

# Quincy Public Schools POLICY BOOK Section 1/January 2017 Revisions

## Section 1: FOUNDATIONS AND BASIC COMMITMENTS

**Section 1** of the policy classification system is a repository for statements related to the district's legal role in providing public education and the underlying principles on which the district operates. A reference manual containing procedures, memos, forms and reports is available that corresponds to the school board policies referenced in this section.

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## SCHOOL DISTRICT LEGAL STATUS - File 1.1

The legal basis for education in the Quincy Public Schools is vested in the will of the people as expressed in the Constitution of the state, the statutes pertaining to education, court interpretation of the validity of these laws, and the power implied under them.

Under the General Laws of Massachusetts, "...Every town shall maintain...a sufficient number of schools for the instruction of all children who may legally attend a public school therein."

The public educational system of Quincy structurally is a department of the city operated under laws pertaining to education and under regulations of the Massachusetts Board of Education.

LEGAL REFS: Constitution of Massachusetts, Part II, Chapter V,  
Section II M.G.L. 71:1

Historical Note: Massachusetts has the oldest public school system in the nation. Dating back to 1647, the laws of the Massachusetts Bay Colony required towns to provide for a program of public education.

## THE PEOPLE AND THEIR SCHOOL DISTRICT – File 1. 2

The school committee has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' expectations for the education of the community's youth. It also has an obligation to determine and assess the citizens' desires. When citizens elect delegates to represent them in the conduct of public education, their representatives have the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The school committee therefore affirms and declares its intent to:

1. Maintain two-way communications with the citizens of Quincy. The public will be kept informed of the progress and problems of the school system, and citizens will be urged to bring their aspirations and feelings about their public schools to the attention of the committee, which they have chosen to represent them in the management of public education.
2. Establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this committee will be made with priority given to the purposes set forth, most crucial of which is the optimal learning of the children enrolled in our schools.
3. Act as a truly representative body for members of the community in matters involving public education. The committee recognizes that ultimate responsibility for public education rests with the state, but that individual school committees have been assigned specific authority through state law. The school committee will not relinquish any of this authority since it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

Current practice codified 1990

Adopted: Date of Manual Adoption

## **COMMUNITY INVOLVEMENT IN DECISION MAKING – File 1.2.1**

The school committee endorses the concept that community participation in the affairs of the schools is essential if the school system and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. It therefore intends to exert every effort to identify the desires of the community and to be responsive, through its actions, to those desires.

All citizens will be encouraged to express ideas, concerns, and judgments about the schools to the school administration, staff, any appointed advisory boards and the committee.

Residents who are specially qualified because of interest, training, experience, or personal characteristics will be encouraged to assume an active role in school affairs. From time to time, these people may be invited by the committee to act as advisors, either individually or in groups.

The committee and the staff will give substantial weight to the advice they receive from individuals and community groups interested in the schools, particularly from those individuals and groups they have invited to advise them regarding specific problems, but will use their best judgment in arriving at decisions.

Current practice codified 1990

Adopted:        Date of Manual Adoption



### **STUDENT INVOLVEMENT IN DECISION MAKING – File 1.2.3**

As appropriate to the age of students, class, or school organizations and school government organizations, such as student councils may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

#### Student Advisory Committee

As required by state law, the committee will meet at least once every other month while school is in session with its student advisory committee, which is composed of five students elected by the high school student body.

#### School Councils

A council is composed of elected and appointed representatives of the school and community. The law specifies that the council is to consist of: parents and students attending the school; teachers; and other persons drawn from such groups or entities as municipal government, business and labor organizations, institutions of higher education, human service agencies or other interested groups, including those from school-age child care programs. For schools containing any of grades nine to twelve, there should be at least one student on the council.

Current practice codified 1990

Adopted:           Date of Manual Adoption  
LEGAL REF:    M.G.L. 71:38M  
                          M.G.L. 71:59C

**AFFIRMATIVE ACTION/EQUAL EMPLOYMENT  
OPPORTUNITY/NONDISCRIMINATION  
File 1.3**

Policy Statement of the School Committee of the City Of Quincy for an Affirmative Action Program Introduction: Equal Opportunity in the Quincy Public Schools

In October of 1978, the Quincy School Committee approved the following policy statement for an affirmative action program. This program consists of a series of specific procedures to ensure equal employment opportunities for all Quincy Public Schools employees. A copy of the policy statement may be obtained from the personnel department.

