

Brookline Policy Subcommittee Meeting

Minutes from 9/8/20

RECORD OF THE POLICY SUBCOMMITTEE MEETING OF THE BROOKLINE SCHOOL COMMITTEE ON TUESDAY, SEPTEMBER 8, 2020 AT 8:00 PM (REMOTE VIA ZOOM). STATUTORY NOTICE OF THIS MEETING WAS FILED WITH THE TOWN CLERK.

Policy Subcommittee Members Present: David Pearlman (Chair), Andreas Liu, Jennifer Monopoli.

Other School Committee Members Present: Suzanne Federspiel.

School Administrators Present: Deputy Superintendent of Student Services Casey Ngo-Miller, Director of Guidance and Clinical Services Maria Letasz, Coordinator of School Health Services Tricia Laham.

Public Commenters: Connie Clauson, Danna Perry.

Mr. Pearlman called the meeting to order at 8:00 PM.

1. Review/Approval of the Minutes of the June 15, 2020 Policy Meeting.

On a motion by Ms. Monopoli, seconded by Mr. Pearlman, the Policy Subcommittee voted 2-0-1 to approve the minutes. Voting Yes: Ms. Monopoli, Mr. Pearlman. Abstaining: Dr. Liu. It was noted that Dr. Liu was not yet a member of the Policy subcommittee on June 15, 2020.

2. Discussion of Policy on Covid-Related Issues.

Members expressed concern about the MASC-modeled draft policy that appeared to tie certain decisions in Brookline to independent emergency declarations by the Governor. To safeguard against potentially excessive delegation of authority to the superintendent, members recommended inclusion of explicit language that district decisions require a vote by the School Committee. Discussion of the differences between policies and procedures informed on the degree of breadth to target for this policy. On the subject of special education, a member asked about the PSB's commitment to providing services to high school graduates. Members also discussed contact tracing and the importance of including notification protocols. In various sections of the draft policy, members proposed changes to wording and punctuation.

3. Discussion of Policy on Remote Learning.

Members proposed wording changes to encompass broader concepts substantively. Instead of settling on the MASC language of educators marshalling "tools and resources available," a member proposed an expansion of that phrase to "tools and resources

available to deliver content.” Members discussed whether to include the word “equitable” in the context of service delivery. One member explained that sometimes other districts use “equity” to deny services to some students in situations where non-school resources might be limited for other students. In various sections of the draft policy, members proposed changes to wording and punctuation.

4. Discussion of Policy on Immunizations.

One member asked whether School Committee possesses the legal authority to exceed state requirements on immunizations. Another member recommended a wording change to reflect that compulsory enrollment in school begins at age 6.

5. Discussion of Policy on Face Masks.

Members discussed stricter definitions for the types of permissible face coverings. School administrators recommended broadening the class of health care professionals who can provide written exemptions for students to the face coverings policy. Various participants expressed concern about whether students could access physicians in time for the start of the school year. A subcommittee member agreed to consult with members of the Panel 4 Task Force on Health and Safety prior to the next meeting. Members highlighted other areas for revision, including the section on face covering breaks and discipline for students not in compliance. A member also asked whether a specific exemption should be granted for educators working alone from their classroom.

6. Update on changes to Title IX.

Director of Guidance and Clinical Services Maria Letasz provided an update on statutory changes to Title IX that necessitate corresponding revisions to the harassment policy, specifically to sexual harassment.

7. Discussion of Policy on Harassment Complaint Procedures.

A member of the public sought clarification around which school administration advisory or School Committee policy currently governs harassment procedures, and who has the authority to implement new policies in the aftermath of legal changes. Other public comments included pleas to proceed carefully, and to ensure that students understand the policy and know how to file a complaint. The subcommittee decided to forgo further action until a subsequent meeting because the earlier discussed policies faced a more pressing deadline of the start of school.

8. New Business.

A member asked that the full School Committee reserve a time to discuss goals for the Policy subcommittee during the 2020-21 school year.

Mr. Pearlman adjourned the meeting at 10:14 PM.

General (Interim) Policy on COVID-Related Issues

The School Committee takes note of the COVID-19 emergency, the resulting disruption of the traditional school day and year, the growing concerns of students, families and the community, and the growing number of issues that will affect public education.

Therefore, the school committee establishes this general interim policy on COVID-Related Issues to:

- promote the safety of students, faculty, and the broader community,
- maintain to the extent possible the high and efficient level of educational services,
- ensure support for students in general education and special education, as well as those at social and economic risk,
- comply with the emergency orders of the governor and adhere to the guidance of the Department of Elementary and Secondary Education (DESE) and other agencies of state and federal government, and
- expedite safe strategies for returning students to school.

The School Committee will vote on the final plan submitted to DESE which will outline its strategy for returning students to school and will, in collaboration with the superintendent, make such modifications to the “back to school plan,” and district policy, and when necessary will vote on authorizing the superintendent to suspend, revise or create protocols to facilitate the safe return to school.

The superintendent will designate the appropriate staff members to oversee the safe administration of COVID-related policies during the period of the pandemic emergency and shall make such recommendations to the School Committee as needed.

The School Committee will authorize the superintendent to act expeditiously in executing the “back to school” plan in accordance with current law and regulations and will, where noted, vote when necessary on authorizing the superintendent to suspend, revise, or recommend policies, rules and protocols as needed to serve the best interests and safety of students, their families, and the community.

The “back to school” plan shall constitute the policy of the PSB during the pandemic emergency, and the superintendent shall exercise the authority provided in law to carry out the plan as needed.

