



**Monomoy Regional School District - Monomoy Regional School Committee
Meeting Agenda for Thursday, May 22, 2025 at 6:30 PM
Monomoy Regional High School Library, 75 Oak Street, Harwich, MA 02645**

This meeting will be broadcast to Channel 22 as well as live-streamed/recorded to the [MRSC YOUTUBE CHANNEL](#)

AGENDA

- A. Call to Order by the Superintendent**
- B. Vote for Chair, Vice Chair of the Monomoy Regional School Committee**
- C. Approval of Meeting Minutes**
 - i. April 10, 2025
 - ii. May 1, 2025
- D. MRHS Student Representative**
- E. Public Comment:** Speakers are limited to three minutes; additional time is at the discretion of the Chairperson
- F. Reports and Discussions**
 - i. Welcome new School Committee members
 - ii. Indoor Track & Field Team
 - iii. Breaching Barriers/Y Achievers Presentation
 - iv. MRSC Summer Retreat - discussion and possible dates
 - v. First Reading of Policy Files: BBBC- School Committee Member Resignation, BCA - School Committee Member Ethics, BCB - Committee Members Conflict of Interest, BDD - School Committee Superintendent Relationship, BDE - Subcommittees of the School Committee, BDG- School Attorney, BEC - Executive Session, BEDA - Notification of School Committee Meetings
 - vi. Convocation and Graduation
- G. Subcommittee, Representative, Liaison Reports**
 - i. Middle School Building Committee - Report
 - ii. Policy Subcommittee -Discussion of Policy Files: AC -Nondiscrimination Policy Including Harassment and Retaliation, ACA Nondiscrimination on the Basis of Sex, ACAB - Sexual Harassment Prevention Policy and Grievance Procedure, ACC - Sexual Harrassment/Title IX Policy and Procedures, ACE - Nondiscrimination on the basis of disability
- H. Superintendent's Report**
- I. Action Items -Vote Required**
 - i. Second Reading of Policy Files: AD Mission Statement, ADC Tobacco Use on School Premises, BA School Committee Operational Goals, BB School Committee Legal Status, BBA School Committee Powers and Duties, BBAA School Committee Member Authority, BBB School Committee Composition
- J. Presentation of the Warrants**
- K. Adjournment**

Authorized Posting Officer

Roberta Simmons

May 20, 2025

Monomoy Regional School District - Monomoy Regional School Committee
Meeting Minutes for Thursday, April 10, 2025 at 6:30 PM
Monomoy Regional High School Library, 75 Oak Street, Harwich, MA 02645

This meeting was broadcast to Channel 22 as well as live-streamed/recorded to the [MRSC YOUTUBE CHANNEL](#)

Members present: Tina Games; Brad Schiff; Ryan Clarke; Jackie Zibrat-Long; Meredith Henderson

Members not present: Jessica Rogers; Betty Gray; Bre Rose

Administrators present: Dr. Scott Carpenter, Superintendent; Dr. Robin Millen; Michael MacMillan; Joy Jordan.

A. Call to Order: The meeting was called to order at 6:31PM by Tina Games.

B. Approval of Meeting Minutes

i. March 13, 2025 MRSC Meeting

MOTION: Meredith Henderson moved to approve the March 13, 2025 MRSC meeting minutes, seconded by Jackie Zibrat-Long.

UNANIMOUS the motion passes.

ii. March 27, 2025 MRSC Meeting

MOTION: Brad Schiff moved to approve the March 27, 2025 MRSC meeting minutes, seconded by Jackie Zibrat-Long.

UNANIMOUS the motion passes.

C. Public Comment: None

D. Reports and Discussions

i. Best Buddies Leadership Conference & Student Trip

Potential Vote

Shana Grogan presented information for the student trip to the Best Buddies Leadership Conference this summer which will be held at Indiana University in Bloomington, Indiana from July 18 – July 21, 2025. Committee members asked about the cost, itinerary and timeline, and presenters provided details about the arrival, activities, and departure dates.

MOTION: Jackie Zibrat-Long moved to approve the student trip to the Best Buddies Leadership Conference as presented, the motion was seconded by Brad Schiff.

UNANIMOUS the motion passes.

ii. Peer Mediation Presentation

MRSD Director of Student Services Melissa Maguire explained the alternatives to suspension, including peer mediation. A video was shown to serve as an example of the Peer Mediation process, emphasizing active listening and reflective solving. The video demonstrated the mediation process and the role of mediators in facilitating communication. Ms. Maguire then discussed the follow-up process, including coaching for mediators and the effectiveness of the program in resolving conflicts.

iii. Pups PreK at Chatham Elementary and information on other preschool and child care programs in our schools and communities

Dr. Robin Millan provided an overview of the programs in our schools and communities. There's the Integrated preschool program - which she summarized - including class sizes, student demographics, and

budget details. The Pups program at Chatham Elementary is also being introduced, focusing on supporting families with high needs and providing full-day, full-year programming. Criteria for enrollment, including the need for full-day programming and access to services like free lunches and multilingual support was also reviewed. The program's capacity is capped at 20 students, and a lottery will be conducted if there is more interest than available spots.

Lastly, Dr. Millen discussed the YMCA childcare program at Harwich Elementary, which provides full-day, year-round care for children aged 3 months to 5 years. The program's revenue and cost details were provided, including the \$17,400 rental income and the \$14,000 used to offset assessments. The program's role in supporting working families and its community partnerships were also emphasized.

iv. MRSD Procurement Card

Potential Vote

MRSD Business Manager explained the purpose of the procurement card, which will allow the district to make payments for items that vendors do not accept purchase orders. The card will be managed by the MRSD Business Office, with only the Business Manager or District Accountant able to use it.

MOTION: Brad Schiff moved to approve the authorizing issuance of procurement cards as stated in the Memo provided in the agenda packet. The motion was seconded by Jackie Zibrat-Long

UNANIMOUS the motion passes.

v. School Committee Calendar - Discuss Remaining Meeting Dates

Ms. Games proposed - and the Committee agreed via general consensus - adding an additional meeting on May 1, 2025 for the purpose of keeping up with the 2024-2025 Superintendent Evaluation process.

vi. Approval of MRHS donation to the Family Table Collaborative

MOTION: Jackie Zibrat-Long moved to approve the donation of \$2000.00 to the Family Table Collaborative from MRHS Empty Bowls, Full Hearts fundraiser. The motion was seconded by Brad Schiff.

UNANIMOUS the motion passes.

vii. Approval of Non-Union Daily Rates

MOTION: Jackie Zibrat-Long moved to approve the rates for substitute positions and other positions as noted in the memo provided to the school committee for this meeting, new rates to be effective July 1, 2025. The motion was seconded by Brad Schiff.

UNANIMOUS the motion passes.

E. Subcommittee, Representative, Liaison Reports

i. Superintendent Evaluation - Update - Covered in D.v.

Ms. Games outlined the Superintendent Evaluation process, including the review of goals, self-assessment, and summative evaluation. Ms. Games explained the subcommittee's role in reviewing the superintendent's goals and progress, and the timeline for the evaluation process. The importance of the April progress report and the need for individual evaluations by April 20 were emphasized. Next steps, including the May 1 meeting to discuss the group evaluation and the final vote on May 8, were outlined.

ii. MRMS Restoration Project Update

Dr. Carpenter provided an update on the Monomoy Regional Middle School restoration project, focusing on the need for window replacement and siding repairs. The current condition of the building's trim and siding is described, including issues with cedar shingles and plywood sheeting. The goal of replacing cedar shingles with a long-lasting synthetic siding is discussed, with four mock-up samples displayed for community feedback. The community's feedback on the siding materials and the upcoming meeting with the building committee was also discussed. The building committee will have the opportunity to evaluate the materials firsthand, which may influence budget decisions. The siding and window project is estimated to cost \$11.5 million, with the roofing project estimated at \$8.5 million.

iii. National School Board Association Conference - Report

Ms. Games shared that she recently attended the National School Board Association Conference in Atlanta. She highlighted the value of networking with school committee members from across the country. Ms. Games attended workshops on rural school committees as well as a school board self-evaluation workshop and encouraged future school committees to consider assessing our (MRSC's) own board's effectiveness.

F. Superintendent's Report

i. Recognition of Donations, Grants, and other Acknowledgments

Dr. Carpenter shared the following recognitions with the School Committee:

Thank you to the Chatham Orpheum for hosting the Middle School SHELLS Program and the Chatham Elementary School SEAL Program last week for a sensory-friendly movie experience.

We received a donation of a 12-foot fiberglass shark sculpture to Monomoy Regional High School from the Atlantic White Shark Conservancy. We will display the fiberglass shark at the high school's community entrance near the gymnasium and cafeteria, where it will serve as both an educational tool and a point of pride for students and faculty. The shark was previously displayed at the AWSC's Shark Center in Provincetown.

The high school Pops Concert is happening tonight in the auditorium, and this year's theme is the British Invasion - it's always a fun evening with great performances, and I'm sorry to miss it.

G. Action Items - Vote Required

i. Best Buddies Leadership Conference & Student Trip

Potential Vote

MOTION: Jackie Zibrat-Long moved to approve the student trip to the Best Buddies Leadership Conference as presented, the motion was seconded by Brad Schiff.

UNANIMOUS the motion passes.

ii. MRSD Procurement Card

Potential Vote

MOTION: Brad Schiff moved to approve the authorizing issuance of procurement cards as stated in the Memo provided in the agenda packet. The motion was seconded by Jackie Zibrat-Long

UNANIMOUS the motion passes.

iii. Approval of MRHS donation to the Family Table Collaborative

MOTION: Jackie Zibrat-Long moved to approve the donation of \$2000.00 to the Family Table Collaborative from Empty Bowls, Full Hearts fundraiser. The motion was seconded by Brad Schiff.

UNANIMOUS the motion passes.

iv. Approval of Non-Union Daily Rates

MOTION: Jackie Zibrat-Long moved to approve the rates for substitute positions and other positions as noted in the memo provided to the school committee for this meeting, new rates to be effective July 1, 2025. The motion was seconded by Brad Schiff.

UNANIMOUS the motion passes.

v. Declaration of Surplus item

H. Presentation of the Warrants

Accounts Payable and Payroll Warrants were presented for School Committee member signatures.

I. Adjournment

MOTION: Meredith Henderson moved to adjourn the meeting, seconded by Jackie Zibrat-Long.

UNANIMOUS the meeting adjourns at 8:07 PM.

Respectfully Submitted,

Leah Tambolleo
Recording Secretary

Monomoy Regional School District - Monomoy Regional School Committee
Meeting Minutes for Thursday, May 1, 2025 at 6:30 PM
Monomoy Regional High School Library, 75 Oak Street, Harwich, MA 02645

This meeting was broadcast to Channel 22 as well as live-streamed/recorded to the [MRSC YOUTUBE CHANNEL](#)

Members present: Tina Games; Brad Schiff; Ryan Clarke; Jackie Zibrat-Long; Meredith Henderson; Jessica Rogers; Betty Gray; Bre Rose

Administrators present: Dr. Scott Carpenter, Superintendent; Dr. Robin Millen; Michael MacMillan; Joy Jordan.

A. Call to Order The meeting was called to order at 6:30 PM by Chair Betty Gray.

B. Public Comment: None

C. Reports and Discussions

i. First Reading: 2024-2025 Superintendent Summative Evaluation

On behalf of the Superintendent Evaluation Subcommittee, Jessica Rogers invited members to share their individual evaluation summaries of Dr. Carpenter. After some members read theirs aloud, Ms. Rogers read the collective summative evaluation. The committee has given Dr. Carpenter an overall rating of Proficient having met all his goals for the 24-25 school year. The summative evaluation will be presented at the next meeting on May 8th for a second reading and approval vote.

ii. MRMS Building Project and Town Meetings

Dr. Carpenter explained the selection of concrete fiber board for the middle school renovation. He also noted the challenges of rising construction costs and the need for a contingency plan. Dr. Carpenter introduced a PSA video created by the building committee to educate the community about the project. Dr. Carpenter then discussed the application for a \$2.1 million Green Schools Grant and explained the financial implications of the grant and the need for community support.

iii. First Reading of Policy: ADF Wellness Policies on Physical Activity and Nutrition

On behalf of the Policy Subcommittee, Brad Schiff presented Policy: ADF Wellness Policies on Physical Activity and Nutrition. No edits or modifications were made. The policy will come back for a second reading and approval vote at the May 8, 2025 MRSC meeting.

