians may file written reports of conduct that they consider to be bullying. (Form B) Such written reports shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school employee, and they shall be promptly forwarded to the Safe School Climate Specialist or another school administrator, if the Safe School specialist is unavailable, for review and action consistent with this Plan.

C. Verbal Reports

Students may make verbal reports of conduct that they consider to be bullying to any school employee (as defined by this Plan), including any administrator, or to the Safe School Climate Specialist. Such verbal reports shall be reasonably specific as to the actions giving rise to the suspicion of bullying, including time and place of the conduct alleged, the number of such incidents, the target of such suspected bullying, and the names of any potential student or staff witnesses. A school employee, or administrator or the Safe School Climate Specialist who receives a verbal report of bullying shall promptly reduce the report to writing, including the information provided. Such written report by the school employee, administrator, if not the Safe School Climate Specialist, shall be promptly forwarded to the Building Principal for review and action in accordance with this Plan.

D. Anonymous Reports

Students may make anonymous reports of bullying to any school employee. Students may also request anonymity when making a report, even if the student's identity is known to the school employee. In cases where a student requests anonymity, the Safe School Climate Specialist, if not the Principal or his/her designee, shall meet with the student (if the student's identity is known) to review the request for anonymity and the impact that maintaining anonymity of the complaint may have on the investigation of the complaint and/or possible remedial action. All anonymous complaints shall be reviewed and reasonable action will be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the report, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of bullying. No disciplinary action shall be taken solely on the basis of an anonymous report.

Bullying – Safe School Climate Plan (Regulation) continued**IV. Staff Responsibilities and Investigating Reports of Bullying****A. Teachers and Other School Employees**

School employees (as defined by this Plan) who witness acts of bullying, as defined above, or who receive reports of bullying, shall notify the Safe School Climate Specialist or another school administrator if the Safe School Climate Specialist is unavailable, not later than one school day after such employee witnesses or receives a report of bullying. The school employee shall then file a written report not later than two school days after making such an oral report concerning the events witnessed or reported.

B. Responsibilities Safe School Climate Specialist/Investigation

1. The Safe School Climate Specialist shall be responsible for reviewing any anonymous reports of bullying and shall investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports. The Safe School Climate Specialist shall promptly notify the parents and legal guardians of the students involved of an investigation. In order to allow the district to adequately investigate complaints filed by a student or parent/guardian, the parent of the student suspected of being bullied should be asked to provide consent of the student's name in connection with the investigation process, unless the student and/or the parent has requested anonymity.
2. In investigating reports of bullying, the Safe School Climate Specialist or designee will consider all available information known, including the nature of the allegations and the ages of the student involved. The Safe School Climate Specialist will interview witnesses, as necessary, reminding the alleged perpetrator and other parties that retaliation is strictly prohibited and will result in disciplinary action.
3. Following investigation, if acts of bullying are verified, the Safe School Climate Specialist or designee shall notify the parents or guardians of the students against whom such acts were directed as well as the parents or guardians of the students who commit such acts of bullying of the finding no later than forty-eight (48) hours after the completion of the investigation. The notification shall include a description of the school's response to the acts of bullying. In providing such notification, however, care must be taken to respect the statutory privacy rights of other students, including the perpetrator of such bullying. The specific disciplinary consequences imposed on any student, or personally identifiable information about a student other than the parent/guardian's own child, may not be disclosed except as provided by law. An invitation to a meeting must be given to the parents or legal guardians of a student against whom such act was directed to communicate to such parents or legal guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and

Bullying – Safe School Climate Plan (Regulation) continued

procedures in place to prevent further acts of bullying. An invitation to a meeting must be sent to the parents or guardians of a student who commits any certified act of bullying to a meeting, separate and distinct from the meeting required with the parents or legal guardians of the victim, to discuss specific interventions undertaken by the school to prevent further acts of bullying.

4. If bullying is verified, the Safe School Climate Specialist or designee shall develop a student safety support plan for any student against whom an act of bullying was directed. Such support plan will include safety measures to protect against further acts of bullying.
5. A specific written intervention plan shall be developed to address repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual. The written intervention plan may include counseling, discipline and other appropriate remedial actions as determined by the Safe School Climate Specialist or designee, and may also incorporate a student safety support plan, as appropriate.

