

TRUMBULL PUBLIC SCHOOLS
BOARD OF EDUCATION
POLICY MANUAL

SECTION: **5000**
CATEGORY: **Students**
POLICY CODE: **5145.5/Sexual Harassment of
Students**

SEXUAL HARASSMENT OF STUDENTS

Policy Statement

Sexual harassment will not be tolerated among students of the Trumbull Public Schools, and any form of sexual harassment is forbidden, whether by students, supervisory or non-supervisory personnel, individuals under contract, or volunteers in the schools. Students shall exhibit conduct which is respectful and courteous to employees, to fellow students, and to the public.

Sexual harassment is any unwelcome conduct of a sexual nature, whether verbal or physical, including, but not limited to:

1. insulting or degrading sexual remarks or conduct;
2. threats or suggestions that a student's submission to, or rejection of, unwelcome conduct will in any way influence a decision regarding that student;
3. conduct of a sexual nature which interferes with the student's learning or creates an intimidating, hostile, or offensive learning environment, such as the display in the educational setting of sexually suggestive objects or pictures.

The Board of Education encourages victims of sexual harassment to report such claims promptly to the appropriate building principal, the District Title IX Coordinator, or to the Superintendent of Schools or his/her designee. Complaints shall be investigated promptly, in accordance with the Regulations of this policy, and corrective action taken when allegations are verified. Confidentiality shall be maintained to the extent possible and no reprisals or retaliation shall occur as a result of good-faith charges of sexual harassment.

The District shall provide, for administrators and other staff, professional development related to sexual harassment, and annually shall distribute this policy to all staff and students. The District shall maintain records of the professional development provided, including the dates, the content, and the names of those attending.

Adopted: 6/15/1993
Revised: 9/7/1993, 1/13/1998,
5/23/2017, 6/12/2018,
4/12/2022

References

- Titles VI and VII of the Civil Rights Act of 1964
- Title IX Final Rule, May 6, 2020
- Title IX of the Education Amendments of 1972
- United States Department of Education Office of Civil Rights

- Connecticut General Statutes § 46a-60

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- Trumbull Board of Education Policy Code 0521: Non-Discrimination
- Trumbull Board of Education Policy Code 4118.112: Sexual Harassment
- Trumbull Board of Education Policy 5131: Student Standard of Conduct
- Trumbull Board of Education Policy Code 6121: Non-Discrimination in Instruction/
Classroom
- Trumbull Board of Education Policy Code 6161.1: Selection of Instructional Material

Regulations

1. If a student believes that he/she/they is being or has been sexually harassed, the student is encouraged to immediately inform the harasser that his/her/their behavior is unwelcome, offensive, in poor taste, unprofessional, and/or highly inappropriate.
2. As soon as a student believes that he/she/they has been subjected to sexual harassment, he/she/they should make a written complaint to the building principal and/or the building principal's designee. If the building principal is the subject of the complaint, the student should make the complaint to the District Title IX Coordinator, or Superintendent of Schools or his/her designee.
3. The complaint should state the:
 - (a) Name of the complainant;
 - (b) Date of the complaint;
 - (c) Date of the alleged harassment;
 - (d) Name or names of the alleged harasser or harassers;
 - (e) Location where such alleged harassment occurred; and
 - (f) Details of the circumstances constituting the alleged harassment, including witnesses, if any.
4. Any student who makes an oral complaint of harassment to any of the above-mentioned personnel will be provided a copy of this regulation and will be instructed to make a formal written complaint pursuant to the above procedure. In appropriate circumstances, due to the age of the student making the complaint, a parent or guardian of the Title IX Coordinator may be permitted to fill out the form, on the student's behalf.
5. If the complainant is a minor student, the person to whom the complaint is given should consider whether a child abuse report should be completed.
6. All complaints are to be forwarded immediately to the Principal or designee unless that individual is the subject of the complaint, in which case the complaint should be forwarded directly to the Title IX Coordinator. In addition, a copy of any complaint filed shall also be forwarded to Superintendent or his/her designee.
7. If possible, within five (5) working days of receipt of the complaint, the Title IX Coordinator or Principal or designee shall initiate the District's Title IX Grievance/Investigation Process to commence an effective, thorough, objective and complete investigation of the complaint. The investigator shall consult with all individuals reasonably believed to have relevant information, including the student and the alleged harasser(s), any witnesses to the conduct, and victims of similar conduct that the investigator reasonably believes may exist. The investigation shall be free of stereotypical assumptions about either party. The investigation shall be carried on discretely, maintaining confidentiality insofar as possible while still conducting an effective and thorough investigation. Throughout the entire investigative process, the due process rights of the alleged harasser(s) will be upheld.

