

SECTION J STUDENTS

13. Student Civil Rights and Non-Discrimination Policy

(Voted 4/30/26, #26-55)

1. Commitment to Non-Discrimination
2. Definitions
3. Discrimination and Harassment
4. Rights of Students in Protected Classes
5. Annual Reporting
6. Process and Contacts for Reporting Possible Discrimination, Harassment and/or Bias-Based Conduct
7. Federal and State Remedies
8. Legal Statutes

1. COMMITMENT TO NON-DISCRIMINATION

The Public Schools of Brookline is committed to maintaining an educational environment where students of all backgrounds and experiences are physically and psychologically safe, connected, encouraged, and can flourish. We strive to eliminate all forms of bias and bigotry, including discrimination based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, sex stereotypes, sex characteristics, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, natural or protective hairstyle or any other category protected by state or federal law. The Public Schools of Brookline is resolved that prejudice and disparate treatment will never impede our learners, consistent with our district goals:

- Joy in Learning
- Excellence in Teaching
- Culture of Collaboration
- Celebration of Differences
- Commitment to Equity
- Ethic of Wellness

Schools will vigorously implement and actively enforce this policy to ensure that all of its daily operations are characterized by fairness, respect, and equity. Any violation of this policy will be viewed as serious misconduct and may result in discipline, up to and including termination of the offending employee or discipline of the responsible student consistent with the district's Code of Conduct.

While this policy is aimed at promoting a learning environment that is free of discrimination or harassment of any kind, it is not intended to limit the district's authority to discipline or take remedial or restorative action to address misconduct by a student, employee, or other community member that is found to be inappropriate and bias-based and/or sexual in nature, regardless of whether that misconduct satisfies the definition of discrimination or harassment under the law.

It is important to note that schools must take action against discrimination, bullying and harassment and must take steps to prevent any misconduct that involves hate, bias, or prejudice while upholding students' rights of freedom of speech and expression in school.

Retaliation against any person who has reported a possible violation or participated in any manner in an investigation, proceeding, or hearing of a report of a violation of this policy, will similarly be viewed as serious misconduct and may also result in discipline (up to and including termination for district employees).

Some instances of discrimination, harassment and sexual misconduct may also fall under the **Bullying Prevention Policy**, particularly when behavior involves repeated communication or actions that result in harm or disruption to a student's educational experience. In such cases, the matter will be reviewed under both policies.

2. DEFINITIONS

a. Antisemitism: hostility, prejudice, discrimination or antagonism against Jews, both as individuals and as a group. It can be overt such as swastikas, slurs or threats, or more subtle codes, tropes and assumptions including stereotyping and conspiracy theorizing, that can lead to harassment and discrimination.

b. Bias-Based Conduct means any unwelcome or inappropriate physical, verbal, written, graphic, or electronic conduct relating to a person's actual or perceived Protected Class that does not involve severe, persistent or pervasive conduct that creates a hostile environment, but will likely create a hostile educational or work environment if the conduct persists.

c. Discrimination includes, but is not limited to excluding from participation, denying the benefits of, or otherwise discriminating against individuals on the basis of a Protected Class, 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, or in failing to provide equal access to designated youth groups

d. Gender expression: the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

e. Gender identity: a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth"

f. Gender nonconforming: a term used to describe people whose gender expression differs from stereotypic expectations. The terms "gender variant" or "gender atypical" are also used.

g. Gender nonbinary: a term to describe people who identify as neither male nor female, and may use the pronoun, "they." Other similar terms include gender queer and genderfluid.

h. Gender transition: describes the experience by which a person goes from living and identifying as one gender to living and identifying as another.

i. Harassment includes, but is not limited to, unwelcome, inappropriate, or illegal physical, verbal, written, graphic, or electronic conduct that relates to an individual's actual or perceived Protected Class, that has the purpose or effect of creating a hostile education or work environment, or, if the conduct were to persist, would likely create a hostile education or work environment. A target/complainant may include a person reasonably affected by conduct directed toward another individual.

j. Hostile environment is where physical, verbal, written, graphic or electronic conduct that relates to a person's protected class is sufficiently severe, persistent or pervasive so that it unreasonably interferes with or limits the ability of a student to participate in or benefit from the district's programs or activities.

k. Islamophobia: hostility, prejudice, discrimination or antagonism against Islam or people who practice Islam. It encompasses prejudice, bias and stereotyping against Muslims, that can lead to harassment and discrimination.

l. Non-discrimination refers to the principle of treating individuals equally, without bias based on characteristics such as race, gender, religion or disability. This concept is fundamental to the fight against racism and other forms of discrimination, promoting fairness and equality in various contexts, including employment, education and public services.

