
OLR Bill Analysis

sHB 6642 (as amended by House "A")*

AN ACT CONCERNING A TITLE IX COMPLIANCE TOOLKIT FOR SCHOOL DISTRICTS.

SUMMARY

This bill requires the Commission on Women, Children, Seniors, Equity and Opportunity (CWCSEO) 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 their parents and guardians. (Title IX of the Education Amendments of 1972 prohibits sex-based discrimination in education programs and activities that receive federal financial assistance.)

Under the bill, each local and regional board of education must annually (1) beginning with the 2025-2026 school year, implement the toolkit in their efforts to prevent, identify, and respond to reports of child sexual abuse, harassment, and discrimination, and (2) beginning with the 2026-2027 school year, submit a report to the State Department of Education (SDE) on their Title IX compliance.

*House Amendment "A" (1) requires CWCSEO, rather than SDE, to convene a Title IX working group, requires the commission to lead the group, and adds the CWCSEO executive director to the group's members; (2) delays, from January 1, 2024, to the school year beginning July 1, 2026, the reporting requirement for local and regional boards of education to report to SDE on their Title IX compliance and requires them to do so annually; (3) delays the implementation of the Title IX toolkit by one year; (4) delays, from July 1, 2024, to October 1, 2024, the date by which SDE is required to distribute the toolkit to local and regional boards of education; and (5) requires SDE to annually review submitted Title IX compliance reports, rather than once by July 1, 2024.

EFFECTIVE DATE: July 1, 2023

ANNUAL REPORT ON TITLE IX COMPLIANCE

Under the bill, beginning with the 2026-2027 school year, each local and regional board of education must annually submit a Title IX compliance report to SDE as the department determines. The report must include the following:

1. the name and contact information of any person the board designated to serve as the school district's Title IX coordinator, including the dates they served;
2. any training the board offered or provided to school personnel on Title IX laws and implementation, including its content and frequency;
3. the Title IX policy and any supplemental misconduct policy for the school district, including a description of where the policies are available to students, parents and guardians, and school personnel; and
4. guidelines or resources, if any, the board used or provided in the implementation to any student, parent, or guardian who makes a complaint concerning a Title IX violation.

The bill requires SDE to annually review the compliance reports and develop a report based on its findings. SDE must make the report available on its website and submit it to the Children's Committee.

TITLE IX COMPLIANCE TOOLKIT

Contents

The Title IX compliance toolkit must include training for school administrators, Title IX coordinators, school personnel, students, and their parents and guardians that includes:

1. information on the prevention, identification, and response to adult sexual misconduct in schools, as described in the U.S. Department of Education's "Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting"; and

2. research and data on 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 (LGBTQ), or another sexual orientation or identity.

The toolkit must also include the following:

1. a model antidiscrimination and abuse prevention policy and procedures that include policies addressing the needs of students who are disabled, LGBTQ, or another sexual orientation or gender identity;
2. a summary of applicable state and federal statutory and regulatory requirements and how they affect the rights of students, including students who are disabled, LGBTQ, or another sexual orientation or gender identity, to be free from discrimination, harassment, and abuse;
3. the process for reporting an incident of adult sexual misconduct, including documents accessible to students, their parents and guardians, school personnel, and administrators;
4. requirements for investigating reports of adult sexual misconduct, including information on the need to offer safety planning and services to the complainant or victim;
5. an explanation of the Title IX complaint procedures, including the various methods accessible to students, their parents and guardians, school personnel and administrators for submitting complaints;
6. information explaining a person's right to seek redress from the Commission on Human Rights and Opportunities (CHRO) and the U.S. Department of Health and Human Services' Office for Civil Rights that is accessible to students, their parents and guardians, school personnel, and administrators;
7. procedures for publishing and spreading information to

students, their parents and guardians, school personnel, and administrators from the Connecticut School Health Survey and school climate assessment instruments (see BACKGROUND);

8. available personnel and resources at the state and federal level to give ongoing technical assistance and support to local and regional boards of education on their Title IX compliance; and
9. available resources to support students, educators, and parents and guardians on preventing, identifying, and responding to child sexual harassment, discrimination, and abuse.

Working Group Membership and Report

Under the bill, the working group's members include the CWCSEO and CHRO executive directors or their designees; the commissioners of Children and Families, Education, and Public Health or their designees; and the Child Advocate or her designee. It also includes representatives from the following organizations, designated by each:

1. the Connecticut Alliance to End Sexual Violence,
2. the Connecticut Children's Alliance,
3. Disability Rights of Connecticut,
4. the Connecticut Association of Public School Superintendents,
and
5. the Connecticut Association of Boards of Education.

The CWCSEO executive director may also designate more members who have expertise in human resources and internet technology.

The working group must submit the toolkit to the Children's Committee by July 1, 2024. The group sunsets on the date they submit their toolkit or July 1, 2024, whichever is later.

By October 1, 2024, the bill requires SDE to distribute the toolkit to local and regional boards of education and give technical assistance to

them in implementing it. SDE must also post the toolkit on its website.

BACKGROUND

Connecticut School Health Survey

Existing law requires the Department of Public Health, when receiving funding from the federal Centers for Disease Control (CDC), to biennially conduct the Connecticut School Health Survey, an anonymous school-based survey of a representative sample of public high school students, based on the CDC's Youth Risk Behavior Survey. As part of the survey process, parents and guardians are given advanced notice and the option to opt their student out from participating (CGS § 10-217h et seq.).

School Climate Assessment Instruments

By law, schools must conduct school climate assessments, which include surveys to gauge the perspectives and opinions of students. The surveys must allow students to complete them anonymously. SDE must (1) use the information collected from the surveys as part of an annual analysis that includes the number of verified acts of bullying in the state, the school districts' responses, and any other recommendations to improve school climate and (2) submit the analysis to legislative leaders and the Education and Children's committees (CGS §§ 10-222h & 222-k).

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 19 Nay 0 (02/28/2023)