The superintendent's non-discrimination policy statement is disseminated to all students in the Quincy Public Schools.

The Quincy Public Schools is committed to ensuring that all students and employees receive equality of opportunity while pursuing their career or their education in Quincy. Questions about policies and procedures regarding equitable treatment should be referred to the Personnel Department.

The Quincy Public Schools does not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, or handicap, in its educational activities or employment practices as required by Title IX of the 1972 Federal Education Amendments, by Section 504 of the 1973 Rehabilitation Act, and by Chapter 622 of the General Laws for the State of Massachusetts.

The superintendent of schools, under the direction of the school committee, shall be the executive officer responsible for the good faith implementation of the specific procedures herein set forth to attain equal employment opportunities for all persons.

The superintendent of schools under the direction of the school committee shall make an annual "work force analysis." The work force analysis shall consist of a list of all of the professional and non-professional positions, which are currently in existence. In addition, the list shall indicate for each position the sex of the individual holding the position and whether such individual is a member of any of the minority groups.

**AFFIRMATIVE ACTION/EQUAL EMPLOYMENT  
OPPORTUNITY/NONDISCRIMINATION  
File 1. 3 (cont.)**

The utilization and availability analysis shall consist of a report of all of the areas of employment in the school system in which women and members of minority groups are underutilized. Under-utilization occurs when there are fewer women and members of minority groups employed in any area of employment than would reasonably be expected by the availability of such persons. The availability of women and members of minority groups is determined by many factors, such as the number of such persons in the City of Quincy who are employed, the percentage of the female and minority work force as compared to the total work force in the city, the general availability of women and members of minority groups who have the requisite skills in any areas in which the school committee can reasonably recruit, and the availability of women and members of minority groups employed by the school committee who may be promoted to higher ranking positions.

The superintendent, under the direction of the school committee, shall develop "goals and timetables" for the purpose of alleviating any of the deficiencies in employment which may be found to exist due to the under-utilization of women and members of minority groups. The goals and timetables shall be reasonable and flexible targets for the attainment of equal employment opportunities for all persons.

The school committee shall make good faith efforts to attain these goals and timetables, which shall not be quotas.

The superintendent, under the direction of the school committee, shall ensure that all advertisements for employment state that qualified applicants will receive equal consideration for employment without regard to race, color, gender identity, religion, sex, sexual orientation, handicap or national origin. The superintendent, under the direction of the school committee, may also ensure that women and members of minority groups are used as recruiters and that they make special efforts to recruit women and minority groups for employment.

The superintendent, under the direction of the school committee, shall develop a monitoring system which will enable him to make periodic reports to the school committee relative to the progress made by the schools in attaining the goals of the affirmative action program.



**AFFIRMATIVE ACTION/EQUAL EMPLOYMENT  
OPPORTUNITY/NONDISCRIMINATION  
File - 1. 3 (continued)**

The superintendent, under the direction of the school committee, shall ensure that the provisions of this affirmative action program are publicized to the employees. This may be accomplished by giving to each representative of employees with whom the employer has a collective bargaining agreement a copy of this affirmative action program, by posting notices of the program in conspicuous places available to employees and applicants for employment, and by conducting meetings with employees for the purpose of discussing the contents of this program.

Revised 2013 (Added gender identity)  
Current practice codified 1990  
Adopted: October 18, 1978

LEGAL REFS: 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, Federal 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; 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, as amended 10/24/78  
Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

### **NONDISCRIMINATION ON THE BASIS OF SEX – File 1.3.1**

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 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.

The school committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The committee will designate an individual to act as the school system's Title IX compliance officer (Director of Student Support Services). All students and employees will be notified of the name and office address and telephone number of the compliance officer. Questions about policies and procedures regarding equitable treatment should be referred to the Personnel Department.

The Quincy Public Schools does not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, or handicap, in its educational activities or employment practices as required by Title IX of the 1972 Federal Education Amendments, by Section 504 of the 1973 Rehabilitation Act, and by Chapter 622 of the General Laws for the State of Massachusetts.