m. Protected Class: A group of people with a common characteristic who are legally protected from discrimination on the basis of that characteristic. Protected classes include: race (to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles), color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender, gender identity, gender expression, sexual orientation, pregnancy, or pregnancy-related condition, or any other category protected by state or federal law.

n. Racism: hostility, prejudice, discrimination, or antagonism directed against someone based on their race. It focuses on both individual bias and systemic inequality, and can lead to harassment and discrimination.

o. Reasonable accommodations: accommodations that do not place an undue burden on

PSB, meaning they are not overly costly, disruptive, or substantial, and do not fundamentally change the nature of a program, service, or activity.

p. Retaliation includes, but is not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment against any member of the school community in response to that member's oral or written, formal or informal, reporting or filing a complaint of discrimination, including harassment or retaliation, cooperating in an investigation, aiding or encouraging another member of the school community to report or file a complaint, or for opposing any act or practice reasonably believed to be prohibited by the Non-Discrimination Policy.

q. Sexual Harassment *

* *Sexual Harassment definitions can be found in section 3.*

r. Student with disability: someone who has a physical or mental impairment that substantially limits one or more major life activities, such as walking, seeing, hearing, speaking, or learning. This definition also includes students with severe allergies, such as those to airborne tree nuts, if the allergy significantly limits their major life activities.

s. Transgender: an umbrella term used to describe a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

3. DISCRIMINATION AND HARASSMENT

Discrimination and/or harassment includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above.
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) unreasonably interferes with or limits the ability of an individual or group described above to participate in or benefit from a program or activity of the Public Schools of Brookline or (ii) creates an intimidating, threatening or abusive educational environment.

Discriminatory conduct includes treating students differently because of their membership in a protected group, such that the treatment interferes with or limits the student's ability to participate in or benefit from an educational opportunity or extracurricular program.

Harassment includes racial, ethnic, or ancestral slurs, xenophobic remarks and stereotyping, and encompasses antisemitism, Islamophobia, racism, and other forms of discrimination when based on shared ancestry or ethnic characteristics. This includes when the discrimination is based on a student's skin color, physical features, or style of dress that reflects both ethnic and religious traditions; and when the discrimination is based on where a student came from or is perceived to have come from. Non-discrimination protections based on race, color, and national origin, when based on shared ancestry or ethnic characteristics, extend to students and school community members.

Examples of discriminatory behavior toward students that may violate this policy include:

- Speaking or otherwise communicating derisively to or about a student because of their membership in a protected group, such as their race, including the use of slurs.
- Telling or digitally circulating jokes that are derisive toward members of a particular group, such as a student of a particular religious faith.
- Using insulting nicknames for members of a protected group, such as a female student.
- Refusing to allow students to participate in any activity because of their membership in a protected group, such as their sexual orientation, and in the absence of a legitimate nondiscriminatory reason for the refusal.
- Disciplining a student more frequently or more harshly because of their membership in a protected group, such as their national origin.
- Displaying pictures or taking any action that is derisive to any student based on their membership in a protected group.
- Refusal to use the gender identity affirming name and/or pronouns that a student has stated.

Employees of the Public Schools of Brookline who become aware of any possible discrimination, harassment, and/or bias-based conduct toward or involving students must report the incident or concern to their school leader, supervisor, and/or the Office of Student Services as soon as practicable, generally within the same school day. The same standard applies to partners or contractors providing services in or under the auspices of the Public Schools of Brookline.

Schools will vigorously implement and actively enforce this policy to ensure that all of its daily operations are characterized by fairness, respect, and equity. Any violation of this policy will be viewed as serious misconduct and may result in discipline, up to and including termination of the offending employee or discipline of the responsible student consistent with the district's Code of Conduct.

When a school receives notice of an incident that may involve harassment, it must

conduct a prompt and impartial investigation that is sufficiently thorough to determine whether an intimidating or hostile environment exists.

3.1 Discrimination, Harassment, and/or Bias Based Conduct

While this policy is aimed at promoting a learning environment that is free of discrimination or harassment of any kind, it is not intended to limit the district's authority to discipline or take remedial or restorative action to address misconduct by a student, employee, or other community member that is found to be inappropriate and bias-based and/or sexual in nature, regardless of whether that misconduct satisfies the definition of discrimination or harassment under the law.