E. Subcommittee, Representative, Liaison Reports

i. Superintendent Evaluation - covered under Reports and Discussions: C, i.

F. Action Items -Vote Required

i. Declaration of Surplus

MOTION: Jackie Zibrat-Long moved to approve the Declaration of Surplus items at the Monomoy Regional High School, seconded by Brad Schiff.

UNANIMOUS the motion passes.

G. Presentation of the Warrants

Accounts Payable and Payroll Warrants were presented for School Committee member signatures.

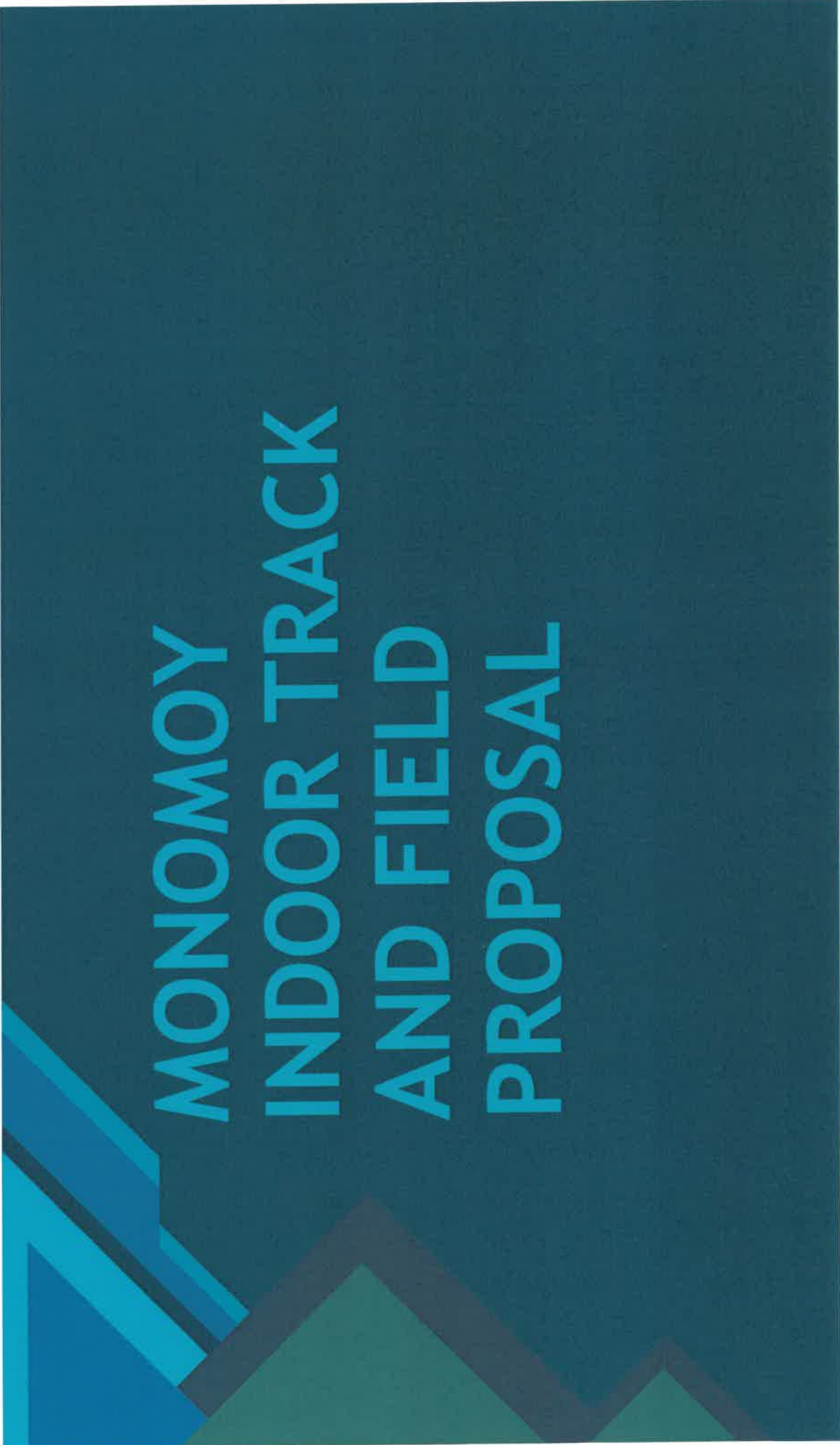
H. Adjournment

MOTION: Meredith Henderson moved to adjourn the meeting, seconded by Jackie Zibrat-Long.

UNANIMOUS the meeting adjourns at 7:03 PM.

Respectfully Submitted,

Leah Tambolleo
Recording Secretary

The background of the slide is a solid dark teal color. In the bottom-left corner, there is an abstract geometric design consisting of several overlapping shapes. These include a large teal triangle pointing upwards, a smaller dark teal triangle pointing downwards, and several blue and teal parallelograms and rectangles arranged in a layered, architectural style. The text is centered in the upper half of the slide.

MONOMOY INDOOR TRACK AND FIELD PROPOSAL

Pro's

- Adding a winter sport that is more inclusive during our smallest season of offerings
- Club team has averaged 32 people the past year, up from 10 the previous year
- Positive student feedback
- More students involved in athletics during the winter season
- School enrollment at all time high

Student Feedback

- "It has been beneficial keeping me in shape during the winter."
- "Helps me gain confidence, strength and new friends."
- "My form has increased and it would benefit my spring year."
- "It helped me get stronger."
- "I feel more prepared for the Outdoor Season."

Budget

- 1 Coach – Monomoy Budget
- Uniforms – Use Outdoor track uniforms
- Equipment – Already have all of the equipment needed
- Transportation – Fundraising
- Wheaton College/League Fee – Fundraising
- Invitationals – Fundraising/Athlete's own expense

Estimated Costs

- Transportation - \$3000
- League Fee - \$4000
- Invitionals - \$1000

Fundraising

- Gold Athletics Fundraiser
- Donations
- Host Cape wide track meet for Elementary students in June
- Bake sale and community fundraiser at local business
- Outreach to local businesses
- Donation from Short But Sweet 5K



COLLEGE MENTORING PROGRAM UPDATE



A school/community partnership

Presentation to the Monomoy Regional School Committee
May 22, 2025



Program Overview

The Breaching Barriers mentoring program is a school/community partnership that connects college-educated community members, particularly empty-nesters and retirees, with students and families who would benefit from early intervention and support with both planning for college and the college search process.

The goal of the Breaching Barriers program is to improve access for students facing one or more barriers to postsecondary education, such as being the first in their family to attend college, being immigrants, or being non-native English speakers.

How it works

The program, organized by the Community Engagement Coordinator and Superintendent, supports Monomoy Regional High School students and their families by:

- offering college planning mentorship and parent engagement beginning as early as 9th grade;
- helping families understand college costs, financing options, scholarship availability, and how they and their student can make college an affordable and realistic option;
- coordinating and leading on-campus tours at colleges in the Northeast region on weekends and vacations, and
- connecting well-educated and caring empty-nesters, retirees, and community members who have experience in the college process with the students and families who could most benefit from this expertise and knowledge.

“

One individual can
change the trajectory
of a child's life.

”

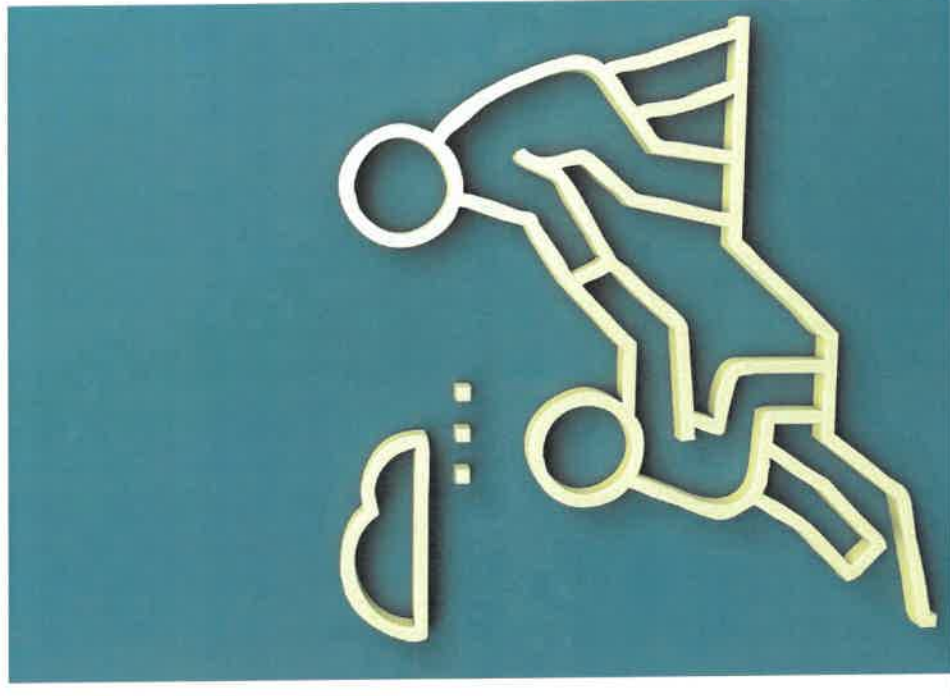
Our Mentors

10 VOLUNTEER MENTORS

We have been lucky to connect with a number of community volunteers to serve as mentors in this program.

Many have professional experience that helps support our students, including a retired college financial aid officer and an expert in college essay writing. Others have personal experience helping guide their own children through the college search and application process or through their alumni activities.

We are so appreciative of them – they have given so much of their time and care to support our students.



Our Students



WE HAVE 12 STUDENTS IN THE PROGRAM THIS YEAR

The students currently in the program are in 9th and 10th grade, and some of the 10th graders are in their second year in the program.

Students are recommended for the program by the counseling team. Both students and parent/caregivers receive detailed information and sign a participation agreement.

It is a rolling process, with new students added as counselors recommend them for the program.

Success Story



RAFAEL, CLASS OF 2024

We worked with Rafael during the spring of his senior year to provide additional support in the college planning and application process leading to graduation and beyond. He had moved to the U.S. from Brazil a few years ago, quickly learned English, embraced school, and was a vibrant member of the MRHS community.

Dr. Carpenter and Rafael's mentor worked closely with Rafael and his family to guide them through their decision-making. He enrolled at Cape Cod Community College to start, and is now preparing to transfer to a four-year university.

The ability for Rafael and his family to ask questions and receive guidance throughout this process helped them overcome the obstacles they faced and positioned Rafael for success.

College Visits – Spring 2025

A key component of this program is giving students chances to see college campuses early in their high school career – the goal is to get them excited about the possibilities, and more motivated to make choices during high school that will ensure they have opportunities for higher education.





PROVIDENCE AREA

- Johnson & Wales – Info Session and Tour
- Rhode Island School of Design – Self-guided Tour
- Brown University – Self-guided Tour
- Providence College – Info Session and Tour
- University of Rhode Island – Self-guided Tour



BOSTON COLLEGE FAIR

We took a group of students to the NACAC College Fair in Boston

- Hosted by the National Association of College Admission Counseling
- Featured more than 300 colleges and universities from across the U.S. and even some international schools
- Students were able to speak to admissions officers and current students, and gather information to review later



BOSTON AREA

- UMass Boston – Self-guided Tour
- Northeastern University – Info Session and Tour
- Boston University – Info Session and Tour



DIM SUM FOR DINNER!

We wrapped up a busy spring with dim sum in Chinatown, before heading back to the Cape



MONOMOY
REGIONAL SCHOOL DISTRICT

What's next?

We will work with the counselors to continue to add students to the program.
We will continue to welcome new mentors to the program to support students.



