

Title IX Report

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Introduction

The following report is written to inform students, parents and/or guardians, school employees and local and regional boards of education about Title IX.

What is Title IX?

Title IX is a federal civil rights law enforced by the U.S. Department of Education's Office for Civil Rights (OCR), that prohibits discrimination on the basis of sex in education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities receiving federal funds must comply with Title IX ¹.

Under Title IX, discrimination on the basis of sex may include sex-based harassment, conduct of a sexual nature, including sexual violence, as well as other forms of harassment based on sex, including harassment based on pregnancy, sexual orientation, and gender identity.

Changes in federal guidance and regulations under various presidential administrations have led to uncertainty and shifts in how Title IX is implemented and enforced. Guidelines pertaining to the reporting and handling of sexual assault cases and the protocols institutions must follow in addressing instances of discrimination based on gender, sex, and sexuality.

National Title IX Landscape

Throughout its history Title IX has undergone significant fluctuations contributing to its continual evolution. Initially focused on gender equity in sports, its scope has expanded to encompass issues such as campus sexual assault and harassment, trans and gender-diverse rights, and gender equity in STEM fields.²

Recent directives, such as [Executive Orders 13988](#) and [14021](#), reinforce Title IX's protections against discrimination based on gender identity, sexual orientation, and sex.

In April 2024, The U.S. Department of Education amended the regulations implementing Title IX of the Education Amendments of 1972. These regulations, also known as “The Final Rule,” can be found [here](#).

The Department issued these final recommendations to provide additional clarity regarding “the definition of sexual based harassment, the scope of sex discrimination, including recipients’ obligations not to discriminate based on sex stereotypes, sex characteristics, pregnancy, or related conditions, sexual orientation, and gender identity; and recipients’ obligations to provide an educational environment free from discrimination on the basis of sex.” ³

The Final Rule also moves from an “actual knowledge” standard to *requiring reporting of conduct that reasonably may constitute sex discrimination by a wider range of employees, including those without the authority to take corrective action*. Among other technical and

¹ [Intercollegiate Athletics Policy: Three-Part Test -- Part Three Q's & A's \(ed.gov\)](#)

² [The 14th Amendment and the Evolution of Title IX | United States Courts \(uscourts.gov\)](#)

³ <https://public-inspection.federalregister.gov/2024-07915.pdf>

substantiative changes, the final rule also expands the definition of hostile environment harassment to include conduct that is "severe **or** pervasive," rather than requiring that the conduct be both severe **and** pervasive to meet the threshold.⁴

Connecticut Title IX Landscape

In Connecticut, legislative measures like [Public Act No. 11-55](#), Conn. Gen. Stat. [§§46a-58\(a\), 46a-64, 46a-75, 46a-81d, 46a-81m](#) and [C.G.S. §10-15c](#) prohibit discrimination based on gender, gender identity, gender diversity, and gender expression in various settings, including education, employment, and housing. [C.G.S. §17a-101q](#) mandates that each K-12 school district have policies and procedures for responding to child sexual abuse and assault.

Connecticut goes beyond the federal requirement of having a Title IX Coordinator per school district by requiring every school in the state to have its own Title IX Coordinator. Recent federal Title IX regulations permit a recipient to designate multiple employees to serve as Title IX Coordinators, provided that the recipient assigns one coordinator to maintain ultimate oversight.⁵ Connecticut schools may consider this option to increase accessibility and responsiveness to their communities' needs while ensuring compliance with state and federal laws.

In summation, Title IX serves as a cornerstone of legal protections for gender equity and equality in education, both nationally and within the state of Connecticut.

⁴ <https://www.venable.com/insights/publications/2024/05/biden-administrations-final-rule-for-title-ix-is#:~:text=The%20Final%20Rule%20also%20no,choose%20to%20interview%20students%20separately> .

⁵ "With respect to concerns about the meaning of the term "oversight," the Department clarifies that this word is intended to ensure that a single individual is vested with the responsibility for ensuring a recipient's consistent compliance with its responsibilities under Title IX and this part and has revised the final regulations to make that clear. Oversight does not necessarily require a Title IX Coordinator to have a supervisory relationship over other Title IX Coordinators or designees".

Origins and Scope of Title IX Working Group

Origin of Title IX Working Group

The Title IX Working Group was created from [Public Act No. 23-66](#), An Act Establishing a Title IX Compliance Toolkit For School Districts, which requires the Commission on Women, Children, Seniors, Equity and Opportunity to convene and lead a working group to identify or **develop a Title IX compliance toolkit** for use by local and regional boards of education, students, and parents and guardians.

Membership of Workgroup per Public Act 23-66

The working group includes, but is not limited to the following organizations:

- The executive director of the Commission on Women, Children, Seniors, Equity and Opportunity, or the executive director's designee,
- The Commissioner of Education, or the commissioner's designee,
- The Commissioner of Children and Families, or the commissioner's designee,
- The Commissioner of Public Health, or the commissioner's designee,
- The executive director of the Commission on Human Rights and Opportunities, or the executive director's designee,
- The Child Advocate, or the Child Advocate's designee,
- The Connecticut Alliance to End Sexual Violence,
- The Connecticut Children's Alliance,
- Disability Rights of Connecticut,
- The Connecticut Association of Public School Superintendents,
- The Connecticut Association of Boards of Education,
- and any additional members who have expertise in human resources and Internet technology, designated by the executive director of the Commission on Women, Children, Seniors, Equity and Opportunity

Scope of Title IX Working Group

The toolkit is required to include the following elements.

Do note: analysis is provided on following topics in the mandated recommendations chapter beginning on page 9.

