Board of Education

5 Minortown Road ~ Woodbury, CT 06798

www.ctreg14.org

Mission: The mission of Connecticut Region 14 Schools is to educate all students to their highest level of academic potential and to teach them the skills and knowledge to become capable, creative, collaborative lifelong learners and responsible members of the world community.

Board of Education Goals:
Academic Performance - The district will strive to improve academic performance for all students on multiple assessment indicators and the staff will be committed to continuous improvement.
Communication - Region 14 will develop partnerships with all stakeholders in the school community to highlight the exemplary programs the district offers
Safety - Region 14 will provide safe and secure facilities equipped with technology, enabling a 21st century learning environment that supports the values of the district
Budget - Region 14 will prepare a budget that meets the needs of every student and communicates the needs and priorities of Region 14 in a clear and concise manner.

A G E N D A

Special Meeting
Board of Education –Policy Committee
Monday, October 21, 2024; 5:30 p.m.
Mitchell Elementary School
Flanders Room

I. Call to Order

II. Policy 4000.1/4200.1/5145.44 – Sexual Harassment/Title IX (Personnel – Certified/Non-Certified/Students)

III. Adjournment

Personnel -- Certified/Non-Certified/Students

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 Region 14 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/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;

Personnel -- Certified/Non-Certified/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 it 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/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:

Personnel -- Certified/Non-Certified/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.

Personnel -- Certified/Non-Certified/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.

Personnel -- Certified/Non-Certified/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 Title IX Coordinator is Ms. Dina Ericson. 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 or multiple of the following points of contact:

- Region 14 Board of Education, 5 Minortown Road, Woodbury, CT 06798
- dericson@ctreg14.org
- (203) 263-6356

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 Region 14 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/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 (include the link and location(s) to the District website). 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 (include the link to the location(s) on the District website).

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 Region 14 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 Region 14 Public School District's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The Region 14 Public School District Coordinator is Ms. Dina Ericson and can be reached the following ways:

Ms. Dina Ericson, Title IX Coordinator
Region 14 Public Schools, 5 Minortown Road, Woodbury, CT 06798
dericson@ctreg14.org
(203) 263-6356

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Notice of Non-Discrimination (continued)

The Region 14 Public School District's nondiscrimination policy and grievance procedures can be located (include a link to the location(s) on the district's website, ctreg14.org

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 locations(s).

The Region 14 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 ctreg14.org

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 n 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/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. S2000-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 (a0 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)

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

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

Personnel -- Certified/Non-Certified/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
cps 7/24

Sample policies are distributed for demonstration purposes only. Unless so noted, contents do not necessarily reflect official policies of the Connecticut Association of Boards of Education, Inc.

Administrative regulation to accompany the Title IX policy.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Grievance Procedures

Pursuant with 2024 ‘s Title IX “Final Rule,” the Region 14 Board of Education (“the Board”) prohibits any form of sex or sex-based discrimination or sexual or sex-based harassment in its education programs and activities, whether by students, staff, or third parties subject to substantial control by the Board. Discrimination and harassment on the basis of sex include gender identity, sexual orientation. sex stereotypes, sex characteristics, and pregnancy or related conditions. Sex-based harassment includes harassment based on sexual orientation and gender identity and exists when “unwelcome sex-based conduct 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 the District’s education program or activity.

The District shall maintain an environment free from harassment, insults, or intimidation based on an employee’s sex or gender identity and sex and sex-based discrimination. Verbal or physical conduct by a supervisor or co-worker relating to an employee’s sex or gender identity that results in creating an intimidating, hostile, or offensive work environment, unreasonably interfering with the employee’s work performance, or adversely affecting the employee’s employment opportunities is prohibited.

Any employee or student who engages in conduct prohibited by this Board Policy shall be subject to disciplinary action. Any third party who engages in conduct prohibited by this Policy shall be subject to remedial measures, which may include exclusion from school property.

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.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Grievance Procedures (continued)

To allow for an appropriate level of discretion and flexibility in accounting for variations in school size, student populations, and administrative structures, the Title IX Coordinator, in consultation with the Superintendent and/or designee(s) shall determine whether or not to use **a single-investigator model** and to use this model in some but not all cases as long as the grievance procedures clearly state when this model will be utilized. The Title IX Coordinator shall also determine whether or not to offer an informal resolution process for sex discrimination complaints unless the complaint includes allegations that an employee engaged in sex-based harassment of an elementary or secondary school student or unless such a process would conflict with Federal, State, or local law.

Definitions

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.

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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).

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (continued)

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;
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 it 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.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (continued)

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.

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.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (continued)

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:
        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

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Definitions (continued)

2. Provide support during the District's grievance procedures or during an informal resolution process.

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.