Y ACHIEVERS

We are collaborating with the YMCA to bring their Y Achievers program to Monomoy. This program has been in existence for decades, and has an established curriculum and trained leaders. It supports students with college and career development, and even helps guide students once they are in college, to ensure that they are able to continue through to a degree.

We will seamlessly integrate our existing work within the framework offered by the Y, and are excited to be their first Lower Cape partnership. Recruitment for additional students to join this program will begin this spring, with the group to begin meeting this fall.

Thank you!

Questions?



Monomoy Regional School District

School Committee Member Resignation

If a School Committee member wishes to resign from the Committee prior to the expiration of that individual's term of office, said resignation must be filed with the Town Clerk in the Town he/she represents in written form with a copy to the School Committee.

Once a School Committee member submits a letter of resignation to the Town Clerk of the Town he/she represents, said individual's duties as a Committee member are terminated, unless a specific date has been stated in the notification for that resignation to take effect.

A school committee term of office shall be deemed vacated should an existing member move out of the Town of Chatham or Harwich prior to the expiration of that term.

Established by law

Legal references:

M.G.L. 41:2; 41:109

Adopted: March 27, 2013

Revised:

Monomoy Regional School District

School Committee Member Ethics (Massachusetts Association of School Committees Code of Ethics)

DRAFT

The acceptance of a Code of Ethics implies the understanding of the basic organization of school committees under the Laws of the Commonwealth of Massachusetts. The Oath of Office of a School Committee member binds that individual member to adherence to those State Laws which apply to school committees, which are recognized as agencies of the State.

This Code of Ethics delineates three areas of responsibility for School Committee members, in addition to those implied above. Each School Committee member, by nature of the elected office, is responsible to: the Communities of Chatham and Harwich; the School Administration; and fellow Committee members.

In regard to the Communities of Chatham and Harwich, each School Committee member should:

- realize the School Committee's primary responsibility is to the children who attend Monomoy Regional School District;
- recognize the basic function of the School Committee is as a policy making body;
- remember to abide by and carry out all Committee decisions once they are made;
- be well informed regarding the duties of a Committee Member on both a local and State level;
- remember to represent the entire community at all times; and
- accept the office of a Committee member as a means of unselfish service without intent to "play politics," or to benefit personally from Committee activities.

In individual interactions with the school district's administration, each School Committee member should:

- give the Superintendent of Schools full responsibility to carry out the professional duties of the position, and hold the Superintendent responsible for acceptable results;
- endeavor to establish sound, clearly defined policies which will direct and support the Administration;
- recognize and support the administrative chain of command; and refer all complaints to the proper administrative staff for solution,
- with the School Committee acting as the source of last appeal in the process, if necessary.

In regard to a good working relationship with fellow School Committee members, each member should:

- recognize that action at official meetings is binding and that the member alone cannot bind the Committee outside of such meetings;

- realize that one should not make statements or promises of action on how one will vote on matters that will come before the Committee;
- uphold the intent of Executive Session and respect the privileged communications that exist in Executive Session;
- not withhold pertinent information on school matters or personnel problems, either from members of the School Committee or from members of committees who may be seeking help or information on school issues; and
- make decisions only after all of the facts on a question have been presented and discussed.

SOURCE: Massachusetts Association of School Committees, - Reviewed 2022

Monomoy Regional School District
Committee Member Conflicts of Interest
DRAFT

School Committee members are municipal employees covered by the conflict of interest law (Chapter 268A of the General Laws). All municipal employees, whether elected or appointed, full or part-time, paid or unpaid, must abide by the restrictions of the conflict of interest law.

A Committee member shall not have any direct or indirect financial interest in a contract with the school system, nor shall he/she/they furnish directly any labor, equipment, or supplies to the system. All elected and appointed School Committee members are subject to Massachusetts Conflict of Interest Law, Chapter 268 A of the Mass. General Laws. Each Committee member will complete the following:

1. annually review and provide written acknowledgment of a summary of the Commonwealth's Conflict of Interest Law; or within 30 days of becoming a member of the board and on an annual basis thereafter..
2. the online ethics training provided by the State Ethics Commission, and submit a copy of the certificate of completion to their respective Town Clerk within 30 days of becoming a member of the board and every two years thereafter

In the event a Committee member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the school system, the Committee member shall declare his/her/their secondary interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the system from contracting with corporations or businesses because a Committee member is an employee of the firm. The policy is designed to prevent placing a Committee member in a position where his/her/their interest in the public schools and his/her/their interest in his/her place of employment (or other indirect interest) might conflict and to avoid appearances of conflict of interest even though such conflict may not exist.

No member of the Monomoy Regional School Committee shall, while in office, be eligible for employment in the public schools in Chatham or Harwich

Legal references:

[M.G.L. 268A](#)

Adopted: March 27, 2013

Revised:

Monomoy Regional School District
School Committee-Superintendent Relationship
DRAFT

The Committee will leave to the Superintendent all matters of decision and administration that come within his/her/their scope as executive officer or as professional leader of the school system. While the Committee reserves to itself the ultimate decision of all matters concerning general policy or expenditures of funds, it will normally proceed in these areas after receiving recommendations from its executive officer. Further:

1. The Superintendent will have the privilege of ~~asking~~ **seeking** guidance from the Committee with respect to matters of operation whenever appropriate. If it is necessary to make exceptions to an established policy, he/she will submit the matter to the Committee for advice and direction.
2. The Superintendent will assist the Committee in reaching sound judgments and establishing policies, and will place before the Committee all relevant facts, information, and reports necessary to keep the Committee adequately informed of situations or business at hand.

Adopted: March 27, 2013

Revised:

Reviewed

Monomoy Regional School District

Subcommittees of the School Committee

DRAFT

The Committee shall appoint members to subcommittees at their annual organizational meeting for a period of one year. These subcommittees may be created for a specific purpose and to make recommendations for Committee action.

1. The subcommittee will be established through action of the Committee.
2. The Committee chairperson, subject to approval by the Committee, will appoint the subcommittee chairperson and its members.
3. The subcommittee will be provided with a list of its functions and duties.
4. The subcommittee may make recommendations for Committee action, but it may not act for the School Committee.
5. All subcommittees of the Committee are subject to the provisions of the Open Meeting Law.

Legal references:

M.G.L. 30A:18-25

SOURCE: MASC - Reviewed 2022

Cross references:

BEC, Executive Sessions

Adopted: March 27, 2013

Revised:

Monomoy Regional School District

School Attorney

DRAFT

The complexity of school department operations often requires specialized legal services; the Committee will retain an attorney(s) and/or law firm(s) to provide additional legal services.

It will be the duty of the counsel(s) for the Committee to advise the Committee and the Superintendent or designee on the specific legal problems submitted to him/her/them. He/she/they will attend meetings upon request and will be sufficiently familiar with Committee policies, practices, and actions under these policies, and with requirements of the school law to enable him/her to offer the necessary legal advice.

A decision to seek legal advice or assistance on behalf of the School Committee and/or school system will be made by the Committee. The Superintendent or designee may also take such action at the direction of the Committee. An exemption will be made for ongoing litigation or legal matters that involves the Chair and/or Committee Member(s) who had prior authorization. The Chair or designated Committee member(s) will keep the Committee and/or Chair apprised of legal matters.

The School Committee recognizes that in certain instances, legal matters may arise where a timely response from the Committee is necessary. In such an event, the Chair, acting as the representative of the School Committee, has the authority to seek legal advice prior to notifying the School Committee. At the next regularly scheduled School Committee meeting, or in executive session, the Chair will inform the Committee of the legal issue. If litigation is expected to be ongoing, or if further legal advice is anticipated, the Chair will, after informing the Committee of the matter, request the approval of the School Committee to continue to seek legal advice or assistance for such time as is necessary and will keep the Committee informed of legal developments. This same privilege to take such action will be granted to the Superintendent or to the designee of the Superintendent, who will keep the Chair and/or School Committee informed of ongoing legal matters.

M.G.L. 71:37E; 71:37F

Adopted: March 27, 2013

Revised: 12/10/2020; 7/24/2021

Reviewed

**Monomoy Regional School District
Executive Sessions
DRAFT**

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.
2. The Chairperson (or, in his/her absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.
3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.
4. The Chairperson or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.
2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.
5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.
7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.
8. And to consider and interview applicants for employment by a preliminary screening committee (The only position that the school committee would be involved in that might qualify would be for the position of Superintendent.) This exemption only applies if it can be determined that an open meeting will have a detrimental affect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.
9. To meet or confer with a mediator with respect to any litigation or public business.

10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier. (In the first case, an open meeting will be held if the individual involved so requests.)

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

Established by law and Committee policy

SOURCE: MASC - Updated 2022

Legal References:

M.G.L. 30A:21; 30A:22

Cross References:

BDE, Subcommittees of the School Committee; BE, School Committee Meetings; KEB, Public Complaints about School Personnel.

Adopted May 2013

Revised

Reviewed

Monomoy Regional School District

Notification of School Committee Meetings
DRAFT

As required by law, a minimum of 48 hours' advance notice **excluding Saturdays, Sundays, and legal holidays**) will be given for any meeting of the School Committee, including all subcommittee meetings. The only exception permitted is in case of emergency, which the law defines as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action."

Notification of the dates, times, and places of regular meetings will be accomplished by periodic publication of the schedule for the ensuing months. **However, a minimum of 48 hours prior to each meeting the Committee shall cause to be posted a listing of each subject the Chair reasonably anticipates will be discussed at the meeting (the agenda).** Notification of a change in a regular meeting time, place, **or agenda and notification, including agenda,** ~~and notification~~ of a special meeting will be filed with the each town clerk at least 48 hours in advance, as required by law.

Resource: MASC - Reviewed 2022

Legal References:

M.G.L. 31A; 18-22

Cross References:

BE, School Committee Meetings

Adopted: May 2013

Revised:

Reiewed

Monomoy Regional School District
Nondiscrimination Policy Including Harassment and Retaliation
DRAFT

The Monomoy Regional School Committee and Monomoy Regional District are committed to maintaining an education and work environment for all school community members. that is free from all forms of unlawful discrimination, including harassment and retaliation. "School Community" includes the School Committee, employees, administration, faculty, staff, students, others present (in-person or virtually) on school grounds or at school-related events, and parties contracted to perform work for the District.

The District does not exclude from participation, deny the benefits of the District from or otherwise discriminate against, individuals on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

This commitment is affirmed by the following statements. The School Committee commits to:

- ~~1. Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The District will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:~~
2. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
3. Encourageing positive experiences in human values for children, youth, and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
4. Working toward a more integrated society and to enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
5. Using all appropriate communication and action techniques to air and reduce address the grievances of individuals and groups.
6. Carefully considering, in all the decisions made within the School system District, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
7. Initiating a process of reviewing policies and practices of the School system District in order to achieve to the greatest extent possible the objectives of this statement.
- ~~8. The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business.~~
- ~~9. No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of age, genetic information, ancestry, military status, race, color, sex, religion, national Origin, housing status, sexual orientation, gender identity, or disability, traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles. Protective hairstyles include but are not limited to, braids, locks, twists, bantu knots, hair coverings, and other formations.~~

- ~~10. The Massachusetts Student Anti-Discrimination Act provides that no person may be excluded from a public school in any town, or discriminated against with respect to obtaining the advantages, privileges, and courses of study of such public schools, on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation. (M.G.L. c. 76, § 5).~~
- ~~11. The Massachusetts Anti-Bullying Law prohibits, among other things, bullying by students or school staff on school grounds or at school activities. (M.G.L. c. 71, § 37O).~~
- ~~12. Title IV of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, sex, or national origin by public elementary and secondary schools. (42 U.S.C. § 2000c et seq.).~~
- ~~13. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. (42 U.S.C. § 2000d et seq.).~~
- ~~14. The Equal Educational Opportunities Act of 1974 requires, among other things, that schools provide English Language Learners with appropriate services to overcome language barriers that impede equal participation in instructional programs. (20 U.S.C. § 1701 et seq.)~~
- ~~15. All children residing in their jurisdictions have equal access to public education by: (1) allowing children to enroll and attend school without regard to race, national origin, or immigration or citizenship status; (2) avoiding information requests that have the purpose or effect of discouraging or denying access to school on the basis of race, national origin, or immigration or citizenship status; and (3) protecting all students from bullying and harassment on the basis of race, national origin, or immigration or citizenship status.~~
- ~~16. If someone has a complaint or feels that they have been discriminated against because of their age, genetic information, ancestry, military status, race, color, sex, religion, national origin, housing status, sexual orientation, or disability, traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles. Protective hairstyles include but are not limited to, braids, locks, twists, bantu knots, hair coverings, and other formations. Complaints should be registered with the Title IX compliance officer.~~

The District requires all members of the School Community to conduct themselves in accordance with this Policy.

