

## **HARASSMENT / NONDISCRIMINATION POLICY**

### INTRODUCTION

All members of the community served by the Weston Public Schools have the right to be treated with dignity and respect. The school system is committed to the policy that all individuals associated with the schools deserve to be free from any conduct, activity or language that is demeaning, insulting, abusive or inappropriate. Therefore, insults, threats, derogatory remarks and other forms of conduct that fail to respect the rights and dignity of others will not be tolerated.

In addition to the above Weston Public Schools' policy prohibiting any inappropriate or demeaning activity, certain kinds of harassment are barred by law and must be addressed in a manner that recognizes the legal rights of the individuals involved.

The goals of the Weston Public Schools include providing equal employment, educational and participatory opportunities for all members of the school community; preventing discrimination or harassment of any individual attending, working at, or associated with the school system; and providing a mechanism by which individuals can bring any concerns about discrimination or harassment to the Administration's attention.

The Weston Public Schools are committed to maintaining an environment in which staff, students and visitors are not subjected to differential treatment because of legally protected characteristics. Therefore, the school system will not accept or tolerate any discrimination, or differential treatment, of or among members of the school community based upon the following characteristics:

- Age
- Disability
- Gender
- Race
- National Origin
- Religion
- Color
- Sexual Orientation

Not only does the school system prohibit any discriminatory treatment of or among students, staff or visitors, but it also will not tolerate harassment of any kind based on any of the above characteristics or any other personal qualities or appearances.

### HARASSMENT

#### In General

Harassment includes verbal, electronic, or written communications or physical conduct that

may or does offend, denigrate or belittle any individual because of any of the characteristics and qualities listed above. Harassment includes the display of pictures and communications such as jokes, comments, innuendoes, or notes that offend any other member of the school community because of his/her race, gender, age, national origin, sexual orientation, disability, religion, or any other personal qualities. Other types of behavior, such as gestures, the display of symbols with offensive significance (such as swastikas), and other conduct that offends or shows disrespect to others because of the characteristics named above constitutes harassment and will not be tolerated by the Weston Public Schools.

### Sexual Harassment

While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes unwelcome 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 an employee's employment or a student's education;  
-or-
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 participatory decisions affecting a student;  
-or-
3. Such conduct interferes with or inhibits an individual's job duties, education or participation in extra-curricular activities;  
-or-
4. The conduct creates an intimidating, hostile or offensive school environment in school facilities or in school-related activities outside of school facilities.

Harassment in any form or for any reason is absolutely forbidden. This includes harassment of a staff member by a supervisor, of a student by a staff member or volunteer, among students, among staff, or between any members of the school community and visitors. In addition, the school system will not tolerate any retaliation against any individual who in good faith has brought incidence of harassment or other insulting or demeaning behavior to the attention of the Administration.

### INVESTIGATION

The Weston Public Schools' response to any accusation of inappropriate or demeaning conduct, harassment or retaliation will depend on the circumstances. It is the goal of the school system to help staff and students understand the consequences and effect of their behavior and to eliminate any unlawful harassment. Therefore, the school system's initial response to allegations of behavior among staff and students will be to focus on education and correction of inappropriate or harassing behavior.

If an individual believes that he/she may have been harassed, or if he/she witnesses or learns about the harassment of another individual, he/she should inform the Assistant Principal, Principal or Supervisor immediately. If the individual does not wish to discuss the issue with

these parties or if the parties do not address the problem, the individual should inform the Superintendent.

The Weston Public Schools will promptly respond to every complaint of harassment. Depending on the circumstances, including the nature of the complaint, the age of the individuals and whether any staff members were involved, the school system's response will be more or less formal.

If necessary in light of the allegations, the school system may conduct a full and complete investigation into the allegations of harassment. That investigation may include discussions with all involved parties, identification of and communication with potential witnesses, and other steps the administrator considers appropriate.

If the school system determines that harassment has occurred, it will take action to end the harassment and ensure that it is not repeated. Steps the school system may take include, among others, arranging for communication between the individuals involved to air and resolve the issue, counseling, warnings, suspension, expulsion, transfer of an employee, probation and discharge of a staff member.

Any individual who is dissatisfied with the results or progress of an investigation may discuss any such dissatisfaction directly with the Assistant Principal, the Principal, or the Superintendent.

Individuals may decide to bring a charge of harassment to an outside agency or to court. However, the Weston Public Schools is still obligated to appropriately respond to incidents of harassment (particularly sexual harassment) in order to ensure its compliance with the requirements of Title DC of the Educational Amendments of 1972.

### ABUSE

In certain cases, the harassment of a student may constitute child abuse under Massachusetts law. The Weston Public Schools will comply with all legal requirements governing the reporting and investigation of any reports of alleged sexual abuse of a student.

Adopted: November 21, 2011

LEGAL REFS.: Sec. 703 of Title VH of the Civil Rights Act of 1964  
Title IV of the Education Amendments of 1972  
M.G.L, 214:1C; 12:11 H and I; 151B:1 Definition 18

CROSS REFS.: GBEAA - Staff Protection  
JFCK - Student Conduct  
JHFE - Student Safety