- (1) Training for school administrators, Title IX coordinators, school personnel, students and parents and guardians of students that includes:
 - a. Information regarding the prevention, identification, and response to adult sexual misconduct in schools, as described in the United States Department of Education's Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting,

- b. Research and data regarding the prevalence of child sexual abuse, adult sexual misconduct and the unique risk to sexual abuse for students with disabilities or who are lesbian, gay, bisexual, transgender, queer or another sexual orientation or gender identity;
- (2) A model antidiscrimination and abuse prevention policy and procedures that include but are not limited to, policies addressing the needs of students with disabilities or who are lesbian, gay, bisexual, transgender, queer or another sexual orientation or gender identity;
 - (3) A summary of applicable state and federal statutory and regulatory requirements and how such requirements affect the rights of students, including students with disabilities or who are lesbian, gay, bisexual, transgender, queer or another sexual orientation or gender identity, to be free from discrimination, harassment and abuse;
 - (4) Provisions relating to the process for reporting an incident of adult sexual misconduct, including documents accessible to parents and guardians, students, school personnel and administrators;
 - (5) Requirements for investigating reports of sexual misconduct, including information regarding the need to offer safety planning and services to the complainant or victim;
 - (6) An explanation of the Title IX complaint procedures, including, but not limited to, the various methods accessible to parents and guardians of students, students, school personnel and administrators or submitting complaints;
 - (7) Information explaining the right of an individual to seek redress from the Commission on Human Rights and Opportunities and the United States Department of Health and Human Services' Office for Civil Rights that is accessible to parents and guardians of students, students, school personnel and administrators;
 - (8) Procedures for publishing and disseminating information to parents and guardians of students, students, school personnel and administrators from the Connecticut School Health Survey administered pursuant to section 10-217h of the general statutes, and school climate assessment instruments, completed pursuant to section 10-222d of the general statutes;
 - (9) Information relating to the personnel and resources at the state and federal level that are available to provide ongoing technical assistance and support to local and regional boards of education with regard to such boards' compliance with Title IX requirements;
 - (10) Information relating to resources that are available to provide support to students, educators and parents and guardians regarding prevention, identification and response to child sexual harassment, discrimination and abuse.

Executive Summary and Important Resources

Districts have obligations under Title IX, federal disability rights laws, state anti-discrimination laws, and state school climate laws. Districts must be mindful of the intersection of these laws and resulting obligations.

The following Title IX report is designed to assist districts in meeting these obligations, and to make necessary information available to students and families regarding procedural rights and avenues of recourse.

Reporting mechanisms are also important when considering the prevention and identification of adult sexual misconduct (ASM), child sexual abuse, and the many forms of sex-based harassment that may occur in a school setting.

The following resources are particularly important when considering non-discrimination policies and mechanisms of reporting under both Title IX and state school climate law:

- [Resource for Drafting Nondiscrimination Policies, Notices of Nondiscrimination, and Grievance Procedures under 2024 Amendments to the U.S. Department of Education's Title IX Regulations \(DOE OCR\)](#)
- [CABE Model Nondiscrimination Policy](#)
- [Connecticut School Climate Policy](#)
- [Challenging Behavior Reporting Form](#)

Title IX Report

Section 1, part A: training for school administrators, Title IX coordinators, school personnel, students and parents and guardians of students

Training for all school employees, Title IX coordinators, students, parents and guardians of students enrolled in the school is an integral part of the prevention of adult or child sexual misconduct, sexual harassment, sexual violence or assault, and gender-based discrimination. All responses should reinforce the district's documented policies and procedures.

Sexual misconduct is a sensitive subject for many individuals. In **all** cases, the training should be done in a way that will enable all trainees to feel safe when actively participating and inspire trainees to ask difficult questions.

Creating a supportive culture within these trainings allows for an environment that reduces barriers to coming forward, reporting, and being proactive about *preventing, identifying, and responding* to child sexual abuse, including adult sexual misconduct.

ASM [adult sexual misconduct] prevention and response experts advise making training mandatory for all school employees who have direct contact with students. This ensures that all members of the school community hear the same messages about ASM and are knowledgeable about the school's policy, as well as preventative and responsive measures.⁶ In recognizing the importance of these trainings, we also recommend that training challenges vary depending on the size of the school and district, the depth, style and format of the selected training, and the school's or district's budget. Implementation of training and professional development, in many cases, can be difficult for local or regional boards of education, and particularly difficult for schools with high staff turnover.

We recommend that any trainings selected by districts local or regional boards of education consider several factors based upon their student body, but strongly advise that all districts consider **content, frequency, and participants**.

When considering **content of a training** the following should be considered:

- How is the training developed?
- Are existing training curricula used as resources?
 - *Pursuant to the 2024 federal Title IX regulations, recipients are no longer required to make training materials publicly available on its website.*
- Does the training address a comprehensive set of topics?
- Which training topics are specific to administrators versus educators?
- What is the format of delivery to the school employees?
- Are the trainings easily interpreted and understood?
- What languages are the trainings offered in?

⁶ [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)

Pursuant to the 2024 federal Title IX regulations, training is *required promptly upon hiring or when there is a change in position that alters an employee’s duties* under Title IX, and annually thereafter. When considering the **frequency of trainings**, the following should be considered:

- Is training presented at the start of every school year or more frequently?
- Do new employees receive training regardless of their start dates?

When considering **participants** the following should be considered:

- Are volunteers and school employees trained?
- What should students be trained on?
- Is training available for parents and guardians?

Section 1, part B: Information regarding the prevention, identification, and response to adult sexual misconduct in schools, as described in the United States Department of Education’s Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting,

Prevention: a strong emphasis on mandatory training for all school employees, creating a positive school climate and culture that allows school employees, students and parents or guardians of students enrolled in the school to come forward and *report any challenging behavior within the school environment.*

When considering school climate improvement any school coping with high rates of challenging behavior is strongly encouraged to consider restorative practices as a method for improving the overall school climate. As per the [Connecticut School Climate Policy](#) adopted by the Connecticut Association of Boards of Education restorative practices are: “evidence and research-based system-level practices that focus on (A) building high-quality, constructive relationships among the school community, holding each student accountable for any challenging behavior, and ensuring such student has a role in repairing relationships and reintegrating into the school community.”⁷ When schools focus their time and effort on *restorative practices as a preventative tools* we believe there will be a reduction in the overall amount of challenging behavior and a dramatic improvement in school climate and culture.

