

EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE POLICY

The purpose of this policy is to ensure the educational stability of students in foster care. ~~and their equal access to the same free and appropriate public education from PK through high school graduation as provided to other students as required by law.~~ Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting all district and community efforts to ensure that students in foster care have equal access to high-quality, stable educational experiences from preschool (if offered) through high school graduation.

Irrespective of the location of a foster care placement, students in foster care will continue to attend their school of origin, unless after a collaborative decision-making process, it is determined to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care. Enrollment of students in the district where they reside in foster care will take place immediately upon such a determination.

The district has designated a point of contact for students in foster care. The district and the point of contact will collaborate with DCF to ensure that students can access transportation and the other services to which they may be entitled.

~~The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.~~

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (orand if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when appropriatedifferent) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and and account for unique factors about the student and his or her foster care placement. ~~take into account a variety of factors.~~ Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care; ~~h~~ However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination if the relevant parties cannot agree on the best school for the student to attend.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. To the extent feasible and appropriate, the district will ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools. ~~Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.~~

Factors to be considered

~~Student's preference when age appropriate, students' age and grade level, distance, placement of siblings, time of academic year, number of placements, permanency and goal of placement and whether reunification is the family goal, academic performance, behavioral or clinical issues. Note: Transportation costs should not be a determining factor.~~

Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be immediately enrolled in the district in which he or she resides in foster care-local school-district. During enrollment of students in foster care, DCF representatives will present the district with a form indicating that the student is in foster care, along with a state-agency identification badge.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to students in foster care (homeless families) on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district

~~To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information and serious medical conditions). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.~~

~~To facilitate enrollment, DCF representatives will present the district with a Notice to LEA (Local Educational Agency-New Bedford Public Schools) that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.~~

LEGAL REFS: Every Student Succeeds Act 2015 (ESSA);

Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

Adopted: 12/10/2018-

Revised: 5/13/2019, July 2020

SOURCE: MASC October 2019

SCHOOL YEAR/SCHOOL CALENDAR

The school calendar for the ensuing year will be prepared by the Superintendent and submitted to the School Committee for approval annually. The number of days or instructional hours scheduled for the school year will be determined in accordance with the following standards set by the Massachusetts Board of Elementary and Secondary Education:

- 1. The School Committee shall schedule a school year which includes at least 185 school days for each school in the District.

~~1=2.~~ -Elementary school will operate for a minimum of 180 days. Schools shall ensure that every elementary school student is scheduled to receive a minimum of 900 hours per school year of structured learning time, as defined in 603-CMR-27.02 regulations. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

23. -Secondary schools will operate for a minimum of 180 days. Schools shall ensure that every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time, as defined in 603-CMR-27.02 regulations. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

For the information of staff, students, and parents, the calendar will set forth the days schools will be in session; holidays and vacation periods; in service days; and parent conferences.

LEGAL REFS.: M.G.L. 4:7; 69:1G; 71:1; 71:4; 71:4A; 71:73; 136:12
Board of Education Regulations for School Year and School Day, effective 9/1/75
Board of Education, Student Learning Time Regulations
603 CMR 27.00, Adopted 12/20/94

SOURCE: MASC April 2019

LEGAL REFS.: M.G.L. 4:7; 69:1G; 71:1; 71:4; 71:4A; 71:73; 136:12
603 CMR 27.00

SCHOOL DAY

The length of the school day is established in the collective bargaining agreements with the various school unions. The specific opening and closing times of the schools will be recommended by the Superintendent and set by the Committee.

The Superintendent is authorized to make minor changes in opening and closing times to simplify transportation scheduling; however, major changes in schedules will be subject to Committee approval.

Parents and guardians will be informed of the opening and closing times set by the Committee. To help insure the safety of all children, parents will also be notified that students will not be admitted into the school building until 15 minutes prior to the start of the official day unless circumstances bus schedules require earlier admittance.

LEGAL REFS.: M.G.L. 15:1G; 69:1G; 71:59

~~Board of Education Regulations for School Year and Day, effective~~

SOURCE: MASC April 2019

LEGAL REFS.: M.G.L. 15:1G; 69:1G; 71:59

603 CMR 27.00

ORGANIZATION OF INSTRUCTION

The District offers a diversified educational program compatible with the needs of the community and state standards.

The organizational plan is designed to facilitate the philosophy of educating every student, each to his/her fullest potential.

The structure will consist of multiple levels (for example, Primary/Elementary, Middle and Secondary levels).

The Primary/Elementary level includes schools with kindergarten through grade five. The Middle level consists of schools for grades six, seven and eight. The Secondary level consists of schools with grades nine, ten, eleven, and twelve. *

Special education services are integrated across each grade level in all schools.