- General district goals affected by the pandemic.

The superintendent, with the advice and consent of the School Committee, may suspend or modify individual district policies to address the COVID-19 emergency as declared by the governor. Such suspension of policy shall expire by vote of the School Committee or upon the end of the emergency as declared by the governor.

The goal of emergency pandemic policies shall be to:

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By July 31, 2020: Each school district must submit to the Department the three plans required. These plans should (...)

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- o ensure the safety and health of students, faculty, staff, and all persons who may come in contact with them;
- o provide the most effective educational services as possible to students under the circumstances;
- o authorize changes to operating protocols as needed to open and operate schools effectively from various venues or platforms;
- o conduct the district business and operational functions of the district as efficiently as possible;
- o allow the superintendent and staff to act quickly to carry out a “back to school” plan and,
- o facilitate the re-establishment of a safe and productive school day and year.

- Student assignment to schools

Subject to the guidance from the Department of Elementary and Secondary Education, the superintendent may suspend or revise the assignment of students to schools, including the assignment of new students for such a period as the emergency declaration is in force.

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- School calendar

Subject to the guidance from the Department of Elementary and Secondary Education (DESE) and the provisions of collective bargaining agreements, the superintendent may suspend or revise the school calendar with the approval of the School Committee.

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- Class size

In order to maintain healthy, safe, and effective classrooms, the superintendent may suspend district policy on class size, subject to the provisions of the collective bargaining agreements where applicable, and with the advice and consent of the School Committee.

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- Attendance

Subject to operative law and regulations, the superintendent may suspend, modify or adapt procedures related to student attendance and accommodations for students requiring special placements.

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- Time on learning

Subject to operative law, regulations, guidance from the Department of Elementary and Secondary Education (DESE) and the provisions of collective bargaining agreements, the

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superintendent may suspend or amend requirements for time on learning for the duration of the COVID pandemic.

- Grading and retention

In accordance with guidance from the Department of Elementary and Secondary Education, the superintendent may propose, subject to the approval of the School Committee, modifications to the policy of the district for grading and retention of students.

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- Local graduation requirements

In accordance with guidance from the Department of Elementary and Secondary Education (DESE) and modifications to current regulation or law, the superintendent may propose, subject to the approval of the School Committee, modifications to the policy of the district regarding graduation requirements.

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- Special education The superintendent and School Committee shall be mindful that attainment of a high school diploma may render certain students ineligible for further services.

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- Discipline and Suspension/Expulsion with home schooling rights

The “back to school” plan recommended by the superintendent and subject to the approval of the School Committee shall contain protocols for serving students who are disciplined or suspended during the pandemic emergency.

Further, the superintendent shall provide in these “back to school” plans provisions for students who were disciplined or suspended, or who may elect to remain at home under the provisions of the policies related to home schooling, or who may elect remote learning in the interests of safety or health concerns.

- Exemptions for particular groups of students (i.e., use of masks for youngest children, high risk students)

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The superintendent shall provide protocols to principals and educators regarding students who may require special exemptions from health and safety standards during the pandemic emergency.

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- Job descriptions The superintendent may revise job descriptions for district staff, subject to the provisions of current collective bargaining agreements, in order to secure the safety and health of students and staff, establish effective communications between school and community, maintain facilities, transport students as needed, provide food services, and acquire necessary materials to operate schools safely and securely during

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the pandemic. The superintendent will inform the School Committee of any such changes. Any changes to job descriptions shall expire at the end of the declared emergency situation.

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- Students at Risk

During the COVID pandemic, the superintendent or principal of a school may revise or suspend provisions of policy to facilitate the education of students at risk or with special needs consistent with law and regulation.

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- Privacy of Students

During the pandemic, the rights to privacy held by students and their families shall not be abridged by the PSB. Such rights extend to the confidentiality of student academic records, health data, economic status, and other such information as may be considered confidential by law.

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Massachusetts law prohibits the recording of individuals without their permission. Similarly, students may not be recorded in classrooms by audio, visual, or remote means without the permission of parents or, if of age, by individual students. During periods of remote learning, the privacy of students participating in on-line classes shall not be violated by recording them without appropriate permissions.

- Pivoting back to remote learning, or back to in-school instruction

The superintendent shall incorporate into the “back to school” plan protocols for modifying these plans including addressing the needs of students who may require reversion from in-school to remote learning modalities because of the pandemic emergency.

- Home schooling (temporary), home-bound instruction (e.g., students with physical disabilities) and remote instruction for students in quarantine

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The “back to school” plan shall provide for students who are temporarily homebound due to illness, quarantine, or disability.

- Public Safety Officers, including the school resource officer Subject to current law or regulation, the superintendent shall report to the School Committee any changes in status of the school resource officer (s).

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- Eligibility for participation in extra-curricular activities, including sports

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Subject to law, regulation and standards established by the appropriate and legitimate regulatory body, the superintendent may propose changes to district protocols for participation in extracurricular activities including sports subject to the rules established by the Massachusetts Interscholastic Athletic Association.

- Attendance vs. participation in events ▾

Subject to law, regulation or emergency declaration, the superintendent may propose protocols or modifications or suspensions of district policies regarding attendance by students or the public in school events including, but not limited to assemblies, sports events, large gatherings, or other programs.

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- Visitors in schools and buildings

- Subject to current emergency declarations, the superintendent may propose suspension or modification to district policies regarding visitors to school buildings during the school day and after school hours.