District policies and code of conduct, however, can include cyber security, cyber safety, and personal use guidelines that outline appropriate and inappropriate online behaviors and interactions—specifying for example that teachers should not post on personal sites during school hours or while using school-or district-owned devices.”⁸

Educators should strongly consider the subject matter, content, purpose, timing, and frequency of their communication with students, and understand that concealing communications from

⁷ [CPS5131.911.pdf \(cabe.org\)](#)

⁸ [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)

supervisors and/or parents can result in disciplinary action.⁹ Additionally, school rules and policies should be developed and carefully followed related to inappropriate interactions for staff members and students on social media websites, or when texting or emailing images. This protects the students but also greatly reduces the opportunity for false allegations against school employees, or the appearance of misconduct.

Additionally, schools should encourage teachers and other school employees to *avoid following, friending or contacting students and parents on social media platforms*. Having all school employees use the private setting on social media to avoid being friended should be carefully considered.

The following are a list of preventative online safety tips for students and their families to consider:

- [Protecting Kids Online | Consumer Advice \(ftc.gov\)](#)
- [ICAC - Internet Crimes Against Children Task Force Program \(icactaskforce.org\)](#)
- [National Survivor Network | Youth Online Safety](#)

Identification: efforts including the development of policies, identification of district-specific training modules, and methods of identification, are strengthened by policies and procedures that describe allowable behaviors, identify inappropriate and illegal actions, and outline methods for addressing allegations of challenging behavior in the school environment.

Often perpetration behaviors are seen in three phases, and schools should be aware of these when suspecting behaviors that may be adult sexual misconduct. (1) trolling and testing: when the abuser is screening for possible candidates, testing the boundaries of the student, the home environment, and the school environment. The abuser is trying to identify a vulnerable child in this phase. (2) Grooming – where some of the warning signs in this grooming phase may be nonsexual and include the offender trying to move the relationship to a personal level, telling the student their personal problems, discouraging the student from talking with other school employees, or asking the student to run personal errands. Furthermore, the six stages of grooming include: identify and target victim, gaining trust and access, playing a role in the child’s life, creating secrecy, and lastly sexual assault; (3) Exploiting and Lulling – this phase involves manipulating the student while becoming more aggressive with abusive behaviors. This includes both sexualized behaviors and other activities that are designed to keep the sexual abuse ongoing and undiscovered.

In some cases, perpetrators persuade students to keep silent, either by intimidation or threat, or by manipulating the child’s affections. “Online technologies, including chat rooms, social media, instant messaging, and email, are often used by sexual predators to seduce young people into taking part in sexual interactions.”¹⁰ *In fact, it has become apparent that some school employees in some cases may use electronic communication technologies such as texting, email, and social*

⁹ [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)

¹⁰ [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)

*media sites to foster inappropriate relationships with students.*¹¹ “When school staff members use electronic communications and/or the web to interact inappropriately with students, the digital trail left—e-mail correspondence, cell phone records, and internet communication logs—can provide valuable evidence for investigators of ASM allegations.¹² Electronic communication records are a game changer for ASM investigations, because it may substantiate allegations when there are no direct witnesses or students are ambivalent about making a complaint.

Response: “School districts that receive federal funds must designate an employee to oversee Title IX requirements, act as a point-of-contact for sexually related complaints, and coordinate investigations. This individual, known as the Title IX coordinator, is critical to the prevention of and appropriate **response** these complaints.

School administrators should carefully consider the selection of these personnel.”¹³ All schools must treat complainants and respondents equitably. A school’s 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 school’s grievance procedures. *The 2024 regulations require recipients to adopt grievance procedures that provide for fair, prompt, and equitable resolution of complaints of sex discrimination and to take other necessary steps to provide an educational environment free from sex discrimination.*

In all cases, Title IX coordinators should **not** have any other job responsibilities that could create a conflict of interest. Employees whose job responsibilities **may** conflict with a Title IX coordinator’s duties include directors of athletics, deans of students, and any school employee who serves on the judicial/hearing board or to whom an appeal may be made. Ideally, the best way to avoid conflict is to designate a full-time Title IX coordinator. **Simply requiring school employees to read a handbook of policies and procedures will not achieve intended or sufficient response to these challenging behaviors.** Responses should be consistent with state and federal regulations and laws.

- School policies and procedures should clearly describe developmentally appropriate consequences for students who bully, sexually harass or sexually assault another student. Additionally, schools should also have clear procedures for notifying the harassed student and parent or guardian of the right to file a criminal complaint if the conduct constitutes criminal activity.
- Importantly, consequences and disciplinary action should be clear and equitable for all students. Anytime a student is unfairly and disproportionately disciplined they can become alienated from school and put at risk for stigmatization. When responding to an incident of challenging behavior, trauma-sensitive supports should be considered. Trauma

¹¹ [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)

¹² [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)

¹³ [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)

can interfere with a student's ability to learn in school and affect the student's emotional well-being.

Section 1, part C: Research and data regarding the prevalence of child sexual abuse, adult sexual misconduct and the unique risk to sexual abuse for students with disabilities or who are lesbian, gay, bisexual, transgender, queer or another sexual orientation or gender identity;

Unfortunately, in “Connecticut, 14% of residents report that they have personally experienced childhood sexual assault. Nearly one in five girls and one in fourteen boys has been a victim of sexual abuse in our state and one in every seven of those victims was under the age of six. 44% of victims of rape are under the age of 18 years old.”¹⁴

National data indicates that more than 3 million children are subjects of at least one child abuse case each year. The median age for reported abuse is nine years old, and 90% of perpetrators are individuals that that child knows. With the emergence of prevalent internet usage 1 in 5 youth, ages 10 to 17, receive sexual solicitation or are approached online.