C. Notice to Law Enforcement

If the Principal of a school (or his/her designee) reasonably believes that any act of bullying constitutes a criminal offense, he/she shall notify appropriate law enforcement. Notice shall be consistent with the Board's obligations under state and federal law and Board policy regarding the disclosure of personally identifiable student information. In making this determination, the Principal or his/her designee, may consult with the school resource office, if any, and other individuals the principal or designee deems appropriate.

If a bullying complaint raises concern about discrimination or harassment on the basis of a legally protected classifications (such as race, religion, color, national origin, sex, sexual orientation, age, disability or gender identity), the Safe School Climate Specialist or designee shall also coordinate any investigation with other appropriate personnel within the district as appropriate (e.g. Title IX Coordinator, Section 504 Coordinator etc.)

V. Other Prevention and Intervention Strategies

- A. Verified acts of bullying shall result in intervention by the Building Principal or his/her designee that is intended to address the acts of the perpetrator and the needs of the victim and to assure that the prohibition against bullying behavior is enforced, with the goal that any such bullying behavior will end as a result.

Bullying – Safe School Climate Plan (Regulation) continued

- B. Bullying behavior can take many forms and can vary dramatically in the nature of the offense and the impact the behavior may have on the victim and other students. Accordingly, there is no one prescribed response to verified acts of bullying, or to other inappropriate behavior which does not meet the definition of bullying. While conduct that rises to the level of “bullying” as defined above, will generally warrant traditional disciplinary action against the perpetrator of such bullying, whether and to what extent to impose traditional disciplinary action (e.g., detention, in-school suspension; suspension or expulsion) is a matter for the professional discretion of the Building Principal (or responsible program administrator or his/her designee and must be consistent with state law and Board policy governing student discipline. No disciplinary action may be taken solely on the basis of an anonymous complaint. As discussed below, schools may also consider appropriate alternatives to traditional disciplinary sanctions, including age-appropriate consequences and other restorative or remedial interventions.
- C. A specific written intervention plan shall be developed to address repeated incidences of bullying against a single individual or recurrently perpetrated bullying incidents by the same student. This plan may include safety provisions, as described in this Plan, for students against whom acts of bullying have been verified and may include other interventions such as counseling, discipline, and other appropriate remedial or restorative actions as determined by the responsible administrator.
- D. The following sets forth possible interventions which may also be utilized to enforce the Board’s prohibition against bullying:

1. Non-disciplinary Interventions

When verified acts of bullying are identified early and/or when such verified acts of bullying do not reasonably require a traditional disciplinary response, students may be counseled as to the definition of bullying, its prohibition, and their duty to avoid any conduct that could be considered bullying. Students may also be subject to other forms of restorative discipline or remedial actions, appropriate to the age of the students and nature of the behavior.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

Bullying – Safe School Climate Plan (Regulation) continued**2. Disciplinary Interventions**

When acts of bullying are verified and a traditional disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

In-school suspension and suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation, in accordance with the Board's Student Discipline policy.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence shall be reserved for serious incidents of bullying and/or when past interventions have not been successful in eliminating bullying behavior.

3. Interventions for Bullied Students

The Safe School Climate Specialist/Building Principal (or other responsible program administrator) or his/her designee shall intervene in order to address repeated incidents of bullying against a single individual. Intervention strategies for a bullied student may include the following:

- Counseling;
- Increased supervision and monitoring of student to observe and intervene in bullying situations;
- Encouragement of student to seek help when victimized or witnessing victimization;
- Peer mediation where appropriate
- Student Safety Support Plan; and
- Restitution and/or restorative interventions.

4. General Prevention and Intervention Strategies

In addition to the prompt investigation of reports of bullying and direct intervention when acts of bullying are verified, other District actions may ameliorate any potential problem with bullying in school or at school-sponsored activities. A focus will be placed on district and school efforts to improve school climate based upon the National School Climate Standards.

