

<i>Policy</i>	<i>Title</i> HARASSMENT	<i>Code</i> ACAA
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HOLLISTON

I. Statement of Policy

The Holliston Public Schools are committed to maintaining a school environment free of harassment. This includes, but is not limited to, harassment based on race, color, creed, sex, gender identity, religion, national origin, sexual orientation, marital status, age, or disability. Harassment by administrators, certified and support personnel, students, vendors and all other individuals at school, at school sponsored events or on school transportation is unlawful and is strictly prohibited. The Holliston Public Schools requires all employees, students and visitors to conduct themselves in an appropriate manner with respect for their fellow employees, students, and all members of the school community. Any individual who believes she/he has been harassed or who has witnessed or learned about the harassment of another person in the school environment, should inform the principal as soon as possible.

II. Definition of Harassment

A. In General: Harassment includes communications 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, creed, sex, religion, national origin, sexual orientation, gender identity, marital status, age or disability. Harassment can occur either between students, from a student to an employee, from an employee to a student or between employees.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic(s) on which the harassment is based. What one person may consider acceptable behavior, may reasonably be viewed as harassment by another person. Therefore, 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 others when a particular behavior or communication is unwelcome, intimidating, hostile, or offensive.

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

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education;
2. 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;
3. Such conduct interferes with an individual's job duties, educational or participation in extra-curricular activities; or
4. The conduct creates an intimidating hostile or offensive work or school environment.

III. 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 all other individuals in school, at school-related events or on school transportation. 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 Holliston Public Schools.

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

IV. Investigation

Any individual who believes she/he has been harassed or who has witnessed or learned about the harassment of another person in the school environment, should inform the principal as soon as possible. If the individual does not wish to discuss the issue with the principal, or if the individual believes that the issue requires further attention, the individual should inform the Superintendent of Schools at 370 Hollis Street, Holliston, MA 01746, 508-429-0654 or the Director of Student Services or the Coordinator for the Title IX/Section 504 of the Rehabilitation Act/Chapter 622, who can be reached at 370 Hollis Street, Holliston, MA 01746, 508-429-0662.

Any staff member who observes a student being harassed should intervene to stop the harassment and encourage the student to bring the matter to the attention of the building principal and shall report the matter her/himself. Any staff member who is approached by a student with a concern about harassment should encourage the student to bring the matter to the attention of the building principal and shall report the matter her/himself.

The Holliston Public Schools will promptly investigate every complaint of harassment. 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 Holliston 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.

V. Closure of Complaint

When an investigation has been completed, school personnel will inform the complainant of the results and file a report with the Coordinator for Title IX/Section 504 of the Rehabilitation Act/Chapter 622.

VI. Notifications

Notice of this policy will be circulated to all schools and departments of the Holliston Public Schools and distributed to all employees on an annual basis. It will be incorporated into teacher and student handbooks. The Superintendent is charged with establishing administrative procedures which include scheduling regular training for staff and students in the prevention of harassment, the scope of the harassment policy, and the proper procedures to be followed when complaints arise.

VII. Other Resources

The Holliston Public Schools urges all individuals in the school community to bring any concerns or complaints of harassment to the attention of school personnel so that they can address the issue. The state agency responsible for enforcing laws prohibiting harassment in public schools is the Massachusetts Department of Education, or the Massachusetts Commission Against Discrimination. The agency responsible for enforcing federal laws prohibiting harassment in the employment context is the Equal Employment Opportunity Commission. The agency responsible for enforcing the federal law prohibiting harassment on the basis of sex in public school settings is the Office for Civil Rights within the United States Department of Education. Addresses and telephone numbers for the above named agencies are listed in the attachment, "Harassment Other Resource Directory." This list will be updated annually to ensure accuracy.

First Reading:	February 3, 2000
Second Reading:	March 2, 2000
Third Reading:	March 16, 2000
Policy Adopted:	March 16, 2000
Policy Amended:	March 16, 2006, November 15, 2012
Policy Reviewed:	October 20, 2017
Legal References:	Title IX of the Education Amendments of 1972; 20 USC 1681, et seq. 34 CFR Part 106, Title VII of the Civil Rights Act of 1964; 42 USC 2000e-2, M.G.L. c. 76, s. 5, 603 CMR 26.00, M.G.L. c. 151B, s.1 and s.3A, M.G.L. c. 151C, s.1
Policy Cross Reference:	ACAA replaces ACAB-Sexual Harassment; JIC (Expected Conduct); JICFA (Hazing); JICFB (Bullying Prevention)
Procedure Reference:	See Attachment ACAA-R

10/17/la

<i>Attachment</i>	<i>Title</i> HARASSMENT: OTHER RESOURCES DIRECTORY	<i>Code</i> ACAA-R
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<p>Massachusetts Department of Elementary and Secondary Education 75 Pleasant Street Malden, MA (781-338-3300)</p> <p>Equal Employment Opportunity Commission One Congress Street, 10th Floor, Rm 1001 Boston, MA (617-565-3200)</p>	<p>Massachusetts Commission Against Discrimination One Ashburton Place Boston, MA (617-727-3990)</p> <p>Office for Civil Rights/ED 5 Post Office Square, 8th Floor Boston, MA (617-289-0111)</p>
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