According to the National Crime Victimization Survey, individuals with disabilities are victimized by crime at higher rates than the rest of the population. That said, “people with intellectual disabilities are seven times more likely to experience sexual assault and women with disabilities are twelve times more likely to experience sexual assault.”¹⁵

Furthermore, The Connecticut School Health Survey data indicates that 15.5% of high school females, 7.5% of high school males have been forced to have sex with someone. In higher education over 13% of college women in Connecticut indicate that they have been forced to have sex in a dating situation. Moreover, over the past several years there has been a rise in sexual violence in dating relationships, a serious problem that should not be dismissed.

Further statistics on the impact of sexual violence and adult sexual violence on underserved adult populations:

- 38.2% of black non-Hispanic women experience at least one act of sexual violence in their lifetime.
- 40.5% of black non-Hispanic women reported unwanted sexual contact in their lifetime.¹⁶
- 1 in 3 multiracial non-Hispanic women will be the victim of rape in her lifetime.
- 49% of American Indian or Native Alaskan women experience sexual violence in their lifetime.
- 1 in 7 Hispanic women have experienced rape at some point in their lifetime; over half of Hispanic women have experienced sexual violence other than rape in their lifetime.
- More than 2 in 5 multiracial non-Hispanic women will be the victim of rape in their lifetime.¹⁷

¹⁴ [Section 1: Overview of Sexual Violence](#)

¹⁵ [itsnotokCT-Facts and Stats about Sexual Assault](#)

¹⁶ [cdc.gov/nisvs/documentation/nisvsReportonSexualViolence.pdf](#)

¹⁷ [cdc.gov/nisvs/documentation/nisvsReportonSexualViolence.pdf](#)

- 80% of women and 30% of men with intellectual disabilities have been sexually assaulted. 50% of these women have been assaulted more than ten times.
- 50% of transgender people experience sexual violence in their lifetime.¹⁸

Additional information about these concerning statistics and trends can be found on the [Statewide K-12 Sexual Assault & Abuse Prevention & Awareness Program Guidelines](#).

Section 2: A model antidiscrimination and abuse prevention policy and procedures that include but are not limited to, policies addressing the needs of students with disabilities or who are lesbian, gay, bisexual, transgender, queer or another sexual orientation or gender identity;

Developing a comprehensive anti-discrimination and abuse policy can be challenging for any school district. It is the recommendation of this working group that the following [step-by-step guidance](#) is considered when developing an antidiscrimination policy. The U.S. Department of Education's (Department) Office for Civil Rights (OCR) recommends this resource for [Drafting Nondiscrimination Policies, Notices of Nondiscrimination, and Grievance Procedures under 2024 Amendments to the U.S. Department of Education's Title IX Regulations](#). In general, policies should carefully consider the specific needs of the school or district (e.g., school size, student populations, and administrative structures).

The following policies include [Connecticut Association of Boards of Education](#) (CABE) Non-discrimination model policy, Title IX Model Policy, and Title IX Model Grievance Procedure/Administrative Regulations policy, which were all updated in July 2024.

Please find [CABE Model Policy and Grievance Procedure here](#). Do note, there are over 149 public school districts in the State of Connecticut, and this is just one of the anti-discrimination policies that can be referenced by local or regional boards.

Section 3: A summary of applicable state and federal statutory and regulatory requirements and how such requirements affect the rights of students, including students with disabilities or who are lesbian, gay, bisexual, transgender, queer or another sexual orientation or gender identity, to be free from discrimination, harassment and abuse;

The following is a summary of key Federal statutory and regulatory requirements.

There are a variety of federal laws providing civil rights protections for disabled and LGBTQIA+ youth.

Title IX of the Education Amendments of 1972 prohibits sex discrimination in education programs and activities that receive federal funding. Title IX regulations were most recently enacted on August 1, 2024. The new rule broadens the scope of sex discrimination to explicitly include discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity. NPRM § 106.10. This rule also revises

¹⁸ [Section 1: Overview of Sexual Violence](#)

procedural requirements and standards, including the *Davis* hostile environment standard and the level of knowledge a school district must have before they are required to investigate a potential Title IX violation.

Since the Final Rule was published there has been a considerable amount of litigation and injunctions prohibiting parts of or the entire rule from going into effect in many states. The Final Rule went into effect on August 1, 2024, for the vast majority of districts in Connecticut. Districts affected by the injunctions should consult with their legal counsel on any questions about the Final Rule's applicability, but should also be aware that the Notice of Interpretation, 86 Fed. Reg. 32,637 (Jun 22, 2021) that, similar to the final rule, makes explicit Title IX protections for LGBTQIA+ youth, remains in effect, and that the injunctions have no impact on Connecticut state law, which protects students against discrimination on the basis of gender identity and sexual orientation. *C.G.S. §10-15c*.

Students with disabilities have protections under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), Section 504, and the ADA. These rights are not modified under Title IX. The following are some important points districts should keep in mind about the potential overlap between Title IX and disability:

Title IX 20 U.S.C. §1681 *et seq.*; 34 C.F.R. 106

- Title IX protects students from discrimination on the basis of gender identity and sexual orientation. Notice of Interpretation, 86 Fed. Reg. 32,637 (Jun 22, 2021).
- The Final Rule defines discrimination on the basis of sex to include discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation and gender identity. 34 CFR § 106.10
- 34 C.F.R. 106.44(c) allows for emergency removal but does not modify any rights under IDEA, Section 504, or the ADA.
- Sexual harassment can impact a student's wellbeing such that they develop a condition that makes them eligible for 504 accommodations or an IEP.
- Supportive measures and disability accommodations can overlap, but a district maintains its Child Find obligation to identify and evaluate students for suspected disability.
- Supportive measures should be offered to both the complainant and respondent and Title IX coordinators should collaborate with 504 and IEP teams.

Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1400 *et seq.*; 34 C.F.R. 300

- Removals in Title IX proceedings cannot violate IDEA protections, and districts must hold an MDR if required under §1415(k)(I)(E) and 34 CFR 300.530-37
- Removals under Title IX can constitute a change in placement.
- Supportive measures can constitute a change in placement if the proposed change substantially or materially alters the composition of the educational program. *Letter to Flores* (OSEP 1980).

Section 504 of the 1973 Rehabilitation Act 29 U.S.C. §701 *et seq.*; 34 C.F.R. 104

- Informal exclusions (including removal as a supportive measure under Title IX) are subject to the same Section 504 requirements as formal disciplinary exclusions

ADA 42 U.S.C. §12101

- Students with disabilities are entitled to reasonable accommodations in the grievance process, including in filing complaints, breaks during interviews, and auxiliary aids.
- Accommodations should not fundamentally alter the Title IX grievance process.

The following is a summary of Connecticut statutes and regulations

Conn State Regs §10-76 Children Requiring Special Education

C.G.S. §10-15c Discrimination in Public Schools Prohibited

- Public schools cannot discriminate on the basis of race, as defined in section 46a-51, color, sex, gender identity or expression, religion, national origin, sexual orientation or disability.

C.G.S. §46a Human Rights and Opportunities

- 46a-51 Definitions
 - (15) “Physically disabled” refers to any individual who has any chronic physical handicap, infirmity or impairment, whether congenital or resulting from bodily injury, organic processes or changes or from illness, including, but not limited to, epilepsy, deafness or being hard of hearing or reliance on a wheelchair or other remedial appliance or device;
 - Note: Connecticut’s definition of disability is more expansive than that under the ADA
 - (21) “Gender identity or expression” means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform

assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose;

- 46a-75 Discrimination in educational and vocational programs prohibited
- 46a-58(a) Deprivation of rights, etc.
 - General Statutes § 46a–58 (a) provides: “It shall be a discriminatory practice in violation of this section for any person to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, blindness or physical disability.”
- 46a-64 Discriminatory public accommodations practices prohibited - It shall be a discriminatory practice in violation of this section to deny any person within the jurisdiction of this state full and equal accommodations in any place of public accommodation, resort or amusement because of ... sex, gender identity or expression, etc.
 - See [Whitman-Singh v. Comm'n on Hum. Rts. & Opportunities, No. HHB-CV-20-6061006-S, 2022 WL 3585108, at *6 \(Conn. Super. Ct. Aug. 22, 2022\)](#)(holding that public schools are places of public accommodation within the meaning of § 46a-63).
- 46a-81d. Sexual orientation discrimination: Public accommodations.
- 46a-81m. Sexual orientation discrimination. Educational and vocational programs of state agencies.

Additional information on Connecticut and Federal laws can be found here: [Federal and State Anti-Discrimination Protections for High School and College Students Based on Sex and Gender.](#)

Section 4: Provisions relating to the process for reporting an incident of adult sexual misconduct, including documents accessible to parents and guardians, students, school personnel and administrators

A school may receive a notification of adult sexual misconduct, including harassment in a variety of different ways. In some cases, a student could have filed a report with the Title IX coordinator, or mentioned an alleged incident to a teacher, administrator or other responsible employee. In other cases, a student, parent, or other individual may have contacted other appropriate personnel, such as a principal, campus security, bus driver, teacher, affirmative action officer, or staff in the office of student affairs, or other school employee. These responsible employees may have been informed or have witnessed harassment.

The final regulations obligate a recipient to require certain employees to notify the Title IX Coordinator **when the employees have information about conduct that reasonably may**

constitute sex discrimination.¹⁹ This includes adult sexual misconduct as well as student-student sexual harassment. This is a change from the previous Title IX regulations, which required a recipient to respond only when it had “actual knowledge” of allegations of sexual harassment.

The following employees are included:

- Any non-confidential employee at an elementary school or secondary school is obligated to notify the Title IX Coordinator. (§ 106.44(c)(1)). (Please note that elementary school and secondary school employees may have additional obligations under Federal, State, or local law to report sex-based misconduct.)
- Any non-confidential employee at a postsecondary institution or other recipient who either has authority to take corrective action on behalf of the recipient or has responsibility for administrative leadership, teaching, or advising in the recipient’s education program or activity is obligated to notify the Title IX Coordinator. (§ 106.44(c)(2)(i)).
- All other non-confidential employees at a postsecondary institution or other recipient are obligated to either notify the Title IX Coordinator or provide the contact information of the Title IX Coordinator and information about how to make a complaint of sex discrimination to any person who provides the employee with information about conduct that reasonably may constitute sex discrimination. (§ 106.44(c)(2)(ii)).

Additionally, the school can receive notice about harassment in a more indirect way. These methods include hearing from sources such as a member of the school staff, a member of the educational or local community, or the media. The school can even be made aware of harassment from flyers about an incident distributed at the school or posted around the school.

As part of state and federal requirements, schools must establish and maintain clear procedures for handling complaints related to discrimination on the basis of race, color, national origin, sex, ability and age. The Department has revised the definition of “complaint” in the 2024 Federal Title IX revisions to be an oral or written request to the recipient that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX and this part.

Prohibited sex discrimination includes, but is not limited to, any behavior subject to the school's disciplinary authority and any actions taking place in buildings owned or controlled by officially recognized student organizations.