Updated 2013 (added gender identity)

Current practice codified 1990

Adopted:           Date of Manual Adoption

LEGAL REFS: 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

### **NONDISCRIMINATION ON THE BASIS OF HANDICAP – File 1.3.2**

Section 504 of the Rehabilitation Act of 1973 and its accompanying regulations apply to all school systems receiving federal funds. Under this act, a school system:

1. May not discriminate against qualified handicapped persons in any aspect of school employment solely on the basis of handicap.
2. Must make facilities, programs, and activities accessible, usable and open to qualified handicapped persons.
3. Must provide free, appropriate education at elementary and secondary levels, including non-academic and extracurricular services and activities, to qualified handicapped persons.
4. May not exclude any qualified handicapped person solely on the basis of handicap from participation in any pre-school education or day care program or activity, or any adult education or vocational program or activity.
5. Must provide each qualified handicapped person with the same health, welfare, and other social services that are provided to others.

The school system receives federal financial assistance and must comply with the above requirements. Additionally, the school committee is of the general view that:

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

Current practice codified 1990

Adopted:        Date of Manual Adoption

LEGAL REFS:        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)

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

CROSS REFS:        Nondiscrimination, Equal Opportunity Employment  
Equal Educational Opportunities  
Special Instructional Programs and Accommodations  
Programs for Handicapped Students

## EDUCATIONAL PHILOSOPHY - File 1.4

### CREDO

A democratic society is an aggregate of the individuals who comprise it. Its operation and values being established by the actions and interactions of these individuals over a period of time cumulatively.

In a democratic society, the optimum development of the individual becomes both a human right and an essential to maximum contribution to the common good—be it national defense, The national economy, or national stability In terms of family and community living.

That, at public expense, all children—regardless of ability or background—be ministered unto suitably, becomes a mandate.

That public education should concern itself with personal and civic duties, With the American heritage and way of life;

That it should stir us—adult and child --with our responsibility to other peoples—different, remote, deprived.

That it should concern itself with learning the desire for it and appreciation of it, with the acquirement of marketable skills, with thought, reason, and action at individual initiative.

That it should highlight the interrelationships of human beings, and give meaning to personal dignity and social worth.

That it should concern itself with health and well-being and hold high in esteem those things that sensitize to beauty and are enhancing of spiritual values.

That public education should seek to function thus comprehensively is implicit in its nature.

The task at local levels is that of implementation, the question to be deliberated:

What provisions and services are required?

Current practice codified 1990

Adopted: Prior to 1990

## SCHOOL DISTRICT GOALS AND OBJECTIVES – File 1.5

### MISSION STATEMENT

The mission of the Quincy Public Schools is the development of individuals who are maximally competent as:

self-fulfilling individuals,  
citizens,  
and workers  
In a world that is maximally effective for all.

~~Every school's mission statement is part of their School Improvement Plan and must be approved as part of that plan.~~

~~The middle schools' mission emphasis is on the Personalized Education of Emerging Adolescents. A copy of the middle school mission profile and goals paper may be obtained from the middle school principals.~~

~~The high schools have adopted Learning, Responsibility, Adulthood as their mission statement. A copy of the mission profile/five-year goals, plan and program may be obtained from the high school principals.~~

### GOALS

The Quincy Public Schools System has the responsibility to maintain learning environments, which encourage learners of all ages to demonstrate the value of life through:

- A development of individuality
- A development of aesthetic potential
- A life style of inquiry
- A self-motivated learning style
- Individual expression
- Marketable skills
- An ability to cope with and/or guide change
- Fundamental processes/basic skills
- Good physical and mental health
- Scientific literacy.

Revised: 2005, January 11, 2017  
Adopted: Prior to 1990

## EVALUATION OF SCHOOL COMMITTEE OPERATIONS – File 1.6

The school committee will ~~periodically~~ **annually meet to** establish realistic objectives ~~objectives~~ **goals** related to committee procedures and relationships. ~~At the end of a specified length of time, the committee will measure its performance against the stated objectives.~~ **The committee will adjust its subcommittee goals and action steps as needed throughout the school year.**

The following areas of school committee operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Communication with the public
2. School committee - superintendent relationships
3. School committee - staff relationships
4. School committee member development and performance
5. Policy development
6. Educational leadership
7. Fiscal management
8. School committee meetings
9. Performance of subcommittees of the school committee
10. Interagency and governmental relationships.