All grievance procedures are required to ensure the following:

- All schools must treat complainants and respondents equitably.
- Title IX *Coordinators*, *investigators, decision-makers*, and *facilitators* of an **informal resolution process** must not have a conflict of interest or bias for or against complainants or responders generally or an individual complainant or respondent.
- The grievance procedures must include a *presumption that the respondent is not responsible for the alleged sex discrimination* until a determination is made at the conclusion of the grievance procedures.
- The grievance procedures must require *adequate notice* to the parties of the allegations, dismissal, delays, meetings, proceedings, and determinations. (All such notifications and records must be in writing with copies maintained at Central Office.)
- The grievance procedures must give the parties an *equal opportunity to present and access* relevant and not otherwise impermissible evidence and provide a reasonable opportunity for each party to respond to that evidence.
- The decision-maker or the "single investigator" must objectively evaluate each party's relevant and not otherwise impermissible evidence.
- The grievance procedures must enable the decision-maker to assess a party's or witness's credibility when credibility is in dispute and relevant.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

All grievance procedures are required to ensure the following: (continued)

- In evaluating the party's evidence, the grievance procedures must use the *preponderance of the evidence standard of proof* (unless the District uses the *clear and convincing evidence standard* in all other comparable proceedings, including proceedings relating to other discrimination complaints, in which case the District may use that standard in determining whether sex discrimination occurred).
- The District must not impose disciplinary sanctions under Title IX on any person unless it determines at the conclusion of grievance procedures that sex discrimination for which the person was responsible has occurred.

Important Considerations:

- Consider whether the District should have more than one Title IX Coordinator: one for employees and one for students or other differentiated roles. If the district decides on multiple Coordinators, it will be essential that they communicate and collaborate openly and regularly with each other to ensure one Title IX Coordinator remains responsible for all matters related to District Compliance with the implementation of 2024's Title IX Final Rule.
- Consider whether or not schools may use a *single investigator model* (combining the roles of the investigator and decision maker). Schools may choose to use this model in some but not all cases as long as the grievance procedures clearly state when the District will use it.
- All complaints should be handled immediately and kept at the lowest level.
- Continue to communicate to the "community" where to go and who is responsible for handling Title IX non-discrimination complaints and/or inquiries.
- Documentation is critical: When the complaint was filed/shared, notes from the investigation, whether or not the matter rose or didn't rise to the level of a Title IX violation. Describe what occurred without using "triggering" language. Describe what had occurred. Document how it was determined the matter will not become or continue to be an ongoing issue/concern.
- **Monitor the District Title IX Grievance Procedure to Ensure the Following:**
    - The intake process clearly identifies the initial report obligations of school staff: What is the intake process? Who makes the decision if it's a Title IX matter? What are the staff obligations? Who makes the determination whether or not the reported matter falls under Title IX? What are the time commitments? Who performs the investigation? Who makes the decisions and renders a determination? Who delivers the consequences?

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

All grievance procedures are required to ensure the following: (continued)

- **Monitor the District Title IX Grievance Procedure to ensure the following:** (continued)
    - When does a matter go beyond the "normal" student bumping into another? How are cases triaged and managed? When does the Title IX Coordinator become involved? How does the District build and ensure consistency among its schools – whatever is determined must be consistently applied?
    - Upon receipt of a complaint or inquiry, immediately respond. Email responses should include the attached policies and procedures.
    - Take all matters seriously. Report them to the correct person. Take immediate action to address conflicts and matters related to "challenging behavior:" (i.e., separate students while the investigation proceeds).
    - Avoid using terms such as "sexually harassed or bullied." Instead, describe the behaviors reported until such determinations can be justified.
    - Focus on setting the correct process in place. Do something. Avoid decision paralysis.
    - Contact the person making the complaint and indicate that you've immediately taken the necessary steps to address the concern. Document those communications.
    - When a parent is required to attend an interview with the child, express that it is important for you to hear from the child directly.
    - Review, document, and make a decision. Consider all factors relevant.
    - The standard of proof to determine whether sex discrimination occurred shall be based upon a "preponderance of evidence" standard unless a "clear and convincing" standard is used in comparable proceedings.

If Region 14 Public Schools has knowledge of conduct that reasonably may constitute sex discrimination, including sex-based harassment as defined in this policy in its education program or activity, it will respond promptly and effectively. These procedures apply to a complaint of sex-based harassment in the district's program or activity under Policy 4000.1/4200.1/5145.44/0521. "District Program or Activity" includes those occurring on or off school grounds.

As used in these procedures, a "complaint" is an oral or written request to the District that objectively can be understood as a request to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

All grievance procedures are required to ensure the following: (continued)

If the Title IX Coordinator reasonably determines conduct as alleged could *not* constitute sex-based discrimination under Title IX, the Title IX Coordinator is not required to implement the formal procedures under this policy. The reported conduct may, in such cases, be referred to the appropriate administrator(s) for response under relevant policies and procedures (i.e., personnel policies, student code of conduct, student counseling, other student services, restorative practices, policies governing visitors to district property, technology use policies, etc.)