Bullying – Safe School Climate Plan (Regulation) continued

While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators, teachers and other professional staff members in each school:

- a. Implementation of a positive behavioral interventions and supports process or another evidence-based model approach for safe school climate or for the prevention of bullying and teen dating violence, including any such program identified by the Department of Education;
- b. A safe school climate assessment on or after July 1, 2012 and biennially thereafter to determine the prevalence of bullying. Such assessments may include, in addition to those approved and disseminated by the State Department of Education, in collaboration with CAS, the National School Climate Standards Self-Assessment Tool' and the Connecticut State Department of Education's "Improving School Climate Team Rubric. Such school climate assessment instruments shall include surveys that contain uniform grade-level appropriate questions that collect information about students' perspectives and opinions about the school climate at the school and allow students to complete and submit such assessment and survey anonymously.
- c. Establishment by the school Principal of a Safe School Climate Committee in each District school or the designation of an existing committee that is responsible for fostering a safe school climate and addressing issues related to bullying and teen dating violence in the school.
- d. Adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying or teen dating violence is likely to occur;
- e. Inclusion of grade-appropriate bullying and teen dating violence education and prevention curricula in kindergarten through high school;
- f. Individual interventions with the perpetrator, parents and school employees, and interventions with the bullied student, parents and school employees;
- g. School-wide training related to safe school climate and related topics such as sexual harassment training, cultural diversity, multiracial education or other similar training in civil rights legislation;
- h. Promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions;
- i. Respectful responses to bullying concerns raised by students, parents or staff;

Bullying – Safe School Climate Plan (Regulation) continued

- j. Planned professional development programs addressing bully/victim problems;
- k. Student peer training, education and support. Use of peers to help ameliorate the plight of victims and include them in group activities;
- l. Avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
- m. Continuing awareness and involvement on the part of staff and parents with regards to prevention and intervention strategies;
- n. Modeling by all school employees of positive, respectful, and supportive behavior toward students;
- o. Culturally competent school-based curriculum focusing on social emotional learning, self-awareness and self-regulation.
- p. Referrals to a school counselor, psychologist or other appropriate social or mental health service and periodic follow-up by the safe school climate specialist with the bullied child.
- q. Creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others;
- r. Employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere.

The Safe School Climate Committee shall:

- 1. Receive copies of completed reports following investigations of bullying;
- 2. Identify and address patterns of bullying among students in the school;
- 3. Review and amend school policies relating to bullying;
- 4. Review and make recommendation to the District Safe School Climate Coordinator regarding the District's Safe Climate Plan based on issues and experiences specific to the school;
- 5. Educate students, school employees and parents and guardians of students on issues relating to bullying and teen dating violence.
- 6. Collaborate with the District Safe School Climate Coordinator in the collection of data regarding bullying; and
- 7. Perform any other duties as determined by the School Principal that are related to the prevention, identification and response to school bullying for the school.
- 8. No information shall be shared with the committee which violates the confidentiality provisions related to student information, except as permitted by law. Parent members of the Safe School Climate Committee are specifically excluded from activities #1 and #2 above and from any other committee activities that may compromise student confidentiality.

Bullying – Safe School Climate Plan (Regulation) continued**5. Other Interventions**

In addition to prevention and intervention strategies, administrators, teachers and other professional employees may find appropriate opportunities to educate students about bullying and help eliminate bullying through class discussions, counseling and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe mean-spirited student conduct, even if such conduct does not meet the formal definition of “bullying.”

VI. Documentation and Maintenance of Log

- A. Each school shall maintain written reports of bullying, along with supporting documentation received and/or created as a result of bullying investigations, consistent with the Board’s obligations under state and federal law. Any educational record containing personally identifiable student information pertaining to an individual student shall be maintained in a confidential manner, and shall not be disclosed to third parties without prior written consent of a parent, guardian or eligible student, except as permitted under Board policy and state and federal law. Records pertaining to any reports, investigations, student support plans and/or records of any parent/guardian notification or meetings will be

B. List of Verified Acts of Bullying

The Principal/Safe School Climate Specialist of each school will maintain a list of the number of verified acts of bullying in the school and this list shall be available for public inspection upon request. Consistent with district obligations under state and federal law regarding student privacy, the log shall not contain any personally identifiable student information, or any information that alone or in combination would allow a reasonable person in the school community to identify the students involved. Accordingly, the log should be limited to basic information such as the number of verified acts, name of school and/or grade level and relevant date. Given that any determination of bullying involves repeated acts over time, each investigation that results in a verified act of bullying for that school year shall be tallied as one verified act of bullying unless the specific actions that are the subject of the report involve separate and distinct acts of bullying. The list shall be limited to the number of such verified acts of bullying in the school, and it shall not set out the particulars of each verified act, including but not limited to any personally identifiable student information, which is confidential information by law.

