

Somerset Public Schools

Civil Rights Information

Procedures, Rights and Responsibilities
Regarding

Discrimination and Harassment



Somerset Public Schools

580 Whetstone Hill Road
Somerset, MA 02726
(508) 324-3100

NON-DISCRIMINATION STATEMENT

The Somerset Public School District does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race, color or national origin, in accordance with Title VI of the Civil Right Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of age, in accordance with the Age Discrimination in Employment Act of 1975 (Age Discrimination Act); on the basis of domicile in accordance Title VIIB of the McKinney-Vento Homeless Assistance Act of 2001; on the basis of native language in accordance with the No Child Left Behind Act of 2001, on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA); or on the basis of sexual orientation or religion in accordance with *Mass. Gen. Laws, Chapter 71 and 151B*.

To file a complaint alleging discrimination or harassment by Somerset Public Schools on the basis of race, color, national origin, sex, age, domicile, native language, sexual orientation, or religion or to make inquiry concerning the application of Title VI, Title VII, Title IX, the Age Discrimination Act, and their respective implementing regulations, please contact:

Richard Medeiros
Superintendent
Somerset Public Schools
580 Whetstone Hill Road
Somerset, MA 02726
Telephone: (508) 324-3100

To file a complaint alleging discrimination or harassment by Somerset Public Schools on the basis of disability or to make inquiry concerning the application of Section 504 and the ADA and their respective implementing regulations, please contact:

Susan Doe
Director of Special Education
Somerset Public Schools
580 Whetstone Hill Road
Somerset, MA 02726
Telephone: (508) 324-3100

Inquiries concerning the applicability of the aforementioned federal laws and regulations to Somerset Public Schools may also be referred to the U.S. Department of Education, Office of Civil Rights (OCR), 33 Arch Street, Ninth Floor, Boston, MA 02110, telephone number (617) 289-0111, Fax (617) 289-0150



Somerset Public Schools Somerset, Massachusetts

NOTIFICATION OF SECTION 504 AND TITLE IX COMPLIANCE OFFICERS

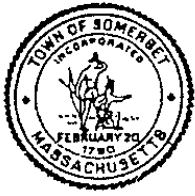
Section 504 of the Rehabilitation Act of 1973 and its accompanying regulations prohibit the discrimination towards any individual on the basis of his/her disability. Accordingly, all employees of the Somerset Public Schools are expected to adhere to School Committee policy which prohibits discrimination on the basis of disability. Any employee or parent who feels that he/she or his/her child has been discriminated against on the basis of a disability should file a written complaint with the school department's compliance officer. The written complaint should state in detail the basis of the complaint, the names of the persons involved and the dates of the specific complaint.

The school department's compliance officer for Section 504 of the Rehabilitation Act and the address is as follows:

Susan Doe
Director of Special Education
Somerset Public Schools
580 Whetstone Hill Road
Somerset, MA 02726
(508) 324-3100

It is the policy of the Somerset Public School District to maintain a working and learning environment for all its employees and students by providing fair and equitable treatment including freedom from sexual discrimination and sexual harassment. Any employee or parent who feels that he/she or his/her child has been subjected to sexual discrimination or sexual harassment should file a written complaint of the alleged act to the Title IX Compliance Officer. The written complaint should state in detail the basis of the complaint, the names of the persons involved and the dates of the specific complaint. The Title IX Compliance Officer for the Somerset Public Schools and the address is as follows:

Richard W. Medeiros
Superintendent of Schools
Somerset Public Schools
580 Whetstone Hill Road
Somerset, MA 02726
(508) 324-3100



Somerset Public Schools

Statement of Civil Rights Policy

The Somerset Public School District recognizes the right of each student and employee to perform in an atmosphere free of harassment, intimidation, ridicule, hostility or offensiveness. The Somerset Public School District extends its policy of non-discrimination to students, staff, the general public, and individuals with whom it does business. No person shall be excluded or discriminated against on the basis of race, color, national origin, sex, age, domicile, native language, disability, sexual orientation, or religion. Anyone aggrieved by or complaining of discrimination because of race, color, national origin, sex, age, domicile, native language, disability, sexual orientation, or religion may register a complaint with the Civil Rights Compliance Coordinator at the Office of the Superintendent, 580 Whetstone Hill Road, Somerset, MA 02726 (508-324-3100). The Title VI and IX Coordinator is the Superintendent, Richard Medeiros, and the Section 504 Coordinator is the Director of Special Education, Susan Doe.