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- Illness and contact tracing ▾

Subject to the provisions of the “back to school” plan, the superintendent may establish protocols for tracking student contacts as a means of locating others from whom students may contract or expose other persons to the COVID-19. Such protocols will be consistent with law and regulation and be consistent with standards to protect the privacy of students, their families, and other persons.

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- Transportation and busing ▾

Subject to current law and regulation, the superintendent may suspend or modify policies related to the transportation of students by the school district, subject to the advice and consent of the School Committee. Legal requirements relating to IEP’s that contain transportation for students shall not be altered without the appropriate family consent. These modifications shall be consistent with the district “back to school” plan.

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- Operations and plant maintenance ▾

Subject to the provisions of law, regulation and collective bargaining agreements, the superintendent may suspend or amend current policy to ensure the efficient operation of business functions and maintenance of school buildings and other such offices as the district maintains.

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REMOTE LEARNING

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In the event of a district-specific emergency requiring the use of remote learning, the superintendent of schools may declare such emergency and shall, as soon as possible, obtain the approval of the School Committee. The remote learning plan below will be applicable in cases of disease, weather emergencies, destruction or damage to schools rendering them inaccessible, or other extraordinary circumstances, including emergencies declared by government officials, the School Committee, or the superintendent.

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When it becomes necessary for the PSB to provide support to students who are unable to attend classes or access appropriate services due to an extended closure, the superintendent shall establish a plan and procedures to ensure that such services are provided. The provision of educational services may include the use of technology and devices, and strategies designed to support student learning away from the school building.

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The remote learning plan will, to the extent possible:

- Ensure the safety of all students and faculty in coordination with appropriate local and state departments and agencies;
- Provide support for student social and emotional wellbeing and address the implications of trauma experienced by students or faculty as a result of the emergency;
- Identify goals and strategies for maintaining standards of student achievement and school improvement plans;
- Ensure instruction and services are delivered by district educators and personnel as much as practicable;
- Utilize the most effective tools and resources available for students and faculty, including the skills and talents of district personnel, in the delivery of instruction and services while sharing resources as needed;
- Provide resources and services to meet the needs and circumstances of all students;
- Identify remedial strategies necessary after the emergency to advance student achievement (i.e. after-school, extended day, summer school, and contingency scheduling to cancel vacations.);
- Gather information both during and after the period of emergency regarding the most effective means of remote learning to implement, as appropriate.

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In developing a remote learning plan, the superintendent will:

- Identify and prepare effective means for communicating with faculty, students, parents and community stakeholders.
- Collaborate with municipal agencies that support the schools and community.
- Consult with the School Committee to identify any extraordinary actions necessary or authority required to administer emergency and remote learning plans. This includes any changes to district policies on the school calendar, grading, promotions and retentions, local graduation requirements, testing, and standards and accountability.
- Consult with administrators and principals to ensure the continuing education of students at all levels, including:
 - use of the most appropriate resources, tools and strategies to deliver the curricula given local circumstances and conditions;

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- equitable access to appropriate content for all students;
- specific accommodations for students at high risk, including clients of special education, students with disabilities, English language learners, students at economic disadvantage, homeless students, students in foster care and students of military families.
- Utilize available technological resources suitable for serving students at all levels. This inventory will be prepared to the extent possible in anticipation of an emergency.
- Ensure the privacy rights of students, faculty and families are protected, including assessing the security of district technology.
- Consult with bargaining units to determine if modifications to collective bargaining agreements need to be established for the period of the emergency.

Identify the financial implications of the emergency plan and recommend transfer of funds as may be necessary.

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LEGAL REFS.: 20 U.S.C. §1232g Family Education Rights and Privacy Act (FERPA)¶
 15 U.S.C. §§ 6501–6506 Children’s Online Privacy Protection Act (COPPA)¶

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CROSS REFS.: EBCD – Emergency Closings¶

IGA – Curriculum Development ¶

IGB – Support Services Programs¶

IHBEA – English Learner Education¶

IJND – Access to Digital Resources¶

IJNDB – Empowered Digital Use¶

IJNDC – Internet Publication¶

IJNDD – Policy on Social Media¶

IHBEA – English Language Learners¶

JB – Equal Educational Opportunities¶

JBB – Educational Equity¶

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SOURCE: MASC – May 2020¶

IMMUNIZATION OF STUDENTS

Students entering school for the first time, whether at BEEP, kindergarten or through transfer from another school district, will be required to present a physician's certificate attesting to immunization against communicable diseases as may be specified from time to time by the Department of Public Health. The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child, or by the student's parent or guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent/guardian. Certificates and written exemptions must be received and validated by the PSB prior to any in-person attendance by the student in school activities.

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LEGAL REF.: M.G.L. 76:15¶

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CROSS REF.: JF, School Admissions¶

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Note: Due to the COVID-19 pandemic, The Commonwealth of Massachusetts has updated the Massachusetts School Immunization Requirements to include a documented seasonal dose of the Influenza Vaccine. This requirement will remain in effect until rescinded by the Governor.¶

FACE COVERINGS

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The Public Schools of Brookline (PSB) are committed to providing a safe environment as schools reopen during the COVID-19 pandemic. According to public health experts, one of the best ways to stop the spread of coronavirus and to keep members of our school community safe is to wear face masks or face coverings. Therefore, in accordance with guidance from the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE) and the Massachusetts Department of Public Health (DPH), the following requirements are in place until further notice.

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A face covering that completely covers the nose and mouth must be worn by all individuals in school buildings, on school grounds and on school transportation, even when social distancing is observed.

