

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(a)

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1
No. 5145.44

RE: Title IX Sexual Harassment
Personnel/Students

Approved: June 7, 2022

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Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

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

Statement of Policy

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

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

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

Statement of Policy (continued)

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

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

Definitions (Referenced in the District's Grievance Procedures)

Sex Discrimination: occurs when an employer refuses to hire, discipline, or discharge any individual or otherwise discriminates against an individual with respect to his, her, their compensation, terms, conditions, or privileges of employment on the basis of the individual's sex or gender identity. Sex discrimination (sex-based discrimination) also occurs when a person, because of the person's sex or gender identity, is denied participation in or the benefits of any education program or activity receiving federal financial assistance.

Sexual Harassment under Title IX and Connecticut Law: means conduct on the basis of sex

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that satisfies one or more of the following:

1. An employee of the Board conditioning the provision of aid, benefit, or service of the Board on an individual's participation in unwelcome sexual conduct. (i.e., quid pro quo) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;

Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Board's education programs or activities. Such conduct has the purpose or effect of unreasonably interfering with

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

2. an individual's work performance or creating an intimidating, hostile, or offensive working environment; or
3. **"Sexual Assault"** as defined in 20 U.S.C. 1092(f)(6)(A)(v), **"dating violence"** as defined in 34 U.S.C 1229(a)(10), **"domestic violence"** as defined in 34 U.S.C. 12291(a)(8), or **"stalking"** as defined in 34 U.S.C 12291 (a)(30).

Sexual Harassment under Title VII and Connecticut Law: means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

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

Complainant means:

1. A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or

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

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

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

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether **Definitions (Referenced in the District's Grievance Procedures)** (continued)

the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged sex discrimination occurred.

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

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

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

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

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

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

- e. Other sex-based harassment in the District's education program or activity; or
3. **Specific offenses.**
 - a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime system of the Federal Bureau of Investigation;
 - b. Dating violence meaning violence committed by a person:
 - i. Who is or has been in a relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 1. The length of the relationship;
 2. The type of relationship; and
 3. The frequency of interaction between the persons involved in the relationship.
 - c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
 - ii. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

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- iii. Shares a child in common with the victim; or
- iv. Commits acts against youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

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

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

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

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

Prohibition Against Retaliation

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

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

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

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

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

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including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.

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

The District Title IX Coordinator is (person and position). Any individual may make a report of sex and sex-based discrimination and/or sexual and sex-based harassment to the Title IX Coordinator using any one or multiple of the following points of contact:

- ❖ Office Address
- ❖ Email Address
- ❖ Phone Number

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

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

Notice of Non-Discrimination

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

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prohibition includes students, staff, or third parties under the Board's authority.

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Notice of Non-Discrimination (continued)

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

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

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

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

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

(Name and Title): Mr. Steve Wrona
(Office Address): 1133 Blue Hills Avenue, Bloomfield, CT 06002
(Email Address) swrona@blmfld.org
(Telephone number): 860-769-4262

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Notice of Non-Discrimination (continued)

The Bloomfield Public School District's nondiscrimination policy and grievance procedures can be located (include a link to the location(s) on the website or otherwise describe locations(s)).

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to (include a link to the location(s) on the website or otherwise describe locations(s)).

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

The Bloomfield Public Schools prohibits sex discrimination in any educational program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at (insert the website address).

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

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

Prohibition Against Retaliation

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

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

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

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

Legal Reference: United States Constitution, Article XIV
Civil Rights Act of 1964, Title VII, 42 U.S.C. S2000-e2(a).
Equal Employment Opportunity Commission Policy Guidance
(N-915.035) on Current Issues of Sexual Harassment, Effective 10/15/88.
Title IX of the Education Amendments of 1972, 20 USCS §1681, *et seq.*
Title IX of the Education Amendments of 1972, 34 CFR §106, *et seq.*
Title IX Final Rule, 34 CFR §106.45, *et seq.*, May 6, 2020
34 CFR Section 106.8(b), OCR Guidelines for Title IX.
Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62,
#49, 29 CFR Sec. 1606.8 (a0 62 Fed Reg. 12033 (March 13, 1997) and 66
Fed. Reg. 5512 (January 19, 2001)
The Clery Act, 20 U.S.C. §1092(f)
The Violence Against Women Act, 34 U.S.C. §12291(a)
Mentor Savings Bank, FSB v. Vinson 477 US.57 (1986)
Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June
26,1998)
Burlington Industries, Inc. v. Ellerth, No. 97-569, (U.S. Supreme Court,
June 26,1998)
Gebbser v. Lago Vista Indiana School District, No. 99-1866, (U.S.
Supreme Court, June 26,1998)
Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme
Court, May 24, 1999.)

