



**PERSONNEL – CERTIFIED/NON-CERTIFIED
TITLE IX SEXUAL HARASSMENT (PERSONNEL)**

The District does not discriminate on the basis of sex in the education programs and activities that it operates. This requirement not to discriminate in the District’s education programs and activities extends to admission (as applicable) and employment. Sexual harassment is a form of sex discrimination and will not be tolerated. It is the policy of the Board of Education that any form of sexual harassment is forbidden whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers subject to the control of the Board. Employees are expected to adhere to a standard of conduct that is respectful and courteous to employees, to students, and to the public. An employee found to be a responsible party for sexual harassment in violation of Title IX may be subject to discipline up to and including termination of employment. A finding that an employee is not a responsible party for conduct that violates Title IX does not prevent discipline of the employee if the conduct violates another Board policy, personnel rule or code of conduct. Employee conduct that is not sexual harassment as defined under the Title IX regulations may still be found to be sexual harassment under Connecticut state law and/or Title VII of the Civil Rights Act as set forth in Board Policy 6170 (Sex Discrimination and Sexual Harassment – Personnel).

Definitions

Sexual Harassment under Title IX: conduct on the basis of sex that that occurred in an Education Program or Activity of the Board in which the Complainant is participating in and/or attempting to participate in and satisfies one or more of the following:

1. An employee of the Board conditioning the provision of an aid, benefit, or service of the Board on an individual’s participation in unwelcome sexual conduct.
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 program or activity, or
3. Sexual assault, dating violence, domestic violence, or stalking.

Actual Knowledge: notice of sexual harassment or allegations of sexual harassment to the District's Title IX coordinator or any employee of an elementary and/or secondary school. This standard is not met where the only District employee with actual knowledge is the respondent.

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Education Program or Activity: includes locations, events, or circumstances over which the District exercises substantial control over both the respondent and the context in which the sexual harassment is alleged to have occurred.

Formal Complaint: a document filed by a complainant or signed by the school or district Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation as set forth in 20 USC §1092(f)(6)(A)(v).

Dating Violence: means violence committed by a person (a) who has been in a social relationship of a romantic or intimate nature with the victim, and (b) where the existence of such relationship shall be determined based on consideration of the following factors (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship as set forth in 34 U.S.C. §12291(a)(10).

Domestic Violence: includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Connecticut, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction as set forth in 34 U.S.C. §12291(a)(8).

Stalking: means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress as set forth in 34 U.S.C. §12291(a)(30).

Supportive Measures: non-disciplinary, non-punitive individualized services offered, as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably

burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment.

Procedure

It is the express policy of the Board of Education to encourage victims of sexual harassment or those who have knowledge of sexual harassment to report such claims. Employees are encouraged to promptly report sexual harassment to the school-based Title IX coordinator, the district-wide Title IX coordinator, or the principal or his/her designee. Victims of sexual harassment may file a report of sexual harassment and receive supportive measures. Victims of sexual harassment who want a formal investigation into the sexual harassment must file a written complaint of sexual harassment and request a formal investigation. Formal complaints will be investigated promptly and corrective action will be taken when the respondent is found, after an investigation, to be the responsible party. Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited and may result in disciplinary action against the retaliator up to and including expulsion or termination as appropriate.

Any Board of Education employee with knowledge of sexual harassment shall immediately report the same to [the school-based or district-wide Title IX coordinator with a copy of the school principal].

Any individual may make a report of sex discrimination and/or sexual harassment directly to the Title IX Coordinator.

The Title IX Coordinator for the Torrington Board of Education is the:

Position: Human Resources Director
Address: 355 Migeon Ave., Torrington, CT 06790
Phone number: 860-489-2327 extension 1637
Email address: HR@torrington.org

Reports of sex discrimination and/or sexual harassment may also be made to the United States Department of Education, Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921. Telephone (617) 289-0111.

Legal Reference: 20 U.S.C. § 1681 Title IX of the Education Amendments of 1972
34 CFR Section 106 Regulations implementing Title IX
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Personnel Title IX Sexual Harassment

Sexual harassment is prohibited within the Torrington Public Schools. Examples of conduct that may be sexual harassment include, but are not limited to, the following:

1. Where submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions affecting the individual.
2. Where a person is subjected to unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a District education program or activity.
3. Where submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the District.
4. Suggestive or obscene letters, notes, invitations, slurs, jokes, epithets, or gestures, derogatory comments, assault, touching, impeding or blocking movement, leering, display of sexually suggestive objects, pictures or cartoons.
5. Continuing to express sexual interest after being informed that the interest is unwelcome.
6. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of students, including promises or threats regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services (e.g. scholarships, financial aid, work study job).
7. Inappropriate attention of a sexual nature from peer(s), i.e. student to student, employee to employee.
8. Sexual assault, dating violence, domestic violence or stalking.