The Department also clarified that “[a] recipient has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the recipient's education program or activity or outside the United States.”²⁰

¹⁹ <https://www2.ed.gov/about/offices/list/ocr/docs/t9-final-rule-summary.pdf>

²⁰ 34 CFR § 106.11

Schools must ensure that the Title IX complaint procedures are widely accessible, easily understood, and consistently applied. They should regularly inform parents, guardians, students, and school personnel about the complaint process and their rights under Title IX. Any complaint involving adult sexual misconduct triggers a school's mandatory reporting duties and must be reported to DCF.

Complaint Submission Methods:

- In-person reporting: Parents, guardians, students, school personnel, and administrators can submit complaints in person to the school's designated [Title IX Coordinator](#) or any other school official.
- Written complaints: Complainants may submit a written complaint via email, mail, or by delivering a complaint to the Title IX Coordinator's office. The school should provide a standardized complaint form to ensure all necessary information is collected.
- Online reporting: Schools can create an online reporting system, such as a secure web form or portal, which allows complainants to submit their complaints electronically.
- Telephone reporting: Schools may establish a dedicated phone line or provide a contact number for the Title IX Coordinator, allowing complainants to report incidents or file complaints over the phone.
- Anonymous reporting: Some schools may offer an anonymous reporting option, such as a secure dropbox or online form, to encourage reporting from individuals who may be hesitant to come forward.

An additional method we would like to particularly emphasize for students, parents and/or guardians, and for local or regional boards of education to consider is to utilize a **complaint form or challenging behavior reporting form**. An example that can be adopted by districts is the [Challenging Behavior Reporting Form](#) that has been developed by the Statewide Social and Emotional Learning School Climate Advisory Collaborative and serves as a form for students, parents or guardians of students enrolled in the school, and school employees to report any alleged challenging behavior. Do note the term challenging behavior includes adult sexual misconduct and harassment.

If you believe the school has mishandled your complaint or violated Title IX, you have the right to file a complaint with the Department of Education's Office for Civil Rights (OCR).

How to File a Complaint With OCR:

- U.S. Department of Education. *Policy | Title IX*. <https://sites.ed.gov/titleix/policy/>
 - *If you believe your school, college, or university has violated Title IX, [learn more about how to file a complaint](#) with the Department's Office for Civil Rights. Technical assistance inquiries, including questions regarding compliance with the new Title IX Rule, may be submitted to: OCR@ed.gov.*

Section 5: Requirements for investigating reports of sexual misconduct, including information regarding the need to offer safety planning and services to the complainant or victim.

As noted above in Section 4, the final regulations obligate a recipient to require certain employees to notify the Title IX Coordinator **when the employees have information about conduct that reasonably may constitute sex discrimination.**

Schools must offer free supportive measures to every complainant. Supportive measures are individualized services designed to preserve or restore equal access to education. They are essential in preventing further harassment and limiting the effects of the alleged harassment. The Final Rule is clear: “Supportive measures must be offered even if a complainant does not wish to initiate or participate in a grievance process.”²¹ Supportive measures can include class changes, rescheduling exams or assignments, transportation accommodations, and no-contact agreements. Other options should be carefully considered by the school.

Related to supportive measures are safety plans, which are designed to protect student and employee safety. Schools usually develop emergency operations plans to respond to a variety of possible situations, such as severe weather or a shooting incident. Sexual violence, harassment, and adult sexual misconduct safety plans **are developed to address immediate safety needs while outlining strategies to help survivors avoid future harm. Furthermore, schools should consider incorporating relevant aspects of these types of safety planning into their existing emergency operation plans. These plans can help staff respond to an incident as it happens.**²²

The following steps are essential when a school or district is considering creating a plan:

- 1) Evaluate the impact of bullying and sexual harassment and incidents of violence on the individuals involved as well as on the whole school environment.
- 2) Assess the extent to which existing policies and procedures specifically address staff members’ responses to incidents and efforts at recovery.
- 3) Gather information about changes and improvements to policies and procedures necessary to better handle incidents and recovery.
- 4) Make changes.
- 5) Share changes with the entire school and community, providing trainings as needed for staff and students.²³

A school's plan should consist of practical strategies to assist a victim and assess situations that may be physically, emotionally or socially dangerous. These plans should also assist victims in developing strategies to respond if they feel unsafe within the school environment. Creating a safety plan cannot ensure that a victim will not face sexual misconduct or harassment again, but

²¹ <https://www2.ed.gov/about/offices/list/ocr/docs/titleix-overview.pdf>

²² [SP2L2_E2-I-IV_LeadingGuide.pdf \(ed.gov\)](#)

²³ [SP2L2_E2-I-IV_LeadingGuide.pdf \(ed.gov\)](#)

they can help victims be as safe as possible and reduce recurrence.²⁴ Sexual misconduct can be a very traumatizing event that can have harmful impacts on a victim's life. It is critical for schools to understand how trauma can impact an individual's decision-making and, in some cases, may have long-term impacts. Creating a safety plan that meets the specific needs of students within the school environment presents unique challenges and opportunities.

Additionally, it is important to note that if an individual disagrees with the outcome of their Title IX case schools typically allow individuals to appeal their Title IX outcome on certain grounds.

That said, the appeal process may vary from school to school. Check in with your [Title IX Coordinator](#) to find out more information about what grounds for appeal are available in your school. A contact list of Title IX Coordinators is provided in section 9 of this report.

Section 6: An explanation of the Title IX complaint procedures, including, but not limited to, the various methods accessible to parents and guardians of students, students, school personnel and administrators or submitting complaints;

Complaint Procedures:

1. Upon receiving a complaint, the Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures and explain the complaint process.
2. The school will initiate an investigation into the allegations, which may involve interviewing the complainant, respondent, and any witnesses, and reviewing relevant evidence. Any interviews conducted should be administered on an individual basis.
3. The school must provide written notice to both parties about the allegations, the complaint process, and their rights and responsibilities.
4. Both parties have the right to an advisor of their choice, who may be an attorney, throughout the complaint process.
5. The school must use the preponderance of the evidence standard (more likely than not) when determining responsibility for Title IX violations.
6. Upon the conclusion of the investigation, the school must provide both parties with a written determination that includes the findings, any sanctions imposed, and information on the appeal process.
7. Both parties have the right to appeal the determination based on specific grounds, such as procedural irregularities or new evidence.