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Individuals may be excused from this requirement for the following list of reasons, per CDC guidance:

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The individual:

- has trouble breathing;
- is unconscious;
- is incapacitated;

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In addition, masks or face coverings will not be required for anyone who has a medical, behavioral or other challenge making it unsafe to wear a face mask or face covering. A written note from a physician is required prior to approval of a requested exemption. Parents may not excuse their child from the face mask requirement by signing a waiver.

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Additionally, face masks or face coverings will not be required when appropriate social distancing is enforced:

- _____
- while eating or drinking;
- during certain activities in physical education classes;
- while outside.

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Exceptions to this policy under certain circumstances, such as for students with medical, behavioral or other challenges who are unable to wear masks, must be approved by the building principal in consultation with the school nurse or local Board of Health. Face shields or physical barriers may provide an alternative in some instances.

A student's mask or face covering is to be provided by the student's family. Staff members are responsible for providing their own face coverings. However, the district will supply disposable face coverings for individuals who arrive at a building, or board school transportation without one.

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If students are in violation of this policy, the building principal will consult with the parent/guardians to determine whether an exception is appropriate. If an exception is not appropriate, the students may be

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removed from the school building for in-person learning until such time as they can comply with the requirement or the requirement is lifted.

Violations of this policy by staff will be handled in the same manner as other violations of School Committee policy.

Visitors in violation of this policy will be denied entry to the school/district facility.

This policy will remain in place until rescinded by the School Committee.

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LEGAL REF.: . Commonwealth of Massachusetts, COVID-19 Order No. 31 - ¶
<https://www.mass.gov/doc/may-1-2020-masks-and-face-coverings/download> ¶
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REFS.: . Center for Disease Control and Prevention – Considerations for Wearing Masks - ¶
<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html> ¶
Massachusetts Department of Elementary and Secondary Education – Reopening Guidelines - ¶
<http://www.doe.mass.edu/covid19/> ¶
Commonwealth of Massachusetts – Mask Up MA! – ¶
<https://www.mass.gov/news/mask-up-ma> ¶
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SOURCE: MASC – August 2020 ¶

PUBLIC SCHOOLS OF BROOKLINE INTERIM TITLE IX POLICY AND GRIEVANCE PROCEDURES

(August 14, 2020)

Federal law prohibits discrimination on the basis of race, color or national origin (Title VI of the Civil Rights Act of 1964); sex (Title IX of the Education Amendments of 1972); or disability (Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990) in educational programs or activities receiving federal financial assistance.

The Public Schools of Brookline (PSB) is dedicated to creating and maintaining an educational and work environment that values the diverse backgrounds of all people. The PSB desires to provide a safe environment that allows all students and employees equal access and opportunities in the district's academic and other educational support programs, services, and activities. District programs and activities shall be free from discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, mental or physical disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, marital or parental status, sex, sexual orientation; the perception of one or more of such characteristics; or association with a person or a group with one or more of these actual or perceived characteristics. This applies to all acts related to school activities or school attendance under the jurisdiction of the Superintendent.

With the aim of assuring equal rights and opportunities within our community and to comply with Federal Laws, State Laws, and State Department of Education regulations concerning these, the PSB reaffirms itself to be an Equal Rights and Opportunities School District. As an Equal Rights and Opportunities School District, it does not discriminate against individuals or groups because of race, color, national origin, religion, gender, sexual orientation, age, marital status, or handicaps and disabilities. The school district's commitment to nondiscrimination extends to students, employees, prospective employees, and the community.

WHAT IS TITLE IX?

Title IX of the Educational Amendments of 1972 states that no person in the United States shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Sex discrimination under Title IX includes sexual harassment and sexual violence.

Sexual Harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the recipient conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
2. Any unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.
3. Sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

DEFINITIONS

- In the employment context, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);
 - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
 - Such conduct interferes with an individual's job duties; or
 - The conduct creates an intimidating, hostile or offensive work environment.
- In the educational context, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:
 - An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct ("quid pro quo harassment");
 - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity ("hostile environment harassment"); or
 - "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)
- "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment or on whose behalf the Title IX Coordinator has filed a formal complaint.
- "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

ACTUAL KNOWLEDGE

The PSB must respond promptly to complaints when they have actual knowledge. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee or student of the district. The actual knowledge standard includes the reporting to any employee in the elementary and secondary schools. All employees are viewed as having authority to institute corrective measures by forwarding all reports to the Title IX Coordinator or Deputy. Complaints will be addressed promptly whenever the district has actual knowledge of the allegation.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of the alleged conduct that could constitute sex

discrimination or sexual harassment) in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or Deputy, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time.

Other constraints

Title IX now only applies to locations, events, and/ or circumstances in which the school district exercises substantial control. The district no longer has the ability to investigate or address off-campus conduct over which the school does not exercise substantial control. It must have occurred in the school district program. It is important to note that school events held virtually (i.e. remote learning) are considered a circumstance in which the school district exercises substantial control.

Title IX does not apply to events that were alleged to have occurred outside the United States.

Time Limits

There is no time limit or statute of limitation on timing to file a formal complaint. However, at the time of filing a formal complaint, an alleged victim must be participating or attempting to participate in a program or activity of the school district.

Upon receipt of actual knowledge, the following will occur:

1. Employee notifies Title IX Coordinator or Deputy, or a person may file a complaint directly with Title IX Coordinator or Deputy.
2. The Title IX Coordinator or Deputy promptly contacts the Complainant upon receiving the complaint and will do the following:
 - a. Discuss the availability of supportive measures
 - b. Consider the Complainant's wishes with respect to supportive measures
 - c. Explain that supportive measures may be received with or without filing a formal complaint
 - d. Explain to the Complainant the purpose of filing a formal complaint, process for filing a formal complaint, and grievance procedures
 - e. Determine whether the Complainant wishes to file a formal complaint

Offer Supportive Measures

The Complainant and Respondents must be offered supportive measures even if they do not file a formal complaint.