It shall be a violation of this Policy for any member of the School Community to engage in any form of discrimination. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form will not be tolerated.

Further, retaliation against an individual for making a good-faith complaint of discrimination or cooperating in an investigation is against the law and prohibited.

The District will take appropriate action to:

- Prevent and/or otherwise respond to any violation of this policy, and
- Define processes by which individuals can bring concerns about alleged policy violations to the District's attention for resolution.

Any member of the School Community with a concern or complaint about harassment, discrimination or retaliation should contact the Principal for the school in which the alleged discrimination or harassment took place or the Director of Student Services who can be reached at 508-945-5130.

Legal references:

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972
~~Executive Order 11246, as amended by E.O. 11375~~
Equal Pay Act, as amended by the Education Amendments of 1972
Title IX, Education Amendments of 1972
Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)
M.G.L. 76:5; Amended 2011 M.G.L.76:16 (Chapter 622 of the Acts of 1971)
603 CMR 26:00
603 CMR 28.00

Cross references:

ACA- ACE, Subcategories for Nondiscrimination
GBA, Equal Employment Opportunity ~~Affirmative Action Plan~~
JB, Equal Educational Opportunities
Plyler v. Doe, 457 U.S. 202 (1982)
CROWN Act (Create a Respectful and Open World for Natural hair) July 26, 2022

Adopted: March 27, 2013

Revised: 4/26/2018, 12/22/2022, 2/28/2025, 5/ / 2025

**Monomoy Regional School District
Nondiscrimination on the Basis of Sex
DRAFT**

1. The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex, sexual orientation or gender identity in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities but also to employees with regard to employment opportunities **to the extent covered by Title IX.**
2. The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, sexual orientation or gender identity, to all of its students and employees.
3. The ~~Committee~~ **Superintendent** will designate an individual to act as the School District's Title IX ~~compliance officer~~ Coordinator.
4. All students and employees will be notified of the name and office address and telephone number of the ~~compliance officer~~ Title IX Coordinator.

Legal References:

Title IX of the Education Amendments of 1972

45 CFR, Part 86, (Federal Register, 6/4/75)

M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78

Board of Education 603 CMR 26:00

Reference:

USDOE Notice of Interpretation

~~<https://www.ed.gov/news/press-releases/us-department-education-confirms-title-ix-protects-students-discrimination-based-sexual-orientation-and-gender-identity>~~

Cross References:

AC, Nondiscrimination Policy Including Harassment and Retaliation

Adopted: March 27, 2013

Revised: 6/8/23, 5/ /2025

**Monomoy Regional School District
Nondiscrimination on the Basis of Sex
DRAFT**

1. The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex, sexual orientation or gender identity in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities but also to employees with regard to employment opportunities **to the extent covered by Title IX.**
2. The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, sexual orientation or gender identity, to all of its students and employees.
3. The ~~Committee~~ **Superintendent** will designate an individual to act as the School District's Title IX ~~compliance officer~~ Coordinator.
4. All students and employees will be notified of the name and office address and telephone number of the ~~compliance officer~~ Title IX Coordinator.

Legal References:

Title IX of the Education Amendments of 1972

45 CFR, Part 86, (Federal Register, 6/4/75)

M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78

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Reference:

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Cross References:

AC, Nondiscrimination Policy Including Harassment and Retaliation

Adopted: March 27, 2013

Revised: 6/8/23, 5/ /2025

Monomoy Regional School District
SEXUAL HARASSMENT PREVENTION POLICY AND GRIEVANCE PROCEDURE
DRAFT

The Monomoy Regional School District (“the District”) is committed to maintaining a school and work environment free of **unlawful sexual** harassment of any kind. ~~The District does not discriminate against students, parents/guardians/caregivers, employees or the general public. No person shall be excluded from or discriminated against in admission to the Monomoy Regional School District, or in obtaining the advantages, privileges and courses of study of the District on account of race, color, sex, gender identity, religion, national origin, or sexual orientation. (G.L. c. 76, §5). Additionally, the District does not tolerate harassment based upon race, color, sex, gender identity, religion, national origin, or sexual orientation. (603 CMR 26.08).~~ **Sexual harassment of any employee or student, (hereinafter “individual”), occurring in the environment or in other settings in which individuals may find themselves in connection with their relationship to the District is unlawful and will not be tolerated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing an environment free from unlawful sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with by the District.**

~~The School District will not tolerate harassment of their employees or students. Harassment of staff or students based on race, color, sex, sexual orientation, gender identity, religion, disability, age, active military/veteran status, ancestry, or national or ethnic origin in the administration of its educational policies, employment policies, and other administered programs and activities is prohibited. In addition, students who are homeless or of limited English-speaking ability are protected from discrimination in accessing the course of study and other opportunities available through the schools.~~

It should be noted that while this policy sets forth the goal of promoting a work and educational environment that are free of **unlawful sexual** harassment, the policy is not designed or intended to limit the authority of school officials to discipline or take remedial action for conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of **sexual** harassment.

This policy covers ~~all types of harassment apart from any sexual harassment~~ **that is not covered by Title IX,** which is addressed in Policy ACAB-SHACC.

Because the District takes allegations of sexual harassment seriously, it will respond promptly to complaints of alleged sexual harassment and, where it is determined that such inappropriate conduct has occurred, will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

~~The District expects all members of the school community, including but not limited to, administrators, teachers, staff members, students and vendors, to conduct themselves in an appropriate and professional manner and with concern for fellow members of the school community. Paramount is the maintenance of a safe and civil environment in which adults can work and students can learn and achieve high core academic standards. All persons are to be treated with dignity and respect.~~

~~Harassment in any form will not be tolerated. Harassment is any behavior which has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or behavior that creates a hostile work or educational environment. It may be verbal, non-verbal, written, physical or psychological in nature. Such behaviors may include, but are not limited to:~~

- ~~1. Unsolicited remarks, including threats, intimidation, rumors and name-calling;~~
- ~~2. Unwelcome or intimidating gestures;~~
- ~~3. Display or circulation of written materials or pictures of a derogatory nature;~~
- ~~4. Unwelcome touching, cornering or other physical contact;~~
- ~~5. Deliberate social exclusion;~~
- ~~6. Cyber bullying, the use of electronic information and communication technologies to threaten, harass or intimidate a person or group of persons (including, but not limited to, e-mail messages, instant messaging, text messaging, cell phone communication, internet blogs, internet chat rooms, social networking websites).~~

~~Harassment may take place on school grounds, at school-sponsored activities, at an official school bus stop, or on school-provided transportation. Harassment may be overt or subtle, but regardless of what form it may take, i.e. verbal, non-verbal or physical, harassment can be insulting and demeaning to the recipient and will not be tolerated in the District. Determinations about whether or not behavior is considered harassment will be viewed from the perspective of a reasonable person. As such, 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.~~

Definitions

~~*Actual knowledge*—Actual notice does not exist where no member of the school staff has witnessed the harassment, or been told about the harassment, apart from the respondent. This is true even where it can be argued that members of the school staff “should have known” about the harassment, but did not.~~

~~*Complainant* means an individual who is alleged to be the victim of conduct that could constitute harassment.~~

~~*Deliberate indifference* means a response to harassment that is clearly unreasonable in light of the known circumstances.~~

~~*Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.~~

~~*Supportive measures* means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.~~

~~As indicated above, these procedures do not limit the District from removing a student from a program or activity on an emergency basis based on immediate threats to people’s physical health or safety or placing an employee on administrative leave during the pendency of the investigation.~~

Mandated Reporting

~~Under certain circumstances, harassment (particularly sexual harassment) may constitute child abuse under M.G.L. Chapter 119, Section 51A. The District shall comply with state law in reporting suspected cases of child abuse.~~

~~The Superintendent of Schools shall appoint a district Title IX/Section 504 of Rehabilitation Act Chapter 622 Coordinator to communicate the requirements of the law relative to harassment and the contents of this policy. The Superintendent or his/her designee shall establish a district grievance procedure for reporting and investigating allegations of harassment.~~

Grievance Procedure: Reporting Complaints of Discrimination and Harassment Except Sexual Harassment

~~If any student, parent/guardian/caregiver or employee believes, in good faith, that he or she has been subjected to harassment or discrimination described above, the individual has a right to file a complaint with the District. This may be done informally or formally, as described below.~~

~~Teachers or other staff members who observe or receive reports of incidents of harassment or discrimination involving students shall report (verbal or written) such incidents immediately to the student's Principal.~~

~~Administrators aware of harassment or discrimination involving any employee shall report such incidents to the relevant coordinator, listed below, or to the Superintendent.~~

~~Please note that while these procedures relate to the District's policy of promoting an educational setting free from discrimination and harassment, including sexual harassment, as detailed further in a separate policy, these procedures are not designed nor intended to limit the District's authority to discipline or take remedial action for conduct which is deemed unacceptable.~~

Coordinator Contact Information

~~The Civil Rights Coordinator for Title VI (race, color, national origin); Section 504 (disability); Title II of the ADA (disability); Religion, Sexual Orientation, Gender Identity, and Age, is:~~

~~Director of Student Services 508-945-5130~~

~~Students, parents/guardians/caregivers, or employees who wish to initiate either the informal or the formal complaint process may direct a written or verbal complaint to the relevant coordinator or to the Principal for the school in which the alleged discrimination or harassment took place. Whether formal or informal in nature, written complaints are encouraged. Students may additionally report incidents that they believe involve harassment or discrimination to their guidance counselor, any teacher, administrator or any member of the support staff, and the staff member will refer to the complaint to the Principal or the relevant coordinator.~~

~~The complaint may be written by the complainant, or it will be reduced to writing by either the school employee who receives the complaint, the building Principal, the relevant coordinator, or a designee. Whether the complaint is reduced to writing by a student, parent/guardian/caregiver, or staff member, the written complaint should include the name of the complainant, the name of the alleged victim (if different), the name of the respondent, the location of the school/department where the alleged discriminatory action occurred, the basis for the complaint, witnesses (if any), and the corrective action the student is seeking. This information will be made on or transferred to a discrimination/harassment complaint form maintained by the District.~~

~~Efforts should be made to file such complaints within twenty (20) calendar days after the alleged discriminatory action occurred in order for an expeditious investigation to be conducted, unless extenuating circumstances exist. However, the District will investigate any complaint no matter when it is filed, except that the District has discretion to dismiss a complaint where the passage of time would result in the district's inability to gather evidence sufficient to reach a determination regarding responsibility.~~

~~Within two business days of receiving a complaint, the District will determine whether the complainant wishes to utilize formal or informal procedures, which the complainant can also expressly select as described below in section (1) regarding informal procedures and section (2) regarding formal procedures, and, if the complainant chooses formal procedures, begin to investigate every complaint of harassment, discrimination, or violence.~~

~~Any teacher or other employee who receives a complaint of discrimination or harassment shall immediately forward the complaint to the building Principal. The Principal will then determine whether the complainant wishes to pursue formal or informal procedures, and will forward all formal complaints to the relevant coordinator listed above, who will begin the formal procedure described below. If the complainant wishes to pursue informal procedures, the Principal and/ or the Principal's designee will first attempt to resolve the complaint at the building level.~~

~~The relevant coordinator or designee shall handle the investigation and resolution of a formal complaint. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority, and any complaint about the relevant coordinator will be investigated by the Superintendent or his designee. Any complaint about the Superintendent should be submitted to the chairperson of the school committee, who should consult with legal counsel concerning the handling and investigation of the complaint.~~

Internal Grievance Procedure

1. Informal Resolution of Discrimination and Harassment Complaints

Before initiating the formal procedure, a complainant may wish to resolve the complaint on an informal basis through discussion between the complainant and the respondent, which will be facilitated by the building Principal or designee. The complainant may request informal procedures or be given the option of electing between pursuing informal or formal procedures at the time that their complaint is received by the relevant coordinator or building Principal. Informal procedures are entirely voluntary. Complainants may elect to pursue formal procedures at any step in the process of making their complaint, even if informal procedures have already begun. Similarly, respondents may elect to follow formal procedures.