- C. The Principal of each school shall report the number of verified acts of bullying in the school annually to the Department of Education in such manner as prescribed by the Commissioner of Education.

Bullying – Safe School Climate Plan (Regulation) continued**VII. Student Safety and Prohibition against Discrimination and Retaliation****A. Discrimination and/or Retaliation Prohibited**

Discrimination and/or retaliation against any person who reports bullying, provides information during an investigation of an act of bullying, or witnesses or has reliable information about bullying is prohibited.

The District will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, discrimination or retaliation in our school buildings, on school grounds, or in school related activities. All reports and complaints of bullying, cyberbullying, discrimination and retaliation will be investigated promptly and prompt action will be taken to end that behavior and restore a sense of safety to any student against whom such behavior is directed. This commitment is to be supported in all aspects of the school community, including curricula, instructional programs, staff development, extracurricular

B. Student Safety

As part of any investigation into allegations of bullying, discrimination or retaliation, the Principal/Safe School Climate Specialist or designee will take steps to assess the need to restore a sense of safety to any student against whom such bullying behavior is allegedly directed and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but are not limited to, creating a personal safety plan; pre-determining seating arrangements for the alleged victim (target) and/or the alleged perpetrator in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the alleged student against whom such bullying was directed (target); and altering the alleged perpetrator’s schedule and access to the alleged target. The Principal/Safe School Climate Specialist will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Principal/Safe School Climate Specialist will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Principal/Safe School Climate Specialist or designee will contact the victim of verified acts of bullying to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If determined necessary, the Principal/Safe School Climate Specialist will work with appropriate school staff to implement them immediately.

Bullying – Safe School Climate Plan (Regulation) continued**VIII. Training Requirements for School Staff**

- A. At the beginning of each school year, each school shall provide all school employees with a written or electronic copy of the school district's safe school climate plan and require that all school employees annually complete training on the identification, prevention and response bullying as required by law.
- B. The Board shall provide certified staff with in-service training on the prevention, identifications and response to school bullying and the prevention of and response to youth suicide. Such in-service training is not required if the Board implements evidence-based model approach that is approved by the Department of Education.
- C. The Connecticut State Department of Education shall provide (within available appropriations) annual training to non-certified staff of the District on the prevention, identification and response to school bullying and the prevention of and response to youth suicide. Such training may include, but is not limited to:
 - 1. Developmentally appropriate strategies to prevent bullying among students in school and outside the school setting,
 - 2. Developmentally appropriate strategies for immediate and effective interventions to stop bullying,
 - 3. Information regarding the interaction and relationship between students committing acts of bullying, students against whom such acts of bullying are directed and witnesses of such acts of bullying,
 - 4. Research findings on bullying, such as information about the types of students who have been shown to be at-risk for bullying in the school setting,
 - 5. Information about the incidence and nature of cyberbullying as defined in C.G.S. 10-222d,
 - 6. Internet safety issues as they relate to cyberbullying, or
 - 7. Information on the incidence of youth suicide, methods of identifying youths at risk for suicide and developmentally appropriate strategies for effective interventions to prevent youth suicide.

IX. Notification Requirements

- A. A copy of this District's Safe School Climate Plan shall be provided in written or electronic format to all District employees annually at the beginning of each school year.
- B. The District's Safe School Climate Plan shall be made available on the Board's website and on the website of each individual school with the District. Such posting shall occur within thirty (30) days of the approval of such plan by the Board.

Bullying – Safe School Climate Plan (Regulation) continued

- C. The District's Safe School Climate Plan shall be included in the District's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

X. School Climate Assessments

- A. On or after July 1, 2012, and biennially thereafter, the Board requires each school within the District to complete an assessment using the school climate assessment instruments, including surveys, approved and disseminated by the State Department of Education.
- B. Completed assessments shall be shared with the Board and then submitted by the Board to the State Department of Education.

XI. Bullying Through the Use of Technology (Cyberbullying)

As noted in this Plan, the definition of bullying includes cyberbullying, which includes the use of the Internet and other technology to engage in bullying. Technology enables aggressive expression toward others and does not rely on physical strength or physical contact. By using a cell phone or the Internet, a student can quickly and aggressively spread rumors, threats, hate mail, or embarrassing photos through text messages, e-mails, or instant messages.

