Title IX

The Bethany Board of Education (Board) prohibits sex discrimination or sexual harassment in the Bethany Public School District's (District) education programs or activities.

Definitions

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

Sexual harassment for purposes of this Title IX regulation includes any of the three (3) types of misconduct on the basis of sex, gender identity, or sexual orientation all of which jeopardize the equal access to education that Title IX is designed to protect:

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

Sexual harassment may take the form of student-on-student, employee-on-student, employee-on-employee, student-on-employee, or may be perpetrated against students or employees by third parties under the control of the District.

Examples of sexual harassment may include, but are not limited to:

- Pressure for sexual activity.
- Repeated remarks with sexual or sexually demeaning implications.
- Unwelcome or inappropriate touching.
- Sexual assault.
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning a student's grades or academic standing or an employee's employment status.
- Telling lewd jokes or sharing stories about sexual experiences – even if not directed at you but done in your presence to cause you discomfort.
- Sending unwanted suggestive or lewd emails, letters, or other communications or sharing images of a sexual nature around the workplace or displaying posters, items, or screensavers of a sexual nature.
- Repeatedly asking for dates despite being rebuffed.
- Making sexually offensive gestures or facial expressions.
- Dating violence or stalking.

Program or activity includes those locations, events, or circumstances over which the District exercises substantial control over both the alleged harasser (respondent) and the context in which the sexual harassment occurred. In addition to occurring on school grounds, sex discrimination or sexual harassment may potentially occur off-campus, in places or situations where athletic or extracurricular activities occur, on field trips, on the school bus, at school-related conferences, or through use of school technology.

Actual knowledge means notice of sexual harassment or an allegation of sexual harassment brought to the attention of the District's Title IX Coordinator or any employee of the District.

Deliberately indifferent means a response to a Title IX sexual harassment report that is not clearly unreasonable in light of the known circumstances.

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

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

Formal complaint is the document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment (as defined under Title IX) against a respondent and requesting that the District investigate the allegation of sexual harassment.

Document filed by a complainant is a document or electronic submission that contains the complainant's physical or digital signature or otherwise indicates that the complainant is the person filing the formal complaint.

Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. These measures are without charge to a complainant or a respondent and may be offered before or after the filing of a formal complaint or when no complaint has been filed.

Title IX Coordinator

The Superintendent designates and authorizes the BOE Executive Assistant/Human Resources Coordinator, to be the District's Title IX Coordinator. This individual shall be given the title of and be referred to as the Title IX Coordinator and is responsible for ensuring compliance across the District with Title IX, corresponding state law, and applicable Board policy concerning sex discrimination or sexual harassment.

Applications for admission and employment, students, parents, or legal guardians of students, employees, and all unions shall be notified of the name or title, office address, electronic email address, and telephone number of the Title IX Coordinator.

The Title IX Coordinator's contact information shall be posted on the District's website and included in student and employee handbooks and published in other locations as deemed appropriate.

Reporting Procedures

Informal Reports

Any person, including, but not limited to, students, their parents or guardians, employees, bystanders, or third parties (whether or not the person is the alleged victim), may report sex discrimination or sexual harassment including sexual assault occurring in the District's education program or activities. Reporting may occur in person, by mail, by telephone, or by electronic mail, using the contact information provided for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Reports may be made at any time including during non-business hours. Reports may be made anonymously. When a reporter fails to identify him/herself as the reporter, the District's response may be limited.

Formal Complaints

A formal complaint is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that an investigation commence. In an instance where the Title IX Coordinator signs the complaint, the Title IX Coordinator is not a party to the complaint nor is such action taken on behalf of the complainant. While third parties may make informal reports of sexual harassment occurring in the District's education program or activities, a formal complaint may only be made by a complainant or be signed by the Title IX Coordinator, triggering an investigation.

While there is no time limit for making an informal report or filing a formal complaint of sexual harassment, reporters/complainants are encouraged to promptly report incidents of sexual harassment to avoid the potential loss of evidence, a lapse in the memories of parties or witnesses, or the unavailability of personnel key to an investigation. The District understands that a victim may decide not to report sexual harassment, to file a formal complaint, and/or may decide to wait to come forward with a report/formal complaint for a variety of reasons. The District respects complainants' decisions. However, the Title IX Coordinator has discretion to sign a formal complaint that initiates the grievance process where necessary to avoid deliberate indifference to sexual harassment without a formal complaint from the complainant.

