

STOUGHTON PUBLIC SCHOOLS
ANTI – HARASSMENT POLICY

The Stoughton Public School System is committed to maintaining a school environment free of harassment based on race, color, sex, religion, national origin, sexual orientation, age, or disability in accordance with Massachusetts Law Chapter 282 of the Acts of 1993, General Laws Chapter 76, section 5. Harassment by administrators certified and support personnel, students, vendors, and other individuals at school or at school-sponsored events is unlawful and is strictly prohibited. The Stoughton Public School System requires all employees and students to conduct themselves in an appropriate manner with respect for their fellow employees, students and all members of the school community.

A. Definition of Harassment

1. In General

Harassment includes communication such as jokes, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which offends or shows disrespect to others based upon race, color, sex, religion, national origin, sexual orientation, age, or disability.

Individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to School Administrators when a particular behavior or communication is unwelcome, intimidating, hostile or offensive.

2. Sexual Harassment

While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

- a. Acceptance of or submission to such conduct is made either explicitly or implicitly a term of condition of employment or education.
- b. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student.
- c. Such conduct interferes with an individual's job duties, education or participation in extra-curricular activities.
- d. The conduct creates an intimidating, hostile or offensive work or school environment.

B. Harassment and Retaliation Prohibited

Harassment in any form or for any reason is absolutely forbidden. This includes harassment by administrators, certified and support personnel, students, vendors and other individuals in school or at school related events. In addition, retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of the school or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by the Stoughton Public Schools.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the Administration and/or School Committee, subject to applicable procedural requirements.

C. Procedure for Filing a Complaint

Any individual who believes he/she has been harassed or who has witnessed or learned about the harassment of another person in the school environment, should inform the Principal or the Civil Rights Representative for the school building and should fill out an Incident as soon as possible. The individual may seek an informal resolution to the matter or may file a formal grievance through the process provided by the Stoughton Public Schools Grievance Procedure. The individual may also contact the Assistant Superintendent, who holds the position of Civil Rights Coordinator.

D. Investigation

The Stoughton Public Schools will promptly investigate every complaint of harassment as set forth in Section A. If it determines that harassment has occurred, it will take appropriate action to end the harassment and to ensure that it is not repeated. Confidentiality will be maintained to the extent consistent with the school's obligations under law and under applicable collective bargaining agreements. In certain cases, the harassment of a student may constitute child abuse under state law. The Stoughton Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

E. Closure of a Complaint

When an investigation has been completed, administrators will inform the complainant of the results of the investigation and a Bullying and Harassment Administrative Report Form will be placed on file with the Civil Rights Coordinator. If the complainant is not satisfied with the findings of the administrator, they may continue with the grievance process as defined by the Stoughton Public School Grievance Procedure. The Stoughton Public School System urges all individuals in the school community to bring any concerns or complaints of harassment or discrimination to the attention of school principals or the building Civil Rights Representative or the Assistant Superintendent / Civil

Rights Coordinator so that they can resolve the issue. Individuals may also contact the state agencies responsible for enforcing laws prohibiting harassment or discrimination in schools: The Massachusetts Department of Education, 350 Main Street, Malden, MA (781-388-3300) and the Massachusetts Commission Against Discrimination, One Ashburton Place, Boston, MA (617-727-3990). The agency responsible for enforcing the federal law prohibiting harassment on the basis of sex is the Office of Civil Rights within the United States Department of Education, which is located at the John W. McCormack Building, Post Office Square, Boston, MA (617-223-9662).

F. Appeals

The recipient of a grievance may appeal a Level I finding in writing to the Assistant Superintendent within 15 days after receiving a copy of the finding. The recipient of a grievance may appeal the Level II finding in writing to the Superintendent of Schools within 15 days after receiving a copy of the finding. Upon appeal, a finding will be reviewed to ensure the adequacy of the investigation and conclusions. Parties will be given an opportunity to submit additional relevant information. Following an appeal(s), the Assistant Superintendent / Superintendent of Schools will make a final decision and provide it in writing to the respective parties within 30 days.

G. Actions

After a comprehensive investigation, any employee, student or agent of the Stoughton Public Schools who has been found to have harassed another employee or student based on race, color, sex, religion, national origin, disability or sexual orientation may be subject to appropriate action up to and including discharge or expulsion from the school system.

H. Notice of Non-discrimination

The Stoughton Public Schools does not discriminate on the basis of race, color, sex, religion, national origin, sexual orientation, age or disability in admission to, access to, employment in, or treatment in its programs and activities.