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8. Any student who makes a complaint shall be notified of the District's intent to investigate the complaint. In the event the student requests confidentiality or that an investigation not be conducted, the District will take reasonable steps to investigate and respond to the complaint to the extent possible, given the request for confidentiality or that the District not investigate the complaint. If the student insists that his/her/their personally identifiable information not be shared with the alleged perpetrator, the student will be informed that the District's ability to investigate and/or take corrective action may be limited.
9. Upon receipt of a sexual harassment or sex discrimination complaint, the Title IX Coordinator shall provide the formal complaint to a trained Title IX investigator to commence an investigation of the complaint. The Title IX Investigator and decision-maker shall:
 - a) offer to meet with the complainant within ten (10) school days to discuss the nature of the complaint, identify individuals the complainant believes has relevant information, and obtain any relevant documents the complainant may have;
 - b) provide the complainant with a copy of the Board's sexual harassment policy and accompanying regulations;
 - c) consider whether any interim measures may be appropriate to protect the alleged victim, pending the outcome of the investigation;
 - d) investigate the factual basis of the complaint, including, as applicable, conducting interviews with individuals deemed relevant to the complaint;
 - e) consider whether alleged sex discrimination or sexual harassment has created a hostile school environment, including consideration of the effects of off-campus conduct on the school;
 - f) communicate promptly the outcome of the investigation in writing to the Title IX decision-maker to any individual properly identified as a party to the complaint (to the extent permitted by state and federal confidentiality requirements), The decision-maker, in a written notice, shall include a finding whether the complaint was substantiated and if so, shall identify, to the extent possible, how the district will remedy the discrimination or harassment, adhering to the requirements of state and federal law;
 - g) when sex discrimination or sexual harassment has been found, take steps that are reasonably calculated to end the discrimination, take corrective and/or disciplinary action aimed at preventing the recurrence of the harassment or discrimination, as deemed appropriate by the Superintendent or his/her designee, and take steps to remedy the effects of the sex discrimination or sexual harassment;
10. The decision-maker shall make a written report summarizing the results of the findings of the investigation and proposed disposition of the matter, and shall provide copies to the complainant and the alleged harasser(s,) who shall have at least ten days to review the collected and provided material before any determination is reached regarding responsibility.

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11. If the student complainant or alleged perpetrator is dissatisfied with the result of the investigation, he or she may file a written appeal within thirty (30) calendar days with the Superintendent or his/her designee, who shall review the decision-maker's written report, the information collected by the investigator together with the recommended disposition of the complaint to determine whether the alleged conduct constitutes harassment. The Superintendent, Superintendent will direct a different Title IX trained decision-maker to conduct a reasonable investigation, including interviewing the complainant and alleged harasser and any witnesses with relevant information. After completion of this review, the Superintendent shall respond to the complainant, in writing within fifteen (15) school days following the receipt of the written request for appeal.

If after a thorough investigation, there is reasonable cause to believe that sexual harassment has occurred, the district shall take all reasonable actions to ensure that the harassment ceases and will not recur. Actions taken in response to allegations of harassment may include reassignment, transfer, and/or disciplinary action.

Further, if a sex discrimination complaint raises a concern about bullying behavior, the Title IX Coordinator shall notify the Safe School Climate Specialist who shall coordinate any bullying investigation with the Title IX Coordinator.

The harasser and any other students or employees, if appropriate, will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If further acts of harassment or retaliation do occur, appropriate action shall be taken.

Retaliation against any individual who complains pursuant to the Board's policy and regulations is strictly prohibited. The district will take actions necessary to prevent retaliation as a result of filing a complaint.

At any time, a complainant alleging sex discrimination or sexual harassment may file formal complaint with the U.S. Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square, Suite 900, Boston, MA 02109-0111 (Telephone Number (617) 289-0111).