When filing a Title IX complaint, there are several other important factors to consider:

- Be aware of any **time limits** for filing a complaint. Schools may have their own deadlines, and federal regulations require schools to have "reasonably prompt" time frames for each stage of the complaint process.

²⁴ [VRLC MSCASA Safety Planning with Campus Sexual Assault Survivors V10.pdf \(changingourcampus.org\)](#)

- While schools must keep information confidential to the extent possible, **complete confidentiality cannot be guaranteed** due to the need to investigate the complaint and provide due process to the respondent.
- Title IX **prohibits retaliation** against anyone who files a complaint, participates in an investigation, or opposes discrimination. If you experience retaliation, report it to the school immediately.
- Schools must provide **interim measures, such as no-contact orders, schedule changes, or housing accommodations, to protect the complainant and ensure their access to education.**
- Some schools may offer an **informal resolution process**, such as mediation, but this is only appropriate in some instances and requires both parties' voluntary consent. However, this cannot be offered if the complaint includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student.
- **Preserve any relevant evidence**, such as emails, text messages, or social media posts, which may be useful during the investigation. **Keep a record** of all communications, documents, and interactions related to the complaint process for your reference and in case you need to follow up or file an appeal.
- Take advantage of any **support services and assistance** the school offers, such as counseling, academic accommodations, or victim advocacy.
- Complainants have the **right to file a criminal complaint** with law enforcement and/or a civil lawsuit in addition to the school's Title IX complaint process.

Title IX complaint procedures are the same regardless of whether the respondent is an adult or a student.

Section 7: information explaining the right of an individual to seek redress from the Commission on Human Rights and Opportunities and the United States Department of Health and Human Services' Office for Civil Rights that is accessible to parents and guardians of students, students, school personnel and administrators;

The Connecticut Commission on Human Rights and Opportunities (CHRO) receives and processes complaints of discrimination on the basis of several protected classes that include race, color, religion, ethnicity, alienage, sex, gender identity, gender expression, sexual orientation, disability, status as a veteran, and status as a victim of domestic violence, in employment, housing, credit transactions and public accommodations. Where violations of Conn. Gen. Stat. § 10-15c, which prohibits discrimination in public schools, or of Conn. Gen. Stat. § 46a-64 and § 46a-81d, which prohibit discriminatory public accommodations practices, are alleged due to sex, gender identity, gender expression or sexual orientation, violations of Title IX of the Education Amendments of 1972 may be implicated.

If you believe you have experienced illegal discrimination, the CHRO will investigate your claim without any cost to you. To file **an employment, public accommodation, or credit transaction discrimination complaint**, go to the [contacting us](#) page to locate the contact information for the regional office that serves the city or town where the alleged discriminatory act occurred. To file **a housing complaint**, contact the Housing Discrimination Unit located at

the Commission's administrative offices at 450 Columbus Boulevard, Hartford, CT 06103, (860) 541-3403.

Complaints must generally be in writing, signed under oath, and filed within three hundred days of the date of an alleged discriminatory act. For more information, please visit [How to File a Discrimination Complaint \(ct.gov\)](#).

How to File a Discrimination Complaint with the Office for Civil Rights

The Office for Civil Rights (OCR) enforces federal civil rights laws that prohibit discrimination in programs or activities that receive funding from the United States Department of Education. Title IX prohibits discrimination on the basis of sex, pregnancy, parental status, and sex stereotypes, at state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries, and museums that receive federal funding.

Programs or activities that receive federal funding must provide aids, benefits or services in a nondiscriminatory manner in an environment free of discriminatory harassment. Such aids, benefits or services may include, but are not limited to, admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, and housing. For more information, please visit: [File a Complaint: Discrimination Form | U.S. Department of Education](#)

Section 8: procedures for publishing and disseminating information to parents and guardians of students, students, school personnel and administrators from the Connecticut School Health Survey administered pursuant to section 10-217h of the general statutes, and school climate assessment instruments, completed pursuant to section 10-222d of the general statutes.

Per [CT Gen Stat § 10-217h](#) the Department of Public Health shall provide guidelines to the local or regional boards of education regarding the administration of the survey to those high schools selected at random by the federal Centers for Disease Control and Prevention. The local or regional board of education is required to administer the survey to each high school selected to participate in the survey in accordance with the guidelines provided by the Department. The Child Advocate, in consultation with the Department of Public Health and the Department of Children and Families is required to develop and update, as necessary, questions designed to assess the risk of youths becoming victims of sexual assault or misconduct by an adult. These questions are required to be included in the Connecticut School Health Survey.

The Department of Education, in consultation with the Department of Public Health is required to develop for use by a local or regional board of education a uniform policy conveying timely notification to the parents or guardians of students in grade nine to twelve, about the Connecticut School Health survey. They are also required to develop a form to be distributed to parents or guardians for the purposes of the notification. Additionally, an explanation of the Connecticut

School Health Survey and how a parent or guardian may opt out of such survey being administered to his or her child, and the Internet link to the survey that will be administered.

Upon collection and submission of the Connecticut School Health Survey results to the Department of Public Health, as required by CT Gen Stat § 10-217h, each school district chosen by the federal Centers for Disease Control and Prevention to participate in the survey shall prepare a brief summary of survey results for publishing on their website and disseminating to parents via their typical parent communication channels (i.e., apps, portals, emails, etc). The summary should include, but need not be limited to, survey result data regarding tobacco, alcohol and drug use; mental health; suicidal behavior; interpersonal violence; familial and social support; sexual behaviors; nutrition; physical activity; and weight control.