Forms for making both informal reports and formal complaints are available on the District's website and from the Title IX Coordinator.

Supportive measures will be offered to a complainant with or without a formal complaint.

Response Including Supportive Measures

Any school employee with actual knowledge of sex discrimination or sexual harassment shall promptly inform the District's Title IX Coordinator. The failure to do so may be grounds for disciplinary action.

Upon actual knowledge of sex discrimination or sexual harassment, the Title IX Coordinator will promptly contact the complainant to advise and discuss with the complainant:

1. the availability of supportive measures with or without the filing of a formal complaint and consider the complainant's wishes with respect to supportive measures,
2. the right to file a formal complaint,
3. how to file a formal complaint, and
4. provide a copy of the Board's policy and these regulations containing its grievance procedure.

With or without filing a formal complaint, a complainant, as well as a respondent, shall be offered free of charge, non-disciplinary, non-punitive individualized supportive measures which may include but not be limited to counseling, course adjustments, modification of work, modification of class schedules, escort services, increased security/monitoring of certain areas, mutual restrictions on contact between the parties. Supportive measures are designed to restore or preserve equal access to the education program or activity, protect the safety of all parties and the educational environment, and deter sexual harassment, without unreasonably burdening the other party.

Supportive measures may be modified at any time as appropriate based upon changed or evolving circumstances and may be offered before or after the filing of a formal complaint or where no complaint has been filed at all. Supportive measures may also be part of any ultimate remedy.

No disciplinary action or other punitive measures for sexual harassment shall be taken against a respondent without first following the grievance procedure set out herein and a determination of responsibility has been made. If the respondent has engaged in conduct other than sexual harassment in violation of a code of conduct or similar restriction, the respondent may be disciplined for such action(s) notwithstanding an ongoing investigation.

Emergency Removal/Administrative Leave

With or without the filing of a formal complaint, emergency removal of a respondent from the education program or activity is permissible provided that the District conducts an individualized safety and risk analysis and determines that emergency removal is necessary in order to protect a student or other individual from an immediate threat to physical health or safety, and provides notice and an opportunity to challenge the decision. This does not modify any rights under the Individuals with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

An employee respondent may be placed on administrative leave during the pendency of a grievance process.

Dismissal of Complaints

Mandatory Dismissal
A complaint of sexual harassment must be dismissed if:

1. it fails to allege conduct that constitutes sexual harassment, even if proved,
2. the alleged conduct did not occur in a District program or activity, or
3. the alleged conduct did not occur against a person in the United States.

Permissive Dismissal
A complaint of sexual harassment may be dismissed if:

1. the complainant notifies the Title IX Coordinator that he/she wishes to withdraw the complaint or an allegation,
2. the respondent's enrollment or employment ends, or
3. specific circumstances exist that prevent the District from gathering enough evidence to reach a determination; i.e., significant passage of time between the formal complaint and the alleged conduct, failure of a complainant to cooperate with the grievance process.

The complainant and the respondent will promptly and simultaneously be provided written notice of the dismissal of a complaint or allegation including the reasons for the mandatory or discretionary dismissal and an explanation of appeal rights.

Grievance Procedures (to be used for formal complaints only)

Grievance procedures consistent with the regulations under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time, and the principles of due process, the Board adopts the following Grievance Procedures responsive to formal complaints.

1. **Notice**
   Written notice of the complaint shall be provided to the respondent prior to an initial interview with the respondent.

   Written notice provided to the respondent shall include:

   - notice of the Grievance Procedure, including any informal resolution process,
   - notice of the allegations in sufficient detail to allow the respondent to prepare a response, a statement that the respondent is presumed innocent and responsibility will be determined at the conclusion of the Grievance Procedure,
   - notice of the right to have an advisor to inspect/review evidence, and
   - notice of any provision in applicable codes of conduct that prohibit knowingly making false statements or providing false information in the grievance process.

   Likewise, the complainant shall be provided written notice of a formal complaint.

   Additional written notice shall be provided to the parties in the event of additional or revised allegations of sexual harassment.

2. **Investigation**
   The District will promptly investigate all formal complaints of sexual harassment in accordance with these grievance procedures. The Investigator, Director of Special Services, Curriculum, and Instruction, will investigate formal complaints and such personnel shall be trained in accordance with this regulation. The person designated as the Investigator may not be the same person as the Decision Maker.