“Supportive measures” means 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 measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Examples of supportive measures may include counseling, extensions of deadlines or other course-related

adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator or Deputy is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator or Deputy will document in writing the supportive measures offered/provided or why no supportive measures were offered/provided.

FORMAL COMPLAINTS

Formal complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the district investigate the allegation of sexual harassment.

If the Complainant declines to file a formal complaint, the Title IX Coordinator must consider whether to sign a formal complaint and start an investigation despite the Complainant's preferences.

This decision may be appropriate when safety or similar concerns lead the Title IX Coordinator to conclude it must investigate and potentially sanction a Respondent.

A Title IX Coordinator's decision to override the Complainant's decision not to file a formal complaint must be documented in writing along with an explanation of why this decision was necessary.

Mandated Dismissal of Formal Complaints

The Title IX Coordinator or Deputy may dismiss a complaint if:

- If the conduct alleged would not constitute sexual harassment as defined in § 106.30 even if proved
- If the conduct alleged did not occur in the school district's education program or activity. "Education program or activity" includes locations, events, or circumstances over which the district exercised substantial control over both the Respondent and the context in which the sexual harassment occurred
- If at the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed
- If the conduct alleged did not occur against a person in the United States

Discretionary Dismissal Grounds

The Title IX Coordinator or Deputy have the discretion to dismiss a complaint if:

- At any time during the investigation or hearing, a Complainant notifies the Title IX Coordinator or Deputy in writing that the Complainant would like to withdraw the formal complaint or any allegations therein
- The Respondent is no longer enrolled or employed by the district
- Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations

The Title IX Coordinator or Deputy will send written notice of any dismissal to the Complainant and Respondent.

Written Notice

Before any investigation can begin, the Title IX Coordinator or Deputy must send written notice to both parties including sufficient details. Sufficient details include:

- Identities of the parties involved in the incident, if known
- Conduct allegedly constituting sexual harassment
- Date and location of the alleged incident, if known

The written notice must include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.

The written notice must inform the parties that they may have an advisor of their choice, who may inspect and review evidence.

The written notice must inform the parties that the District's Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If additional allegations are added during the course of the investigation, additional written notice must be provided.

INFORMAL RESOLUTION

Informal resolution is used when the parties agree to resolve a report informally rather than through formal investigation and resolution, and when the Title IX Coordinator or Deputy is able to support the resolution informally by providing agreed-upon remedies to resolve the situation.

Informal resolution may be used at any time prior to reaching a determination regarding responsibility. The district will facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. During informal resolution, both sides will be provided an opportunity to be heard and hear the other side.

The regulations permit informal resolution if the following procedural elements are met:

- A formal complaint must be filed
- The process may be used at any point prior to reaching a determination of responsibility
- The parties provide voluntary, written consent to use the informal process
- The parties are provided with a written notice that includes:
 - The reported misconduct/allegations;
 - The requirements of the informal resolution process, including the circumstances under which, once completed, it precludes the parties from changing their minds and reverting to a formal grievance process;
 - The right of the parties to withdraw from the informal resolution process and resume the formal grievance process;
 - Any consequences resulting from participating in the process, including what sanctions could result, as well as any records that will be maintained and/or could be shared; and
 - Whether the resolution would be binding on the parties.

The regulations preclude the use of informal resolution in employee-student cases. The district cannot offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

If the Complainant and the Respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be taken. This voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

INVESTIGATION

In an investigation, the Title IX Coordinator or Deputy will designate an investigator and a decision-maker, who may not be the same person.

The regulations require districts to ensure that coordinators, investigators, and decision-makers (including appeal decision-makers) do not have conflicts of interest or bias for or against Complainants and Respondents generally, or for or against an individual party. This requirement extends to any materials used to train coordinators, investigators, decision-makers, and others involved in the process.

The investigator will be responsible for interviewing parties and witnesses, finding facts, and making determinations related to credibility, all of which will go into a written report.

Complainants and Respondents have a right to have advisors of their choice participate in all aspects of the proceedings.

During the investigation, each party must be provided an equal opportunity to present both fact and expert witnesses.

Notice of Interviews or Meetings

The investigator will provide clear written notice to parties before any interview or other meeting in which their participation is invited or expected. The notice will be sent far enough in advance of the interview that the party has sufficient time to prepare to participate, including their advisor, if any. The format of the communication can be informal, such as an e-mail or form sent through the district's software platform. Specifically, the notice will include:

- Date
- Time
- Location
- Participants
- Purpose of the investigative interview or meeting

Prior to completion of the investigative report, the school district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will take into consideration prior to completion of the investigative report.

The investigative report will summarize relevant evidence and include an explanation of evidence that was excluded based on being irrelevant.

School districts may not limit students' and employees' ability to discuss (i.e., speak or write about) the allegations under investigation, for example with a parent, friend, or other source of emotional support, or with an advocacy organization.

RETALIATION

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this part, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing.

Further, the regulations state that intimidation, threats, coercion, or discrimination, including charges against an individual for Code of Conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Retaliation is a stand-alone offense, which will be addressed in a separate investigation and hearing that will be addressed promptly, thoroughly, and impartially. Under the regulations, retaliation protections are provided to anyone engaged with the Title IX process, a code process related to an original Title IX allegation, or what could have been a Title IX allegation. In addition to Complainants, this protection would extend to witnesses, reporters, and Respondents.