The Title IX Coordinator may serve as investigator and decision-maker in these procedures (under the single-investigator model). The District requires that any Title IX Coordinator, investigator, or decision-maker not have a conflict of interest or bias for or against complaints or respondents generally or an individual complainant or respondent.

Protections for Students, Employees, and Applicants from Discrimination Based on Pregnancy or Related Conditions

Schools must provide reasonable modifications for students based on pregnancy or related conditions, allow employees reasonable break time for lactation, and provide students and employees with access to a clean, private lactation space.

Prohibition Against Retaliation

The Board prohibits all forms of intimidation, threatening, coercion, or discrimination against someone in order to interfere with their Title IX rights or because they reported sex discrimination, including sexual violence or other forms of sex-based harassment, or participated in, or refused to participate in, the district's Title IX process. The District shall protect students from peer retaliation by other students.

The Rights of Parents and Guardians to Act on Behalf of Their Children

The Board expressly supports parents' and guardians' rights to act on behalf of a minor student, including when seeking assistance under Title IX and participating in a school's Title IX grievance procedures. While it is permissible for parents/legal guardians to attend meetings where their child is interviewed as a witness, complainant, or respondent, the staff member conducting the interview shall ensure the student has the opportunity to provide direct testimony.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

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

Ensuring District Communication Regarding its Non-Discrimination Policies and Procedures

The Board shall require its schools to clearly and effectively inform key people, including students, employees, and applicants, of the District's non-discrimination policies and procedures.

Prohibition Against Schools Sharing Personal Information (Confidentiality and Privacy)

The Board prohibits any of its schools under its jurisdiction from disclosing personally identifiable information they obtain through complying with Title IX, with limited exceptions, such as when they have prior written consent or when the information is disclosed to the parent of a minor. Such consent should be in writing and maintained in secured district areas.

The District shall not disclose personally identifiable information obtained in the course of complying with Title IX, except in the following circumstances:

1. When the district has obtained prior written consent from a person with the legal right to consent to the disclosure;
2. When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
3. To carry out the purposes of Title IX, including action taken to address conduct that reasonably may constitute sex discrimination under Title IX in the District's education program or activity;
4. As required by Federal law, Federal regulations, or the terms and conditions of a Federal award, including a grant award or other funding agreement; or
5. To the extent that such disclosures do not otherwise conflict with Title IX when required by state or local law or permitted under FERPA,

Privacy During Grievance Process: The District shall take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps shall not restrict the parties' ability to obtain and present evidence, including by speaking to witnesses, consulting with their family members, using confidential resources or advisors, or otherwise preparing for or participating in the grievance procedures.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

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

In School Protections from Harm when Students Are Separated or Treated Differently Based on Sex

Pursuant to Title IX (Final Rule), The Board prohibits separation or treating people differently based on sex in a manner that subjects them to more than de minimis harm, except in limited circumstances permitted by Title IX. The Board further recognizes that preventing someone from participating in school (including in sex-separate activities) consistent with their gender identity causes that person more than de minimis harm. This general nondiscrimination principle applies except in the limited circumstances specified by statute, such as in the context of sex-separate living facilities and sex-separate athletic teams.

Child Services or Law Enforcement Reporting

Nothing in this policy or regulation modifies the District's legal responsibility for reporting child abuse and neglect or violations of the law. In cases where a Child Abuse and Neglect call has been made that concerns conduct that also triggers the District's obligation to respond under Title IX, the Title IX Coordinator will engage as appropriate and legally required with the Department of Children and Families (DCF), law enforcement agencies, and related service agencies as appropriate.

The Title IX response from the District should be integrated with, not replaced by, the DCF response to a report. In cases of law enforcement engagement with conduct reported, the District will coordinate with law enforcement concerning the District's response, including the provision of appropriate Title IX supportive measures to affected parties and the sequencing of formal Title IX procedures relative to any law enforcement investigatory and adjudicatory process.

Special Education/504 Considerations

If a complainant or respondent is a student with a disability, the Title IX Coordinator must consult with one or more members, as appropriate, the Team responsible for implementing the Student's Individualized Education Program, the Planning and Placement Team (PPT), or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under Section 504, if any, to determine how to comply with the requirements of the District's implementation of grievance procedures and/or supportive measures.

Supportive Measures

As part of promptly and effectively ending any sex-based discrimination in the district's program or activity, preventing its recurrence, and remedying its effect, the District will offer and coordinate supportive measures through the Title IX Coordinator, to complainants as appropriate and, if a grievance has commenced, to the respondent as appropriate.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Supportive Measures (continued)

For complaints of sex-based harassment, these supportive measures may include 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 recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or
2. Provide support during the recipient's grievance procedures or during an informal resolution process.

For allegations of sex discrimination other than sex-based harassment or retaliation, the District's provision of supportive measures does not require the District, its employee, or any other person authorized to provide aid, benefit, or service on the District's behalf to alter the alleged discriminatory conduct during the grievance process for the purpose of providing a supportive measure.