The Civil Rights Coordinator for Title IX of the Education Amendments of 1972, and Chapter 622 of the Acts of 1971 can be reached at 232 Pearl Street, Stoughton, MA 02045.

Inquiries regarding the application of the Stoughton Public Schools non-discrimination policy may be referred to the Coordinator as named above, or the Assistant Secretary for Civil Rights, U.S. Department of Education, Washington, D.C. 20202, or the Regional Director, U.S. Department of Education Office of Civil Rights, Region One, John McCormack Building, Post Office Square, Boston, MA 02109

STOUGHTON PUBLIC SCHOOLS
GRIEVANCE PROCEDURE

The Stoughton Public Schools has developed the following grievance procedure for students and employees to provide for a prompt and equitable resolution of complaints alleging harassment or discrimination. This grievance procedure may be used to address other issues when deemed appropriate by the Superintendent or his/her designee.

Level One

1. All grievances should be presented within 14 calendar days from the date the individual first became aware of, or should have become aware of, the cause of such grievance.
2. The grievant will present the grievance to the Principal, and if possible, it should be settled at the building level.
3. The Principal must investigate the grievance and provide a written response to the grievant of the complaint within seven (7) calendar days.

Level Two

1. If the grievant is not satisfied with the Level One response, or if a response is not provided within the prescribed time limit, the grievant may present the grievance in writing to the Assistant Superintendent. This shall occur:
 - A. Within 7 calendar days following the date the grievant received the Principal's response, or
 - B. Within 7 calendar days following the date the Principal's response was due, if the Principal fails to respond within the prescribed time limit.
2. The Assistant Superintendent must investigate, afford the grievant an opportunity to present his or her viewpoint, and provide the grievant a written response containing findings and recommendations within 14 calendar days of receipt of the written grievance.

Level Three

1. If the grievant is not satisfied with the Level Two response, or if the Level Two response is not provided within the prescribed time limit, the grievant may present the grievance to the Superintendent of Schools. This shall occur:
 - A. Within 7 calendar days following the date the employee received the second step response, or

- B. Within 7 calendar days following the date the second step response was due, if the second step response is not made within the prescribed time limit.
2. The Superintendent of Schools must conduct a hearing, an investigation if deemed appropriate, OR a review of the Level One and Level Two responses, and must issue a written decision within 21 calendar days following the date the grievance entered the third level.

Summary Disposition of a Grievance

At any time after the filing of a written grievance, the Principal, Assistant Superintendent, or the Superintendent of Schools may dismiss the grievance on any of the following grounds:

1. The grievant does not work for or attend the Stoughton Public Schools.
2. The person against whom the grievance is filed does not work for or attend the Stoughton Public Schools.
3. The grievance has not been made in the required manner or within the prescribed period.
4. A decision on the grievance would be ineffective or moot.
5. The remedy requested cannot be granted.
6. The grievance has been determined to be frivolous.
7. The grievance is being used to impede the efficient operation of the Schools.
8. The grievant did not appear for the grievance hearing.
9. When a Principal, Assistant Superintendent, or Superintendent of Schools dismisses a grievance, he or she must notify the grievant and any school administrator(s) who received or heard the grievance.

Alternate Grievance Officers

A grievant may petition for an alternate grievance officer to hear their grievance. An alternate Level One grievance officer will be a Principal or Assistant Principal from another school. In the case of a Level Two grievance, the Director of Special Education will fulfill the role of grievance officer. When necessary or deemed appropriate, the Superintendent of Schools may appoint a hearing officer from outside the District to hear, investigate, and render a finding on a grievance.

SAMPLE GRIEVANCE FORMAT

DATE:

FROM:

TO: Level I – to the Principal,
Level II – to the Assistant Superintendent
Level III – to the Superintendent of Schools

SUBJECT:

1. This is a Level _____ grievance as defined under the Stoughton Public Schools Grievance Procedure.

2. The matter(s) that aggrieve(s) me occurred on [give date(s)] and is described in detail as follows: [Furnish sufficient detail to clearly identify the matter being grieved. Fully explain the basis for your grievance and provide all available evidence, documentation, and rationale to support your grievance and the relief that you seek.]

3. The personal relief I seek is: [Specify clearly. If it is already stated or implied above, restate it here]. [NOTE: "Personal relief" means a specific remedy directly benefiting you.]

[Signature]

[Attachments:]

[NOTE: It is preferable to make personal delivery when practicable. When mailing is used, the postmark usually determines the date of the grievance.]