



# House of Representatives

General Assembly

**File No. 89**

January Session, 2023

Substitute House Bill No. 6642

*House of Representatives, March 16, 2023*

The Committee on Children reported through REP. LINEHAN of the 103rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2023*) (a) The Department of  
2 Education shall convene a working group to identify or develop a Title  
3 IX compliance toolkit for use by local and regional boards of education,  
4 students and parents and guardians of students. For purposes of this  
5 section and sections 2 to 4, inclusive, of this act, "Title IX" means the  
6 provisions of Title IX of the Elementary and Secondary Education Act  
7 of 1972, 20 USC 1681 et seq., as amended from time to time.

8 (b) The Title IX compliance toolkit shall include:

9 (1) Training for school administrators, Title IX coordinators, school  
10 personnel, students and parents and guardians of students that includes  
11 (A) information regarding the prevention, identification and response  
12 to adult sexual misconduct in schools, as described in the United States  
13 Department of Education's "Training Guide for Administrators and

14 Educators on Addressing Adult Sexual Misconduct in the School  
15 Setting", and (B) research and data regarding the prevalence of child  
16 sexual abuse, adult sexual misconduct and the unique risk to sexual  
17 abuse for students with disabilities or who are lesbian, gay, bisexual,  
18 transgender, queer or another sexual orientation or gender identity;

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

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

28 (4) Provisions relating to the process for reporting an incident of adult  
29 sexual misconduct, including documents accessible to parents and  
30 guardians of students, students, school personnel and administrators;

31 (5) Requirements for investigating reports of adult sexual  
32 misconduct, including information regarding the need to offer safety  
33 planning and services to the complainant or victim;

34 (6) An explanation of the Title IX complaint procedures, including,  
35 but not limited to, the various methods accessible to parents and  
36 guardians of students, students, school personnel and administrators of  
37 submitting complaints;

38 (7) Information explaining the right of an individual to seek redress  
39 from the Commission on Human Rights and Opportunities and the  
40 United States Department of Health and Human Services' Office for  
41 Civil Rights that is accessible to parents and guardians of students,  
42 students, school personnel and administrators;

43 (8) Procedures for publishing and disseminating information to  
44 parents and guardians of students, students, school personnel and

45 administrators from the Connecticut School Health Survey,  
46 administered pursuant to section 10-217h of the general statutes, and  
47 school climate assessment instruments, completed pursuant to section  
48 10-222d of the general statutes;

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

53 (10) Information relating to resources that are available to provide  
54 support to students, educators and parents and guardians regarding  
55 prevention, identification and response to child sexual harassment,  
56 discrimination and abuse.

57 (c) The working group shall consist of: (1) The Commissioner of  
58 Education, or the commissioner's designee, (2) the Commissioner of  
59 Children and Families, or the commissioner's designee, (3) the  
60 Commissioner of Public Health, or the commissioner's designee, (4) the  
61 executive director of the Commission on Human Rights and  
62 Opportunities, or the executive director's designee, (5) the Child  
63 Advocate, or the Child Advocate's designee, (6) a representative from  
64 each of the following organizations, designated by each such  
65 organization: (A) The Connecticut Alliance to End Sexual Violence, (B)  
66 the Connecticut Children's Alliance, (C) Disability Rights of  
67 Connecticut, (D) the Connecticut Association of Public School  
68 Superintendents, and (E) the Connecticut Association of Boards of  
69 Education, and (7) any additional members who have expertise in  
70 human resources and Internet technology, designated by the  
71 Commissioner of Education.

72 (d) Not later than July 1, 2024, the working group shall submit the  
73 Title IX compliance toolkit to the joint standing committee of the  
74 General Assembly having cognizance of matters relating to children, in  
75 accordance with the provisions of section 11-4a of the general statutes.  
76 The working group shall terminate on the date that it submits such  
77 toolkit or July 1, 2024, whichever is later.