   The respondent shall be entitled to a presumption of innocence until the investigation is complete. Both parties are to be treated fairly throughout the investigation and shall be entitled to an unbiased investigator who has not prejudged the matter being investigated.

   The burden of proof shall be by a preponderance of evidence. Both parties shall be provided with an equal opportunity to present facts and witnesses and other inculpatory or exculpatory evidence.

   Each party shall have the opportunity to select an advisor of the parties' choice.

   The school shall send written notice to both the complainant and respondent of any investigative interviews, meetings, or hearing.

The complaint and respondent and their advisor, if applicable, shall be provided evidence directly related to the allegations (electronic or hard copy) with at least ten (10) days to inspect, review, and respond to the evidence. Such evidence shall not be further disseminated by the parties. The parties and advocates shall not further disseminate such evidence and may be required to execute a non-disclosure agreement.

The complainant and respondent shall not be prohibited from discussing the allegations or gather evidence; i.e., no gag orders. All parties' First Amendment rights shall be honored.

Confidential information such as medical or psychological reports cannot be used as part of the investigation without written voluntary consent of the party.

Evidence of the complainant's prior sexual activity is not relevant and may not be introduced except to prove that someone other than the respondent committed the alleged misconduct or is offered to prove consent.

Supportive measures shall be offered to the complainant or respondent pending a final resolution after consultation with them.

3. **Investigative Report**
   At the conclusion of the investigation, the investigator conducting the investigation shall prepare a report summarizing the evidence, shall provide a copy to the complainant and respondent, and give the parties ten (10) days to respond. Each party shall be provided an opportunity to submit written, relevant questions that a party wants to be asked of the other party, or a witness, and provide each party with the answers to each such question.

4. **Decision Maker (may not be the same person as the Title IX Coordinator or the Investigator)**
   The Decision Maker, School Principal, must review the evidence applying the preponderance of the evidence standard and issue a written determination regarding responsibility with findings of fact, conclusions as to whether the conduct alleged occurred, the rationale for the result as to each allegation, and any discipline imposed on the respondent, and any other remedies to be provided to the complainant to restore or preserve equal access to the District's education program or activity.

   The written determination will be sent simultaneously to the parties along with an explanation of how to file an appeal.

Remedies

Remedies will be provided to a complainant when a respondent is found responsible. Remedies shall be designed to maintain the complainant's equal access to education.

The range of remedies in the case a violation is found can range from counseling to serious discipline, up to and including expulsion/termination.

The range of remedies depends on the circumstances but may include previously provided supportive measures, grade changes, the opportunity to retake a test or resubmit an assignment, reassignment of class, school-based counseling, and reinstatement to a team or activity as well as other appropriate measures.

The Title IX Coordinator shall oversee the effectiveness of the remedies toward ensuring that continued discrimination or harassment occurs.

Appeal

An appeal of the determination may be filed by either party with the Superintendent for one of the following reasons:

1. procedural irregularities,
2. newly discovered evidence that could affect the outcome,
3. the Title IX personnel (Coordinator, Investigator, Decision Maker) had a conflict of interest or vias that altered the outcome, or
4. additional reasons identified by the District and offered equally to both parties.

Retaliation

Retaliation against any party, witness, or other participants to an investigation is prohibited. Any claim of such may be filed in accordance with the Grievance Procedure. Discipline for filing or making a false statement shall not constitute retaliation absent evidence of such motivation.

Informal Resolution

At any point in the formal complaint process, the Title IX Coordinator, in their discretion, may offer to facilitate an informal resolution option such as mediation or restorative justice. The staff member appointed to conduct the informal resolution shall be unbiased and receive appropriate training.

Both parties must give voluntary, informed written consent.

Either party has a right to withdraw consent at any time, in which case the formal investigation shall proceed.

The informal resolution process shall not be available if the complainant/victim is a student and the respondent is an employee.

Informal resolution may encompass a broad range of conflict resolution strategies, including, but not limited to arbitration, mediation, or restorative justice.

Confidentiality

The identities of the complainants, respondents, and witnesses, except as provided herein or as required by law, including the Family Educational Rights and Privacy Act, shall not be disclosed.

Record Keeping

The District must keep records related to reports of alleged sex discrimination or sexual harassment for a minimum of seven (7) years, including investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken, including supportive measures. Additionally, Districts must also keep for a minimum of seven (7) years any materials used to train the Title IX Coordinator, Investigator, Decision Maker, and any employee designed to facilitate an informal process.