DECISION-MAKING

The decision-maker must not be biased against any of the parties at the outset of this process.

The decision-maker will offer both the Complainant and Respondent the opportunity to submit proposed relevant, written questions to ask of any party or witness, to respond to questions posed by another party, and to offer additional limited follow-up.

The decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.

The decision-maker must consider what is relevant, using the same criteria of relevancy as outlined for the investigation.

After this process is complete, the decision-maker will create a written determination regarding whether sexual harassment has occurred using a preponderance of the evidence standard.

A school district must think about how a reasonable person would view the conduct when determining whether the conduct constitutes sexual harassment. In making this determination, school districts may consider the age and number of parties involved.

The written determination must be issued to both parties simultaneously and must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from the district of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the district's Code of Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- The district's procedures and permissible bases for the Complainant and Respondent to appeal (a copy of, or direct reference to, this policy will suffice).

The decision-maker shall further recommend what action, if any, is required.

If there is a finding that sexual harassment occurred, the school district will provide remedies to the Complainant designed to restore or preserve equal access to the school district's education program or activity. Such remedies may include supportive measures.

Formal disciplinary actions may be imposed in the event that the preponderance of the evidence indicates a violation of this policy, up to and including expulsion or termination (for employees). Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement (for employees).

School district cannot take discipline in the absence of following this formal process. It does not limit the District from removing a student or employee from a program or activity on an emergency basis based on immediate threats to people's physical health or safety or placing an employee on administrative leave during the pendency of the investigation.

Standard of Proof

The standard of proof is a term which describes the standard used to weigh evidence and determine whether a student or employee is responsible for violating policy. The PSB uses the "preponderance of the evidence" as its standard of proof in determining whether a student or employee is responsible for violating policy. The preponderance of the evidence standard has alternatively been described as "the greater weight of evidence" (picture the scales of justice, tipped slightly one way or the other), as what is more likely than not, 50.01 percent, or 50 percent plus a "feather." A feather can weigh as much as a real feather, or as much as a cinder block, depending on the nature of the evidence, but it must be there, or there is no policy violation. The question is not so much what happened, but what can be proven or shown by the evidence. If the evidence is 50/50, the tie goes to the Respondent.

PROCESS FOR APPEALS

Either the Complainant or Respondent may appeal the decision in writing to the Title IX Coordinator or Deputy within fifteen (15) school days of receipt of the findings of the formal procedure or a dismissal on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Deputy, investigator(s), or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

When the Title IX Coordinator or Deputy receives a request for an appeal, they must notify each party in writing and give the parties a reasonable equal opportunity of 5 school days to submit a written statement in support of, or challenging the outcome. Deadlines may be extended, equitably, for good cause.

The Title IX Coordinator or Deputy will appoint an appeal decision-maker, who cannot be the Title IX Coordinator or Deputy or the investigator or decision-maker who participated in the case. Appeal decision-makers must meet the same bias-free and conflict of interest-free standards as for initial decision-maker.

The appeal decision-maker, as a further impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.

Appeals are not a "do-over" of the original hearing. Appeals are properly confined to a review of the written record of the original hearing and the written documents submitted by the parties, investigator(s), and/or decision-maker (if applicable), on appeal.

As with original determinations, appeal decisions will result in a written decision describing the result of the appeal and the rationale supporting it, authored by the appeal decision-maker. The parties will receive the written decision simultaneously.

FILING A COMPLAINT

Any student or employee who believes they have been discriminated against or harassed under Title IX may file a complaint with a building-based Title IX Deputy (names may be found in the Office of the Principal/Head of School). In addition to Title IX Deputies, complaints may also be filed with the district Title IX Coordinators listed below.

Student Complaints

In particular, a student who believes that he/she is the victim of harassment should report the matter to any school employee including a teacher, counselor, or administrator who in turn will notify the Title IX Coordinator. As an alternative, a student may report directly to the Title IX Coordinator. Each school's Title IX Deputy will be posted in a prominent location in the school. All employees of the Public Schools of Brookline are required to respond to complaints by students of harassment by notifying the building principal or Title IX Coordinator. Employees are required to take every report of harassment seriously.

The Deputy Superintendent for Student Services, the Deputy Superintendent for Teaching and Learning, and the Deputy Superintendent for Administration and Finance are also available to provide information about this policy and the Public Schools of Brookline complaint process.

Maria Letasz, Ed.D.

Director of Guidance and Clinical Services, PreK-12
District Title IX, Title VI, and Section 504 Coordinator (students)
2 Clark Road, Brookline, MA 02445
P: (617) 308-6400
maria_letasz@psbma.org

Director of Human Resources
District Title IX, Title VII, and Section 504/ADA Coordinator (employees)
Town Hall, 333 Washington Street, 5th Fl, Brookline, MA 02445
P: (617) 730-2410

Inquiries regarding compliance with civil rights may be made to: [Office for Civil Rights \(OCR\)](#), Boston Office, US Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921
Telephone: 617-289-0111
FAX: 617-289-0150; TDD: 800-877-8339
Email: OCR.Boston@ed.gov

PUBLIC SCHOOLS OF BROOKLINE HARASSMENT COMPLAINT PROCEDURES

I. PURPOSE AND SCOPE

Harassment is defined as any communication or conduct that limits or denies the ability of a student to attend, participate in, or benefit from the educational program or the ability of a staff member to attend to or perform his/her duties. It includes, but is not limited to, any communication, written, spoken or otherwise, such as jokes, comments, innuendoes, notes; material placed on the internet or other electronic media such as email, web page, and voice mail; writing placed on school property, the display of pictures or symbols, graffiti, gestures, or other conduct that offends or shows disrespect to others based upon age, color, disability, gender, national origin, race, religion, or sexual orientation.