~~When the committee has completed its self-evaluation, the members will discuss the results in detail and formulate a new series of objectives. At the same time, the committee will set an approximate date on which the next evaluation will be conducted.~~

~~Implied in the concept of evaluation is an assumption that individuals and committees are capable of improvement. The School Committee believes that its performance will be improved if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.~~

Adopted: Date of Manual Adoption.

Revised: September 21, 2005; January 11, 2017

## WELLNESS POLICY

### File: 1.7

The Quincy Public Schools is committed to providing the school community with education, activities, and opportunities that enhance the development of lifelong wellness practices. Therefore, the Quincy Public Schools will provide developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based.

#### **Purpose:**

This policy provides for the implementation of Massachusetts Law c.111, 233, 105 CMR 215: *Standards for School Wellness Advisory Committees*; CMR 225: *Nutrition Standards for Competitive Foods and Beverages in Public Schools*; Section 204 of the Healthy, Hunger Free Kids Act of 2010, Public Law 111-296, *Local School Wellness Policy Implementation* and Public Law 108-265 *Local Wellness Policies* which sets the standards for the establishment and implementation of School Wellness Policies and Advisory Committees.

Quincy Public Schools will have a Health, Nutrition and Wellness Advisory Team, consisting of school staff and concerned community representatives to recommend, review, and help implement school district policies addressing school nutrition, nutrition education, physical activity and related issues that affect student health.

#### **Definition of Terms:**

Wellness means a process by which individuals move toward optimal physical and mental health, regardless of current health status or disability, by practicing healthy choices within an enabling environment which encourages healthy decision making.

#### **Standards for QPS Health, Nutrition and Wellness Advisory Team:**

##### **(A) Establishment**

- (1) Quincy Public Schools will have a Health, Nutrition, and Wellness Advisory Team that actively promotes wellness in schools and maximizes the district's opportunities for grant awards.
- (2) The Superintendent shall appoint committee members, including a designee to serve as a liaison between the committee and the Superintendent to ensure the active functioning of the committee.
- (3) The committee shall include at a minimum, representatives from a wide range of school health and health-related disciplines, including school nurses, school nutrition and physical activity staff, community agencies serving youth, parents, students and the school committee.
  - (a) Appointees to the maximum extent possible shall reflect the cultural, linguistic and ethnic composition of the community.
  - (b) To the extent feasible, appointees shall include representatives of local boards of health, school physicians and local health care providers, such as hospitals and primary care providers
- (4) The committee shall meet at least four times a year. Committee reports, as well as minutes of the meetings, including the names of attendees, shall be maintained, and shall be provided to the Department of Public Health or the Department of Elementary and Secondary Education upon request.

**WELLNESS POLICY      File: 1.7**  
**(Continued)**

(B) Committee Functions:

- (1) The committee on an annual basis shall recommend and/or review district-wide policies to promote student wellness, such as those addressing health education and services, school nutrition, the nutrition environment, physical education, and opportunities for physical activity around the school environment. Such policies shall include:
  - (a) Goals and objectives for the coming year, which shall be observable and measurable;
  - (b) A process for evaluating the progress to be made in the coming year in reaching the annual goals and objectives, which may include the use by the district of a self-assessment tool.
  - (c) Guidelines concerning the establishment or functioning of school building based wellness teams and school building based initiatives.
  
- (2) The committee on an annual basis shall provide to the Superintendent and school committee a copy of the policies developed including goals and objectives for the coming year. The report shall include:
  - (a) an action plan which details ways in which the committee may work with the school district and school personnel, including school nurses to achieve the annual goals and objectives on a school district and/or school building level;
  - (b) ways that the district and/or committee might best monitor and evaluate progress toward reaching the annual goals and objectives;
  - (c) ways of developing community support for school wellness initiatives and coordinating school and community initiatives on physical activity and nutrition;
  - (d) an assessment of the accomplishments of the previous year and identification of work still needed in order to accomplish the previous year's goals and objectives;
  - (e) a review of membership and membership participation in the previous year and, as appropriate, a request to the Superintendent for replacements.
  
