



SPRINGFIELD PUBLIC SCHOOLS

ANTI-HARASSMENT POLICY

The Springfield Public Schools is committed to maintaining a school environment free of harassment based on race, color, sex, religion, national origin, sexual orientation, age, or disability. Harassment by administrators, teachers, certified and support personnel, students, vendors, and other individuals at school or at school-sponsored events is unlawful and is strictly prohibited.

The Springfield Public Schools requires all employees and students to conduct themselves in an appropriate manner, with respect for their fellow employees, students, and all members of the school community.

I. DEFINITION OF HARASSMENT

In General. Harassment includes communications such as gestures, jokes, comments, innuendoes, notes, display of pictures or symbols, communicated in any form, including orally, in writing, or electronically via the Internet, cell phones, text messaging or in any other way, that shows disrespect to others based upon a protected class. Legally protected classes include: race, color, religion, nation origin, sex, sexual orientation, genetic information, ancestry, age, handicap or disability, and service in the uniformed military service.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. What one person may consider acceptable behavior may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile, or offensive.

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

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education.
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student.
3. Such conduct interferes with an individual's job duties, education, or participation in extracurricular activities.

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

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon 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; e-mail, screen savers or computer graphics
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquires into one's sexual experiences; and,
- Discussion of one's sexual activities.

II. HARASSMENT AND RETALIATION PROHIBITED

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

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

III. INVESTIGATION

Any individual who believes he or she has been harassed, or who has witnessed or learned about the harassment of another person in the school environment, has the right to file a complaint with the Springfield Public Schools. This may be done in writing or orally by informing the Principal as soon as possible. If the individual does not wish to discuss the issue with the Principal, or if the Principal does not address the problem in an effective manner, the individual should inform the Superintendent or his or her designee or the Executive Director of Human Resources - Allan Menkel, who can be reached at 195 State Street, Springfield, MA 01103 or by phone at (413)787-7180.

The Springfield Public Schools will promptly investigate every complaint of harassment. If it determines that harassment has occurred, it will take appropriate action to end the harassment and to ensure that it is not repeated. Confidentiality will be maintained to the extent consistent with the school's

obligations under law and under applicable collective bargaining agreements and to the extent practicable.

In certain cases, the harassment of a student may constitute child abuse under state law. The Springfield Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

IV. CLOSURE OF A COMPLAINT

When an investigation has been completed, school personnel will inform the complainant of the results and, in appropriate circumstances, file a report with the Coordinator for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Chapter 622 of the Acts of 1971.

The Springfield Public Schools urges all individuals in the school community to bring any concerns or complaints of harassment to the attention of school personnel so that they can resolve the issue. The state agency responsible for enforcing laws prohibiting harassment is the Massachusetts Department of Education, 350 Main Street, Malden, MA (781-388-3300) and in the employment context is the Massachusetts Commission Against Discrimination, whose Boston Office location is at One Ashburton Place, Boston, MA (617-727-3990) and Springfield Office location is at 436 Dwight Street, Room 220 Springfield, MA (413-739-2145). The agency responsible for enforcing federal law prohibiting harassment in the employment context is the Equal Employment Opportunity Commission, which is located at the John F. Kennedy Federal Building, Boston, MA 02203 (617-565-3200 or 1-800-669-4000). The agency responsible for enforcing federal law prohibiting harassment on the basis of sex in relation to education is the Office for Civil Rights within the U.S. Department of Education, which is located at 33 Arch Street, Boston, MA 02110, (617-289-0111); OCR.Boston@ed.gov.

V. NOTICE OF NONDISCRIMINATION

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

The Coordinator for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Chapter 622 of the Acts of 1971 is Executive Director of Human Resources - Allan Menkel, who may be reached at by phone at (413)787-7180 or at 195 State Street, Springfield, MA 01103. Inquiries regarding the application of the Springfield Public Schools' nondiscrimination policy may be referred to Springfield Public School's Coordinator as named above, or the Assistant Secretary for Civil Rights, U.S Department of Education, Washington, D.C. 20202, or the Regional Director, U.S. Department of Education, Office for Civil Rights, Region One, 33 Arch Street, Boston, MA 02110.

APPROVED BY SCHOOL COMMITTEE: November 13, 2008