I. GRIEVANCE PROCEDURE

Once the Civil Rights Compliance Coordinator, principal or supervisor is notified, an immediate investigation of the allegation(s) will be conducted and necessary corrective action shall be taken through the grievance process. No employee or student shall be subjected to adverse treatment because the employee or student made a complaint. All appropriate confidences shall be maintained.

II. GRIEVANCE PROCESS

Students and employees are encouraged but not required to directly object to acts or behavior felt to be discriminatory. If (s)he feels uncomfortable in doing so, or if the issue is unresolved after direct discussion, (s)he should inform the school principal and/or Civil Rights Compliance Coordinator.

The Civil Rights Compliance Coordinator may advise the aggrieved of various options:

- Formal or informal implementation of the grievance process;
- Filing a complaint with the Massachusetts Department of Education
- Filing a complaint with the Massachusetts Commission Against Discrimination
- Filing a complaint with the U.S. Department of Education Office of Civil Rights
- Filing a private lawsuit

III. INFORMAL PROCESS

Once the grievance is brought to the attention of the Civil Rights Compliance Coordinator, (s)he shall attempt to resolve the matter through fact finding.

If the Civil Rights Compliance Coordinator is unable to resolve the complaint, the complainant may move to the formal grievance procedure. The Civil Rights Compliance Coordinator then becomes a resource to all parties.

IV. FORMAL PROCESS

- A. For any employee who is covered by a collective bargaining agreement, they would access the formal grievance process that is outlined in their respective collective bargaining agreements.
- B. For students, parents, employees not covered by a collective bargaining agreement and any other aggrieved party the following formal procedure will be followed:

1. The complainant may file a formal grievance with the principal or supervisor within 30(thirty) working days (school days for students and school year employees) of the date that the complaint was made to the Civil Rights Compliance Coordinator. If all of the parties involved in the complaint process desire to extend the formal process, the 30-day requirement may be waived. If the complainant does not file a written complaint to the principal or supervisor, the principal or supervisor will record the complaint in writing. If the complaint process begins with the principal, then the formal process ensues.
2. Within fourteen (14) days (school days for students or school year employees) from receipt of the complaint, the principal/supervisor must investigate and respond in writing with her/his review of the incident and of any action taken or decision made. The principal/supervisor may notify the parent/guardian in accordance with established school policy if a student under 18 (eighteen) years of age is involved. The investigation may include but is not limited to the following:
 - meeting with the person charged to obtain a response to the complaint;
 - conducting interviews of possible witnesses to any alleged events;
 - report the matter to local police if criminal activity is involved (see Massachusetts general Laws, Chapter 265 section 43, which prohibits stalking, and chapter 269 section 17 which prohibits hazing) and/or suspected child abuse to the Department of Social Services as required by Massachusetts General Laws chapter 119 section 51A;
 - subject to the requirements of due process, take disciplinary action against the person charged pursuant to any collective bargaining agreement, student handbook, and state and federal law, including without limitation, a letter of reprimand or warning or a suspension of 1(one) to 10 (ten) days;
 - Superintendent and/or his/her designee may impose further disciplinary action.
3. The written report must contain the following information:
 - All facts and circumstances of the incident;
 - Verification of parent or guardian notification if a student under 18 (eighteen) years of age is involved;
 - A summary of the investigation of all allegations which will include interviews with all individuals reasonably believed to have relevant information: the complainant, the person charged, and if either is under the age of 18 (eighteen), their parent(s)/guardian(s), witnesses, and anyone who may have been the victim of similar conduct.
4. If the complainant is dissatisfied with the response of the principal or supervisor, (s) he may submit a written request for review to the Superintendent of Schools within 30 (thirty) days (school days for students and school year employees). The Superintendent of Schools or designee must respond, in writing, within 14 (fourteen) working days.
5. An employee, student or parent/guardian acting on behalf of a student may at any time file a grievance with the following agencies:

United States Department of Education
Region 1, John W. McCormack Building, C.H. Room 222
Boston, MA 02109-4557 Telephone: (617) 223-9317

Massachusetts Human Rights Commission
51 Inman St. Second Floor
Cambridge, MA 02139 Telephone: (617) 349-4396

LAWS GOVERNING DISCRIMINATION/HARASSMENT

Americans with Disabilities Act of 1990

Title I: Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of employment.

Title II: Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of educational programming activities.

Civil Rights Act of 1964

Title VI: Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, and national origin.

The Education Amendments of 1972

Title IX: Prohibits discrimination, exclusion from participation, and denial of benefits in education programs based on sex.

The Rehabilitation Act of 1973

Section 504: Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.

Massachusetts General Laws, Chapter 76

Section 5: Prohibits discrimination in all public schools on the basis of race, color, sex, national origin, religion and sexual orientation.

The Age Discrimination in Employment Act of 1975

Prohibits discrimination on the basis of age.

The McKinney-Vento Homeless Assistance Act of 2001

Title VIIB: Prohibits discrimination on the basis of domicile (fixed place of dwelling or residence).

The No Child Left Behind Act of 2001

Prohibits discrimination on the basis of native language.

Somerset Public Schools

POLICIES GOVERNING DISCRIMINATION/HARASSMENT

Policy AC	NON-DISCRIMINATION
Policy ACA	NON-DISCRIMINATION ON THE BASIS OF SEX
Policy ACAB	SEXUAL HARASSMENT
Policy ACE	NON-DISCRIMINATION ON THE BASIS OF HANDICAP
Policy IHBA	PROGRAMS FOR STUDENTS WITH DISABILITIES
Policy JB	EQUAL EDUCATIONAL OPPORTUNITIES
Policy JBA	STUDENT-TO-STUDENT HARASSMENT
Policy JI	STUDENT RIGHTS AND RESPONSIBILITIES
Policy JICFB	BULLYING

NONDISCRIMINATION

The Somerset Public Schools shall comply with Chapter 622 of the General Laws, Acts of 1971, referred to as "An Act to Prohibit Discrimination in the Public Schools." The law states:

"...No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, sexual orientation, disability or national origin."

This law makes it clear that all aspects of public school education must be fully open and available to members of both sexes and of minority groups. No school may exclude a child from any course, activity, service or resource available in that public school on account of race, color, sex, religion or national origin of such child.

Questions or concerns regarding Chapter 622 should be addressed to the Superintendent of School's designee.

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, Education Amendments of 1972
 Rehabilitation Act of 1973

NONDISCRIMINATION ON THE BASIS OF SEX

There shall be no discrimination on the basis of sex or handicap in Somerset's educational programs, activities or employment practices as required by Title IX of the Educational Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973 as amended and any other applicable state or federal anti-discrimination law.

Inquiries regarding departmental compliance with either Title IX or 504 should be addressed to the Superintendent of School's designee.

LEGAL REF.: Title IX of the Educational Amendments of 1972
Rehabilitation Act of 1973, Section 504

SEXUAL HARASSMENT

The Somerset Public Schools is committed to maintaining a learning environment that is free of harassment. Sexual harassment will not be tolerated in the Somerset Public Schools. The School Committee prohibits the unlawful sexual harassment of any student or employee by any student, employee or other person at school or at any school-related function.

Persons found in violation of this policy will be subject to disciplinary sanctions as referenced below. This policy is implemented pursuant to the terms of state and federal law. It applies equally to all students and personnel.

Definition

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment/academic decisions affecting such individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating a hostile, or offensive, working environment.