If the complainant and the respondent feel that a resolution has been achieved, then the conversation remains confidential and no further action needs to be taken. This voluntary conversation must occur within five (5) workdays after receiving the complaint of discrimination or harassment, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.

2. Formal Resolution of Discrimination and Harassment Complaints

A student, parent/guardian/caregiver or employee who is not satisfied with the informal resolution process or who chooses not to participate in the informal resolution process may initiate the formal complaint procedure at any time.

Step One

Within forty-eight (48) hours of receiving the complaint or of the termination of an unsuccessful informal resolution process (whichever is later), the relevant coordinator or designee will meet with the complainant and/or alleged victim (if they are different) by telephone or in person. The relevant coordinator or designee will complete a discrimination/harassment complaint form based on the written or verbal allegations of the complainant within forty-eight (48) hours of meeting with the complainant. The complaint form will be maintained by the relevant coordinator or designee.

Step Two

A prompt investigation shall be completed by the relevant coordinator or designee within thirty (30) school days from the date that the District received a complaint or report, unless impracticable (e.g., the complaint is received during the summer time and witnesses are unavailable). The relevant coordinator or designee will provide written notice of the investigation to the alleged perpetrator before conducting an interview of the alleged perpetrator, including whether or not the relevant coordinator or designee anticipates that there may be discipline.

The investigation may, as appropriate, consist of personal interviews with the alleged victim/ complainant, the complainant (if different than the alleged victim), the individual(s) against whom the complaint is filed ("alleged perpetrator[s]"), and any other individuals who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the relevant coordinator or designee.

The complainant and the respondent(s) have the opportunity to present witnesses and information that they deem relevant to the relevant coordinator or designee. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations. However, regardless of the complainant's participation in the investigation, the District will investigate the complaint to the extent possible and will take appropriate action based on the results of its investigation.

Step Three

The coordinator or designee shall document his or her findings. The coordinator or designee shall send the written report of the findings to the Superintendent, complainant, and respondent(s) within thirty (30) school

~~days after the investigation has been completed, unless the complainant and respondent agree in writing to extend the timeline.~~

The report shall include:

- ~~a) a statement of the allegations investigated;~~
- ~~b) a summary of the steps taken to investigate the allegations;~~
- ~~c) the findings of fact based on a preponderance of the evidence gathered;~~
- ~~d) the District's conclusion, based upon a preponderance of the evidence, of whether discrimination, harassment, or violence did or did not occur;~~
- ~~e) the disposition of the complaint;~~
- ~~f) the rationale for the disposition of the complaint; and~~
- ~~g) if the District concluded discrimination, harassment, different treatment, or violence occurred, a description of the District's response. However, all discipline of the respondent will be kept confidential from the complainant unless it directly relates to the complainant (e.g., complainants will be notified of stay-away orders but not suspensions).~~

~~The coordinator or designee shall determine whether the allegations have been substantiated as factual and whether they appear to be violations of this policy, using a preponderance of the evidence standard.~~

~~A preponderance of the evidence means that it is more likely than not that the alleged conduct occurred. The coordinator or designee shall further recommend what action, if any, is required. If it is determined that harassment, discrimination or different treatment occurred, the District will take steps to prevent the recurrence of the harassment, discrimination or different treatment and correct its discriminatory effect on the complainant and others if appropriate.~~

~~Formal disciplinary actions may be imposed in the event that the preponderance of the evidence indicates a violation of this policy, up to and including expulsion. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.~~

Step Four

~~The coordinator and/or Superintendent shall maintain the written report of the investigation, findings and disposition.~~

~~The District will contact the complainant within fourteen (14) school days following the conclusion of the investigation to assess whether there has been on-going harassment or retaliation and to determine whether additional supportive measures are needed.~~

3. Supportive Measures

~~The District shall take immediate steps to protect the complainant, respondent, witnesses, and the larger school community pending the completion of an investigation or the informal process and address any ongoing harassment or discrimination. The District will take supportive measures to prevent retaliation against the complainant, respondent, witnesses, and the larger school community.~~

4. Appeals

~~Any party may appeal the decision of the Investigator in writing to the Superintendent within fifteen (15) school days of receipt of the findings of the formal procedure. The Superintendent, as an impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.~~

External Grievance Procedure

~~Any student, parent/guardian/caregiver or employee who chooses not to use the District's internal grievance procedures or who is not satisfied with the District's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.~~

Retaliation

~~Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and District policy. The coordinator or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels that they have experienced retaliation for filing a complaint or participating in the resolution process should inform the coordinator. The coordinator will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.~~

For complaints related to discrimination/harassment of students:

~~The Office for Civil Rights, US Department of Education~~

~~5 Post Office Square, 8th Floor~~

~~Boston, MA 02109-3921~~

~~Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172~~

~~OR~~

~~The Massachusetts Commission Against Discrimination~~

~~One Ashburton Place~~

~~Sixth Floor, Room 601~~

~~Boston, MA 02108~~

~~Phone 617-994-6000, TTY: 617-994-6196~~

For complaints related to discrimination/harassment of parent/guardian/caregivers:

~~The Office for Civil Rights, US Department of Education~~

~~5 Post Office Square, 8th Floor~~

~~Boston, MA 02109-3921~~

~~Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172~~

For complaints related to discrimination/harassment of employees:

~~The Office for Civil Rights, US Department of Education~~

~~5 Post Office Square, 8th Floor~~

~~Boston, MA 02109-3921~~

~~Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172~~

~~OR~~

~~The Massachusetts Commission Against Discrimination~~

~~One Ashburton Place~~

~~Sixth Floor, Room 601~~

~~Boston, MA 02108~~

~~Phone 617-994-6000, TTY: 617-994-6196~~

~~OR~~

~~The Equal Employment Opportunities Commission~~

~~John F. Kennedy Federal Building~~

~~475 Government Center~~

~~Boston, MA 02203~~

~~Phone: 1-800-669-4000~~

Referral to Law Enforcement, Other Agencies

~~Some alleged conduct may constitute both a violation of District policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant of the right to file a criminal complaint.~~

~~Legal References: Title VII of the Civil Rights Act of 1964~~

~~Title IX of the Education Amendment of 1972~~

~~Section 504 of the Rehabilitation Act; Title II of the ADA~~
~~M.G.L. c. 151B and c. 151C~~
~~M.G.L. c. 76, section 5~~
~~M.G.L. c. 119, section 51A~~
~~M.G.L. c. 71B, section 1 Revised: 10/7/2009~~
~~Adopted: March 27, 2013~~
~~Revised: June 25, 2020~~

Definition of Sexual Harassment

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other uninvited verbal, visual or physical conduct of a sexual nature when:

- submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly as a term or condition of employment or a student’s status; or
- submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly as a basis for employment decisions or student status decisions; or
- such advances, requests or conduct have the purpose or effect of unreasonably interfering with an employee’s and/or students work performance by creating an intimidating, hostile, humiliating or sexually offensive environment.

Under this definition, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating to **individuals, regardless of gender, may also constitute sexual harassment.**

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its persuasiveness:

- verbal abuse of a sexual nature;
- use of sexually degrading words;
- jokes or language of a sexual nature;
- conversation or gossip with sexual overtones;
- obscene or suggestive gestures or sounds;
- sexually-oriented teasing;
- verbal comments of a sexual nature about an individual’s appearance or sexual terms used to describe an individual;
- inquiries into one’s sexual experiences;
- discussion of one’s sexual activities;
- comments, jokes or threats directed at a person because of his/her sexual preference;
- unwelcome and repeated invitations (for lunch, dinner, drinks, dates, sexual relations);
- demand for sexual favors accompanied by an implied or overt threat concerning a student’s participation in an Educational Program or Activity, including promises of preferential treatment;

- physical contact such as touching, hugging, kissing, stroking, fondling, patting, pinching or repeated brushing up against one's body;
- deliberate bumping, cornering, grabbing;
- assaults, molestations or coerced sexual acts;
- posting or distributing sexually suggestive objects, pictures, cartoons or other materials;
- sexually-oriented letters or notes;
- sending offensive or discriminatory messages or materials through the use of electronic communications (e.g., electronic mail, including the Internet, voice mail and facsimile) which contain overt sexual language, sexual implications or innuendo, or comments that offensively address someone's sexual orientation;
- staring at parts of a person's body;
- sexually suggestive gestures, leering; and
- condoning Sexual Harassment.

Sexual harassment can occur in a variety of circumstances. Here are some things to remember:

- a person of any sex or gender may be the victim of sexual harassment, and a person of any sex or gender may be the harasser;
- the harasser does not have to be the victim's supervisor;
- the victim does not have to be of a different sex or gender from the harasser; and
- the victim does not have to be the person at whom the unwelcome sexual conduct is directed. The victim may be someone who is affected by the harassing conduct, even when it is directed toward another person, if the conduct creates an intimidating, hostile, or offensive environment for the victim or unreasonably interferes with the victim's performance by creating a hostile, humiliating, or sexually offensive environment.

Individual Responsibilities

Each individual of the District is personally responsible for:

- ensuring that their conduct does not sexually harass any other individual with whom he/she comes in contact;
- cooperating in any investigation of alleged sexual harassment by providing any information they possess concerning the matter being investigated;
- actively participating in efforts to prevent and eliminate sexual harassment and to maintain an environment free from such harassment; and
- ensuring that an individual who files a good-faith sexual harassment claim or cooperates in an investigation may do so without fear of retaliation or reprisal.

All individuals should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated by the District.

Complaints of Sexual Harassment

If any individual believes that he or she has been subjected to sexual harassment, they have the right to file a complaint with the appropriate person listed below. This may be done in writing or orally.

The District has designated Sexual Harassment Grievance Officers. If you would like to file a complaint you may do so by contacting the current Sexual Harassment Grievance Officers as follows:

The District's Sexual Harassment Grievance Officer is the Director of Student Services, who can be reached by phone at 508-945-5130.

If any individual believes he or she has been subject to sexual harassment, the employee or student should initiate a complaint regarding alleged sexual harassment by contacting the Sexual Harassment Grievance Officer as soon as possible. The individual should file the complaint promptly following any alleged incident of harassment. The individual should be aware that the longer the period of time between the event giving rise to the complaint and the filing, the more difficult it will be for the District to reconstruct what occurred. The individual will be requested to write out his or her complaint to document the charge or to sign a written statement.

Individuals will not have to go through the regular chain of reporting procedures when reporting sexual harassment.

The Sexual Harassment Grievance Officer is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

SEXUAL HARASSMENT INVESTIGATION

Upon receiving the complaint, the Sexual Harassment Grievance Officer will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. When the Sexual Harassment Grievance Officer has completed their investigation, they will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, the District will act promptly to address the offending conduct, and where it is appropriate, the District will also impose disciplinary action.

RETALIATION

Retaliation against an individual for making a good-faith complaint of sexual harassment or cooperating in an investigation is against the law and prohibited. If any individual believes that they have been subjected to retaliation for having brought a complaint of harassment or for having participated in an investigation, that individual or student is encouraged to report the situation as soon as possible to the Sexual Harassment Grievance Officer, the Alternate Sexual Harassment Grievance Officer, the building Principal or Superintendent of Schools.

DISCIPLINARY ACTION

If it is determined that inappropriate conduct has been committed, the District will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, or, for students, from counseling to suspension or expulsion, in accordance with law, and may include such other forms of disciplinary action as the District deems appropriate under the circumstances.

STATE AND FEDERAL REMEDIES

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint regarding alleged sexual harassment with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC – 180 days, but under certain circumstances, may be filed within 300 days; MCAD – 300 days).