- (3) In setting goals and objectives, the committee shall consider:
  - (a) suggestions and recommendations from students, parents, teachers, school nurses, school administrators, nutrition and physical education staff and other interested parties;
  - (b) input from all schools potentially affected by the goals or objectives, to the maximum extent feasible;
  - (c) general public health data, such as
    - (1) student health needs assessments;
    - (2) assessments and indicators of student health status and health awareness;
    - (3) information from health providers and public health officials as to causes of morbidity and mortality and possible methods of preventions;
    - (4) data including the effect of health status on academic performance.
  - (d) information about current school and school district programs and practices that might have a bearing on student health, such as:
    - (1) BMI screening data generated in response to the requirements of 105 CMR 200.000;
    - (2) status of food nutrition and nutrition education programs, and food consumption patterns, including breakfast and lunch program participation.



**WELLNESS POLICY**      **File: 1.7**  
**(Continued)**

- (3) meaningful opportunities for physical activity, including the amount of time and the quality of the opportunities provided for physical activity through physical education, recess and travel to and from school;
- (4) status of current school health and behavioral health services and health education programs.

A School Wellness Team will be established in every Quincy Public School. This team will include the principal (or designee), school nurse, teacher/s, guidance counselor and food service manager. It will guide its school's progress toward all aspects of wellness through communication with the Wellness Advisory Committee, parents, staff, and students.

Nutrition Standards

To promote student health, reduce childhood obesity and cultivate lifelong healthy eating behaviors, all foods and beverages sold or provided to students at school during the regular school day shall meet the nutrition recommendations of the U. S. Dietary Guidelines for Americans and will comply with all state and federal laws and regulations.

Principals, in conjunction with their individual School Wellness Team, may allow a waiver of these standards for no more than three school-wide events per year. Such school-wide events must be cultural/curriculum or celebratory based.

However, Principals may apply these nutritional standards to food and beverages sold or provided to students at booster sales, concession stands and other school sponsored or school related fundraisers and events held outside of the regular school day.

Physical Education Guidelines

All students in grades K-12 will participate in physical education classes. The school district will provide physical education training aligned with the standards established by the Massachusetts Department of Elementary and Secondary Education.

4. The QPS Professional Development Team will collaborate annually with the system-level Wellness Team to publish a booklet that confirms and promotes at least 10 hours of Professional Development opportunities that award Professional Development Points and increase our staff's knowledge of current aspects of wellness.

5. The QPS will offer programs to our staff that encourage/promote their own wellness. A description of these programs will be included In the booklet referred to in #4.

6. All state and federal laws that apply to food services on school campuses will be obeyed and enforced in all Quincy Public Schools and properties.

**WELLNESS POLICY      File: 1.7**  
**(Continued)**

7. During the school day, all foods available on-campus to students will comply with current USDA regulations prohibiting foods of minimum nutritional value (i.e. no candy, gum, or soda) Individual Wellness Teams may set stricter nutrition-related guidelines for their respective schools.

Revised            January 2013

Adopted:        June 2006

## Quincy Public Schools Harassment Policy Section 1.8

### **Definition: Harassment Prohibited**

Harassment on the basis of sex, race, color, ethnicity/national origin, **gender identity**, religion, age, handicap/disability, sexual orientation, physical appearance, and physical/mental capacity includes any unwanted physical or verbal action toward another that has the purpose or effect of creating an intimidating, hostile or offensive learning or working environment.

The conduct, acts or threats described in this policy shall include, but not limited to, conduct acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device, including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Examples of conduct that may constitute harassment include but are not limited to the following:

1. Verbal or written name calling, teasing, jokes, rumors or other derogatory or dehumanizing remarks;
2. Gossip, harassing phone call, pranks;
3. Unwelcome touching of a person or person's clothing or other possessions;
4. Offensive or graphic graffiti, symbols, posters, pictures, cartoons/caricatures, notes, book covers, or designs on clothing or other items;
5. Any words or actions which provoke feelings of discomfort, embarrassment, hurt or intimidation.

Harassment in general is prohibited whether or not such harassment involves relationships of adult to adult, adult to student, student to student, or student to adult.

### **Guidelines for Investigating Harassment**

In school systems, harassment may take many forms and cross many lines. Examples of these situations may be an instance of staff member to staff member, staff member to student, student to staff member, student to student, staff to parent, and parent to staff. Guidelines for dealing with any charge of harassment are as follows:

1. By law, harassment is defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior may be viewed as harassment by another person. Therefore in order to protect the rights of both parties, it is important that the victim or responsible adult make it clear to the harasser that the behavior is objectionable.
2. In all charges of harassment, there must be a substantiation of verifiable facts in order to move forward. It is preferable for complaints to be supported by a signed, written statement. However, oral

## **Harassment Policy (Cont)**

### **Section 1.8**

and anonymous complaints will be investigated and subject to the same independent verification and corroboration.