How to Report Sexual Harassment

Any person may report sexual harassment, whether or not the person reporting is a person who is alleged to be the victim of conduct that could constitute sexual harassment. Such report may be made in person, by mail, by telephone or by electronic mail to a school-based or the district-wide Title IX coordinator, the school principal or their designee. Such reports may be made anonymously.

Individuals who believe that they have been sexually harassed at a District education program or activity, or those who have knowledge of sexual harassment occurring at or during a District education program or activity should report the same to the school-based Title IX coordinator for the school at which the harassment is alleged to have occurred, the District-wide Title IX coordinator, the school principal or their designee. School employees who receive reports of sexual harassment should immediately send the report to the school-based or district-wide Title IX coordinator with a copy to the school principal.

Upon receipt of a report of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the wishes of the complainant with regard to supportive measures, inform the complainant of the availability of supportive measures whether or not the complainant files a formal complaint, and explain to the complainant the process for filing a formal complaint.

Supportive measures may include, but are not limited to:

1. Separating the parties as much as possible during the school day.
2. Provision of support through the District's Employee Assistance Program.
3. Increased monitoring, supervision or security in locations or activities where the alleged misconduct occurred; and
4. Other similar measures.

Supportive measures provided must be kept confidential unless disclosure is necessary for the supportive measure's effectiveness.

The Title IX Coordinator must document that they have taken measures designed to restore or preserve equal access to the District's education program or activity and such documentation should address why the response was not deliberately indifferent. The Title IX Coordinator must document all supportive measures offered to and/or provided to the complainant. If the Title IX Coordinator does not provide supportive measures to a complainant, the Title IX Coordinator must document why such a response was not clearly unreasonable in light of the known circumstances.

A report of sexual harassment or sex discrimination is not a request for a formal Title IX complaint investigation. A complainant who wants a formal complaint investigation must file a formal written complaint with the District-wide Title IX Coordinator as outlined in the formal complaint procedure below.

Formal Complaint Procedure

The formal complaint procedure is designed to provide for the prompt and equitable resolution of complaints alleging any action that would be prohibited by Title IX and its implementing regulations. The complaint procedure applies only to claims of sex discrimination occurring in the District's education programs or activities. The formal complaint procedure is only initiated if the complainant or the complainant's parent/guardian signs a formal complaint or the school or district Title IX Coordinator signs a formal complaint alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The Title IX Coordinator, investigator, decision-maker and any person designated to facilitate an informal resolution process will recuse themselves if they have a conflict of interest or a bias for or against complainants or respondents generally or to an individual complainant or respondent.

There is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process. “Responsible for the alleged conduct” is determined by the preponderance of the evidence standard whereby the respondent is responsible for the conduct if there is more than a 50% chance that they engaged in the alleged conduct.

The complaint process will be completed within a reasonable time frame. Although each complaint is different, a reasonable time frame generally means that the complaint process will be completed within sixty (60) days of when the formal complaint is filed. Time frames may be extended for good cause. Both the complainant and respondent should be informed in writing of any extension of the time frame and the reason for the extension. Good cause may include, but is not limited to, the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity or Department of Child and Family investigation; or the need for language assistance or accommodation of disabilities.

If a respondent is found to be responsible for the alleged conduct and the alleged conduct is found to be a violation to Title IX, the respondent may be subject to discipline up to and including termination of employment. If the respondent is found to be responsible for the alleged conduct and it is determined that the conduct does not violate Title IX as set forth in the regulations implementing Title IX but the conduct violates another Board policy, rule or code of conduct, and/or federal, state or local law, the respondent also may be subject to discipline up to and including termination from employment.

1. A written formal complaint should include:
 - a. The name of the complainant,
 - b. The date of the complaint,
 - c. The date of the alleged harassment,
 - d. The name or names of the harasser or harassers (if known),
 - e. Identification of the location where such harassment occurred,
 - f. A detailed statement of the circumstances constituting the alleged harassment.
2. Upon receipt of a formal complaint, the Title IX Coordinator must provide the following written notice to the parties who are known:
 - a. Notice of the District’s complaint process including any informal resolution processes that are available.
 - b. Notice of the allegations of sexual harassment including sufficient details known at the time including the identifies of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment in violation of Title IX, and the date and location of the alleged incident (if known).