Alternate Complaint Procedures

In addition or as an alternative to the filing of a sex discrimination or sexual harassment complaint through the District's grievance procedure, a person may choose to file a complaint with the Office for Civil Rights of the United States Department of Education, any other state or federal agency designated to receive such complaints and/or to report an incident of sexual harassment to law enforcement.

Statement of Protected Rights

Application of the Title IX policy and this regulation which includes the grievance process shall not be interpreted to restrict the rights protected under the U.S. Constitution, including the right to free speech, to be free from self-incrimination, and to due process of the law.

Mandated Reporters

Nothing in the Board's sexual harassment policy or this regulation shall interfere with or alter a mandated reporter's responsibility to report child abuse or neglect or sexual assault to the Department of Children and Families or the police as may be required by law.

Training

Training shall be provided to the Title IX personnel, including, but not limited to, Title IX Coordinator, Investigator, Decision Maker and any employee designed to facilitate an informal process in accordance with the regulation under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time.

Training shall include, but not be limited to, explanation or instruction regarding:

- the definition of sexual harassment,
- grievance procedures,
- how to conduct an investigation,
- how to prepare an investigative report,
- training on any technology that might be needed to carry out responsibility for investigation or decision making (e.g., recording device for live hearing), and
- issues of relevance including how to apply rape shield protections for complainants and application of legally recognized privilege.

Additional training may be provided to all school employees as deemed advisable.

A record shall be kept reflecting the names of all employees who receive training along with the date and nature of the training.

Materials used to train personnel shall be posted to the District's website and maintained as required under the regulations under Title IX as promulgated by the U.S. Department of Education, as it may be amended from time to time.

Legal References: 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).

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 § 106.8(b), OCR Guidelines for Title IX.

Legal References:

Federal Register, Volume 62, #49, 29 CFR § 1606.8 (a) 62, Federal Register, 12033, and 66 Federal Register 5512

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)

Gebser 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.)

Connecticut General Statutes § 46a-60

Connecticut Agencies Regulations § 46a-54-200 through §46a-54-207

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

Public Act 19-16

Regulation approved: August 12, 2020
Regulation revised: October 1, 2021
Regulation revised: April 2, 2026

Source: CABE

NOTICE A **Regulation 5145.44(j)**

MODEL NOTICE TO BE PROVIDED TO A COMPLAINANT/ALLEGED VICTIM OF SEXUAL HARASSMENT UPON THE FILING/SIGNING OF A FORMAL COMPLAINT

[Date]

Dear [Student or Employee],

Please be advised that a formal sexual harassment complaint has been filed identifying you as a victim of sexual harassment in a District education program or activity. Specifically, it is alleged that **[insert description to provide sufficient detail. Where known, include the name of parties, the conduct alleged to be sexual harassment, the date, and location of the conduct]**.

In accordance with Title IX, Board Policy, and Administrative Regulation, sexual harassment is prohibited in the education programs and activities of the Bethany Public School District. The Bethany Public School District follows its established grievance procedures for the investigation of and response to complaints of sex discrimination/sexual harassment.

Attached for your review is a copy of Board Policy 5145.44 and its administrative regulation containing the District's Grievance Procedures.

As someone alleged to be the victim of sexual harassment, you are referred to as a "complainant" and the person alleged to have perpetrated the conduct that could constitute sexual harassment is referred to as a "respondent."

The grievance procedures contain information about how the 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 or guardian, a relative, an advocate, or a lawyer, but need not be a lawyer. Whether or not the respondent has engaged in sexual harassment will be determined at the conclusion of the District grievance process. A respondent is presumed innocent (not responsible for the conduct) until proven otherwise. If sexual harassment is determined to have occurred, remedies will be provided. Retaliation for filing a complaint or participation in the grievance process is prohibited.

The respondent(s) has/have also been provided with written notification of the complaint. If you are subjected to new or continued sexual harassment, are physically threatened by the respondent, or retaliated against by anyone of your involvement in this complaint, contact the Title IX Coordinator so appropriate responsive action may be taken.

Be advised that anyone who knowingly makes false statements or provides false information in the grievance process may be subject to disciplinary action in accordance with Board Policies and Administrative Regulations.

Your cooperation is appreciated while this matter is investigated.