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

TITLE IX

~~Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important district goal. The district does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the district's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties.~~

TITLE IX SEXUAL HARASSMENT PROHIBITED

~~Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a district employee or agent, or student, engages in Title IX sexual harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:~~

- ~~1. — A district employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or~~
- ~~2. — Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or~~
- ~~3. — Sexual assault as defined in 20 U.S.C. §1092(f)(6)(a)(v), Dating Violence as defined in 34 U.S.C. §12291(a)(10), Domestic Violence as defined in 34 U.S.C. §12291(a)(8), or Stalking as defined in 34 U.S.C. §12291(a)(30).~~

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~~Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.~~

~~DEFINITIONS (FROM 34 C.F.R. §106.30)~~

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

~~Education program or activity includes locations, events, or circumstances where the district has substantial control over both the respondent and the context in which alleged sexual harassment occurs.~~

~~Formal Title IX Sexual Harassment Complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation.~~

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

~~Supportive Measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a Formal Title IX Sexual Harassment Complaint or where no formal Title IX Sexual Harassment Complaint has been filed.~~

~~TITLE IX SEXUAL HARASSMENT PREVENTION AND RESPONSE~~

~~The superintendent or designee will ensure that the district prevents and responds to allegations of Title IX sexual harassment as follows:~~

- ~~1. Ensures that the district's comprehensive health education program incorporates (a) age-~~

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~~appropriate sexual abuse and assault awareness and prevention programs in grades Pre-K through 12, and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12. This includes incorporating student social and emotional development into the district's educational program as required by state law and in alignment with board policy.~~

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- ~~2. ——— Incorporates education and training for school staff as recommended by the superintendent, Title IX Coordinator, nondiscrimination coordinator, building principal, assistant building principal, dean of students, or a complaint manager.~~
- ~~3. ——— Notifies applicants for employment, students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the district's website, if any, and in each handbook made available to such persons.~~

~~**MAKING A REPORT**~~

~~A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, nondiscrimination coordinator, building principal, assistant building principal, dean of students, a complaint manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender.~~

~~School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.~~

~~The superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the title ix coordinator.~~

~~Title IX Coordinator:~~

~~Name: Daniel Moleti, 1133 Blue Hills Avenue, Bloomfield, CT 06002~~

~~————— dmoleti@blmfld.org ——— 860-769-4234~~

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BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(s)

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

~~BOARD POLICY~~

~~No. 4000.1(d)/No. 5145.44(d)~~

~~PROCESSING AND REVIEWING A REPORT OR COMPLAINT~~

~~Upon receipt of a report, the Title IX Coordinator and/or designee will promptly contact the complainant to: (1) discuss the availability of supportive measures, (2) consider the complainant's wishes with respect to supportive measures, (3) inform the complainant of the availability of supportive measures with or without the filing of a formal Title IX Sexual Harassment Complaint, and (4) explain to the complainant the process for filing a formal Title IX Sexual Harassment Complaint.~~

~~Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it. For any report received, the Title IX Coordinator shall review appropriate board policies pertaining to uniform grievance procedure; workplace harassment; abused and neglected child reporting; employee ethics; conduct; conflict of interest; harassment of students; prevention of and response to bullying, intimidation, and harassment; teen dating violence prohibited; student behavior, to determine if the allegations in the report require further action.~~

~~Reports of alleged sexual harassment will be confidential to the greatest extent practicable, subject to the district's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of sexual harassment.~~

~~FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINT GRIEVANCE PROCESS~~

~~When a formal Title IX Sexual Harassment Complaint is filed, the Title IX Coordinator will appoint a qualified person to undertake the investigation. The superintendent or designee shall implement procedures to ensure that all formal Title IX Sexual Harassment Complaints are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45.23. The district's grievance process shall, at a minimum:-~~

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Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

BLOOMFIELD PUBLIC SCHOOLS
Bloomfield, Connecticut

BOARD POLICY

No. 4000.1/4200.1
No. 5145.44(u)

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

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BLOOMFIELD PUBLIC SCHOOLS
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~~**BOARD POLICY**~~

~~**No. 4000.1{e}/No. 5145.44(e)**~~

- ~~1. — Treat complainants and respondents equitably by providing remedies to a complainant where the respondent is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a respondent.~~
- ~~2. — Require an objective evaluation of all relevant evidence — including both inculpatory and exculpatory evidence — and provide that credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.~~
- ~~3. — Require that any individual designated by the district as a Title IX — Coordinator, investigator, decision-maker, or any person designated by the district to facilitate an informal resolution process:~~
 - ~~a. — Not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.~~
 - ~~b. — Receive training on the definition of sexual harassment, the scope of the district’s education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.~~
- ~~4. — Require that any individual designated by the district as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.~~
- ~~5. — Require that any individual designated by the district as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant.~~
- ~~6. — Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.~~