Students may also sometimes experience “microaggressions”: verbal or nonverbal communication that is rooted in implicit bias but does not rise to the level of a violation of this policy. Examples include:

- Mistaking one student for another because they share the same racial identity.
- Complimenting a student for having a skill that is counter to a stereotype regarding their gender or ethnicity.
- Assuming a student observes a particular religious holiday or has a particular sexual orientation.
- Asking a student about their disability without their consent and/or the consent of their parent/caregiver.

When such behaviors are reported or when concerning incidents do not rise to the level of targeted threats, intimidation, harassment or discrimination, the district relies on more of an education-oriented restorative process. A school administrator or other PSB designee may partner with the student, parent/caregiver, and appropriate school staff to determine an effective intervention, such as coaching, mediation, restorative justice, or individual, classroom, or school-wide instruction or training.

3.2 Sexual Misconduct Toward Students

Students participating in PSB academic, educational, extracurricular, or athletic, and school programs or activities are protected from sexual misconduct by other students, parents/caregivers, PSB employees, contractors, and visitors. This policy may also apply to conduct occurring outside school property or regular school hours when it is connected to a PSB-sponsored program or activity and the district has substantial control over the individuals and circumstances involved.

For this policy, sexual misconduct refers to inappropriate verbal, physical, or written conduct of a sexual nature, including sexual violence. Sexual violence is defined as any

sexual act that is unwanted, coerced, forced, or committed against someone who is unable to provide legal or informed consent due to age or incapacity.

3.2 (i) Definitions of Sexual Harassment

Under federal law, sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including

- (1) Quid pro quo harassment. An employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the District's education program or activity explicitly or implicitly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- (2) Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment).
- (3) Specific offenses. (i) Sexual assault (ii) Dating violence; (iii) Domestic violence; (iv) Stalking

Massachusetts State Law also prohibits the sexual harassment of students in any program or course of study in any educational institution and defines "sexual harassment" as sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

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, to male, female, or gender non-conforming students or employees 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, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances-whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;

- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences;
- Discussion of one's sexual activities; and
- Sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion as well as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent)

All public school employees in Massachusetts are required to report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above.

Per Massachusetts law, any student, regardless of gender identity or sexual orientation, can be a target of sexual misconduct, and the alleged targets and the subject of the concern can be of the same or different genders.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint, assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion. The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

4. RIGHTS OF STUDENTS IN PROTECTED CLASSES*

**Certain protected classes and areas are called out in federal and state law. These are detailed in this section.*

4.1 Rights of Students with Regards to Gender Identity

The Public Schools of Brookline (PSB) are dedicated to protecting all students, including transgender, gender nonbinary, and gender nonconforming students, from discrimination. This policy is intended to create a culture in which transgender, gender nonbinary, and gender nonconforming students feel safe, supported, and included. Understanding the correct terminology associated with gender identity is important to providing a safe and supportive school environment.

4.1 (i) Names and Pronouns

In Massachusetts, individuals have the right to adopt a name different from the one on their birth certificate. PSB will ensure that a student's chosen name is accurately recorded on all school records, regardless of whether the student or parent provides a court order formalizing the name change. For students undergoing a gender transition while attending PSB, the school will collaborate with the student and/or parent/caregiver(s) to create a plan for using the student's chosen name and pronouns.

4.1 (ii) Privacy, Confidentiality, and Student Records

Under state law, information about a student's assigned birth sex, name change for gender identity purposes, gender transition, medical or mental health treatment related to gender identity, or any other information of a similar nature, is part of their student record, is considered confidential, and must be kept private and secure. When determining which, if any, staff or students should be informed that a student's gender identity is different from their assigned sex at birth, decisions should be made in consultation with the student, or in the case of a student under 14, the student's parent/caregiver. The key question is whether and how sharing the information will benefit the student. Please see [this document](#) for PSB's Gender Support Plan.

Transgender, gender nonbinary, and gender nonconforming students may decide to discuss and express their gender identity openly and may decide when, with whom, and how much to share private information. If a student is from 14 through 17 years of age or has entered ninth grade, both the parent and the student may make decisions concerning the student record, or either the student or the parent acting alone may decide. If a student is under 14 and not yet in the ninth grade, the student's parent/caregiver (alone) has the authority to decide on disclosures and other student record matters.

Some transgender, gender nonbinary, and gender nonconforming students are not open about their gender identity at home due to safety concerns or lack of acceptance. School personnel will speak with the student first before discussing a student's gender nonconformity or transgender status with their parent/caregiver, including discussing how the school should refer to the student, e.g., appropriate pronoun use, in communication with their parent/caregiver.