There are a number of social networking sites (MySpace, Facebook, Twitter, etc.) available to our students that can be misused and/or abused for bullying purposes. The Board strongly encourages any student, parent/guardian or school employee to promptly report any alleged abuse/misuse of technology to an appropriate school administrator or Safe School Climate Specialist.

The District's discipline policy states that misuse, on or off campus, of electronic devices, for threatening/bullying/hazing or harassment is a violation and can be the basis for discipline. When information is received that a student or students are involved in bullying another district student through the use of technology whether such misconduct occurs on or off campus, the District may take disciplinary and other remedial actions consistent with this Plan, Board policy and state law.

XII. Relationship to Other Laws

- A. Consistent with state and federal laws, and the policies of the District and school rules, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privileges and courses of study of such public school on account of race, color gender, religion, national origin, or sexual orientation. Nothing in the "Plan" prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or district policies.

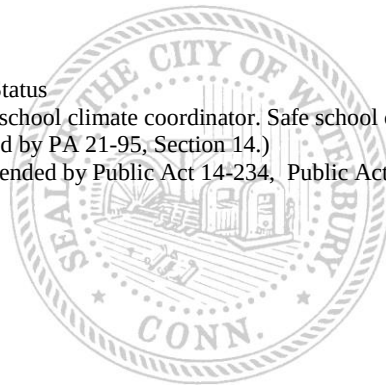
Bullying – Safe School Climate Plan (Regulation) continued

- B. In addition, nothing in the “Plan” is designed or intended to limit the authority of the school or district to take disciplinary action under applicable laws, or local school or District policies in response to violent, harmful, or disruptive behavior, regardless of whether the “Plan” covers the behavior.

XIII. Immunity for Board of Education, School Employees, Others

Members of the Board of Education and school employees are protected by statute against claims for damages in connection with the reporting, investigation and response to bullying in accordance with the implementation of a safe school climate plan to parents, students, and others who make good faith reports of bullying to a school employee in accordance with the safe school climate plan.

Legal Reference: Connecticut General Statutes
10-222K District safe school climate coordinator. Safe school climate specialist. Safe school selection committee (as amended by PA 21-95, Section 14.)
10-222d et. seq, as amended by Public Act 14-234, Public Act 14-172 and Public Act 14-232.



Suicide Prevention and Intervention

The Board of Education recognizes that suicide is a complex issue and that, while the school may recognize a potentially suicidal youth, it cannot make a clinical assessment of risk and provide in-depth counseling. Instead, the Board directs school staff to refer students who may be at risk of attempting suicide to an appropriate service for assessment and counseling.

The Board of Education recognizes the need for youth suicide prevention procedures and will establish program(s) to identify risk factors for youth suicide, an assessment to determine risk, procedures to intervene with such youth, referral services and training for teachers, other school professionals and students to provide assistance in these programs.

Risk factors for youth suicide will be based on the statewide strategic suicide prevention plan developed by the Connecticut Suicide Advisory Board, which includes, but is not limited to youth who are:

1. bereaved by suicide,
2. disabled or have chronic health conditions, such as mental health or substance use disorders,
3. involved in the juvenile justice system,
4. experiencing homelessness or placed in an out-of-home setting, such as foster care, or
5. lesbian, gay, bisexual, transgender or questioning.

To that end, the Board directs the Superintendent to implement an assessment recommended by the Connecticut State Department of Education for determining suicide risk. The assessment shall be used to determine the suicide risk of students who:

- a. exhibit mental health distress,
- b. have been identified as at risk of suicide, or
- c. are considered to be at an increased risk of suicide based on particular risk factors.

Any school employee who may have knowledge of a suicide threat must take the proper steps to report this information to the building Principal or his/her designee who will, in turn, notify the appropriate school officials, the student's family and appropriate resource services.

In addition, information regarding the 988 crisis line should be made widely available in schools and district offices. Text should note to call 988 if you are in emotional distress and/or you are having suicidal ideations. It should also include that by calling 988, you will be provided with support and connected to resources if needed.

Information concerning a student's suicide attempt, threat, or risk will be shared with others to the degree necessary to protect that student and others.

Legal Reference: Connecticut General Statutes

10-221(e) Boards of education to prescribe rules.