Sincerely,

Title IX Coordinator

Enclosures [Policy and Regulation]
cc: Investigator

NOTICE B **Regulation 5145.44(k)**

MODEL NOTICE TO BE PROVIDED TO A RESPONDENT/INDIVIDUAL ALLEGED TO HAVE COMMITTED SEXUAL HARASSMENT UPON THE FILING/SIGNING OF A FORMAL COMPLAINT

[Date]

Dear [Student or Employee],

Please be advised that a formal sexual harassment complaint has been filed naming you as a perpetrator of sexual harassment in a District education program or activity. Specifically, it is alleged that **[insert description to provide sufficient detail. Where known, include the name of parties, the conduct alleged to be sexual harassment, the date, and location of the conduct]**.

In accordance with Title IX, Board Policy, and Administrative Regulation, sexual harassment is prohibited in the education programs and activities of the Bethany Public School District. The Bethany Public School District responds promptly and thoroughly to all formal complaints of sexual harassment following its established grievance procedures for the investigation of and response to complaints of sex discrimination/sexual harassment.

The persona alleged to be the victim of sexual harassment is referred to as a "complainant." As someone accused of sexual harassment, you are referred to as a "respondent." A respondent is presumed innocent (not responsible for the conduct). Whether you have engaged in sexual harassment will be determined at the conclusion of the grievance process.

Attached for your review is a copy of Board Policy 5145.44 and its administrative regulation containing the District's Grievance Procedures.

The grievance procedures contain information about how the complaint will be investigated and explain your rights and that of the complainant including 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 or guardian, a relative, an advocate, or a lawyer, but need not be a lawyer.

You have been provided with this notice and attached information so you may respond thoughtfully when interviewed. A school official designated as the District's official investigator in this matter will contact you to schedule an initial interview. The purpose of the initial interview is to explain the grievance process, discuss the allegations, and provide you with an opportunity to ask questions, share information, and respond to the allegations. Interviews are part of the investigation process and are essential to the fact-finding process required prior to the issuance of a final determination.

Be advised that anyone who knowingly makes false statements or provides false information in the grievance process may be subject to disciplinary action in accordance with Board Policies and Administrative Regulations.

Your cooperation is appreciated while this matter is investigated.

Sincerely,

Title IX Coordinator

Enclosures [Policy and Regulation]
cc: Investigator

FORM A **Regulation 5145.44(l)**

INFORMAL REPORT OF SEXUAL HARASSMENT

This form may be used by any individual who wishes to make a report of sexual harassment occurring in the District's education program and activities. Anonymous reports are permitted but may limit the District's ability to respond. A complainant (student or employee believing he/she is a victim of sexual harassment may choose to file an informal report using this form or to file a formal complaint triggering a full investigation by completing District Form B. With or without a formal complaint, supportive measures will be offered to both a complainant and respondent (alleged perpetrator).

Return this form to the District Title IX Coordinator, Brandy Spargo, BOE Executive Assistant/Human Resources Coordinator, Bethany Board of Education, 44 Peck Road, Bethany, CT, 06524, bspargo@bethany-ed.org, (203) 393-1170.

REPORTER'S INFORMATION

Name: _____

Home Address: _____

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

Email Address _____

Preferred Method of Contact: _____

INCIDENT INFORMATION

Date of alleged incident(s): _____

Alleged victim's name (if not the reporter): _____

Name of person(s) you believe engaged in sexual harassment: _____

_____

List any witnesses that were present/have knowledge: _____

_____

Where did the incident(s) occur? _____

FORM A **Regulation 5145.44(m)**

Describe the incident(s) as clearly as possible, including such things as what force, if any, was used, any specific verbal statements (i.e., threats, requests, demands, etc.), what, if any, physical contact was involved, what did you do to avoid the situation, etc. Attach additional pages if necessary.

I hereby certify that the information I have provided in this report is true, correct, and complete to the best of my knowledge and belief.

Reporter's Signature Date

All reports of sexual harassment will be responded to in accordance with Board Policy 5145.44 and Administrative Regulation 5145.44.

Received By Date

FORM B **Regulation 5145.44(n)**

FORMAL REPORT OF SEXUAL HARASSMENT

This form may be used by any student or employee of the District who believes they are a victim of sexual harassment occurring in the District's education program and activities and wishes to file a formal complaint. The filing/signing of this form will trigger a full investigation. With or without a formal complaint, supportive measures will be offered to both a complainant (alleged victim) and respondent (alleged perpetrator).

