



## SEXUAL HARASSMENT POLICY

All persons associated with the North Attleborough Public Schools including, but not necessarily limited to, the committee, the staff, and the students are expected to conduct themselves properly at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community will be in violation of this policy. It shall be a violation of this policy for any employee of the North Attleborough School Department to sexually harass another school employee or student; it shall also be a violation of this policy for any North Attleborough student to sexually harass another student or a school employee.

This policy is in effect during the normal school day as well as at all school sponsored activities and while riding on North Attleborough school buses.

Students and employees are protected from sexual harassment under the provisions of the State and Federal law since courts have found sexual harassment to be a form of sex discrimination. If sexual harassment involves a minor student in a school setting, it can also be considered a criminal offense under laws relating to child abuse.

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 North Attleborough School Committee 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 workplace and school 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 workplace or school conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

### **Definition of Sexual Harassment**

Unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's educational development.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

While it is not possible to list all 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.

**The Grievance Officer:** Dr. Lori McEwen, Assistant Superintendent, 6 Morse Street, 508-643-2100 ext. 206 is the sexual harassment grievance officer and is vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out below:

**Procedure**

1. Any staff member or student of the school department who believes that he or she has been subject to sexual harassment will report the incident(s) to the grievance officer; school nurse, principal or other school official with whom the complainant feels most comfortable. All such complaints will be shared with the grievance officer and principal.
2. The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the school district's legal obligation, and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
3. The principal (or grievance officer if complaint is against principal) will attempt to resolve the problem in an informal manner through the following process:
  - a. Confer with the charging party in order to obtain a clear understanding of that party's statement of the facts and **may interview any witness.**

- b. Attempt to meet with the charged party in order to obtain his or her response to the complaint.
  - c. Hold as many meetings with the parties as is necessary to determine the facts.
  - d. On the basis of the principal's perception of the situation he or she may:
    - i. Attempt to resolve the matter informally through reconciliation.
    - ii. Report the incident and transfer the record to the sexual harassment grievance officer, and so notify the parties by certified mail.
  - e. Cases referred to the sexual harassment grievance officer in d(2) above will then be investigated by the officer per the steps in section 3 above. If not resolved at that level, the grievance officer will refer the case to the Superintendent of Schools and shall so notify the parties.
4. After reviewing the record made by the grievance officer, the superintendent or designee 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 be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. If it is determined that inappropriate conduct has occurred, the superintendent or designee will act promptly to eliminate the offending conduct.

**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 — 180 days; MCAD — 6 months.)

1. The United States Equal Employment Opportunity Commission ("EEOC")  
JFK Federal Building — Room 475  
Government Center  
Boston, MA 02203  
(617) 565-3200
2. The MA Commission Against Discrimination ("MCAD")  
Boston Office  
One Ashburton Place — Room 601  
Boston, MA 02108  
(617) 994-6000  
Springfield Office  
424 Dwight Street — Room 220  
Springfield, MA 01103  
(413) 739-2145

**Sanctions:**

A substantiated charge against a staff member in the school district shall subject such staff member to a disciplinary action, including discharge consistent with the terms of any collective bargaining agreement covering such staff member.

A substantiated charge against a student in the school district shall subject that student to student disciplinary action including suspension or expulsion, consistent with the student discipline code.

Given the nature of the type of discrimination, the North Attleborough School Committee also recognizes that one found guilty of intentional false accusations will be subject to the same severe disciplinary action applicable to one found guilty of sexual harassment.

**Notifications:**

Notice of this policy will be circulated to all schools and departments of the North Attleborough School District and will be incorporated in all staff and student handbooks annually. This policy shall also be placed in the district policy manual.

**STEPS TO TAKE IF YOU FEEL YOU HAVE BEEN SEXUALLY HARASSED**

You should verbally tell the employee or student to stop the offensive behavior.

If the employee or student does not stop the offensive behavior, you should then make a complaint to ONE of the following:

- Your immediate supervisor or department chairperson (employees).
- Dr. Lori McEwen, Assistant Superintendent, Woodcock Administration Building, 508-643-2100 ext. 206, Sexual Harassment Officer. (student or employee).
- A teacher, counselor, or nurse (students).
- Building Principal or Assistant Principal (student or employee).

You should make the complaint to the person with whom you feel most comfortable.