



STATE OF CONNECTICUT
STATE BOARD OF EDUCATION



TO: Superintendents of Schools
Executive Directors of State-Approved Nonpublic Special Education Programs
Executive Directors of Regional Educational Service Centers (RESCs)
State Education Resource Center (SERC)
Unified School Districts I, II, and III

FROM: Charlene M. Russell-Tucker, Commissioner of Education *CRJ*

DATE: October 17, 2022

SUBJECT: Trainings for Title IX Coordinators, Identification of, and Reporting of Educator Misconduct

This memorandum serves as an important reminder of the Title IX coordinator trainings and the statutorily required reporting of educator misconduct by local districts to the Connecticut State Department of Education (CSDE). The growing number of misconduct cases is certainly cause for concern and districts are reminded to take immediate action and investigate such cases in accordance with state and federal law.

Title IX

Title IX remains a critical federal civil rights law that prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance in our schools. The preamble to Title IX of the Education Amendments of 1972 states that:

- No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Title IX requires that educational entities that receive federal funds have at least one person designated as the Title IX Coordinator. The Title IX Coordinator oversees compliance with the federal law and at times, will conduct investigations to determine if the federal law has been upheld. As a best practice, the CSDE strongly recommends the appointment of a Title IX coordinator in each school building in each district.

Please note that statewide Title IX coordinators were notified to attend a CSDE webinar training from 9 a.m. to 12 p.m. via Zoom on the following dates:

October 17, 2022
October 18, 2022
October 24, 2022
October 25, 2022

The webinar trainings will provide updates on roles and responsibilities as a Title IX coordinator. Deadline to register for each webinar is one day prior to the date. Registration closes at 100 attendees. Registration for these webinars is available online at <https://bit.ly/titleIX-fall2022>

Reporting of Alleged Misconduct by School Employee to the CSDE

Several state laws authorize local and regional boards of education to notify and provide documents to the CSDE when a certified educator is suspected of abuse/neglect or involved in misconduct. As a reminder to superintendents, the CSDE is sharing some pertinent statutory provisions below:

C.G.S. Section 10-145b(i)(7) provides that local and regional boards of education or private approved special education facilities shall report to the CSDE when an employee who holds a certificate, authorization or permit is dismissed for moral misconduct pursuant to C.G.S. Section 10-151(d)(3).

C.G.S. Section 10-151c provides that records of personal misconduct of a teacher (anyone in a position requiring certification by the State Board of Education below the rank of superintendent) shall be deemed to be public records and shall be subject to disclosure pursuant to C.G.S. Section 1-210(a) (Freedom of Information Act). Disclosure of records of misconduct do not require the consent of the certified staff member prior to disclosure.

C.G.S. Section 10-222c(3)(b) provides that local or regional boards of education shall notify the CSDE of any finding of abuse/neglect by the Department of Children and Families.

C.G.S. Section 10-222j provides that local or regional boards of education shall provide to the Commissioner of Education any information received from a previous employer of any certified applicant concerning abuse/neglect or sexual misconduct during the hiring Employment Verification Checks.

C.G.S. Section 10-232a(b) provides that non-governmental school operators (interdistrict magnet school that is a third-party not-for-profit corporation approved by the Commissioner of Education, the governing council of a state or local charter school, an endowed or incorporated academy approved by the State Board of Education pursuant to section 10-34, a special education facility approved by the State Board of Education pursuant to section 10-76d or the supervisory agent of a nonpublic school), shall notify the CSDE when a notice of conviction of a crime by a certified, authorized or permitted educator is received by the local district as part of a state criminal background check. Crimes reported as part of the national FBI criminal background check are not disclosable outside the local district.

C.G.S. Section 17a-101i provides that not more than 72 hours after a certified employee suspected of abuse/neglect is suspended with pay, the local or regional district must notify the CSDE of the suspension. If the certified educator involved in child abuse/neglect either is terminated or resigns from employment, the local district must also notify the CSDE of the termination or resignation.

When the misconduct of a certified, authorized or permitted educator is egregious, the district should consider filing a *Request for Certification Action* available through the Bureau of Investigations and Professional Practices.

Notifications to the CSDE pursuant to any of these statutory sections may be made electronically to: Profpractices.CSDE@ct.gov.

If you have any questions, please contact Dr. Adrian Wood, State Title IX Coordinator at Adrian.Wood@ct.gov.