Supportive measures may vary depending on what the District deems to be reasonably available. These Measures may include but are not limited to: counseling; deadline extensions and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

The district may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or the informal resolution process, or it may continue them beyond that point.

The District will provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the District's decision to provide, deny, modify, or terminate supportive measures applicable to them. The reviewing employee must be someone other than the employee who made the challenged decision and must have the authority to modify or reverse the decision if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. The District shall also allow a party to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception to this policy's prohibition on disclosures of personally identifiable information applies.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Supportive Measures (continued)

If the complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the Team overseeing the student's IEP, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision, if any, to determine how to comply with the requirements of the 504 Plan in the implementation of supportive measures.

Complaint Procedures

The following people have a right to make a complaint of sex discrimination in the program or activity of the District:

1. Any student or district employee;
2. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complaint;
3. Any person other than a student or employee who was participating or attempting to participate in the district's education program or activity at the time of the alleged sex discrimination;
4. Title IX Coordinator.

Limitation on Complaints of Sex-Based Harassment including Hostile Environment: A person is entitled to make a complaint of sex-based harassment (a sub-category of sex discrimination), including a sex-based hostile environment, only if:

1. They themselves are alleged to have been subjected to the sex-based harassment;
2. They have a legal right to act on behalf of such person; or
3. The Title IX Coordinator initiates a complaint in cases where Title IX permits or requires the Title IX Coordinator to make the complaint.

District-Initiated Complaints: In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Title IX Coordinator may determine whether to initiate a complaint of sex discrimination that complies with the grievance procedures. To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:

1. The complainant's request not to proceed with the initiation of a complaint;
2. The complainant's reasonable safety concerns regarding the initiation of a complaint;
3. The risk that additional acts of sex discrimination would occur if a complaint is not initiated;

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Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

District-Initiated Complaints (continued)

4. The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from school grounds or the imposition of another disciplinary sanction to end the discrimination and prevent recurrence;
5. The age and relationship of the parties, including whether the respondent is an employee of the District;
6. The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
7. The availability of evidence to assist the Title XI Coordinator or the assigned Decision-maker in determining whether sex discrimination occurred; and
8. Whether the District could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person or that the conduct as alleged prevents the District from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a complaint.

Complaint Consolidation

The District may consolidate complaints of sex discrimination against more than one respondent, by more than one complainant against one or more respondents, or by one party against another party when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include plural, as applicable.

Complaints Concerning District Policy or Practice

Not all complaints of sex discrimination involve active participation by complainants and respondents, including those alleging that the District's own policies and procedures discriminate based on sex. When a sex discrimination complaint alleges that the District's own policies or practices discriminate on the basis of sex, the District is not considered a "respondent" for procedural purposes. However, the District shall fully implement and follow those parts of the grievance procedures that apply to such complaints and complainants, including when respondents allege that the District's policy or practice discriminates on the basis of sex.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Complaints Concerning District Policy or Practice (continued)

For a complaint alleging that an individual engaged in sex discrimination based on actions the individual took in accordance with the District's policies or practices, the District shall treat the individual as a respondent and comply with the requirements in these grievance procedures that apply to respondents.

Upon Complaint Receipt

When notified of conduct that reasonably may constitute sex discrimination under Title IX or its regulations, the Title IX Coordinator will:

1. Treat the complainant and respondent equally;
2. Offer and coordinate supportive measures as appropriate for the complainant. In addition, if the District has initiated grievance procedures or offered an informal resolution process to the respondent, the Title IX Coordinator will offer and coordinate supportive measures as appropriate for the respondent;
3. Notify the complainant - or if the complainant is unknown, the individual who reported the conduct - of the grievance procedures and the informal resolution process, if available and appropriate;
4. If a complaint is made, notify the respondent of the grievance and the informal resolution process, if available and appropriate;
5. In response to a complaint, initiate the grievance procedures or the informal resolution process;
6. Regardless of whether a complaint is initiated, take other appropriate, prompt, and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual complainant, if any, to ensure that sex discrimination does not continue or recur within the District's education program or activity;
7. The Title IX Coordinator is not required to comply with 1-7 of this section upon being notified of conduct that may constitute sex discrimination if the Title IX Coordinator reasonably believes that the conduct as alleged could not constitute sex discrimination under Title IX or this part.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Upon Complaint Receipt (continued)

Upon initiation of the District's Title IX Grievance Procedures, the District will further notify parties of the following:

1. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incidents(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
2. Retaliation is strictly prohibited; and
3. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the District provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the District will notify the parties of the additional allegations.

Dismissal of a Complaint

The Title IX Coordinator may dismiss a complaint of sex discrimination if:

1. The District is unable to identify the respondent after taking reasonable steps to do so;
2. The respondent is not participating in the District's education program or activity and is not employed by the District;
3. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven, or
4. The District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX.