4.1 (iii) Gender Markers on Student Records

A gender marker is the designation on school and other records that indicates a student's gender. For most students, records that include an indication of a student's gender will reflect a student's assigned sex at birth. For transgender students, however, a documented gender marker (for example, "male" or "female" on a permanent record) should reflect

the student's gender identity. For example, upon request by a transgender student whose gender identity is male (or their parent/caregiver, if they are under 14), the school should change the gender marker on the record to male. Transgender students who transition after completing high school may ask to amend school records consistent with their gender identity, including reissuing a high school diploma or transcript.

4.1 (iv) Restrooms, Locker Rooms, and Changing Facilities

All students are entitled to have access to restrooms and changing facilities that are sanitary, safe, adequate, and consistent with their gender identity, so they can comfortably and fully engage in their school program and activities. Each situation needs to be reviewed and addressed based on the particular circumstances of the student and the school facilities. Transgender students who are uncomfortable using a sex-segregated restroom or changing facility should be provided with a safe and adequate alternative, such as a single "all gender" restroom or nurse's restroom.

4.1 (v) Physical Education Classes and Athletic Activities

Where there are sex-segregated physical education classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a manner consistent with their gender identity.

4.1 (vi) Dress Codes

The PSB shall not require students to wear gender-based clothing for school attendance, field trips or graduations, nor have gender-based dress codes for prom, special events, athletics, or any other school-related activity.

4.2 Rights of Expectant and Parenting Students

Expectant and parenting students have the right to decide how and when they seek support and services from school staff, and to have their personal health information kept confidential. This includes information about their pregnancy or parenting status, and such details should only be shared with others when necessary for the student's physical safety. When a student shares their expectant or parenting status with a staff member, the staff member is responsible for informing the head of school in a timely manner and ensuring that the student is aware of the need to notify the head of school. However, staff must not pressure or coerce the student into informing their parent/caregiver, or anyone else, about their pregnancy or related matters.

Staff members are prohibited from disclosing a student's expectant or parenting status to their parent/caregiver without the student's consent. While staff should encourage students to consider informing their parent/caregiver about the pregnancy and related

decisions, this remains the student's choice. Medical professionals within the school are allowed to keep confidential medical records for pregnant students who seek treatment.

Expectant or parenting students cannot be excluded from any school program, class, or extracurricular activity because of their status. All school staff must maintain high academic expectations for all students, regardless of expectant or parenting status.

4.3 Rights of Students with Disabilities

The Public Schools of Brookline are dedicated to preventing and addressing any form of discrimination, harassment, and/or bias-based conduct toward students with disabilities. We are committed to providing reasonable accommodation under Section 504 of the Rehabilitation Act of 1973 to ensure all students with disabilities have full access to education, extracurricular activities, and other school-sponsored events.

Examples of reasonable accommodation due to a disability may include access to school elevators, wheelchair-accessible transportation to school or school events, extended time for tests, assistive technology, or the removal of physical barriers to accessibility.

Students or their parents/caregivers who wish to request accommodations due to a disability should reach out to the building 504 administrator who will collaborate with the student, their parent/caregiver, and the student's educational team to determine 504 eligibility. If the student is eligible, accommodations will be outlined in a Section 504 Plan, which will include clear timelines for review and reevaluation.

4.4 Rights of Students Requesting Religious Accommodations

PSB provides reasonable accommodation for students who need adjustments to their educational requirements to observe their religious beliefs.

Examples of reasonable accommodation to observe religious beliefs may include excused absences for religious observances, allowing head coverings or other religious garments, and scheduling tests and assignments around religious holidays when possible.

5. ANNUAL REPORTING

PSB's Title VI Coordinator and Title IX Coordinator shall be responsible for maintaining records of all reports of discrimination, harassment, and/or bias-based conduct or sexual misconduct. The Coordinator(s) will prepare an annual report to the Superintendent and School Committee (without personal identifying information) regarding the number and nature of reports, whether a finding of a policy violation was made in each case, and any trends in this data. This annual report shall be submitted no later than August 1 of each year and shall be publicly posted in a manner accessible to the general public by August 15 of that same year.

6. PROCESS AND CONTACTS FOR REPORTING POSSIBLE DISCRIMINATION, HARASSMENT, AND/OR BIAS-BASED CONDUCT

Employees of the Public Schools of Brookline are required to report any incidents they become aware of that may constitute discrimination, harassment, and/or bias-based or sexual misconduct toward a student, and may be subject to discipline for failing to report an incident and/or failing to report an incident in a timely manner. They may report an incident to a principal, head of school, the Deputy Superintendent of Student Services, or any Central Office department head. Incidents that a PSB employee becomes aware of indirectly, such as from a written note or an overheard conversation, must also be reported.