3. Any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of harassment or intimidation shall immediately report it to the administration; each school shall document any prohibited incident that is reported and confirmed, and report all incidents of discrimination, harassment, intimidation and the resulting consequences, including discipline and referrals, to the Superintendent's office as they occur.

4. A good faith report from a staff member renders the staff member immune from discipline for making a report and is considered to have been made in the course of the staff member's employment for purposes of M.G.L.c.258. As a result, the school district shall indemnify staff members from any cause of action arising out of a good faith report of harassment and or the district's subsequent actions or inaction in connection thereto.

5. If an instance of student to student harassment is reported to a staff member other than an administrator, the staff member must inform the Assistant Principal or the Building Principal.

6. If a situation involving a charge of staff member to student harassment and is brought to the attention of any staff member, the staff member should notify the Building Principal or Superintendent immediately.

7. In a situation involving a charge of student to staff member harassment, the staff member should notify the Building Principal or Superintendent.

8. In a situation involving a charge of staff member to staff member harassment, the staff member should notify the Building Principal or the Superintendent.

9. Once a charge of harassment has been made, including charges of mental, emotional or physical harassment as well as threats to a person's safety or position in the school or work environment, the following course of action should be taken.

- a. The Building Principal should investigate the charge through discussions with the individuals involved. In situations involving allegations against a staff member, he/she should be informed of his/her rights to have union representation or a third party present at the time of the discussion. In situations involving students, the Principal may engage the appropriate classroom or special subject area teacher or staff person. Parents will be informed of the situation and invited to participate in resolution discussions unless circumstances dictate otherwise. It is important that the situation be resolved as confidentially and as quickly as the circumstances permit.

## **Harassment Policy (Cont)**

### **Section 1.8**

- b. If the accused and the alleged victim are willing to discuss the matter at a resolution meeting in the presence of the Principal/designee or Superintendent, a supportive faculty member may be included in the discussion. During the discussion, the offending behavior should be described by the victim and administration, a request for a change in behavior made, and a promise should be made that the described behavior will stop. If circumstances do not permit a face to face meeting, the administration will present the victim's position. Follow-up verification procedures will be explained. Failure to comply after a resolution meeting will result in appropriate discipline.
- c. The matter shall be documented in a manner consistent with the severity of the situation, impact on students and the school, and the disciplinary action imposed by the administration.

10. If after a resolution meeting with the involved parties, the Building Principal determines that further disciplinary action must be taken, the following could occur:

- a. In instances involving student to student or student to staff member harassment, the student may be subject to discipline including but not limited to counseling, suspension, and in appropriate cases expulsion. If suspension occurs, a re- entry plan will be discussed with all parties. b. In instances involving staff member to student and staff member to staff member harassment and, findings will be reported to the Superintendent of Schools for further action. Personnel action may also be initiated at this point, consistent with the applicable law and collective bargaining agreement.
- b. In all cases, a referral to law enforcement will be considered by the Principal or Superintendent based on the circumstances. School officials will coordinate with the Police Department to identify a police liaison for harassment cases.

11. Retaliation: It is a violation of this policy for any person to retaliate, coerce, intimidate, harass or interfere with member of the school community, or any other individual who has filed a report regarding harassment assisted with an investigation. Swift and appropriate action will be taken against any member of the school community who retaliates against any other member of the school community because he/she reported harassment, assisted in the investigation of a harassment complaint, or testified or otherwise participated in a proceeding or hearing relating to an allegation of harassment. Retaliation in any form against any person who has made or filed a complaint relating to harassment is forbidden. If it occurs, it could be considered grounds for dismissal of staff personnel and/or removal from the educational setting for a student. A referral to law enforcement may be made.

12. When the Principal or Superintendent receives and reviews a report of retaliation, he/she should make a preliminary determination whether to notify the local law enforcement agency of the reported incident. The Principal or Superintendent should take this step if he/she has reason to believe that the incident may result in criminal charges against the alleged perpetrator.