Before dismissing the complaint, the District will make reasonable efforts to clarify the allegations with the complainant. Upon dismissal, the District will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent of the complainant, or simultaneously if notification is in writing.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Dismissal of a Complaint (continued)

When a complaint is dismissed, the District will, at a minimum:

1. Offer supportive measures to the complainant as appropriate;
2. If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
3. Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue to recur within the District's education program or activity.

Dismissal on these grounds does not prevent the application of any other District policy that applies to the alleged conduct or referral of the alleged conduct to appropriate administrators.

Appeal of Dismissal of Complaint

The District will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following basis:

1. Procedural irregularity that would change the outcome;
2. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
3. The Title IX Coordinator (or the assigned investigator or decision-maker) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, the District will:

1. Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
2. Implement appeal procedures equally for the parties;
3. Ensure that the decision-maker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
4. Ensure that the decision-maker for the appeal has been trained consistent with the Title IX regulations;
5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
6. Notify the parties of the result of the appeal and the rationale for the result.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

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

Investigation of the Complaint by the District

The District will provide for adequate, reliable, and impartial investigation of complaints. The burden is on the District-not on the parties-to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. Any employee or any other person authorized by the District to provide aid, benefit, or service under the District's education program or activity must, upon request by the Title IX Coordinator (or an assigned investigator or a decision-maker), participate as a witness in, or otherwise assist with, an investigation or proceeding under this policy, including these grievance procedures.

1. The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures;
2. The District will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence;
3. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness;
4. The District will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;
5. The District will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance;
6. The District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible in the following manner:
    a. The District will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the District provides a description of the evidence, the District will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
    b. The District will provide a reasonable opportunity to respond to the evidence or the description of the evidence; and
    c. The District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Investigation of the Complaint by the District (continued)

Evidentiary Exclusions:

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

1. Evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
2. A party's or witnesses' records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness unless the District obtains that party's or witness' voluntary, written consent for use in its grievance procedures; and
3. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.

Questioning the Parties and Witnesses:

The grievance decision-maker (or the Title IX Coordinator if applying the "single-investigator model) will question parties and witnesses to adequately assess a party's or witnesses' credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. Where the investigator (or the Title IX Coordinator) has interviewed a party or witness, and the investigator is also serving as the grievance decision-maker, credibility evaluation is inherent in the process of conducting the interview. In situations where credibility determinations are required from a grievance decision-maker who did not interview a party or witness, the Title IX Coordinator will facilitate an opportunity for the decision-maker's process of engaging with the evidence resulting from the investigation.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Investigation of the Complaint by the District (continued)

Determining Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the grievance decision-maker (or Title IX Coordinator) will:

1. Use the "preponderance of evidence" standard of proof to determine whether sex discrimination occurred.
    a. The standard of proof requires the decision-maker (or Title IX Coordinator) to evaluate relevant and not otherwise impermissible evidence for its persuasiveness.
    b. If the decision-maker (or Title IX Coordinator) is not persuaded by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decision-maker (or Title IX Coordinator) will not determine that sex discrimination occurred.
2. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX, including the rationale for such determination and the procedures and permissible bases for the complainant and respondent to appeal.
3. Identify recommended discipline for the respondent for sex discrimination prohibited by Title IX under the District's Code of Conduct.
4. Promptly transmit the grievance record and the determination to the Title IX Coordinator if the Title IX Coordinator did not serve as the decision-maker.

Disciplinary Sanctions for Sex-Based Harassment

Notice is hereby given that following a determination that sex-based harassment occurred, the District may impose disciplinary sanctions, which may include consequences imposed on a respondent following a determination under Title IX that the respondent violated the District's prohibition on sex discrimination. (These may be found in the District's written Code of Conduct Policy.) For employees, prohibitions and consequences are stated in policies, labor contracts, and statutes.

The Title IX Coordinator shall provide the appropriate administrator with the findings and determinations arising from the grievance procedures to implement disciplinary sanctions against a respondent for violating the prohibition on sex discrimination.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

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

Remedies

Notice is hereby given that the District may provide remedies, which may include measures provided, as appropriate, to a complainant or any other person the District identifies as having had 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 District's education program or activity after the District determines that sex discrimination occurred. A wide variety of remedies affecting personal circumstances may be appropriate depending on the circumstance. Remedies may cause additional burdens upon respondents who have violated the prohibition on sex discrimination. Remedies may include recommended adjustments in District Policies and Practices.

District Determination that Sex Discrimination Occurred

When the respondent is found to have violated the prohibition on sex discrimination under this policy, the Title IX Coordinator will, as appropriate:

1. Coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;
2. Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
3. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue to recur within the District's education program or activity; and
4. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
5. Refrain from disciplining a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred.

Appeal of the Determination that Sex Discrimination Occurred (Merits Appeals)

All persons serving as decision-makers in appeals arising from the Title IX grievance process are subject to applicable training requirements. The Title IX Coordinator will continue to manage appropriate supportive measures during all appeals.