The United States Equal Employment Opportunity Commission (“EEOC”)

JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Phone: 1-800-669-4000
Fax: 617-565-3196
TTY: 1-800-669-6820

The Massachusetts Commission Against Discrimination (“MCAD”)

Boston Office:	Springfield Office:	Worcester Office:
One Ashburton Place, Room 601	424 Dwight Street, Room 220	18 Chestnut Street, Room 520
Boston, MA 02108	Springfield, MA 01103	Worcester, MA 01608
Phone: (617) 994-6000	Phone: (413) 739-2145	Phone: 508-453-9630
Fax: (617) 994-6196	Fax: (413) 784-1056	Fax: (508) 755-3861
Email: mcad@mass.gov	Email: mcad@mass.gov	Email: mcad@mass.gov

LEGAL REF.: M.G.L. 151B:3A; 151B:4

CROSS REF.: AC, Nondiscrimination Policy Including Harassment and Retaliation
ACA, Non-Discrimination on the Basis of Sex
ACC, Title IX Policy and Procedures

Adopted: March 27, 2013

Revised: June 25, 2020

Monomoy Regional School District
~~SEXUAL HARASSMENT /~~ TITLE IX POLICY **AND PROCEDURES**
DRAFT

Overview

~~Under the 2020 Title IX regulations, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:-~~

- ~~a. Quid pro quo harassment: A school employee conditioning the provision of a school-related aid, benefit, or service on an individual's participation in unwelcome sexual conduct;-~~
- ~~a. Hostile environment harassment: Unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity. Such conduct can be carried out by school staff, a student, or another person; and~~
- ~~a. * "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)~~

~~Harassment can be carried out by school staff, a student, or another person. It can occur in-person or online, including through email, texts or messages, apps, or other technologies.-~~

~~Depending upon facts and circumstances, some examples may include, but are not limited to:-~~

- ~~• Unwelcome conduct on social media platforms, such as sexually demeaning or discriminatory slurs or threats of sexual violence;~~
- ~~• Nonconsensual texting, posting, or otherwise sharing naked or intimate images of a person - whether real, altered, or created through artificial intelligence (AI) technologies; or~~
- ~~• Stalking using technology, including sending multiple unwanted text messages, creating fake social media accounts, or using apps to work around a blocked number.-~~

~~The District will promptly investigate all allegations of sexual harassment of which it has actual knowledge and which are alleged to occur in the school's programs and activities. This includes, but is not limited to, conduct that:-~~

- ~~• Occurs in locations, at events, or under circumstances in which the school exercised substantial control over both the alleged harasser and the context in which the sexual harassment occurs including conduct that occurs off-campus under certain circumstances;~~
- ~~• Occurs in school-related, off-campus settings such as field trips, online classes, and athletic programs;~~
- ~~• Takes place via school-sponsored electronic devices, computers, and internet networks; or~~
- ~~• Takes place on digital platforms operated by, or used in the operations of, the school, including AI technologies.-~~

Definitions

~~In the employment context, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:-~~

~~Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);-~~

~~Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;-~~

~~Such conduct interferes with an individual's job duties; or-~~

~~The conduct creates an intimidating, hostile or offensive work environment.~~

Definitions-

~~*Actual knowledge* - Actual notice does not exist where no member of the school staff has witnessed the harassment, or been told about the harassment, apart from the respondent. This is true even where it can be argued that members of the school staff “should have known” about the harassment, but did not.~~

~~*Administrative leave* means placing an employee on leave pursuant to state law. Nothing in the Title IX regulations precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process, provided that Massachusetts laws are followed.~~

~~*Consent* means cooperation in act or attitude pursuant to an exercise of free will of a conscious person with informed knowledge of the nature of the act or actions. A current or previous relationship shall not be sufficient to constitute consent. Consent will not be found when submission to the act or actions is undertaken due the influence of fear, fraud, forcible compulsion, threats, and/or the complainant possessed any legal incapacity to consent at the time of the act or actions. Consent is a defense to all types of sexual harassment.~~

~~“*Complainant*” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.~~

~~*Deliberate indifference* means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.~~

~~*Emergency removal* means the suspension or expulsion of a student on an emergency basis, consistent with state law. Nothing in the Title IX regulations precludes a district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district follows all procedures under Massachusetts law, undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.~~

~~*Formal complaint* means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the district investigate the allegation of sexual harassment. *Title IX Coordinator*: Director of Student Services—508-945-5130~~

~~*Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.~~

~~*Supportive measures* means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.~~

Complaints and Reports of Sexual Harassment

~~Upon receiving actual notice of alleged sexual harassment without a formal complaint, staff members must notify the Title IX Coordinator. The Title IX Coordinator must then contact the complainant within two school days of receiving the complaint and do the following:-~~

~~* Discuss and offer supportive measures;-~~

- ~~* Consider the complainant's wishes with respect to supportive measures;~~
- ~~* Explain that supportive measures may be received with or without filing a formal complaint;~~
- ~~* Determine whether the complainant wishes to file a formal complaint; and~~
- ~~* Explain to the complainant the purpose of filing a formal complaint.~~

~~If the complainant declines to file a formal complaint, the Title IX Coordinator must consider whether to sign a formal complaint and start an investigation despite the complainant's preferences. This decision may be appropriate when safety or similar concerns lead the district to conclude that a non-deliberately indifferent response to actual knowledge of Title IX sexual harassment could reasonably require the school district to investigate and potentially sanction a respondent. A Title IX Coordinator's decision to override the complainant's decision not to file a formal complaint must be documented in writing along with an explanation of why this decision was necessary in order to avoid deliberate indifference.~~

~~Formal complaints may also be filed directly with the Title IX Coordinator by a complainant in person, by mail, by email, or by telephone at any time, including during non-business hours.~~

~~The contact information for the Title IX Coordinator is: Director of Student Services 508-945-5130~~

~~The complaint may be written by the complainant, or it will be reduced to writing by either the school employee who receives the complaint, the building Principal, or the Title IX Coordinator. Whether the complaint is reduced to writing by a student, parent/guardian/caregiver, or staff member, the written complaint should include the name of the complainant, the name of the alleged victim (if different), the name of the respondent, the location of the school/department where the alleged discriminatory action occurred, the basis for the complaint, witnesses (if any), and the corrective action the complainant is seeking. This information will be made on or transferred to a discrimination/ harassment complaint form maintained by the District.~~

~~There is no time limit or statute of limitation on timing to file a formal complaint. However, at the time of filing a formal complaint, an alleged victim must be participating or attempting to participate in a program or activity of the school district. Additionally, the district has discretion to dismiss a formal complaint where the passage of time would result in the district's inability to gather evidence sufficient to reach a determination regarding responsibility, or when the district loses responsibility for the respondent (e.g., the respondent no longer attends or is employed by the district).~~

~~Investigations to allegations of sexual harassment will be prompt and the formal process will be completed within a sixty-day timeframe where feasible.~~

~~Immediate Procedures~~

~~Within two school days of receiving a formal complaint of sexual harassment, the Title IX Coordinator must contact the complainant and respondent regarding supportive measures and offer them equally to both parties during the pendency of the grievance procedures.~~

~~Written Notice~~

~~Before any investigation can begin, the district must send written notice to both parties including sufficient details. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties that the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.~~

~~If additional allegations are added during the course of the investigation, additional written notice must be provided.~~

Informal Resolution

~~Where appropriate, after notice has been issued, the Title IX Coordinator should also consider offering the parties an option for informal resolution (e.g., mediation). Informal resolution may only be offered after a formal complaint is filed, and the parties must give written consent to engage in this process. Informal resolution may **not** be used if the allegation is against an employee respondent. Facilitators of informal resolution will be designated by the Title IX Coordinator and must not be biased against any of the parties.~~

~~Informal resolution is entirely voluntary. Complainants may elect to pursue formal procedures at any step in the process of making their complaint, even if informal resolution has already begun. Similarly, respondents may elect to follow formal procedures and decline informal resolution.~~

~~If the complainant and the respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be taken. This voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.~~

~~If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.~~

Investigation

~~If informal resolution is not offered to or accepted by the parties, the Title IX Coordinator will designate an investigator and a decision maker, who may not be the same person. The Title IX Coordinator is free to cast himself/ herself in either role, where appropriate.~~

~~The investigator must not be biased against any of the parties at the outset of the investigation. The investigator will be responsible for interviewing parties and witnesses, finding facts, and making determinations related to credibility, all of which will go into a written report. The investigator must avoid all questions that are protected by legal privilege, unless the privilege has been waived, and should avoid asking about the complainant's sexual history unless it is directly relevant to prove consent to the conduct at issue or to prove that the conduct was committed by someone other than the respondent.~~

~~The investigator must avoid making any final determinations of responsibility for sexual harassment.~~

~~Findings should be written in a factual way in an investigative report. Credibility determinations may not be based on an individual's status as complainant, witness, or respondent.~~

~~During the investigative process and any further hearings, complainants and respondents have a right to have advisors of their choice participate in all aspects of the proceedings. The district will provide both parties with written notice of investigative interviews, meetings, and hearings, with sufficient time to prepare.~~

Findings of Responsibility

~~After the investigator has completed the investigation, the designated decision-maker will be assigned to determine final responsibility or lack thereof for violating Title IX. The decision-maker must not be biased against any of the parties at the outset of this process.~~

~~Before the district can determine responsibility, an investigative report and all tangible evidence relied upon will be sent to the parties and the decision-maker will offer both the complainant and respondent the opportunity to submit proposed relevant, written questions to ask of any party or witness, to respond to questions posed by another party, and to offer additional limited follow-up.~~

~~After this process is complete, the decision-maker will create a written determination regarding whether sexual harassment has occurred using a preponderance of the evidence standard.~~

~~A preponderance of the evidence means that it is more likely than not that the alleged conduct occurred. The decision-maker shall further recommend what action, if any, is required. If it is determined that sexual harassment occurred, the District will take steps to prevent the recurrence of the harassment and correct its discriminatory effect on the complainant and others if appropriate.~~

~~The written determination must be issued to both parties simultaneously and must include:~~

- ~~(A) Identification of the allegations potentially constituting sexual harassment;~~
- ~~(B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;~~
- ~~(C) Findings of fact supporting the determination;~~
- ~~(D) Conclusions regarding the application of the recipient's code of conduct to the facts;~~
- ~~(E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and~~
- ~~(F) The district's procedures and permissible bases for the complainant and respondent to appeal (a copy of, or direct reference to, this policy will suffice).~~

~~Formal disciplinary actions may be imposed in the event that the preponderance of the evidence indicates a violation of this policy, up to and including expulsion or termination. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.~~

~~As indicated above, these procedures do not limit the District from removing a student or employee from a program or activity on an emergency basis based on immediate threats to people's physical health or safety or placing an employee on administrative leave during the pendency of the investigation.~~

Records

~~A record will be maintained for a period of seven years of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment and district staff will document the basis for the district's conclusion that its response was not deliberately indifferent.~~

Training

~~The district will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.~~

~~The district will ensure that decision-makers receive training on any technology to be used in interviews and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in paragraph (b)(6) of this section.~~

~~The district also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in paragraph (b)(5)(vii) of this section.~~

~~Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.~~

Appeals

~~Any party may appeal the decision in writing to the Superintendent within fifteen (15) school days of receipt of the findings of the formal procedure. The Superintendent or designee, as a further impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal. External~~

Grievance Procedure

~~Any student, parent/guardian/caregiver or employee who chooses not to use the District's internal grievance procedures or who is not satisfied with the District's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.~~

~~For complaints related to discrimination/harassment of students:~~

~~The Office for Civil Rights, US Department of Education~~

~~5 Post Office Square, 8th Floor~~

~~Boston, MA 02109-3921~~

~~Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172~~

~~OR~~

~~The Massachusetts Commission Against Discrimination~~

~~One Ashburton Place~~

~~Sixth Floor, Room 601~~

~~Boston, MA 02108~~

~~Phone 617-994-6000, TTY: 617-994-6196~~

~~For complaints related to discrimination/harassment of parents:~~

~~The Office for Civil Rights, US Department of Education~~

~~5 Post Office Square, 8th Floor~~

~~Boston, MA 02109-3921~~

~~Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172~~

~~For complaints related to discrimination/harassment of employees:~~

~~The Office for Civil Rights, US Department of Education~~

~~5 Post Office Square, 8th Floor~~

~~Boston, MA 02109-3921~~

~~Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172~~

~~OR~~

~~The Massachusetts Commission Against Discrimination~~

~~One Ashburton Place~~

~~Sixth Floor, Room 601~~

~~Boston, MA 02108~~

~~Phone 617-994-6000, TTY: 617-994-6196~~

~~OR~~

~~The Equal Employment Opportunities Commission~~

~~John F. Kennedy Federal Building~~

~~475 Government Center~~

~~Boston, MA 02203~~

~~Phone: 1-800-669-4000~~

~~Referral to Law Enforcement, Other Agencies~~

~~Some alleged conduct may constitute both a violation of District policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant/alleged victim of the right to file a criminal complaint.~~

~~Retaliation~~

~~Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and District policy. The coordinator or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels that they have experienced retaliation for filing a complaint or~~

~~participating in the resolution process should inform the coordinator. The coordinator will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.~~

I. POLICY

A. Introduction

It is the policy of the Monomoy Regional School District (the “District”) not to discriminate on the basis of race, color, religion, national origin, age, sex, gender identity, sexual orientation, disability or other legally protected classification. This prohibition includes Sexual Harassment. The District is committed to maintaining a school environment free of unlawful Sexual Harassment. This Policy and Procedures specifically addresses Sexual Harassment, as defined below, as a form of gender discrimination under Title IX.