Discrimination on the basis of race, color, and national origin is prohibited by *Title VI of the Civil Rights Act of 1964*. Discrimination against persons with disabilities is prohibited by *Section 504 of the Rehabilitation Act of 1973* and *Title II of the Americans with Disabilities Act of 1990* (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance). Discrimination on the basis of sex is prohibited by Title IX of the Education Amendments of 1972. 

By law, the particular communication or conduct is viewed from the perspective of a reasonable person. What one person may consider acceptable behavior may reasonably be viewed as harassment by another person; therefore, individuals should consider how their words and actions might be viewed by other individuals.

It should be noted that, while this policy sets forth the goal of the Public Schools of Brookline to maintain a work and educational environment that is free of harassment based upon age, color, disability, gender, national origin, race, religion, or sexual orientation, the policy is not designed or intended to limit the authority of school officials to discipline or take remedial action for conduct which is deemed unacceptable, whether or not that conduct satisfies the definition of harassment.

This policy is also not intended to limit the rights students or staff have under the law or appropriate agreements, including filing a complaint with an outside agency.

Sexual Harassment

While all types of harassment are prohibited, sexual harassment requires special attention. Sexual harassment includes sexual assault, 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 employment, attendance, or 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 other decisions affecting a student, or
3. Such conduct interferes with an individual’s job duties, education, or participation in extracurricular activities, or
4. The conduct creates an intimidating, hostile or offensive work or school environment.

The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work or educational environment that is hostile, offensive, intimidating or humiliating to individuals of either gender may also constitute sexual harassment. While it is not possible to list all circumstances that may constitute such harassment, examples may include references to sexual conduct, comments on an individual’s body, unwelcome leers, and suggestive or insulting comments.

II. FILING A COMPLAINT

Any student or employee who believes that the Public Schools of Brookline has discriminated against or harassed him/her because of his/her age, color, disability, gender, national origin, race, religion, or sexual orientation in admission to, access to, treatment in, or employment in its services, programs, and activities may file a complaint with a building-based Complaint Manager (names may be found in the Office of the Principal/Head of School). In addition to the Complaint Managers, complaints may also be filed with the “Complaint Administrators” listed below.

- Director of Human Resources (employees)
- Maria Letasz, Director of Guidance and Clinical Services (students)

Willfully filing of a false complaint is strictly prohibited.

Student Complaints, in particular

A student who believes that he/she/~~they~~ is the victim of harassment should report the matter to a teacher, counselor, or administrator who in turn will notify the Complaint Manager in the school. ~~School based Complaint Managers are the principals of each school, or in the case of Brookline High School, the Dean of Student Services.~~

As an alternative, a student may report directly to a Complaint Manager. Notice of each school’s Complaint Managers will be posted in a prominent location in the school and on the school’s website.

All employees of the Public Schools of Brookline must respond to complaints by students of harassment by notifying ~~the~~ Complaint Manager. Employees are required to take every report of harassment seriously.

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A student may also file a complaint alleging harassment by contacting the Complaint Administrator:

Maria Letasz, Ed.D.
Director of Guidance and Clinical Services
District Title IX, Title VI, and Section 504 Coordinator (students)
2 Clark Road, Brookline, MA 02445
(617)730-2460

The Deputy Superintendent for Student Services, the Deputy Superintendent for Teaching and Learning, and the Deputy Superintendent for Administration and Finance are also available to provide information about this policy and the Public Schools of Brookline complaint process.

Complaints of Discrimination Based Upon Disability

A person who alleges discrimination on the basis of disability relative to the identification, evaluation, or educational placement of a person, who because of a disability needs or is believed to need special education or related services, pursuant to Section 504 of the Rehabilitation Act of 1973, Chapter 766, and/or the Individuals with Disabilities Education Act, must use the procedure outlined in the Massachusetts Department of Education Parents' Rights Brochure rather than this Complaint Procedure. A copy of the brochure is available from the following individual:

Maria Letasz, Ed.D.
Director of Guidance and Clinical Services
District Title IX, Title VI, and Section 504 Coordinator (students)
2 Clark Road, Brookline, MA 02445
(617)730-2460

A person with a complaint involving discrimination on the basis of disability other than that described above may either use this Complaint Procedure or file the complaint with the U.S. Department of Education at the address provided at the end of this Complaint procedure.

III. TRAINING MATERIALS

All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates a resolution process will be posted publicly on the PSB website and made available upon written request for inspection by members of the public.

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IV. CONTENTS OF COMPLAINTS

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The Public Schools of Brookline urges all individuals in the school community to bring any complaint of harassment to the attention of school personnel IMMEDIATELY so that they can resolve the issue. The complaint must be in writing. The Complaint Administrator, Complaint

Manager, or any person of the complainant's choosing may assist the complainant with filing the complaint. The written dated complaint must include the following information: (Form attached)

1. The name and school of the complainant (or address and telephone number if not a student or employee).
2. The name of the complainant's representative, if any (and address and telephone number if not a student or employee).
3. If known, the name of the person(s) alleged to have caused the discrimination or harassment (respondent). If not known, then give a detailed description of the respondent.
4. A description, in as much detail as possible, of the alleged discrimination or harassment.
5. The date(s) of the alleged discrimination or harassment.
6. The name of all persons who have knowledge about the alleged discrimination or harassment (witnesses), as can be reasonably determined.
7. A description, in as much detail as possible, of how the complainant wants the complaint to be resolved.