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Appeal of the Determination that Sex Discrimination Occurred (Merits Appeals) (continued)

For ***student respondents*****,** generally, a determination of whether sex discrimination occurred will be appealable by either the complainant or the respondent, or both. Appropriate supportive measures managed by the Title IX Coordinator will continue during the appeals. If the determination that sex discrimination occurred is affirmed, reversed, or modified on appeal, the grievance returns to the Title IX Coordinator to modify the District's response actions as and if appropriate.

For ***employee respondents*****,** a determination that sex discrimination occurred will be appealable by either the complainant or the respondent, or both. Appropriate supportive measures managed by the Title IX Coordinator will continue during the appeals. If the determination that sex discrimination occurred is affirmed, reversed, or modified on appeal, the grievance returns to the Title IX Coordinator to modify the District's response actions as and if appropriate. However, when a final determination is made that an employee violated the prohibition on sex discrimination under Title IX, the concluded grievance record and determination will be sent to the Superintendent or a designee for purposes of determining disciplinary action specifically directed at that employee.

Timeframe

The District has established the following timeframes for the major stages of the grievance procedure below. Timelines are *not* jurisdictional but merely establish expectations for being "prompt" in resolving Title IX matters in most cases. As used in this procedure, a "day" is a day the office of the Title IX Coordinator is open for business.

1. Evaluation of the complaint (i.e., decision whether to dismiss or investigate a complaint*): Not to exceed five full school days upon receipt of a complaint*
2. Notices and Investigation: *Not to exceed 24 hours after proceeding with an investigation*
3. Evidence organization, summarization by the Title IX Coordinator or a chosen Investigator: *Not to exceed five school days upon proceeding with an investigation*
4. Evidence review and response by parties: *Not to exceed 48-hours upon receipt of such materials*
5. Title IX Coordinator or a chosen Decision-maker evidence evaluation determination: *Not to exceed 48-hours upon receiving such evidence*
6. Appeal of determination: Completion of appeal process, including determination – *Five school days*

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

Timeframe (continued)

The District allows for reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. The Title IX Coordinator may grant these extensions on the Title IX Coordinator's own initiative or upon a qualifying request or need presented by a party, investigator, decision-maker, district administration, DCF, juvenile officer or agency, or law enforcement agency. The circumstances warranting a qualifying extension will be noted in the District's Title IX records of the complainant's case.

Overlapping Discrimination Claims and This Procedure

To the extent that the underlying facts and legal questions in a complaint handled under the Title IX grievance process overlap with and pertain to the District's compliance with another law or regulation concerning discrimination, the evidence and findings of the Title IX grievance process may be used for both purposes, in the discretion of the Title IX Coordinator.

Maintenance of Records

The District is required to maintain for seven (7) years each notification received by the Title IX Coordinator of conduct that reasonably may constitute sex discrimination under Title IX or the regulations, documentations of the actions the District took to meet its obligations to respond promptly and effectively to complaints. Such records will be securely maintained in a locked file cabinet located in a secured office accessible to the Title IX Coordinator.

Regulation approved:
cps 7/24

4000.1
4200.1
5145.44
Form 1

REGION 14 PUBLIC SCHOOLS
COMPLAINT OF SEX DISCRIMINATION, SEX-BASED HARASSMENT OR OTHER HARASSMENT BASED ON SEX

Students or employees of the District who believe they are a victim of sex-discrimination occurring in the District's education program or activity may use this form to lodge a complaint of sex-discrimination, sex-based harassment or other harassment on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity.

An individual other than a student or employee may use this form to complain of sex discrimination other than sex-based harassment that occurred while participating in or attempting to participate in the District's education program or activity.

To initiate this complaint, return this form to the District's Title IX Coordinator who may be contacted as follows: *Ms. Dina Ericson, Title IX Coordinator, 5 Minortown Road, Woodbury, CT 06798; dericson@ctreg14.org; (203)263-6356*

Complainant's Name: _____

Home Address: _____

Name of School of attendance or employment: _____

Home Phone: _____ Work Phone: _____ Cell Phone: _____

Grade (student): _____

Current position/job (employee): _____

Email address: _____

Preferred method of contact: _____

Date of Alleged Incident(s): _____

Full name of person(s) you believe engaged in prohibited sex discrimination/harassment:

_____

List any witnesses that were present/have knowledge: _____

_____

Where did the incident(s) occur? _____

_____

Describe the incident(s) as clearly as possible, including information such as: where, when and what happened; if applicable, specific verbal or written statements made (e.g., threats, requests, demands, etc.); what, if any, physical contact was involved and what force, if any, was used; your response to the situation, etc. (Attach additional pages if necessary.) _____

_____

_____

_____

_____

_____

_____

I hereby certify that the information provided in this complaint is true, correct, and complete to the best of my knowledge and belief. By signing below, I request an investigation and determination occur in accordance with the District's Title IX, Sex Discrimination/Sex-Based Harassment Board Policy 4000.1/4200.1/5145.44 and its regulations.