The District will promptly and reasonably investigate all allegations of sexual harassment through the designated and authorized Title IX Coordinator, as set forth below.

B. Scope

This Policy applies to individuals participating in any Educational Program or Activity, as defined below, whether such programs or activities occur on or off of school grounds if the school exercises “substantial control” over the alleged harasser and the context in which the alleged Sexual Harassment occurred. Although Title IX only applies to incidents occurring within the United States, this Policy applies to allegations of Sexual Harassment brought by individuals participating in any Educational Program or Activity of the School District even if it occurs outside of the United States.

C. Definitions

For purposes of this Policy and Procedures, the following definitions will apply:

- *A Complainant* is a person who is alleged to be the victim of conduct that could constitute Sexual Harassment.
- *A Respondent* is an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.
- *Actual Knowledge* of Sexual Harassment exists when any District employee, including, without limitation, administrators, teachers, educational support staff, clerical staff and custodians is aware of Sexual Harassment or allegations of Sexual Harassment. The District, through its staff, is required to act upon Actual Knowledge of such an incident or allegation.
- *Educational Program or Activity* includes any location, event, or circumstance over which the District exhibits substantial control of both the alleged harasser and the context in which the Sexual Harassment occurred. Sexual Harassment is not dependent on the method by which the Sexual Harassment is carried out. Actions carried out by written instrument, e-mail, internet use or other technologies may constitute Sexual Harassment as much as in-person actions.
- *A Formal Complaint* is a document filed by a Complainant, who is participating in or attempting to participate in the Educational Program or Activity of the District, or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the District investigate the allegation of Sexual Harassment.
- *Supportive Measures* are individualized services reasonably available that are non-punitive, non-disciplinary, individualized, and not unreasonably burdensome to the other party while designed

to ensure equal educational access, protect safety or deter Sexual Harassment. Supportive measures shall be offered even where no complaint has been filed. Supportive Measures may include counseling, course modifications, schedule changes and increased monitoring or supervision.

- *Remedies* can include the same actions described as Supportive Measures, or can punish or burden the Respondent.

D. Rule

The District takes allegations of discrimination, including Sexual Harassment, seriously and will respond promptly to Formal Complaints. Where it is determined that conduct that violates the law and/or this Policy and Procedures has occurred, the District will act promptly to stop the conduct and impose corrective action as necessary, which may include school-related discipline.

If any student believes, in good faith, that the student has been subjected to Sexual Harassment, they should report the incident. Further, anyone may report Sexual Harassment regardless of whether they are the victim/Complainant. This includes, but is not limited to, parents on behalf of their child and other students or staff who observe alleged incidents of Sexual Harassment.

Sexual Harassment for purposes of this Policy and Procedures is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (i.e., *quid pro quo* Sexual Harassment);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive such that it effectively denies a person equal access to the District's Educational Program or Activity; or
3. "Sexual assault," "dating violence," "domestic violence" or "stalking" all as defined by applicable federal law.

Examples of Sexual Harassment include but are not limited to:

- verbal abuse of a sexual nature;
- use of sexually degrading words;
- jokes or language of a sexual nature;
- conversation or gossip with sexual overtones;
- obscene or suggestive gestures or sounds;
- sexually-oriented teasing;
- verbal comments of a sexual nature about an individual's appearance or sexual terms used to describe an individual;
- inquiries into one's sexual experiences;
- discussion of one's sexual activities;
- comments, jokes or threats directed at a person because of his/her sexual preference;
- unwelcome and repeated invitations (for lunch, dinner, drinks, dates, sexual relations);
- demand for sexual favors accompanied by an implied or overt threat concerning a student's participation in an Educational Program or Activity, including promises of preferential treatment;
- physical contact such as touching, hugging, kissing, stroking, fondling, patting, pinching or repeated brushing up against one's body;
- deliberate bumping, cornering, grabbing;
- assaults, molestations or coerced sexual acts;
- posting or distributing sexually suggestive objects, pictures, cartoons or other materials;
- sexually-oriented letters or notes;
- sending offensive or discriminatory messages or materials through the use of electronic communications (e.g., electronic mail, including the Internet, voice mail and facsimile) which

contain overt sexual language, sexual implications or innuendo, or comments that offensively address someone's sexual orientation;

- staring at parts of a person's body;
- sexually suggestive gestures, leering; and
- condoning Sexual Harassment.

Sexual Harassment can occur in a variety of circumstances. Here are some things to remember.

- A person of any gender identity may be the victim/Complainant or alleged harasser/Respondent of Sexual Harassment; and
- The victim/Complainant does not have to be of a different gender identity than the harasser/Respondent.

II. PROCEDURES

A. Filing a Complaint

A Formal Complaint of Sexual Harassment may be filed with the Title IX Coordinator by the Complainant or any other individual by contacting the Title IX Coordinator by mail, in-person, email or phone. An employee with actual knowledge of conduct that may violate this policy must report to a Title IX Coordinator.

Director of Student Services, Title IX Coordinator
Phone: 508-945-5130

The Title IX Coordinator may delegate any and all of their responsibilities to another individual on a case-by-case basis. In the event of any such delegation, the actions of the designee shall be deemed to be the actions of the Title IX Coordinator for the purposes of this Policy and Procedures.

B. Supportive Measures

After the Title IX Coordinator receives an allegation of Sexual Harassment, even if no Formal Complaint is made, the Title IX Coordinator will:

- Offer the Complainant and Respondent Supportive Measures;
- Consider the Complainant and Respondent's wishes with respect to Supportive Measures;
- Inform the Complainant and Respondent of the availability of Supportive Measures with or without the filing of a Formal Complaint;
- Explain the process for filing a Formal Complaint and how the Formal Complaint will be addressed to the Complainant;
- Consider whether to file a Formal Complaint based on the information presented, if the Complainant elects not to do so;
- Determine whether an immediate threat to the physical health or safety of a student or other individual exists that requires removal of a student from the Educational Program or Activity;
- If removal is deemed necessary, provide Respondent with notice and an opportunity to challenge the decision immediately after the removal; and
- Document what Supportive Measures are provided and, if none are provided, document why and what Supportive Measures were offered.

C. Formal Complaint Process

In response to a Formal Complaint of Sexual Harassment, the District will use the following process for investigating, dismissing and/or determining responsibility with regard to the substance of a Formal Complaint.

1. Written Notice

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice to all known parties. The Respondent will be given notice in sufficient time to prepare a response before an initial interview.

Written notice must include:

- (a) Notice of the Formal Complaint Process, including any informal resolution process;
- (b) Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be Sexual Harassment, and the date and location of the conduct, if known) to allow the Respondent to prepare a response;
- (c) A statement that the Respondent is presumed to be not responsible and that responsibility will be determined at the conclusion of the Process;
- (d) Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
- (e) Notice of any provision in the student code of conduct or other policy or rule that prohibits knowingly making false statements or providing false information in the Process.

Written notice will be supplemented if new allegations open for investigation.

2. Investigation

Promptly after receiving or signing the Formal Complaint, the Title IX Coordinator will conduct the necessary investigation, using a preponderance of the evidence standard, including making good faith efforts to gather all relevant information. In the course of the Title IX Coordinator's investigation, the Title IX Coordinator will, along or with the assistance of another staff member:

- (a) Contact those individuals that have been referred to as having pertinent information related to the complaint, which, at a minimum, will include contacting the Complainant and the Respondent;
- (b) Consider relevant documentary evidence;
- (c) Notify Complainants and Respondents that they will have the opportunity to identify other witnesses and present other relevant information;
- (d) Provide the parties with the same opportunities to have an advisor present, who may, but is not required to be, an attorney;
- (e) Provide to a party who is invited or expected to attend, written notice of the date, time, participants, purpose, and location of any investigative interview, hearing or other meeting with enough time to allow the party to prepare to participate;
- (f) Provide both parties and their advisors, if any, an equal opportunity to review all evidence that is directly related to the allegations in the Formal Complaint, including evidence upon which the District does not intend to rely, and any exculpatory or inculpatory evidence from any source prior to the completion of the final investigation report and in time to give the parties at least ten (10) days to prepare a written response; and

- (g) Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to the parties and their advisors, if any, for their review and written response, at least 10 days before a hearing or other determination of responsibility.

The duration of an investigation will depend upon the nature and complexity of the allegations, the number of witnesses, the information to be gathered and the cooperation of all involved. As a guideline, the Complainant should expect to be interviewed within ten (10) school days. The interview of other witnesses and the Respondent will depend upon the number of witnesses and their availability and the availability of any advisor. The investigator should aim to complete interviews and fact-gathering within ten (10) school days, when feasible. Allowing time for both parties to provide a written response, a final investigation report will typically be completed within 45 calendar days after the filing or signing of the Formal Complaint. Delays may result from lack of witness availability, illness, involvement of law enforcement, the need for translation services or other good cause. The Title IX Coordinator will inform the Complainant and Respondent of any substantial delay and the reason for the delay.

Each party will have an equal opportunity to inspect, review, and respond to any evidence obtained. Prior to finalizing an investigative report, the investigator will send each party all evidence subject to inspection and review, and provide the parties at least ten (10) school days to provide a response to the investigator.

After the investigator drafts an investigatory report with all evidence obtained from the investigation, the report will be provided to the decision maker to send to all parties. The parties will then have ten (10) days to respond, including written relevant questions that each party wants asked of a party or witness.

3. Determination of Responsibility

Title IX does not require in-person hearings in elementary and secondary school District. It is the general policy of the District not to offer in-person hearings. The decision-maker, who will typically be a building administrator such as the Assistant Superintendent/Principal or Assistant Principal and cannot be the investigator or Title IX coordinator, shall retain the right to conduct an in-person hearing if they believe it is necessary to their decision. Regardless of the form of the hearing, the decision-maker will allow the Complainant and the Respondent to submit relevant, written questions they want asked of the other party or other witnesses, provide each party with the answers to such question and provide for limited follow-up questions. Questions about a Complainant's prior sexual behavior or sexual predisposition are only allowed to establish that another person committed the alleged conduct or that the conduct was consensual.

After the hearing process is complete, the decision-maker will issue a final written determination of responsibility within twenty (20) school days of receipt of the report from the investigator, using the preponderance of the evidence standard, that:

- (a) Identifies the allegations covered by this Policy and Procedures;
- (b) Describes the District's procedural steps taken from the receipt of the Formal Complaint to the determination;
- (c) Includes findings of fact supporting the determination;
- (d) Includes conclusions regarding application of the code of conduct to the facts;
- (e) Includes a statement of, and a rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the District's Educational Program or Activity will be provided to the Complainant; and
- (f) Includes procedures and permissible bases for appeals.

The decision-maker shall provide the written determination to the Complainant and Respondent.