## **Harassment Policy (Cont)**

### **Section 1.8**

13. If the principal or Superintendent decides to notify the local law enforcement agency, he/she shall document the reasons for the decision and immediately contact the local law enforcement agency to discuss the incident and the local law enforcement agency's involvement. Nothing shall prevent the Principal or Superintendent from taking appropriate disciplinary or other action pursuant to school policy and state law.

14. If the Principal or Superintendent decides not to notify the local law enforcement agency, or the local law enforcement agency determines that its involvement is not necessary under the circumstances, the Principal or Superintendent shall respond to the incident of retaliation by using appropriate disciplinary or other action pursuant to School Policy and State Law. If the Superintendent or Principal subsequently determines facts that cause him/her to believe that the perpetrator's conduct may be criminal, the Principal or Superintendent shall notify the local law enforcement agency.

15. False Complaints: False Complaints or manipulation of the process will be taken seriously by administrators.

16. Confidentiality: Reports of harassment should be kept completely confidential, consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior. School staff must adhere to the Family Educational Rights and Privacy Act (FERPA) and 603 CMR 23.00 Student Records Regulations throughout the investigation and discipline process. Harassment of students may constitute child abuse under Massachusetts's law (G.L.c.119 51A) and the Public Schools shall comply with the Massachusetts law in reporting suspected cases of child abuse. Accordingly, the School Committee, and those employed by the Public School System will maintain a policy of confidentiality upon receipt of a complaint of harassment, only as is consistent with Massachusetts General Law.

### **RESPONSIBILITIES OF TEACHERS AND OTHERS**

Adult members of the school community have a responsibility to report incidents of harassment to their immediate supervisor, their school principal and/or the Superintendent. Once a school staff member learns a student or employee has been illegally harassed, the school is on notice of that behavior and is obligated by law to take adequate steps to address it. The school can discharge this duty only if the staff member reports the harassment or personally takes steps to address it. Thus, for a staff member to ignore illegal harassment subjects the school to potential legal liability. Although students have no legal obligation to come forward, the School Committee strongly encourages students to report to their guidance counselor or other adult member of the school community any incidents of harassment. The Quincy Schools shall provide ongoing professional development to build the skills of all staff members to prevent, identify and respond to harassment.

The School District has a system in place for providing counseling or referral to appropriate services for the complainant and for the individual against whom the complainant has filed.

## **Harassment Policy (Cont)**

### **Section 1.8**

#### **INVESTIGATIONS**

Any investigation pursuant to this policy may consist of personal interviews with the complainant, the individual against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances surrounding the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the Principal, the Principal's designee, the Title IX Coordinator (Director of Student Support Services), or the Superintendent.

#### **FILING A COMPLAINT ON BEHALF OF ANOTHER**

Any member of the Quincy Public Schools may file a complaint of harassment on behalf of another member of the Public School community who, for whatever reason, declines to pursue a complaint of harassment or retaliation against another member of the Public School Community.

#### **CORRECTIVE PROCEDURES**

Upon completion of an investigation and substantiation of the alleged harassment the School District will take appropriate corrective action. Such action may include, but is not limited to, a written and/or verbal apology, a written directive to stop the offensive behavior, counseling or training, written and/or

verbal warning, suspension, exclusion, expulsion, transfer, remediation, termination of employment and possible police/court involvement. School district action taken for violation of the policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws, and School District policies. *Non-employees and Non-students:* The Superintendent can fashion whatever sanctions he deems appropriate for any non-employees and non-students who have been found to have violated the Harassment policy, so long as those sanctions are consistent with state and federal law.

#### **ALTERNATIVE LEGAL REMEDIES**

Nothing contained in this policy is intended to deny any member of the Public School community the right to pursue other avenues of recourse in the event he/she believes that he/she has experienced harassment. Such recourse may include filing charges with a state or federal enforcement agency, or initiating civil or criminal action under state and federal law. These agencies include the Massachusetts Commission Against Discrimination, the Equal Employment Opportunity Commission and the Office of Civil Rights of the U.S. Department of Education.

#### **DISSEMINATION OF POLICY AND PROCESS**

This process and the corresponding School Committee policy shall appear in the Student/Parent Rights and Responsibilities Handbook and the Personnel Handbook and shall be reviewed periodically for compliance with state and federal law.