_____ _____
(Complainant's Signature) (Date)

_____ _____
(Reviewed By) (Date)

4000.1
4200.1
5145.44
Form 2

NOTICE TO RESPONDENT OF A
COMPLAINT OF SEX DISCRIMINATION

[PLACE ON DISTRICT LETTERHEAD]

[Date]

Dear [Student or Employee]

This letter is to advise you a complaint of sex discrimination has been brought naming you as the individual alleged to be responsible for the discrimination (respondent). Specifically, it has been alleged that **[insert description to provide sufficient detail. Where known, include the name of parties, including the respondent, the conduct alleged to be sex-based harassment, the date and location of the conduct]**.

The **Region 14** Public Schools prohibits sex discrimination including sex-based harassment in its educational program and activities and follows its established grievance procedures for the investigation of and response to complaints of sex discrimination/sex-based harassment. When deemed appropriate, the district may offer informal resolution to resolve a complaint. Use of informal resolution requires the consent of the parties, and consent may be withdrawn any time prior to a final determination of responsibility.

An individual alleged to be the subject of conduct that could constitute sex discrimination under Title IX, is referred to as a "complainant" and the person alleged to have violated the district's prohibition on sex discrimination is referred to as a "respondent."

Attached for your review is a copy of Region 14 Board of Education Policy 4000.1/4200.1/5145.44 Title IX, Prohibition Against Sex Discrimination and Sex-Based Harassment, and its regulation containing the district's grievance procedures in its entirety.

The Title IX grievance procedures contain information about how a complaint will be investigated and explain the rights of both the complainant and respondent. One right is the right to designate an advisor of your choosing to review and inspect evidence on your behalf prior to a final determination. An advisor may be, but is not limited to, a parent, a relative, an advocate or an attorney. Additionally, the complainant and respondent are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or to receive an accurate description of the evidence collected through investigation of the complaint. If provided with a description of the evidence, the parties are entitled to an equal opportunity to access the evidence upon the request of any party.

Whether or not a respondent has violated the district's prohibition on sex discrimination will be determined at the conclusion of the district's grievance process. A respondent is presumed not responsible for the alleged sex discrimination until a determination is made otherwise at the conclusion of this process. If sex discrimination is determined to have occurred, remedies will be provided. Supportive measures may be offered and modified as appropriate during the investigation of the complaint and may continue after the conclusion of this matter.

Retaliation is prohibited against any party, witness or other individual involved in the grievance process. If you are retaliated against by anyone for your involvement in this matter, contact the Title IX Coordinator so appropriate responsive action may be taken.

Efforts will be made to promptly resolve this complaint. Your cooperation, patience and understanding are appreciated as the timeline for resolution may vary depending on the number of parties, allegations, complexity of the case and other factors.

Sincerely,

Dina Ericson
Title IX Coordinator

Enclosure: Board Policy 4000.1/4200.1/5145.44 Sexual Harassment/Title IX and Regulation with Grievance Procedures

4000.1
4200.1
5145.44
Form 3

NOTICE TO COMPLAINANT OF A
COMPLAINT OF SEX DISCRIMINATION

[PLACE ON DISTRICT LETTERHEAD]

[Date]

Dear [Student or Employee]

This letter is to confirm that you filed a complaint of sex discrimination or one has been brought on your behalf. Specifically, it has been alleged that **[insert description to provide sufficient detail. Where known, include the name of parties, including the respondent, the conduct alleged to be sex-based harassment, the date and location of the conduct]**.

The **Region 14** Public Schools prohibits sex discrimination including sex-based harassment in its educational program and activities and follows its established grievance procedures for the investigation of and response to complaints of sex discrimination/sex-based harassment. When deemed appropriate, the district may offer informal resolution to resolve a complaint. Use of informal resolution requires the consent of the parties and consent may be withdrawn any time prior to a final determination of responsibility.

An individual alleged to be the subject of conduct that could constitute sex discrimination under Title IX, is referred to as a "complainant" and the person alleged to have violated the district's prohibition on sex discrimination is referred to as a "respondent."

Attached for your review is a copy of Region 14 Board of Education Policy 4000.1/4200.1/5145.44 Title IX, Prohibition Against Sex Discrimination and Sex-Based Harassment, and its regulation containing the district's grievance procedures in its entirety.

The Title IX grievance procedures contain information about how a complaint will be investigated and explain the rights of both the complainant and respondent. One right is the right to designate an advisor of your choosing to review and inspect evidence on your behalf prior to a final determination. An advisor may be, but is not limited to, a parent, a relative, an advocate or a lawyer, but need not be a lawyer. Additionally, the complainant and respondent are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or to receive an accurate description of the evidence collected through investigation of the complaint. If provided with a description of the evidence, the parties are entitled to an equal opportunity to access the evidence upon the request of any party.