To initiate this complaint, return this form to the District Title IX Coordinator, Brandy Spargo, BOE Executive Assistant/Human Resources Coordinator, Bethany Board of Education, 44 Peck Road, Bethany, CT, 06524, bspargo@bethany-ed.org, (203) 393-1170.

COMPLAINANT'S INFORMATION

Name: _____

Home Address: _____

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

Email Address _____

Grade (if student): _____

Current job title (if employee): _____

Preferred Method of Contact: _____

INCIDENT INFORMATION

Date of alleged incident(s): _____

Name of person(s) you believe engaged in sexual harassment: _____

_____

List any witnesses that were present/have knowledge: _____

_____

Where did the incident(s) occur? _____

FORM B **Regulation 5145.44(o)**

Describe the incident(s) as clearly as possible, including such things as what force, if any, was used, any specific verbal statements (i.e., threats, requests, demands, etc.), what, if any, physical contact was involved, what did you do to avoid 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 that a full investigation occurs in accordance with Board Policy 5145.44 and Administrative Regulation 5145.44 containing grievance procedures designed to address formal complaints of sexual harassment.

Reporter's Signature Date

Received By Date

BETHANY PUBLIC SCHOOL DISTRICT
Bethany, Connecticut

FORM C **Regulation 5145.44(p)**

NON-DISCLOSURE AGREEMENT
TITLE IX INVESTIGATION

I, _____, am a party (either a complainant or respondent) to a Title IX complaint and investigation. As a party, I may permissibly discuss allegations under investigation, may review evidence, both exculpatory or inculpatory, and will be provided an investigative report issued by the officer assigned to investigate (confidential information).

I understand and agree to use the materials provided for my inspection and review solely for the purpose of the Title IX Grievance Process. I may share them with a designated advisor if I choose to have an advisor. Any further dissemination or disclosure by me or my advisor of these confidential materials along with the content therein is prohibited. I am free to treat information that is solely about me in any manner I so choose including sharing with others.

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. At the conclusion of the matter, I will return and/or destroy any and all such confidential information provided to me in connection with the Title IX complaint and investigation.

I acknowledge that in the event that I breach this agreement, in addition to any other available remedies, the 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 or disseminate the confidential information thereof, including any and all copies and reproductions of the same. In so doing, I do not waive my first amendment rights to discuss the allegations or to gather evidence.

_____
Student/Employee Printed Name

_____ _____
Student/Employee Signature Date

_____ _____
Received By Printed Name Title

_____ _____
Received By Signature Date

Materials reviewed/inspected or provided:

_____

_____

FORM C **Regulation 5145.44(q)**

The section below is to be completed upon the issuance of a decision of responsibility or at the conclusion of an appeal if any.

I hereby certify that the materials provided have been returned or destroyed.

Signature of Party	Date

Materials Received By:

Printed Name	Title
Received By Signature	Date

Regulation 5145.44 – Form C– Approved August 12, 2020

FORM D **Regulation 5145.44(r)**

ADVISOR NON-DISCLOSURE AGREEMENT
TITLE IX INVESTIGATION

I have been selected by _____ to be the individual's advisor related to the investigation of a Title IX complaint in which _____ is a named [complainant/respondent]. On behalf of _____, I may permissibly discuss allegations under investigation, may review evidence, both exculpatory and inculpatory, and am authorized to review an investigative report issued by the officer assigned to investigate (confidential information).

I understand and agree to use the materials provided for my inspection and review solely for the purpose of the Title IX Grievance Process. Any further dissemination or disclosure of these confidential materials along with the content therein is prohibited. I may not copy, share, provide o otherwise disclose or disseminate them 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. At the conclusion of the matter, I will return and/or destroy any and all such confidential information provided to me in connection with the Title IX complaint and investigation.

I acknowledge that in the event that I breach this agreement, in addition to any other remedies, the 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 or disseminate the confidential information thereof, including any and all copies and reproductions of the same.

_____
Advisor Printed Name

_____ _____
Advisor Signature Date

_____
Received By Printed Name

_____ _____
Received By Signature Date

This section below is to be completed upon the issuance of a decision of responsibility or at the conclusion of an appeal if any.

Materials reviewed/inspected or provided:

_____

_____

I hereby certify that the materials provided have been returned or destroyed.

_____ _____
Signature of Advisor Date

BETHANY PUBLIC SCHOOL DISTRICT
Bethany, Connecticut

BETHANY PUBLIC SCHOOL DISTRICT
Bethany, Connecticut