The organization is designed to meet the standards established by the Department of Elementary and Secondary Education's Curriculum Frameworks, by Time and Learning regulations, and in order to serve the needs of all students

~~The organization is designed to meet the standards established within the Curriculum Frameworks as required by the State Dept. of Elementary and Secondary Education and to serve the needs of all students.~~

CROSS REFS: IC/ICA School Year / School Calendar

LEGAL REFS: 603 CMR 27.00

SOURCE: MASC April 2019

SUPPORT SERVICES PROGRAMS

~~To support the classroom activities and other instructional needs of the District, various educational services as listed shall be provided.~~ The Student Support Services staff will work in cooperation with building staff and the administration of the District ~~to in~~ (1) the coordination and ~~the supervision of the curriculum implementation of the curriculum, of~~ the instructional program, and (2) support services to meet the needs of all students. programs.

Curricular Supervision and Coordination

~~Coordinating personnel for specific curricular areas shall be assigned by the administration. These coordinators shall assist in the organization, supervision, and coordination of subject material and activities in the schools.~~

Support Services

The Executive Director for Special Education and Student Services shall be responsible for all services for students who are not eligible for special education assistance, such as psychological services, speech correction, homebound and hospital teaching and such other programs as may be assigned.

~~CROSS REF.:ACE, Nondiscrimination on the Basis of Handicap~~
SOURCE: MASC April 2019

CROSS REF.:ACE, Nondiscrimination on the Basis of Disability

HEALTH EDUCATION

~~Good health depends upon continuous life-long attention to scientific advances and the acquisition of new knowledge.~~

The School Committee believes that the greatest opportunity for effective health education lies within the public schools because of their potential to reach children at the age when positive, lifelong health habits are best engendered and because the schools are equipped to provide qualified personnel to conduct health education programs.

The School Committee is committed to a sound, comprehensive health education program as an integral part of each student's general education. **Health education will be taught as a separate academic discipline in grades K through 5 and as a separate class in grade 6 and 7.**

The health education program will emphasize a contemporary approach to the presentation of health information, skills, and the knowledge necessary for students to understand and appreciate the functioning and proper care of the human body. Students also will be presented with information regarding complex social, physical and mental health problems, which they might encounter in society. In an effort to help students make intelligent choices on alternative behavior of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger school-community environment.

In order to promote a relevant, dynamic approach to the instruction of health education, the School Committee will continue to stress the need for curricular, personnel, and financial commitments that are necessary to assure the high quality of the system's health education program.

Source: MASC April 2019

LEGAL REF.: M.G.L. 71:1

Revised July 2020

SEXUAL HARASSMENT

Sexual harassment in the education programs, activities and workplace of the New Bedford Public Schools is unlawful. All persons associated with the New Bedford Public Schools ("District") including, but not ~~necessarily~~ limited to, ~~the School Committee, the~~ administration, staff, members, District employees, volunteers, and students, are expected to conduct themselves at all times ~~so as to~~ provide an atmosphere maintain a workplace, education program and activity and workplace free from sexual harassment.

Any person who engages in sexual harassment while participating in the education program or activity or acting, as a member of the school community, will be in violation of this policy. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating in an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. Because the ~~New Bedford School Committee~~ District takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that ~~such~~ inappropriate conduct, whether or not such conduct constitutes sexual harassment, has occurred, it 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 goals for promoting a workplace and school environment that is free of sexual harassment, the policy is not designed or intended to limit authority to discipline or take remedial action for workplace or school conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definitions:

Complainant – An individual who is alleged to be the victim of Sexual Harassment: Unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may that could constitute sexual harassment ~~where:~~

Submission

Respondent – An individual who has been reported to such be the perpetrator of conduct ~~is made either explicitly~~ that could constitute sexual harassment or implicitly a term violation of this policy.

Sexual Harassment – Conduct on the basis of sex that satisfies one or ~~condition of a person's employment~~ more of the following:

(1) A district employee conditioning the provision of an aid, benefit, or educational development service on an individual's participation in unwelcome sexual conduct;

1. ~~Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.~~

(2) Unwelcome conduct by a Committee member, employee, district volunteer or student determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

(3) Sexual assault, dating violence, domestic violence and/or stalking by a Committee member, District employee, volunteer or student.

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:

1. Unwelcome sexual advances – whether they involve physical touching or not;
2. 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;
3. Displaying sexually suggestive objects, pictures, cartoons;

4. Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
5. Inquiries into one's sexual experiences; and
6. Discussion of one's sexual activities.

Supportive Measures – Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such conduct has the purpose or effect of measures are designed to restore or preserve equal access to education programs or activities without unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or to deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school building/campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the building/campus, and other similar measures.

Formal Complaint – A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

The ~~Grievance Officers~~ Title IX Coordinators:

Heather Emsley

Executive Director, Human Capital Services
Paul Rodrigues Administrative Building
455 Country Street, Room 120
New Bedford, MA 02740
Tel. (508) 997-4511, Ext. **3264**

hemsley@newbedfordschools.org

Karen Treadup

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Paul Rodrigues Administration Building
455 Country Street, Room 141
New Bedford, MA 02740
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ktreadup@newbedfordschools.org

The Superintendent will annually appoint ~~one or more sexual harassment grievance officer~~ Title IX Coordinators who will be vested with the authority and responsibility of ~~processing/managing~~ all sexual harassment complaints ~~in accordance with~~. The District will annually notify applicants for employments, students, parents/guardians, and unions of the procedure set out below: Title IX Coordinator's name(s), and the title, address, email address and phone number for each Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). Reports may be made at any time including during non-business hours. Reports may be made in person, by mail, by telephone, or by electronic mail, using the contact information

listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Complaint Procedure:

Any member Receipt of Formal Complaint

Upon actual knowledge of allegations of sexual harassment, the Title IX Coordinator will promptly and confidentially contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

The Title IX Coordinator shall respect a complainant's wishes that the allegations not be investigated unless the Title IX Coordinator determines that it would be unreasonable in light of the known circumstances not to initiate a formal complaint. The Title IX Coordinator must investigate the complaint and take appropriate action where required by state law.

The District may remove a respondent on an emergency basis after undertaking an individualized safety and risk analysis and determining that an immediate threat to the physical health or safety of any student or other individual arising from the allegations justifies removal. The District will provide the respondent with written notice and an opportunity to challenge the decision immediately following the removal in accordance with any applicable laws, collective bargaining agreements and student handbooks.

After a formal complaint has been subjected to sexual harassment will report the incident (s) to the grievance officer. All filed, the Title IX Coordinator will provide written notice to all parties of the investigation process and sufficient details of the allegations known at the time. If the allegations are against more than one respondent or by more than one complainant, the District may consolidate multiple formal complaints -shall be investigated promptly and resolved as soon as possible where the allegations of sexual harassment arise out of the same facts or circumstances.

1. The grievance officer will attempt to resolve the problem in an informal manner through the following process:

The grievance officer will confer with the charging party. The Title IX Coordinator shall assign an individual to investigate the matter. The investigator shall have no conflicts with or biases against either the complainant of the respondent. If the District has appointed more than one Title IX Coordinator, the individual not assigned to be the Title Coordinator in the matter may serve as the investigator. The investigator will collect and review evidence, interview parties and witnesses, and complete an investigative report.

Informal Resolution

After a formal complaint is issued, the District may offer and facilitate an informal resolution process (such as but not limited to mediation or restorative justice) before a determination is made. This process is not available when the complaint alleges sexual harassment by a Committee member, District employee or volunteer towards a student.

The parties must give voluntary, written consent to participate in this informal process. When both parties consent to an informal process, the District shall facilitate a resolution-based meeting within ten (10) school days, subject to the availability of the involved parties and any mediator or facilitator.

If informal resolution is unsuccessful, the complainant may choose to continue the investigation process by providing written notice to the Title IX Coordinator within five (5) school days of the unsuccessful informal resolution meeting. In this event, the investigator will commence or resume the investigation generally within five (5) school days from receipt of notice.

Investigation

All evidence will be weighed objectively using the preponderance of the evidence standard. The investigator will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process. However, nothing in this paragraph will limit the right of the District to remove a respondent on an emergency basis as provided in the Complaint Procedure of this policy.

The investigator shall strive to complete investigations within twenty-five (25) school days of the filing of the formal complaint or resumption of the investigation after an unsuccessful information resolution meeting.

During the investigation, the investigator shall take the following steps:

(1)The investigator will interview the complainant in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses. The grievance officer will then attempt complainant's allegations within five (5) school days of the filing of the formal complaint provided that the complainant is available to meet be interviewed with by the charged party in order to obtain his/her response to the complaint. investigator.

(2)The grievance officer The investigator will interview the respondent to obtain a response to the complainant's allegations from the respondent within five (5) school days of the meeting interview with the complainant provided that the respondent is available to meet be interviewed with the investigator.

(3)The investigator will interview witnesses identified by the complainant or respondent within five (5) school days of being identified as a potential witness by the complainant or respondent provided the witness is available. The investigator will interview witnesses as the investigator deems necessary.

(4)The investigator will hold as many meetings or interviews with the parties and any witnesses as is necessary to establish the facts make factual findings.

a. On the basis of the grievance officer's perception of the situation he/she may:

- Attempt to resolve the matter informally through reconciliation.
- Report the incident and transfer the record to the Superintendent or his/her designee, and so notify the parties by certified mail.

2. After reviewing the record made by the grievance officer, the Superintendent may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the committee for termination or expulsion. At this stage of the proceedings the parties may present witnesses and other evidence, and may also be represented. The parACABties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters involving sexual harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct.

3. The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.

The timelines above are subject to the District's goal to complete investigations generally within twenty-five (25) school days, but may be extended for good cause upon written notice to the complainant and respondent. The timeline for investigation may be suspended during any informal resolution procedure or meeting. Each party is entitled to be accompanied in interviews by an advisor, who may be a parent/guardian or an attorney, but who may only have limited participation in interviews. Translators will be provided upon request.

After all interviews are conducted and evidence is obtained, the parties and if applicable, their advisors, will have an equal opportunity to inspect, review and respond to any evidence obtained. Prior to completion of the investigative report, the investigator will send each party all evidence subject to inspection and review and provide each party at least ten (10) business days to provide a response to the investigator. Evidence to be shared may be redacted to protect confidential information under the Family and Educational Rights and Privacy Act ("FERPA") or other federal or state laws and regulations.

The investigator will draft an investigation report that fairly summarizes the relevant evidence including, but not limited to, interviews with parties and witnesses, written evidence, audio/video recordings, and site visits. The investigator will then send the completed investigation report to each party and: (1) afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness; (2) provide each party with the answers; and (3) allow for limited follow-up questions. The investigator may limit the number of questions and, if certain questions are submitted that are not relevant to the investigation, may choose not to provide those questions to the other party. If the investigator chooses not to provide certain questions, the investigator will inform the party who submitted such questions that they will not be asked as they are not relevant.

Determinations

The investigator will provide the decision maker, with a report including all evidence obtained during the course of the investigation. The decision maker assigned will have no conflicts with or biases against either the complainant of the respondent and the decision maker will not be the Title IX Coordinator assigned in the matter or the investigator for the complaint. The decision maker shall review all of the evidence and issue a written determination within fifteen (15) school days of receipt of the matter from the investigator, absent extenuating circumstances. If the decision maker substantiates the allegations of sexual harassment, the decision maker may recommend or impose discipline against the respondent. If the decision maker does not substantiate the allegations of sexual harassment, the complaint will be dismissed.

The written determination shall include: (1) identification of the allegations potentially constituting sexual harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence; (3) findings of fact supporting the determination; (4) conclusions as to whether District's policies to the facts were violated; (5) a statement of the result of each allegation, including a determination regarding responsibility, disciplinary action to be imposed on the respondent, and whether remedies designed to preserve equal access to the District's education program or activity will be provided to the complainant; and (6) the District's procedures and permissible bases for appeal. Confidential student record information and personnel information may be redacted consistent with and as required by state and federal law.

An employee found responsible for engaging in sexual harassment is subject to discipline up to and including termination. A student found responsible for engaging in sexual harassment is subject to discipline consistent with state law and applicable student handbook.

Dismissals under Title IX

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity or workplace, or did not occur in the United States, then the District will dismiss the formal Title IX complaint with regard to that conduct for purposes of sexual harassment under Title IX. However, such a dismissal does not preclude the investigation or imposition of disciplinary action pursuant to state law, other District policies and/or the student handbook.

The District may dismiss the formal Title IX complaint or any of the allegations in the complaint, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations in the complaint; the respondent is no longer enrolled or employed by the District; or specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Upon a dismissal of this section, the District will promptly send written notice of the dismissal and reason(s) to the parties.

Withdrawal

While Title IX allegations may be withdrawn, the District may investigate under other state and federal laws and District policies.

Appeals

Either party may appeal the outcome of the investigation for one of the following reasons:

- (1) Procedural irregularity affected the outcome;
- (2) New evidence that was not reasonably available at the time that the determination was made which could affect the outcome;

(3) The Title IX Coordinator, investigator, and/or decision-maker had a conflict of interest or bias.
Appeals must be submitted to the Title IX Coordinator within five (5) business days of receipt of the written determination and contain a written statement in support or challenge of the outcome.

When an appeal is filed, the District shall notify the other party and ensure that the individual deciding the appeal is not the same person as the decision maker who reached the determination regarding responsibility and that the individual has no conflicts of interests and is free of bias. The non-appealing party shall have five

(5) school days from the date of receipt of the notice of the appeal to submit a written statement to support or oppose the outcome.

The individual deciding the appeal shall issue a written decision describing the result of the appeal and rationale for the decision and provide the decision to both parties generally within ten (10) school days of receipt of the non-appealing party's written statement, or in the event no statement is submitted, the date the statement would have been due.

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a complaint with any of the governing agencies set forth below.

1) United States Department of Education Office for Civil Rights -- Region 1

J.W. McCormack Post Office and Court House

Post Office Square

Boston, MA 02108

(617) 289 - 0111

2) Equal Employment Opportunity Commission

JFK Federal Building

15 New Sudbury Street, Room 475

Boston, MA 02203

(800) 669 - 4000

3) The Massachusetts Commission Against Discrimination ("MCAD")

One Ashburton Place - Room 601

Boston, MA 02108

(617) 994 - 6000

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended-45

Federal Regulation 74676 issued by EEO Commission

Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title ~~IX~~IX)

34 CFR 106.00, et seq.

Board of Education 603 CMR 26:00

Amended: 2/11/19-----, 2020

NONDISCRIMINATION ON THE BASIS OF SEX

The School Committee, in accordance with state and federal including but not limited to 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 Superintendent will designate an individual to act as the school system's Title IX compliance officer. All students, ~~and~~ employees, applicants for employment, and unions will be notified of the name, title, email address, and office address and telephone number of the Title IX compliance officer.

LEGAL REFS.:

Title IX of the Education Amendments of 1972

45 CFR, Part 86, (Federal Register, 6/4/75)

34 CFR 106

M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

M.G.L. c. 151B:3A

BESE 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

ACAB, Sexual Harassment

PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desires individuals to attend its meetings so that they may become better acquainted with the operations and the programs of our local public schools. In addition, the Committee would like the opportunity to hear public comment.

Public comment is not a discussion, debate, or dialogue between individuals and the School Committee. It is an individual's opportunity to express an opinion on issues within the School Committee's authority.

To ensure the ability of the School Committee to conduct the District's business in an orderly manner, the following rules and procedures are adopted:

1. At the start of each regularly scheduled School Committee meeting, individuals will sign in for an opportunity to speak during public comment. The public comment segment shall not exceed 15 minutes. All speakers are encouraged to present their remarks in a respectful manner
2. Speakers will be allowed up to three (3) minutes to present their material and must begin their comments by stating their name and city/town. The presiding Chair may permit extension of this time limit, in extenuating circumstances.
3. Topics for discussion should be limited to those items within the School Committee's scope of authority. The authority of the School Committee primarily concerns the review and approval of the budget of the district's public schools, the performance of the Superintendent, and the educational goals and policies of the district's public schools. Comments and complaints regarding school personnel (apart from the Superintendent) or students are generally prohibited unless those comments and complaints concern matters within the scope of School Committee authority.
4. The Chair of the meeting, after a warning, reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats that are likely to provoke a violent reaction and cause a breach of the peace, or incitement to imminent lawless conduct, or contains obscenities.
5. Written comments longer than three (3) minutes may be presented to the presiding Chair before or after the meeting. All remarks will be addressed through the Chair of the meeting. Comments made during the public comment portion of the meeting do not necessarily reflect the views or positions of the School Committee.
6. Sign up instructions will be provided for those who wish to participate in Public Comment.

~~School Committee meetings are meetings in public to conduct public business but are not necessarily public meetings in the sense that any matter at any time may be heard from those in attendance. The School Committee shall conduct its public business with order and efficiency with the hearing of reports, action upon the recommendations of the Superintendent, adoption of resolutions or formal policies as proposed by the members themselves or from communications submitted to them, and action upon such communications as are pertinent to the operation of the public school system.~~

~~So that the public may be heard in the most efficient manner, the procedures listed below shall be followed in the interest of civility and fair play:~~

- ~~1. Placement of the Public Comment should be at the direction of the Chair.~~
- ~~2. Persons wishing to speak must:~~
 - ~~a. Sign in before the meeting~~
 - ~~b. Not exceed three minutes~~
 - ~~c. Not name students, staff, or parents~~
 - ~~d. Must direct remarks to the Chair~~

3. ~~The School Committee shall not respond to public comments; it shall be their decision to discuss issues at a later date.~~

LEGAL REFS.: M.G.L. c. 30A: 18-25

CROSS REFS: BE, SCHOOL COMMITTEE MEETINGS

BEC, EXECUTIVE SESSIONS

BEDA, NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

SOURCE: MASC

Revised January 2020