78       Sec. 2. (NEW) (*Effective July 1, 2023*) (a) Not later than July 1, 2024, the  
79 Department of Education shall distribute the Title IX compliance toolkit,  
80 identified or developed pursuant to section 1 of this act, to local and  
81 regional boards of education and provide technical assistance to such  
82 boards in the implementation of such toolkit.

83       (b) The department shall post the Title IX compliance toolkit on the  
84 department's Internet web site.

85       Sec. 3. (NEW) (*Effective July 1, 2023*) For the school year commencing  
86 July 1, 2024, and each school year thereafter, each local and regional  
87 board of education shall implement the Title IX compliance toolkit,  
88 identified or developed pursuant to section 1 of this act, in such board's  
89 efforts to prevent, identify and respond to reports of child sexual abuse,  
90 harassment and discrimination.

91       Sec. 4. (*Effective July 1, 2023*) (a) Not later than January 1, 2024, each  
92 local and regional board of education shall submit a Title IX compliance  
93 report to the Department of Education, in such form and manner as  
94 prescribed by the department. Such report shall include (1) the name  
95 and contact information of the individual, if any, designated by the  
96 board to serve as the Title IX coordinator for the school district,  
97 including the dates on which such individual has served as the Title IX  
98 coordinator, (2) the training, if any, offered or provided by the board to  
99 school personnel regarding the laws and implementation of Title IX,  
100 including the content and frequency of such training, (3) the Title IX  
101 policy and any supplemental misconduct policy, if any, for the school  
102 district, including a description of where such policies are available to  
103 students, parents and guardians and school personnel, and (4)  
104 guidelines or resources, if any, used or provided by the board in the  
105 implementation to any student, parent or guardian who makes a  
106 complaint concerning a violation of Title IX.

107       (b) Not later than July 1, 2024, the department shall review the Title  
108 IX compliance reports submitted pursuant to subsection (a) of this  
109 section and develop a report based on its findings of such review. The  
110 department shall make such report available on its Internet web site and

111 submit such report to the joint standing committee of the General  
112 Assembly having cognizance of matters relating to children, in  
113 accordance with the provisions of section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>July 1, 2023</i>	New section
Sec. 4	<i>July 1, 2023</i>	New section

**KID**      *Joint Favorable Subst.*

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*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** See Below

### **Explanation**

The bill has no fiscal impact to the State Department of Education (SDE), and a potential annual cost to local and regional school districts beginning in FY 25.

It requires (1) the State Department of Education (SDE) to convene a working group to develop a Title IX compliance toolkit; (2) local and regional school districts to implement the toolkit starting in FY 25 and report certain information to SDE; and (3) SDE to issue a report concerning local and regional school district compliance with the toolkit.

Any impact to local and regional school districts will depend on the recommendations of the working group established by the bill. It is anticipated that SDE can fulfill the bill's requirements with existing resources.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** See Above

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**OLR Bill Analysis**

**sHB 6642**

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

**SUMMARY**

This bill requires the State Department of Education (SDE) to convene 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) submit a report to SDE on their Title IX compliance beginning January 1, 2024, and (2) beginning with the 2024-2025 school year, implement the toolkit in their efforts to prevent, identify, and respond to reports of child sexual abuse, harassment, and discrimination.

EFFECTIVE DATE: July 1, 2023

**ANNUAL REPORT ON TITLE IX COMPLIANCE**

Under the bill, by January 1, 2024, each local and regional board of education must 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 review the compliance reports by July 1, 2024, 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 commissioners of Children and Families, Education, and Public Health or their designees; the Child Advocate or her designee, and the CHRO executive director or his 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 SDE commissioner may also designate more members who have expertise in human resources and internet technology.

By July 1, 2024, the bill requires (1) SDE to distribute the toolkit to local and regional boards of education and give technical assistance to them in implementing it, and (2) the working group to submit a report on the toolkit to the Children's Committee.

The working group sunsets on the date they submit their report or July 1, 2024, whichever is later. 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)