Upon collecting and submitting the school climate assessments required by Conn. Gen. Stat. § 10-222d, each school district shall prepare a brief summary of survey results for publishing on its website and disseminating to parents via its typical parent communication channels (e.g., apps, portals, emails, etc.). The summary shall include, but need not be limited to, survey result data regarding student views on safety in schools, adult and peer relationships, bullying (including cyberbullying), and equity and belonging amongst students within schools.

Additionally, the Connecticut General Assembly asked the Statewide Social and Emotional Learning and School Climate Advisory Collaborative (SEL Collaborative) to develop school climate instruments, including the model school climate survey and school climate survey standards. Pursuant to this statute, the SEL Collaborative and CAGE also developed and adopted the [Connecticut School Climate Policy](#). The policy contains the Challenging Behavior Reporting Form which is designed for students, parents or guardians and school employees to report any alleged challenging behavior.

Helpful Resources pertaining to the Connecticut School Health Survey:

- [Connecticut School Health Survey - Connecticut State Department of Public Health \(ct.gov\)](#)
- [2023 Connecticut School Health Survey \(ct.gov\)](#)
- [Youth Online: High School YRBS - Home Page | DASH | CDC](#)
- [Connecticut School Health Survey FAQ's \(ct.gov\)](#)

Section 9: Information relating to the personnel and resources at the state and federal level that are available to provide ongoing technical assistance and support to local and regional boards of education with regard to such boards' compliance with Title IX requirements;

To find your school's Title IX Coordinator, follow these steps:

1. Click the following link: [EdSight Home Page \(ct.gov\)](#)
2. Select "Overview"
3. Select "find contact", which is located under the General Information Tab
4. Select "role" and click on Title IX LEA Coordinator

To find list of Title IX Coordinator's, click below. Note this list was last updated October 2024.



Title IX Coordinator
List October 2024.xls

- US Department of Education (ED). OCR’s Outreach, Prevention, Education And Non-discrimination (OPEN) Center. www2.ed.gov/about/offices/list/ocr/open/index.html.
 - OCR’s Outreach, Prevention, Education and Non-discrimination (OPEN) Center
 - The OPEN Center provides technical assistance and support to schools, educators, families, and students to ensure better awareness of the requirements and protections of federal non-discrimination laws. The OPEN Center’s dedicated team of civil rights attorneys ensures that technical assistance is high-quality, accurate, thorough, and legally sound. Requests for technical assistance with the [laws](#) enforced by OCR can be sent to OPEN@ed.gov. Questions regarding Title IX can also be sent to T9questions@ed.gov. For additional information on OCR’s policy guidance a link to OCR’s Policy Portal is [here](#).

- [CT State Department of Education](#)

- [CT Office of the Child Advocate](#)

- [Disability Rights Connecticut \(DRCT\) | Disability Advocates \(disrightsct.org\)](#)

- [CT Commission on Women, Children, Seniors and Equity and Opportunity](#)

- Title IX Technical Assistance Project (T9TAP). www.naspa.org/events/title-ix-technical-assistance-project-t9tap.
 - Student Affairs Administrators in Higher Education (NASPA) Title IX Technical Assistance Project (T9TAP)
 - The Title IX Technical Assistance Project (T9TAP) is a service available through Culture of Respect that provides individualized support and technical assistance in implementing the new Title IX rule. T9TAP also helps colleges and universities think beyond simple compliance to more thoughtful, intentional efforts around sexual violence prevention and response through our newly released Title IX Guide: [Going Above and Beyond Compliance](#).

Local Personnel:

Section 10: Information relating to resources that are available to provide support to students, educators and parents and guardians regarding prevention, identification and response to child sexual harassment, discrimination and abuse.

For additional information relating to resources there are available to for students, educators and parents and guardians the following resources are suggested:

1. Resources for all members of the school community
 - a. [Safe Place to Learn Prevent Intercede Response to Sexual Harassment of K-12 Students \(ed.gov\)](#)
 - b. [Adult Sexual Misconduct in Schools | Readiness and Emergency Management for Schools Technical Assistance Center \(ed.gov\)](#)
 - c. [Safety Planning | Stop It Now](#)
 - d. <https://endsexualviolencect.org/>
 - e. <https://www.d21.org/>
 - f. [Nondiscrimination Based on Pregnancy or Related Conditions & Parental, Family or Marital Status](#)
 - g. [Filing a Title IX Appeal - Equal Rights Advocates](#)
2. Resources predominately for administrators, educators and title ix coordinators:
 - a. [2024 Title IX Regulations: Impact on Title IX Coordinator Duties \(ed.gov\)](#)
 - b. [GAO-14-42, Child Welfare: Federal Agencies Can Better Support State Efforts to Prevent and Respond to Sexual Abuse by School Personnel](#)
 - c. [A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting](#)
 - d. <https://vetoviolenecdc.gov/apps/violence-prevention-practice/#!/>
 - e. https://endsexualviolencect.org/wp-content/uploads/2023/08/CTA-2023-Service-Area-Map_v1r4-05302023.pdf

Conclusion

Title IX is a federal civil rights law enforced by the U.S. Department of Education's Office for Civil Rights (OCR), that prohibits discrimination on the basis of sex in education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities receiving federal funds must comply with Title IX.

Compliance with the Title IX laws and regulations in many cases can be achieved by adhering to the many best practices highlighted in this report. Some of these best practices include, but are not limited to, utilization of trainings to inform and prevent challenging behavior, having schools take preventive approaches that will improve their overall school climate, adherence to CAGE's Model Policy and Grievance Procedure, and understanding of the landscape and purpose of existing resources and local personnel available to students, parents and guardians, and for school employees.

The following report has been developed by various members of the Title IX working group previously mentioned in this report and can be found on the website of the Commission on Women, Children, Seniors, Equity and Opportunity.