- c. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the complaint process.
 - d. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
 - e. A statement that each party will have the opportunity to inspect and review evidence provided.
 - f. A statement that parties who knowingly make false statements or knowingly submit false information during the complaint process may be disciplined.
3. If, during the course of the investigation, the investigator decides to investigate allegations not included in the original notice, the investigator will provide notice of the additional allegations to the parties whose identities are known.
 4. Risk Assessment: Upon receipt of a formal Title IX written complaint, the school or district Title IX Coordinator and/or designee will undertake an individualized safety and risk analysis. If the Title IX Coordinator and/or their designee determines that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment that justifies removal of the respondent from the school setting, the Title IX Coordinator and/or their designee, in conjunction with the Director of Human Resources, will immediately remove the respondent from the school setting. If the respondent is a student, any decision to suspend or expel the student will follow the District's normal suspension/expulsion process. If the respondent is an employee, the District will follow its normal exclusionary proceedings for employees, including but not limited to placement on administrative leave.
 5. The Title IX Coordinator will evaluate whether a report must be made to the Connecticut Department of Children and Families.
 6. The District may consolidate two or more formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances.
 7. Mandatory Dismissal of Formal Complaint: If, during the course of the investigation, it is determined that the respondent's conduct, even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, pursuant to the Title IX Regulations, the District is required to dismiss the formal complaint with regard to that conduct. Such dismissal must be approved by the Superintendent and/or designee or the Director of Human Resources. Such a dismissal does not preclude discipline under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policy 6170 (Sex Discrimination and Sexual Harassment – Personnel).
 7. Permissive Dismissal of Formal Complaint: The District may dismiss the formal complaint or specific allegations therein, if (a) any time during the investigation or decision-making process, the complainant notifies the Districtwide Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, (b) the respondent is no

longer enrolled or employed by the District, or (c) specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Such dismissal must be approved by the Superintendent and/or designee or the Director of Human Resources. Such a dismissal does not preclude discipline under another provision of the District's Code of Conduct or another District policy including but not limited to Board Policy 6170 (Sex Discrimination and Sexual Harassment – Personnel).

8. Upon mandatory or permissive dismissal, the District must promptly send simultaneous written notice of the dismissal to all parties.
9. The exercise of rights protected under the First Amendment does not constitute sexual harassment under Title IX.

Formal Investigation Process:

1. The investigator must be free from bias and conflicts of interest and trained to serve impartially.
2. The investigator must ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District, not the parties.
3. The investigator and decision makers cannot access, consider, disclose or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment of the party, unless the investigator or decision maker obtains that party's parent's/guardian's voluntary, written consent to do so (or the written consent of the party if the party is over the age of eighteen).
4. The investigator will provide an equal opportunity for all parties to present witnesses, including fact and expert witnesses, and other evidence.
5. No party will be prohibited from discussing the allegations under investigation or gathering and presenting relevant evidence.
6. Each party may be accompanied to any meeting or proceeding by an advisor of their choosing. The advisor, however, is merely there to provide advice to the party and may not actively participate in the meeting or proceeding. The advisor will not be allowed to ask or answer questions during the meeting or proceeding.
7. Each party will be given written notice of the date, time, location, participants and purpose of all hearings, investigative interview or other meetings to which the party is invited, at least two days in advance in order to provide the party sufficient time to prepare to participate.
8. To the extent the documents and information are not protected from disclosure by the Family Educational Rights and Privacy Act (FERPA), the Americans with Disabilities Act, the Individuals with Disabilities in Education Act or any other federal law, both parties will be

given an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

9. Prior to completing the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be given a minimum of ten (10) calendar days to submit a written response to that information. The investigator must consider any written response prior to completing the investigative report.
10. After completing the investigation, the investigator must create an investigative report that fairly summarizes the relevant evidence and, at least ten (10) days before the decision maker makes a determination of responsibility, send a copy of the investigation report to each party and the party's advisor, if any, in an electronic format or hard copy, for their review and written response.
11. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
12. The investigative report must include the following:
 - a. The identity of the parties.
 - b. The conduct potentially constituting sexual harassment.
 - c. A list of the evidence reviewed; and
 - d. Findings of fact.

The Formal Decision-Making Process

1. The Decision-maker cannot be the same person as the Title IX Coordinator or the investigator.
2. Before making a decision, the decision-maker must give each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness. After posing the relevant questions to the party or witness, the decision-maker must provide each party with the answers and allow for additional, limited follow-up questions from each party.
3. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's sexual behavior with respect to the respondent and are offered to prove consent.

4. The Decision-maker may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privileged has waived the privilege.
5. If the Decision-maker chooses to exclude any requested questions, the decision-maker should explain to the party proposing the questions the decision to exclude a question as not relevant. To the extent that explanation is given verbally, the Decision-maker should document the decision in writing.
6. The Decision-maker must make a determination regarding whether the respondent is responsible for sexual harassment in violation of Title IX. To reach the determination, the Decision-maker must use the preponderance of the evidence standard. This standard is met if there is more than a fifty percent (50%) chance that the respondent is responsible for sexual harassment in violation of Title IX.
7. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
8. The Decision-maker must issue a written determination that includes:
 - a. Identification of the allegations potentially constituting sexual harassment.
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence and hearings held.
 - c. Findings of fact supporting the determination.
 - d. Conclusions regarding the application of the District's code of conduct to the facts.
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility. The formal report also must include any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant. To the extent that the District does not have permission from the relevant party to reveal the discipline, remedies provided, or other information protected by FERPA, the IDEA, the ADA or other federal law, such portion of the report must be redacted before providing it to the other party.
 - f. The District's appeal procedures and permissible bases for the complainant and respondent to appeal the decision.
9. The written decision must be provided to both parties simultaneously.
10. The decision is not considered final until after the date the District provides a written determination of any appeal or the deadline for appeal passes.

