File: GBAA - POLICY AGAINST HARASSMENT AND DISCRIMINATION

FOR EMPLOYEES AND ADULT VOLUNTEERS

A. Introduction

The Berlin-Boylston Public Schools are committed to providing a safe educational environment that promotes equal access to educational and occupational opportunities for all adults and children regardless of race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, homelessness and genetic information. Consistent with its pledge of equity for all students and staff, discrimination or harassment will not be tolerated. It is the goal of the Berlin-Boylston Public Schools to prevent harassment through on-going and appropriate means of staff and student awareness, staff training, and policy dissemination. It shall be a violation of this policy to harass, discriminate, bully, intimidate, threaten, insult, retaliate or otherwise engage in any conduct, whether verbal or physical, against any individual based upon their race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, homelessness, genetic information, pregnancy or pregnancy related conditions.

The Berlin-Boylston Public Schools take allegations of discrimination, harassment, and sexual harassment seriously, and will respond promptly to any complaints of potential violations of this policy. Further, any retaliation against an individual who has complained of, or has cooperated in an investigation of a complaint about discrimination, harassment or sexual harassment, shall not be tolerated. If the Berlin-Boylston Public Schools find that an individual has violated this policy, we will act promptly to eliminate the conduct, impose corrective action as necessary, including disciplinary action up to and including termination. Nothing in this policy shall limit our authority to discipline or take remedial action for conduct that is deemed to be a violation of this policy.

B. Definitions of Discrimination and Harassment

Discrimination and harassment consists of any unwelcome conduct that is based on race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, homelessness, genetic information, pregnancy or pregnancy related conditions. Such conduct may include, but is not limited to, offensive jokes, slurs, epithets, name calling, physical assaults, threats, intimidation, mockery, insults, ridicule, offensive pictures or objects, or any other offensive conduct that interferes with work performance. It shall be a violation of this policy to engage in any of the aforementioned conduct, or to create a hostile work environment.

It is also a violation of this policy to engage in conduct that that is construed as sexual harassment. Sexual harassment includes, but is not limited to, sexual

advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

(a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,

(b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending on the totality of the circumstances including the severity of the conduct and its pervasiveness, and which constitute a violation of this policy:

- **Unwelcome sexual advances, whether they involve physical touching or not;**
- **Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess;**
- **Requests for sexual favors;**
- **The display or distribution of written, digital, or electronic sexually explicit photographs, drawings or cartoons, or obscene materials;**
- **Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;**
- **Displaying sexually suggestive objects, pictures, drawings or cartoons whether in print, electronic or digital form;**
- **Inquiring into one's sexual experiences, or commenting on one's sexual preferences;**
- **Discussion of one's sexual activities; and**
- **Any verbal or physical conduct of a sexual nature where a person's submission to or rejection of such conduct is the basis for or is a factor in any employment decision affecting the individual, or otherwise creates an intimidating, hostile or offensive working environment.**

It is also a violation of this policy to engage in any form of retaliation against an individual that has complained about discrimination or harassment, including sexual harassment, or against any individual that is cooperating in an investigation of a discrimination, harassment or sexual harassment complaint. If the Berlin-Boylston Public Schools find that an individual has violated this policy, the individual will be subject to disciplinary action up to and including termination of employment.

C. Complaints

Employees who feel that they have been subject to discriminatory, harassing or sexually harassing conduct may file a complaint with the Berlin-Boylston Public Schools. The complaint may be made orally or in writing, and should be directed to:

Director of Pupil Personnel Services
Berlin-Boylston Public Schools
215 Main Street
Boylston, MA 01505
(508) 869-2837 x1105

Or

Director of Curriculum and Grants
Berlin-Boylston Public Schools
215 Main Street
Boylston, MA 01505
(508) 869-2837 x1111

The Berlin-Boylston Public Schools take allegations of discrimination, harassment, and sexual harassment seriously, and will investigate and respond quickly to any complaints of potential violations of this policy. The investigation will include interviewing the individual filing the complaint, as well as any witnesses and individuals with relevant information. To the extent practicable under the circumstances, the investigation will be kept confidential.

If it is determined that a violation of this policy has occurred, the Berlin-Boylston Public Schools will act promptly to eliminate the offending conduct, and where appropriate, impose disciplinary action that may a variety of measures, include termination.

Any staff member or student who is dissatisfied with the results or progress of the investigation by the Berlin-Boylston Public Schools may discuss his/her dissatisfaction directly with the Superintendent of Schools:

Office of the Superintendent
Berlin-Boylston Public Schools
215 Main Street
Boylston, MA 01505
(508) 869-2837 x1107

In addition to the above, if an individual believes that they have been subjected to discrimination or harassment may file a formal complaint with any or all of these government agencies:

Massachusetts Commission Against Discrimination (MCAD)
One Ashburton Place
Boston, MA 02108
(617)727-3990

Office for Civil Rights
US Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: 617-289-0111

U.S. Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
1-800-669-4000

Approved: Berlin-Boylston Regional/Union #60 School Committee - June 19, 2018
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