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No. 5145.44(v)

Personnel -- Certified/Non-Certified/Students

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Prohibition of Sex Discrimination and Sexual Harassment in The Workplace

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No. 4000.1/4200.1
No. 5145.44(w)

Personnel -- Certified/Non-Certified/Students

Sexual Harassment/Title IX

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Bloomfield, Connecticut

~~**BOARD POLICY**~~ ~~_____~~ ~~**No. 4000.1(f)/ No. 5145.44(f)**~~

~~FORMAL TITLE IX SEXUAL HARASSMENT COMPLAINT GRIEVANCE PROCESS~~
~~(CONTINUED)~~

- ~~7. — Include reasonably prompt timeframes for conclusion of the grievance process.~~
- ~~8. — Describe the range of possible disciplinary sanctions and remedies the district may implement following any determination of responsibility.~~
- ~~9. — Base all decisions upon the preponderance of evidence standard.~~
- ~~10. — Include the procedures and permissible bases for the complainant and respondent to appeal.~~
- ~~11. — Describe the range of supportive measures available to complainants and respondents.~~
- ~~12. — Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.~~

~~ENFORCEMENT~~

~~Any district employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the board in the context of the relationship of the third party to the district, e.g., vendor, parent, invitee, etc. Any district student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies.~~

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~~Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.~~

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~~This policy does not increase or diminish the ability of the district or the parties to exercise any other rights under existing law.~~

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BLOOMFIELD PUBLIC SCHOOLS
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~~**BOARD POLICY**~~ ~~—————~~ ~~**No. 4000.1(g)/No. 5145.44(g)**~~

~~RETALIATION PROHIBITED~~

~~The district prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation.~~

~~Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.~~

~~LEGAL REFERENCE: ——— UNITED STATES CONSTITUTION, ARTICLE XIV~~

~~CIVIL RIGHTS ACT OF 1964, TITLE VII, 42 U.S.C. §2000 E2(A).~~

~~EQUAL EMPLOYMENT OPPORTUNITY COMMISSION POLICY GUIDANCE (N-915.035) ON CURRENT ISSUES OF SEXUAL HARASSMENT, EFFECTIVE 10/15/88.~~

~~TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 20 USCS §1681, ET SEQ.~~

~~TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, 34 CFR §106, ET SEQ.~~

~~TITLE IX FINAL RULE, 34 CFR §106.45, ET SEQ., MAY 6, 2020~~

~~————— 34 CFR SECTION 106.8(B), OCR GUIDELINES FOR TITLE IX.~~

~~————— DEFINITIONS, OCR GUIDELINES ON SEXUAL HARASSMENT, FED. REG. VOL- 62, #49, 29 CFR SEC. 1606.8 (A0 62 FED REG. 12033 (MARCH 13, 1997) AND 66 FED. REG. 5512 (JANUARY 19, 2001)~~

~~————— THE CLERY ACT, 20 U.S.C. §1092(F)~~

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~~LEGAL REFERENCE: CONTINUED~~

~~THE VIOLENCE AGAINST WOMEN ACT, 34 U.S.C. §12291(A)~~

~~MENTOR SAVINGS BANK, FSB V. VINSON 477 US.57 (1986)~~

~~FARAGHER V. CITY OF BOCA RATON, NO. 97-282 (U.S. SUPREME COURT, JUNE 26,1998)~~

~~BURLINGTON INDUSTRIES, INC. V. ELLERTH, NO. 97-569, (U.S. SUPREME COURT, JUNE 26,1998)~~

~~GEBBSER V. LAGO VISTA INDIANA SCHOOL DISTRICT, NO. 99-1866, (U.S. SUPREME COURT, JUNE 26,1998)~~

~~DAVIS V. MONRO COUNTY BOARD OF EDUCATION, NO. 97-843, (U.S. SUPREME COURT, MAY 24, 1999.)~~

~~CONNECTICUT GENERAL STATUTES~~

~~46A-60 DISCRIMINATORY EMPLOYMENT PRACTICES PROHIBITED.~~

~~CONN. AGENCIES REGS. §46A-54-200 THROUGH §46A-54-207~~

~~CONSTITUTION OF THE STATE OF CONNECTICUT, ARTICLE I, SECTION 20.~~

~~P.A. 19-16 AN ACT COMBATTING SEXUAL ASSAULT AND SEXUAL HARASSMENT~~