11. To the extent that the Decision-maker determines that the conduct in question meets the District's criteria for expulsion, the provisions of C.G.S. §10-233d and Board policy must be followed prior to the institution of an expulsion.
12. The Title IX coordinator is responsible for effective implementation of any remedies.
13. Conduct that is not found to rise to the level of a Title IX violation may still constitute prohibited discrimination on the basis of sex or another protected category as defined in federal, state or local law, Board policy or the school's code of conduct. A finding of no responsibility under Title IX does not prohibit the District from investigating and determining that the respondent's conduct violated another provision of Board policy and/or code of conduct including but not limited to Board Policy 6170 (Sex Discrimination and Sexual Harassment – Personnel).

The Formal Appeal Process

Both parties have a right to appeal the determination of responsibility and/or the District's decision to dismiss the formal complaint or any allegations thereon. Appeals are only available on the following bases:

1. Procedural irregularities that affected the outcome of the matter.
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, and that could affect the outcome of the matter; and/or
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The appeal Decision-maker will not be the same individual as the original Decision-maker, the investigator and/or the Title IX Coordinator.

If an appeal is received, the appeal Decision-maker will notify the other party in writing.

Before issuing his/her decision, the Decision-maker must give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Decision-maker must provide his/her/their written decision simultaneously to both parties. The written decision must describe the results of the appeal and the rationale for the result.

Informal Resolution Process

After a formal complaint has been filed, the parties may voluntarily agree to participate in the

District's informal resolution process. The parties may not be required to participate in the informal resolution process as a condition of continued enrollment or employment or the enjoyment of any right to an investigation and/or adjudication of the formal complaint of sexual harassment.

Prior to participating in any informal resolution process, the parties will be provided with written notice disclosing the following:

1. The allegations.
2. The circumstances under which the informal resolution process would preclude the parties from resuming a formal complaint arising from the same allegations.
3. The right of any party to withdraw from the informal resolution process at any time prior to the parties agreeing to a resolution and to require the resumption of the formal complaint process after such withdrawal; and
4. The consequences resulting from participating in the informal resolution process, including whether records will be maintained or could be shared.

Each party must give written consent to engage in the informal resolution process. Such consent may be withdrawn at any time.

The informal resolution process may not be used to resolve allegations that an employee sexually harassed a student.

The District provides the following types of informal resolution processes:

1. Mediation,
2. An agreement to truncate the steps of the complaint procedure where the parties agree to some or all of the facts,

Recordkeeping

The District must maintain the following records for a minimum of seven years from the end of the complaint process:

1. The records of each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and the result therefrom.
3. Any informal resolution and the result therefrom; and
4. Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

The District must maintain for a minimum of seven years all materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District will make such training materials publicly available on its website.

Prohibition on Retaliation

Retaliation against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding a claimed Title IX violation is prohibited. Retaliation shall include intimidation, threats, coercion or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment if the purpose is to interfere with any right or privilege secured by Title IX.

Complaints of retaliation must be filed through the formal complaint process.

The exercise of rights protected under the First Amendment does not constitute prohibited retaliation.

Confidentiality

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by FERPA or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing or other proceedings arising thereunder.

Materially False Statements

A complainant, respondent or witness who is found to have made a materially false statement in bad faith during the complaint process shall be subject to discipline up to and including expulsion from school. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a complaint proceeding does not constitute retaliation. A determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Title IX Coordinator

The Title IX Coordinator for the Torrington Board of Education is the:

Position: Director of Human Resources

Address: 355 Migeon Ave., Torrington, CT 06790

Phone number: 860-489-2327 extension 1637

Email address: HR@torrington.org

Publication

A copy of this regulation must be provided to all students, parents or legal guardians of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the District and shall be made available on the District's website.

Training

All Title IX coordinators, investigators, decision-makers and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment in 34 C.F.R. §106.30, the scope of the District's education program or activity, how to conduct an investigation and complaint process including hearings, appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Decision-makers will receive training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behaviors are not relevant. Investigators will receive training on issues of relevance to create an investigation report that fairly summarizes relevant evidence.

Legal Reference: 20 U.S.C. § 1681 Title IX of the Education Amendments of 1972
 34 CFR Section 106 Regulations implementing Title IX
 Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Policy 4080A – Adopted and Approved by the Torrington Board of Education on November 18, 2020.

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