4. Appeals

Either party may appeal a determination of responsibility to the Superintendent, or their designee, or the District's dismissal of a Formal Complaint, in whole or in part, within ten (10) school days for the following reasons: (1) a procedural irregularity that affected the outcome; (2) new evidence that was not reasonably available at the time of the determination and could affect the outcome; or (3) a conflict of interest on the part of the Title IX coordinator, investigator, or decision-maker that affected the outcome.

When an appeal is filed, the District shall ensure the individual deciding the appeal is not a Title IX Coordinator, the investigator, or the decision-maker who reached the determination regarding responsibility.

Upon receipt of an appeal, the District will provide written notice to both parties and provide both parties an equal opportunity to submit a written statement in support of, or challenging, the basis(es) for the appeal. The parties shall have ten (10) school days from the date of receipt of the notice of the appeal to submit written statements. The Superintendent, or their designee, will issue a written decision to both parties, simultaneously, regarding their decision on the appeal usually within ten (10) school days of receipt of the non-appealing party's written statement, or the date the statement would have been due.

5. Potential Actions

Violation of this Policy and Procedures by the Respondent may result in corrective action including, but not limited to, loss of privileges to participate in extra-curricular activities or athletics, require participation in Sexual Harassment awareness training or restorative justice efforts, a letter home to parents, social probation, detention, in-school suspension, outside suspension, expulsion and/or referral to the local police department for consideration of criminal charges. This provision shall not preclude the District from referring allegations to the local police department prior to the determination of a violation.

Please note that while this policy sets forth goals of promoting an environment that is free of Sexual Harassment, the Policy and Procedures is not designed or intended to limit the District's authority to discipline for conduct which it deems unacceptable, regardless of whether that conduct satisfies the definition of Sexual Harassment.

6. Dismissal

A Formal Complaint will be dismissed, without investigation, if the allegation(s), even if proven, would not constitute Sexual Harassment as defined above, or if the allegations did not occur in the District's Educational Program or Activity, or did not occur against a person in the United States. This does not preclude taking action under other policies or rules.

The Formal Complaint may be dismissed if the Complainant notifies the Title IX Coordinator at any time that they wish to withdraw the Formal Complaint or an allegation, if the Respondent's enrollment or employment ends, or if specific circumstances prevent the District from gathering evidence sufficient to reach a determination

If the Title IX Coordinator dismisses a Formal Complaint, written notice will be promptly provided to both parties simultaneously, including the reasons for dismissal.

7. Consolidation

The Title IX Coordinator may consolidate Formal Complaints against more than one Respondent, by more than one Complainant against one or more Respondents, or by one party against another party, where the allegations arise out of the same facts or circumstances.

D. Informal Resolution

When a Formal Complaint has been made, the District may offer to facilitate an informal process to resolve the Formal Complaint that does not require a full investigation, but will first provide all parties with written notice as described above and obtain written, voluntary consent from all parties.

Informal resolution is **not** available when the Respondent is an employee.

E. Confidentiality

The District will keep confidential the identity of the Complainant, the Respondent and other witnesses except as detailed above, permitted by Title IX or to carry out the purpose of the Title IX and its regulations.

F. Retaliation

Retaliation by the District or any other person against any person for the purpose of interfering with Title IX rights or because the person has participated or refused to participate in any manner in a proceeding under Title IX regulations is prohibited. Complaints of retaliation may be addressed under this Policy and Procedures.

G. Recordkeeping

The District will keep records related to reports of alleged Sexual Harassment for a minimum of seven (7) years, including investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken, including Supportive Measures, regardless of a Formal Complaint ever being filed. If no Supportive Measures were provided, each report should explain why that choice was not deliberately indifferent.

The District will also maintain, for the required 7-year period, any materials used to train Title IX coordinators, investigators, decision-makers, and any employee designated to facilitate an informal process. Such training materials will also be posted on the District's website.

H. External Complaints

Any student or parent/guardian who chooses not to use the District's Process or who is not satisfied with the resolution of District's Process may file a complaint with the appropriate state or federal agency.

Any person may also file a complaint with an appropriate state or federal agency at the same time they file a Formal Complaint, after the completion of the process, or at any time they choose. If a complaint is filed with the Office for Civil Rights, it must be filed in writing no later than 180 days after the occurrence of the alleged Sexual Harassment.

Complaints may be filed with:

Office for Civil Rights, US Department of Education
8th Floor
5 Post Office Square, Suite 900
Boston, MA 02109-3921
Telephone: 617-289-0111
Fax: 617-289-0150
TTY: 877-521-2172
Email: OCR.Boston@ed.gov

OR

Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Telephone: 617-994-6000
TTY: 617-994-6196
Email: mcad@mass.gov

436 Dwight Street, Rm 220
Springfield, MA 01103
Telephone: 413-739-2145
TTY: 617-994-6196
Email: mcad@mass.gov

18 Chestnut Street, Room 520
Worcester, MA 01608
Telephone: 508-453-9630
TTY: 617-994-6196
Email: mcad@mass.gov

I. Notice Requirements

A copy of this Title IX Policy and Procedures will be provided to students, parents or legal guardians, and unions or professional organizations holding agreements with the District.

LEGAL REF.: Title IX of the Education Amendments of 1972
CROSS REF.: ACAB, Sexual Harassment Prevention Policy
ACA, Non-Discrimination on the Basis of Sex

Adopted: June 25, 2020
Revised: 2/27/25, 5/ /25

**Monomoy Regional School District
Nondiscrimination on the basis of disability**

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition: A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.

Reasonable Modification: The District shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Communications: The District shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services: "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification: The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator: The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of

the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA.

The ~~school system~~ **District** receives federal financial assistance and must comply with the above requirements.

Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified handicapped person solely on the basis of handicap is unfair; and
2. To the extent possible, qualified handicapped persons should be in the mainstream of life in the school community.

Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of handicap.

Legal references:

Rehabilitation Act of 1973, Section 504

Education for All Handicapped Children Act of 1975

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

Title II, Americans with Disabilities Act of 1992

Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

Cross references:

IGB, Support Services Programs

IGBA, Programs for Handicapped Students

Adopted: March 27, 2013

Revised:

~~Monomoy Regional School District~~

~~Mission Statement~~

~~The Monomoy Regional School District is a community of learners of all ages focused on building knowledge, positive character, and resiliency in a safe, supportive, creative, and challenging environment.~~

~~Cross references:~~

~~ADA, School District Goals and Objectives~~

~~IA, Instructional Goals~~

~~Adopted: March 27, 2013~~

~~Revised:~~

Discontinue

Monomoy Regional School District

Tobacco Use on School Premises

Use of any tobacco or nicotine products, including, but not limited to: cigarettes, E-cigarettes, clove cigarettes, cigars, little cigars, pipe tobacco, chewing tobacco (any type of tobacco product that is ingested but not burned) or similar products that rely on vaporization or aerosolization, and tobacco paraphernalia (i.e. packs of cigarettes, pipes, rolling papers, lighters, matches) within the school buildings, school facilities, school events (on and off school grounds), or on school grounds (including in cars on school property) or school buses by any individual, including school personnel, parents, visitors, and students, is prohibited at all times.

The advertising of tobacco in school buildings, at school functions, and in school publications is prohibited.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student code of conduct.

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.

Legal references:

M.G.L. 71:37H

CROSS REFS.: GBED, Tobacco use on School Property by Staff Members Prohibited

JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

Adopted: March 27, 2013

Revised: April 26, 2018

Monomoy Regional School District

School Committee Operational goals

The School Committee is responsible to the people for whose benefit the school system has been established. The Committee's current decisions will influence the course of education in our schools for years to come. The Committee and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate problems.

The School Committee's primary responsibility is to establish those purposes, programs, and procedures that will best produce the educational achievement needed by our students. The Committee is charged with accomplishing this while also being responsible for wise management of resources available to the school system. The Committee must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and by evaluating the results. It must carry out its functions openly, while seeking the comments of the public, students, and staff in its decision-making processes.

In accordance with these principles, the methodology will involve:

1. Periodically setting performance objectives for the School Committee itself and evaluating their accomplishment.
2. Setting objectives for performance for each position and function in the system.
3. Allowing the people responsible for carrying out objectives to have a role in setting them.
4. Establish measurable goals.
5. Conducting a periodic review of performance against these goals.

Cross references:

ADA, School District Goals and Objectives

Adopted: March 27, 2013

Reviewed:

Monomoy Regional School District

School Committee Legal Status

The agreement between the Towns of Chatham and Harwich with respect to the formation of a regional school district creates a Regional District School Committee (Monomoy Regional School Committee) that will consist of eight (8) members, four (4) of whom reside in Chatham and four (4) of whom reside in Harwich.

The powers and duties of the regional school district shall be vested in and exercised by the Regional School Committee, hereinafter referred to as the Committee.

Except as provided herein and in subsection I-A of the Regional Agreement, the Committee shall consist of eight (8) members, four (4) of whom reside in Chatham and four (4) of whom reside in Harwich.

Members shall serve until their respective successors are elected and qualified. To meet the requirement of proportional representation respective to the population of each member town, each member from the Town of Harwich will have one (1) vote for a total of four (4) votes while each member from the Town of Chatham will have 50% vote for a total of two (2) votes, for a total of six (6) votes.

Established by law and Regional Agreement

Adopted: 3/27/2013

Reviewed:

Monomoy Regional School District School Committee Powers and Duties -DRAFT

The School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its functions. It sees them as:

- Legislative or policymaking. The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.
- Appraisal. The Committee is responsible for evaluating the effectiveness of its policies and their implementation.
- Provision of financial resources. The Committee is responsible for adoption of a budget that will enable the school system to carry out the Committee's policies.
- Public relations. The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the school staff informed about the needs and wishes of the public.
- Educational planning and evaluation. The Committee is responsible for establishing educational goals and policies that will guide the Committee.

Personnel Matters

The Superintendent shall be appointed by vote of the Committee and shall directly report to the Committee as provided by law and perform all the duties that are prescribed by law and such other duties, not inconsistent thereto, as a majority of the Committee may direct.

The School Committee shall appoint, upon the recommendation of the Superintendent, Assistant/Associate/Deputy Superintendent(s), School Business Administrator, and Special Education Administrator. Such positions shall not report directly to the School Committee.

Legal references:

M.G.L. 71:37 specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.

Cross references:

BB, School Committee Legal Status
BDG, School Attorney

Adopted: March 27, 2013

Revised:

**Monomoy Regional School District
School Committee Member Authority- DRAFT**

Authority

Because all powers of the School Committee derived from state laws are granted in terms of action as a group, members of the School Committee have authority only when acting as a Committee legally in session.

The School Committee will not be bound in any way by any statement or action on the part of an individual member except when such statement or action is a result of specific instructions of the Committee.

No member of the Committee, by virtue of his/her/their office, will exercise any administrative responsibility with respect to the schools or command the services of any school employee.

The School Committee will function as a body and all policy decisions and other matters, as required by law, will be settled by an official vote of the Committee sitting in formal session.

Duties

The duties and obligations of the individual Committee member may be enumerated, in no particular order, as follows:

1. To become familiar with the General Laws of the Commonwealth relating to education and school committee operations, regulations of the Massachusetts Board of Education, policies and procedures of this school committee and school department.
2. To keep abreast of new laws and the latest trends in education.
3. To have a general knowledge of the goals, objectives, and programs of the town's public schools.
4. To work effectively with other Committee members without trying either to dominate the Committee or neglect his/her/their share of the work.
5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.
6. To vote and act in Committee impartially for the good of the students.
7. To accept the will of the majority vote in all cases, and to remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
8. To represent the Committee and the schools to the public in a way that promotes interest and support.
9. To refer questions and complaints to the proper school authorities.
10. To comply with the accepted code of ethics for School Committee members.

Legal references:

M.G.L. 71:16A
Regional Agreement

Adopted: March 27, 2013

Revised:

Monomoy Regional School District

School Committee Composition

The agreement between the Towns of Chatham and Harwich with respect to the formation of a regional school district creates a Regional District School Committee (Monomoy Regional School Committee) that will consist of eight (8) members, four (4) of whom reside in Chatham and four(4) of whom reside in Harwich.

Adopted: March 27, 2013

Revised: