

NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Mansfield School Committee and Mansfield Public Schools are committed to maintaining an education and work environment for all school community members that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Mansfield Public Schools.

The Mansfield Public Schools prohibits unlawful discrimination, harassment (including sexual harassment), and retaliation against anyone based on race (including traits historically associated with race including, but not limited to, hair texture, hair type, hair length and protective hair styles), color, age, disability, sex (including pregnancy, pregnancy-related conditions, or recovery from these conditions, including but not limited to, lactation), sexual orientation, gender identity or expression, religion or religious belief, national origin, ethnicity, ancestry, retaliation, marital status, familial status, genetic information, veteran or military status, limited English proficiency, homelessness, or any other class of individuals protected from discrimination under state or federal law in education, admission, access to or treatment in, its programs, services, benefits, activities, and terms and conditions of employment.

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully considering, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on human relations.
6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Mansfield Public Schools requires all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

Any member of the school community who is found, after investigation, to have engaged in any form of

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discrimination, including harassment or retaliation, against any other member of the school community, will be subject to consequences determined appropriate by the administration. Such consequences may include restorative measures and corrective action, and/or student discipline or staff disciplinary action, up to and including student suspension and expulsion or employee termination.

Definitions

"Discrimination" is defined as the adverse treatment of an individual or group of people based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

"Harassment" is defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Discrimination and/or harassment includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of Mansfield Public Schools; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment. Examples of such conduct may include any of the following:

- Written, verbal, or physical (including texting, blogging, or other technological methods); 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 a target; and
- In the case of employee-to-student harassment, conduct that is designed to embarrass, distress, 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, or submission to or rejection of such conduct by a student is used as a basis for decisions affecting students.

"Retaliation" is defined as taking an adverse action against a member of the school community for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy. Retaliation includes, but is not limited to, coercion, intimidation, interference, punishment, discrimination, and harassment.

The Superintendent will adopt written grievance procedures to investigate and address complaints of discrimination,

harassment, and retaliation. A complaint alleging discrimination, harassment and/or retaliation as defined above will be addressed promptly and pursuant to the District's applicable non-discrimination policies and procedures. However, allegations of conduct meeting the definition of sexual harassment, as defined by federal law, may be reported, and investigated pursuant to applicable Regulations under Title IX, Education Amendments of 1972.

If it is determined, after an investigation, that a member of the school community engaged in any form of discrimination, harassment and/or retaliation against any other member of the school community, __PS will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action. Such consequences may include, but are not limited to, restorative measures, corrective action, and/or student discipline or staff disciplinary action, up to and including student suspension and expulsion or employee termination.

Resources

The following individuals are designated as the District ADA, Title VI, Title IX, 504 and Sexual Harassment Coordinator, and Grievance Officer for Mansfield Public Schools, and can be reached at:

For allegations involving students:

Michael Connolly

2 Park Row, Mansfield, MA 02048

508-261-7500

michael.connolly@mansfieldschools.com

For allegations involving staff:

Jocelyn LeMaire

2 Park Row, Mansfield, MA 02048

508-261-7500

jocelyn.lemaire@mansfieldschools.com

Additionally, complaints alleging discrimination, harassment, and/or retaliation may also be addressed to the following agencies:

Massachusetts Department of Elementary and Secondary Education

Problem Resolution System

75 Pleasant Street, Malden, MA 02148-4906

Telephone: 781-338-3700

Email: compliance@doe.mass.edu

Website: <https://www.doe.mass.edu/prs/>

Office for Civil Rights, U.S. Department of Education

5 Post Office Square, 8th Floor, Suite 900

Boston, MA 02109

Telephone: (617) 289-0111

Email: OCR.Boston@ed.gov

Website: www.ed.gov/ocr.

[Massachusetts Commission Against Discrimination](#)

[1 Ashburton Place, Room 601](#)

[Boston, MA 02108](#)

[Telephone: \(617\)-994-6000](#)

[Email: \[mcad@mass.gov\]\(mailto:mcad@mass.gov\)](#)

[U.S. Equal Employment Opportunity Commission](#)

[JFK Federal Building](#)

[15 New Sudbury Street, Room 475](#)

[Boston, MA 02203](#)

[Telephone: 1-800-669-4000](#)

The above- referenced agencies may also be contacted for inquiries concerning the Mansfield Public Schools' Mansfield Public Schools

policies and protocols, compliance with applicable laws, statutes, and regulations, and complaints may also be directed to the Director of Human Resources.

SOURCE: MASC December 2021

Revised: February 28, 2023
December 8, 2020
March 5, 2019
January 24, 2017
October 2, 2012

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

Individuals with Disabilities Education Act

Age Discrimination Act of 1975

Age Discrimination in Employment Act of 1967

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)

MA CROWN Act of 2022 (Prohibiting Discrimination Based on Natural and Protective Hairstyles)

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

M.G.L. 76:5

603 CMR 26.00

603 CMR 28.00

CROSS REF: ACE, Non-Discrimination on the Basis of Disability

ACAB, Sexual Harassment

GBA, Equal Employment Opportunity

GCF Professional Staff Hiring

IJ, Instructional Materials

JB, Equal Educational Opportunities

JFBB School Choice

JIC, Discipline

JICFB-R Bullying Plan