**APPLICABLE STATUTES AND RELATED SCHOOL COMMITTEE POLICY**

See School Committee Sexual Harassment Policy Section 1.8.1

See School Committee Anti-Bullying Policy Section 10.18

See School Committee Internet Technology Acceptable Use Policy 9.9.3

Criminal Harassment Laws, M.G.L.c.258; M.G.L.c.258E; M.G.L.c.265 Section 43; M.G.L.c.265 Section 43A

Title VI and VII of the Civil Rights Act of 1964, Section 703, Title IX of the 1972 Education Amendments to the Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Americans with Disabilities Act, Chapter 622 of 9

Revised May 18, 2011



## QUINCY PUBLIC SCHOOL SEXUAL HARASSMENT POLICY

### Section 1. 8.1

#### I. Introduction

It is the goal of the Quincy Public Schools to promote a learning environment that is free of sexual harassment. Sexual harassment of members of the School Community<sup>1</sup> occurring in the learning environment<sup>2</sup> or in other settings in which they may find themselves in connection with their membership in the School Community is unlawful and will not be tolerated by this organization. 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 a learning environment free from 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, if encountered by members of the School Community.

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

Please note that while this policy sets forth our goals of promoting a learning environment that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for learning environment conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

#### II. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance or ability to learn by creating an intimidating, hostile, humiliating or sexually offensive environment.

Under these definitions, direct or implied requests by a supervisor/superior 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

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<sup>1</sup> School Community is defined as the students, parents, employees, volunteers, and other members of the Quincy Public Schools who participate collectively in the advancement of education in the City of Quincy.

<sup>2</sup> Learning environment is defined as the place and setting where learning occurs within the Quincy Public Schools including all curricula and extra curricula school related activities.

## **SEXUAL HARASSMENT POLICY (Cont)**

### **Section 1. 8.1**

creating a work place and/or learning environment that is hostile, offensive, intimidating, or humiliating to male or female members of the School Community 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 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;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

All members of the School Community 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 a sexual harassment complaint is unlawful and will not be tolerated by this organization.

### **III. Complaints of Sexual Harassment**

If any members of the School Community believe that they have been subjected to sexual harassment, they have the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting the building principal or the following:

Director of Human Resources  
34 Coddington Street  
Quincy, MA 02169  
617-984-8766

The above individuals are 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 POLICY (Cont)**

### **Section 1. 8.1**

#### **IV. Sexual Harassment Investigation Guidelines**

In school systems, sexual harassment may take many forms and cross many lines. Examples of these situations may be an instance of staff member to staff member, staff member to student, student to staff member, student to student, staff to parent, and parent to staff. Guidelines for dealing with any charge of sexual harassment are as follows.

When we receive the complaint we 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. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we 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, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

#### **V. Dissemination of Policy and Procedures**

This process and the corresponding School Committee policy shall appear in the Student/Parent Rights and Responsibilities Handbook and the Personnel Handbook and shall be reviewed periodically for compliance with state and federal law.

#### **VI. Disciplinary Action**

If it is determined that inappropriate conduct has been committed by a member of the School Community, we will take such action as is appropriate under the circumstances. Such action may range from counseling to suspension, expulsion, termination from employment and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

## SEXUAL HARASSMENT POLICY (Cont)

### Section 1. 8.1

#### VII. 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 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 - 300 days; MCAD - 300 days).

1. [The United States Equal Employment Opportunity Commission \("EEOC"\)](#)

John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
1-800-669-4000

2. [The Massachusetts Commission Against Discrimination \("MCAD"\)](#)

Boston Office:	Springfield Office
One Ashburton Place	42 Dwight Street
Room 601	Room 220
Boston, MA 02108	Springfield, MA 01103
617-994-6000	(413) 739-2145

#### VII. APPLICABLE STATUTES AND RELATED SCHOOL COMMITTEE POLICY

See School Committee Harassment Policy Section 1.8.1

See School Committee Anti-Bullying Policy Section 10.18

See School Committee Internet Technology Acceptable Use Policy 9.9.3

Title VI and VII of the Civil Rights Act of 1964, Section 703, Title IX of the 1972 Education Amendments to the Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the Americans with Disabilities Act, Chapter 622 of 9

Revised: May 18, 2011