



PA 23-66—sHB 6642
Committee on Children

AN ACT CONCERNING A TITLE IX COMPLIANCE TOOLKIT FOR SCHOOL DISTRICTS

SUMMARY: This act 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 students’ parents and guardians. (Title IX of the federal Education Amendments of 1972 prohibits sex-based discrimination in education programs and activities that receive federal financial assistance.)

By October 1, 2024, the State Department of Education (SDE) must distribute the toolkit to local and regional boards of education and give them technical assistance in implementing it. SDE must also post the toolkit on its website.

Under the act, local and regional boards of education must annually (1) starting 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 SDE on their Title IX compliance. SDE must annually review these compliance reports and submit its findings to the Children’s Committee and post them on the department’s website.

EFFECTIVE DATE: July 1, 2023

TITLE IX COMPLIANCE TOOLKIT

Contents

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

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 of 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 these students with unique risks as described above;

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2. a summary of applicable state and federal statutory and regulatory requirements and how they affect the rights of students, including these students with unique risks, 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. information on 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. information on 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 act, 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 a representative from each of 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 terminates on the date it submits its toolkit or July 1, 2024, whichever is later.

ANNUAL REPORT ON TITLE IX COMPLIANCE

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Under the act, beginning with the 2026-2027 school year, each local and regional board of education must annually submit a Title IX compliance report to SDE in a way 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 he or she 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 act 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.

BACKGROUND

Connecticut School Health Survey

Existing law requires the Department of Public Health, when receiving related funding from the federal Centers for Disease Control and Prevention (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 students' perspectives and opinions. 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 Children's and Education committees (CGS §§ 10-222d & 10-222h).