Responsibility

- a. Any employee having knowledge of conduct by another employee, volunteer, student or individual in the school community, which may constitute sexual harassment of any person, is required to immediately report such conduct to any of the individuals specified in this policy.
- b. Employees are hereby placed on notice that if an employee engages in acts which the district determines to be acts of sexual harassment, such acts are outside of the course and scope of the employee's employment. Such conduct may result in the employee having to obtain his/her own legal counsel and sexual harassment may result in a judgement against the employee personally.
- c. Private, personal, consensual conduct may at some point become unwelcome. Any student advised that a fellow student, or any employee advised that a fellow employee believes certain conduct to be unwelcome shall cease such conduct immediately. Any conduct within the definition of sexual harassment as referenced above and following such notice may be considered to be sexual harassment.

NOTE: any persons, including students, who participate in a consensual relationship and who at some point wish to discontinue the relationship, should tell the other participant, either verbally or in writing, that the conduct is no longer consensual or welcome and therefore all such conduct must cease.

- d. All employees and students shall cooperate with any investigation conducted by the district of an alleged act of sexual harassment/discrimination. No employee of the district shall take any action to discourage a victim of sexual harassment from reporting such an instance.

Reporting

- a. Employees who believe that they have suffered sexual harassment shall report such matters to their supervisor and/or to the principal of the school to which they are assigned. The supervisor and/or Principal will then notify the Superintendent's Office. Claims regarding sexual harassment may also be reported by the employee to the Superintendent.
- b. Students who believe that they have suffered sexual harassment shall report such matters to the Principal in the school to which they are assigned. Any student or parent on behalf of the student, who feels that he/she is being sexually harassed may pursue the complaint with the Principal or may file a complaint with the Superintendent in the central administration office.
- c. Complaints reported to a teacher, supervisor or administrator shall be addressed in a timely and confidential manner. Information regarding an investigation of sexual harassment shall be confidential and those individuals involved in the investigation shall not discuss information regarding the complaint outside the investigation.
- d. It shall be the responsibility of the Superintendent to determine what further action should be taken on a complaint of sexual harassment by a Principal or district administrator. The Superintendent may assign a designated member of the central administration office to investigate the allegations of sexual harassment further. Said investigation will include a report to the Superintendent regarding the matter.
- e. It shall be the responsibility of all students and employees of the Somerset Public Schools and any other persons having business with or contact with the school district to act appropriately under this policy. It shall be the responsibility of the Somerset Public Schools to inform and educate school district personnel about sexual harassment.

- f. Any requirements stated and included in the current employment contracts between the Somerset School Committee and district personnel shall be followed regarding all employment issues.

Notification

A copy of the district's sexual harassment policy and procedures shall:

- a. be included, by reference, in the Student/Parent Handbooks as published at each educational level of the district;
- b. be published in the Somerset Public Schools policy book located in each school office in the district as well as in the policy book in the district central administration office and Town Library;
- c. be provided as part of any orientation program for new employees and students at the beginning of each school year; and
- d. appear in any school or district publication that sets forth the schools or districts comprehensive rules, regulations, procedures and standards of conduct.

Sanctions

- a. A substantiated charge against an employee of the district shall subject the employee to disciplinary action in accordance with any appropriate employee employment contract, up to and including discharge.
- b. A substantiated charge against a student shall subject that student to student disciplinary action including suspension or expulsion, consistent with the district's student disciplinary policy.

NONDISCRIMINATION ON THE BASIS OF HANDICAP

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

Definition

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

Reasonable Modification

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

Excommunications

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

Auxiliary Aids and Services

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

Limits of Required Modification

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

Notice

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

Compliance Coordinator

The district shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The district shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school system receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified handicapped person solely on the basis of handicap is unfair; and
2. To the extent possible, qualified handicapped persons should be in the mainstream of life in school community. Accordingly, employees of the school system will comply with the above requirements the law and policy statements of this Committee to ensure nondiscrimination on the basis of handicap.