Students, parents/caregivers, and other community members are encouraged to report concerns regarding incidents that may constitute discrimination, harassment, and/or bias-based or sexual misconduct toward a student to their school's principal or head of school, another school administrator, or the Office of Student Services. It is advised to file this report as close to the time of the incident as possible, as matters are generally more easily resolved the sooner they are reported. Reporting a possible violation will not be construed as reflecting unfavorably on a student, parent/caregiver, employee, or other community member's good standing, academic performance, loyalty, or desirability to the Public Schools of Brookline. Anonymous reports will be investigated to the extent possible. While not required, the district encourages the completion of the Community Incident Reporting Form available at this [link](#).

Detailed protocols regarding reporting and investigations of possible discrimination, harassment, and/or bias-based or sexual misconduct are provided in a separate document entitled the *Public Schools of Brookline Student Civil Rights and Non-Discrimination Protocols & Procedures*. This document shall be available on the PSB website.

The Public Schools of Brookline's Section 504 Coordinator is responsible for ensuring compliance with the accommodation rights of students with disabilities. Any student, parent/caregiver with related concerns or questions, or who wish to request a religious accommodation for a student, may contact the district's Section 504 Coordinator:

Section 504 Coordinator
 Senior Director of Clinical Services and Social Emotional Learning
 Town Hall, 333 Washington Street, 5th Floor, Brookline, MA 02445
 Phone: 617-730-2447 Fax: 617-730-2066

The Public Schools of Brookline's Title VI Coordinator is responsible for ensuring compliance with the discrimination, harassment, and/or bias-based conduct investigatory process and related rights and responsibilities outlined in this policy, and tracking

incidents across the district. Any student, parent/caregiver with related concerns or questions may contact the district's Title VI Coordinator:

Title VI Coordinator
 Interim Deputy Superintendent of Student Services
 Town Hall, 333 Washington Street, 5th Floor, Brookline, MA 02445
 Phone: 617-730-2447 Fax: 617-730-2066

The Public Schools of Brookline's Title IX Coordinator is responsible for ensuring compliance with the sexual misconduct investigatory process and related rights and responsibilities outlined in this policy, and tracking incidents across the district. Any student, parent/caregiver with related concerns or questions may contact the district's Title IX Coordinator:

Title IX Coordinator
 Interim Deputy Superintendent of Student Services
 Town Hall, 333 Washington Street, 5th Floor Brookline, MA 02445
 Phone: 617-730-2447 Fax: 617-730-2066

7. STATE AND FEDERAL REMEDIES

Using the PSB civil rights and non-discrimination reporting process does not prohibit any individual from also filing a complaint with a state or federal agency. These agencies have a time period for filing a claim as indicated below.

- *For incidents involving discrimination against students (must be filed within 180 days):*
 U.S. Department of Education Office for Civil Rights (OCR)
 Information about filing a complaint can be found at this [link](#).
- *For concerns regarding students' equitable access to education (must be filed within the same school year):*
 Problem Resolution System Office
 Massachusetts Department of Elementary and Secondary Education (DESE)
 135 Santilli Highway
 Everett, MA 02149
 Email: DESECompliance@mass.gov
- *For concerns regarding civil rights related to school-provided meals (must be filed within 180 days):*
 U.S. Department of Agriculture (USDA)
 Director, Center for Civil Rights Enforcement

1400 Independence Avenue, SW
Washington, DC 20250-9410
Email: program.intake@usda.gov

8. LEGAL STATUTES

[M.G.L. c. 76, § 5](#) (The Student Anti-Discrimination Act): This is the "Civil Rights Act" for students. It mandates that no student can be excluded from or discriminated against in a public school based on race, color, sex, gender identity, religion, national origin, or sexual orientation.

[M.G.L. c. 71, § 37O](#) (The Anti-Bullying Law): While this law covers general peer-to-peer aggression, it specifically requires schools to create plans that protect students who are "vulnerable" based on certain protected classes.

[603 CMR 26.00](#): These are the state regulations that implement the Anti-Discrimination Act. They legally define "harassment" as conduct that creates a hostile environment.

[Title VI](#) (Civil Rights Act of 1964): Prohibits discrimination based on race, color, or national origin.

[Title IX](#) (1972): Prohibits discrimination based on sex (including sexual orientation and gender identity).

[Section 504 /ADA](#): Prohibits discrimination based on disability.

New Policy Adopted by Brookline School Committee: 4/30/26, # 26-55