Whether or not the respondent has violated the district's prohibition on sex discrimination will be determined at the conclusion of the district's grievance process. A respondent is presumed not responsible for the alleged conduct until proven otherwise. If sex discrimination is determined to have occurred, remedies will be provided. Supportive measures may be offered and modified as appropriate during the investigation of the complaint and may continue after the conclusion of this matter.

Retaliation is prohibited against any party, witness or other individual involved in the grievance process. The respondent(s) has/have also been provided with written notification of the complaint. If you are subjected to new or continued sex discrimination, are threatened by the respondent or others, or retaliated against by anyone for your involvement in this matter, contact the Title IX Coordinator so appropriate responsive action may be taken.

Efforts will be made to promptly resolve this complaint. Your cooperation, patience and understanding are appreciated as the timeline for resolution may vary depending upon the number of parties, allegations, complexity of the case and other factors.

Sincerely,

Dina Ericson
Title IX Coordinator

Enclosure: Board Policy 4000.1/4200.1/5145.44 Sexual Harassment/Title IX and Regulation with Grievance Procedures

4000.1
4200.1
5145.44
Form 4

CONFIDENTIALITY AGREEMENT

TITLE IX INVESTIGATION

I, [insert name] am a party (either a complainant or respondent) or advisor to a Title IX complaint and investigation. As a party or advisor, I may permissibly discuss allegations under investigation. I will be provided a description of or access to evidence collected for the purposes of the Title IX investigation that includes both exculpatory and inculpatory evidence and evidence that is not otherwise impermissible. Accordingly, some of the information I access or that is described to me may include "confidential information" about others.

I understand and agree that the information described to or accessed by me is for the sole purpose of the Title IX Grievance Process. I agree that I will not disclose confidential information disclosed to me about others (i.e., the complainant, respondent, witnesses, etc.) with anyone other than my legal representatives, including any advisor that I have authorized to act on my behalf. I am free to treat information that is solely about me in any manner I choose.

I may not copy, share, provide or otherwise disclose or disseminate confidential information about the opposing party to any individuals, organizations, groups or entities either in person, in writing, or by use of electronic technology or social media or in any other manner.

I acknowledge that in the event that I breach this agreement, in addition to any other remedies which are available, the school district would be entitled to injunctive relief in that there may not be an adequate remedy at law in the event of such a breach.

I agree by signing below not to further disclose the confidential information thereof. In so doing, I do not waive my First Amendment rights to discuss the allegations or to gather evidence.

_____
(Name of Student/Employee)

_____ _____
(Signature) (Date)

Received by: _____ _____
(Name/Signature) (Date)

4000.1
4200.1
5145.44
Form 5

REGION 14 PUBLIC SCHOOLS
NOTICE OF DISMISSAL
OF A COMPLAINT OF SEX DISCRIMINATION
AND APPEAL RIGHTS

[Date]

Dear _____:

On [insert date], a complaint of sex discrimination was initiated by [insert name of the complainant or the name of parent/guardian initiating the complaint on behalf of their child [insert name of child] or the Title IX Coordinator [insert name and title] against [insert name of the respondent if known].

You are hereby notified of the dismissal of the complaint for the following reason or reasons as checked below:

☐ The District is unable to identify the respondent after taking reasonable steps to do so

☐ The respondent is not participating in the District's education program or activity or employed by the District.

☐ The complainant voluntarily withdrew any or all allegation in the complaint, the Title IX Coordinator declines to initiate a complaint, and the District determines that, without the Complainant's withdrawn allegation, the conduct that remains alleged, if any, would not constitute sex discrimination under Title IX even if proven

☐ The District determined that conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Prior to dismissing the complaint for this reason, the District has made reasonable efforts to clarify the allegations with the Complainant.

Right to Appeal the Dismissal

The Complainant has the right to appeal the dismissal of the complaint based upon the following reasons only:

1. Procedural irregularity that would change the outcome
2. New evidence that would change the outcome and that was not reasonably available when the determination whether sex discrimination occurred, or dismissal was made
3. The Title IX personnel (Title IX Coordinator, investigator/decision maker, etc.) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome

A Complainant wishing to contest the dismissal for one or more of the above reasons may file an appeal by providing a written, signed and dated communication to the Superintendent of Schools. This communication must contain an explanation of the basis for the appeal and provide supporting documentation and/or argument to support the appeal. All appeals must be received by the Superintendent on or before [*insert the final date for bringing an appeal. Note: Check your District's regulation for the correct timeline*] or the right to appeal is waived. The other party shall be provided with an opportunity to respond with a statement challenging the appeal. The Superintendent or designee will serve as the Appeal Decision maker will issue a decision on the appeal.

The decision on appeal is final and is not further appealable. Refer to Town Board of Education Policy and Regulation 4000.1/4200.1/5145.44 Sexual Harassment/Title IX for complete appeal procedure.

The initiation of an appeal does not impact the provision of supportive measures to the parties.

Sincerely,

Dina Ericson
Director of Student Services/
Title IX Coordinator