LEGAL REFS.: Rehabilitation Act of 1973, Section 504 Education For All Handicapped Children Act of 1975 M.G.L. 7 1 B: I et seq. (Chapter 766 of the Acts of 1972)
Title II, Americans with Disabilities Act of 1992
Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

CROSS REFS.: IGB, Special Instructional Programs and Accommodations
IGBA, Programs for Handicapped Students

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, religion, nationality, and physical and intellectual differences.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, religion, disability, national origin or sexual orientation.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Education in compliance with this law will be followed.

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
Title IX, Education Amendments 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, amended 10/24/78
Board of Education, Chapter 766 Regulations 10/74, amended through 3/28/78
603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

STUDENT-TO-STUDENT HARASSMENT

Harassment of students by other students will not be tolerated in the Somerset Public Schools. This policy is in effect while students are on school grounds, school district property or property within the jurisdiction of the school district, school buses, or attending or engaging in school activities.

Harassment prohibited by the district includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, sexual orientation, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion.

Harassment means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities;
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student, or;
- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Verbal, physical or written harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

The district will promptly and reasonably investigate allegations of harassment. The Principal of each building will be responsible for handling all complaints by students alleging harassment.

Retaliation against a student because a student has filed a harassment complaint or assisted or participated in a 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 suspension and expulsion.

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

File: JBA

REFS.: "*Words that Hurt*", American School Board Journal, September 1999 National Education Policy Network, NSBA

LEGAL REF.: M.G.L. 151B:3A Title VII, Section 703, Civil Rights Act of 1964 as amended
Board of Education 603 CMR 26:00

STUDENT RIGHTS AND RESPONSIBILITIES

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

1. Civil rights—including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
3. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure his/her rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
5. The right to privacy, which includes privacy in respect to the student's school records.

It is the School Committee's belief that as part of the educational process students should be made aware of their legal rights and of the legal authority of the School Committee to make, and delegate authority to its staff to make, rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them, and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

LEGAL REFS.: M.G.L. 71:37H; 71:82 through 71:86

The district will promptly and reasonably investigate allegations of harassment, including bullying. The Principal of each building will be responsible for handling all complaints by students alleging harassment, including bullying.

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

REFS.: National School Safety Center
Maine Project against Bullying
The Wellesley College Center for Research on Women

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Board of Education 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination
ACAB, Sexual Harassment
JICFA-E, Hazing

Approved by the Somerset School Committee March 5, 2009

PROGRAMS FOR STUDENTS WITH DISABILITIES

In keeping with the intention of the state of Massachusetts to offer educational opportunities to all students which will enable them to lead fulfilling and productive lives, the District shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal statutes.

BULLYING

Bullying and harassment are major distractions from learning. The grades of the victims can suffer. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully.

As a rule, bullying behavior starts in elementary school and peaks in the middle school years. However, it attracts more attention from adults when it appears in high school. There the students are older and physically larger and the behavior is recognized as being less tolerable and more inappropriate. Also, sexual harassment is, in fact, often a form of bullying.

Most bullying by students starts out verbally—teasing and put-downs—and may become progressively worse, assuming physical dimensions.

Bullying of any type has no place in a school setting. The Somerset Public Schools will endeavor to maintain a learning and working environment free of bullying.

Bullying is defined as the act of one or more individuals intimidating one or more persons through verbal, physical, mental, or written interactions. Bullying can take many forms and occur in virtually any setting. It can create unnecessary and unwarranted anxiety that will affect attending school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extra-curricular activities, or riding on the bus to and from school each day.

Examples of bullying include but are not exclusive to:

1. Intimidation, either physical or psychological.
2. Threats of any kind, stated or implied.
3. Assaults on students, including those that are verbal, physical, psychological and emotional.
4. Attacks on student property.
5. Cyber bullying: sending or posting harmful text or images using the internet or other communication devices.

The School Committee expects administrators and supervisors to make clear to students and staff that bullying in the school building, on school grounds, on the bus or school sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

The district will promptly and reasonably investigate allegations of harassment, including bullying. The Principal of each building will be responsible for handling all complaints by students alleging harassment, including bullying.

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

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Approved by the Somerset School Committee March 5, 2009