IV. INVESTIGATION AND RESOLUTION OF THE COMPLAINT

A Complaint Manager or the Complaint Administrator will promptly investigate every complaint, observing all relevant state and federal laws and regulations and school system policies and procedures, as well as applicable contractual requirements. If the investigator determines that harassment has occurred, a Complaint Manager or the Complaint Administrator will take appropriate action to end the harassment and to ensure that it is not repeated. Under federal law, if the allegation pertains to sexual harassment, but did not occur in the Complainant's education program within the United States, then the complaint must be dismissed. Dismissal does not preclude action under another provision or statutory remedy.

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Respondents will be informed of the charges by the Complaint Manager or designee within 10 business days of receipt of the complaint. Notice will be provided to respondents in writing.

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A Complaint Manager or the Complaint Administrator will interview witnesses whom he/she deems necessary and appropriate to determine the facts relevant to the complaint, and will gather other relevant information. Such interviews and gathering of information will be completed within approximately fifteen (15) business days of notice to the respondent.

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Within approximately twenty (20) school days of receiving the complaint, Complaint Manager or the Complaint Administrator will meet the complainant and/or the complainant's representative to review the information gathered and, if applicable, to propose a resolution designed to stop the discrimination or harassment and to correct its effect. Prior to completion of the investigative report, the Complaint Administrator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard

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copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

Within twenty (30) school days of the meeting with the complainant and/or representative, the Complaint Manager or the Complaint Administrator will provide written disposition of the complaint to the complainant and/or representative and to the respondent(s).

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Notwithstanding the above, it is understood that in the event a resolution contemplated by the Public Schools of Brookline involves disciplinary action against an employee or a student, the complainant will not be informed of such disciplinary action unless it directly involves the complainant (i.e. a directive to “stay away” from the complainant), as might occur as a result of a complaint or harassment.

If the time lines specified above are not met, the reason(s) for not meeting them must be clearly documented. In addition, it should be noted that in the event the respondent is subject to a collective bargaining agreement which sets forth a specific time line for notice and/or investigation of a complaint, such time lines will be followed.

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After the case has been concluded, all records and paper work associated with the case will be forwarded to the Complaint Administrator, Dr. Maria Letasz, Coordinator of Title IX, Title VI, and Section 504 of the Rehabilitation Act. The Complaint Administrator will keep all paperwork in a locked file cabinet.

A Complaint Manager, a Complaint Coordinator, or the Superintendent may access the Complaint Administrators files only when investigating a second allegation involving individuals from their current investigation.

Confidentiality of complainants/respondents and witnesses will be maintained, to the extent consistent with the Public Schools of Brookline’s obligations relating to investigation of complaints and the due process rights of individuals affected, including both the complainant(s) and respondent(s).

Retaliation against someone because he/she has filed a complaint or participated in an investigation under this Complaint Procedure is strictly prohibited.

Penalties

Persons who engage in harassment or retaliation or who willfully files a false complaint will be subject to discipline, suspension, termination/expulsion or other sanctions, subject to applicable school system policies and procedures, as well as applicable contractual and procedural requirements.

In certain cases, harassment of a student, and in particular, sexual harassment of a student may constitute child abuse under Massachusetts Law. Verbal sexual harassment of any child by

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anyone including school district employees/volunteers is recognized as a form of child abuse and a warning sign of actual physical or sexual abuse. A matter reported under this section shall be screened by a Complaint Manager or Complaint Administrator to determine whether an investigation is pursuant to the Child Abuse and Neglect Policy, The Sexual Harassment Policy, or both. If such abuse is determined to have happened, then the screener will file a reported immediately with the Department of Children and Families in accordance with the requirements of M.G.L. c. 119, s. 51A. The Public Schools of Brookline will comply with all legal requirements governing the reporting of suspected cases of child abuse.

V. APPEALS

If the complainant or respondent is not satisfied with the disposition by a Complaint Manager, the complainant/respondent/representative may appeal the disposition for an administrative review to one of the Complaint Administrators, identified in Section I above within twenty (20) business days. If the complainant or respondent is not satisfied with the disposition by a Complaint Administrator, the complainant may appeal for a second administrative review to the Deputy Superintendent for Student Services, as follows:

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Casey Ngo-Miller
Deputy Superintendent for Student Services
333 Washington Street,
Brookline, MA 02445
(617)730-2444

The Complaint Administrator/Deputy Superintendent for Student Services will issue a written response on the appeal to the complainant within ten (10) school days of receiving the appeal.

Generally, a complainant may file a complaint with the U.S. Department of Education, Office for Civil Rights,
5 Post Office Square, 8th Fl, Boston, Massachusetts 02109-3921, telephone (617)289-0111, TTY (800) 877-8339, Email: OCR.Boston@ed.gov or with OCR using OCR's electronic complaint form at the following website: <https://www2.ed.gov/about/offices/list/ocr/complaintform.pdf>

VI. REFERENCES

State agencies that enforce laws prohibiting harassment or receive complaints thereunder include the Massachusetts Commission Against Discrimination (MCAD), which is located at One Ashburton Place, Boston, MA 02108, telephone (617) 727-3990; and the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148-5023, telephone (781) 338-3300. Federal agencies responsible for enforcing federal laws prohibiting harassment include the Equal Employment Opportunity Commission (EEOC), One Congress Street, Boston, MA 02109, telephone (617) 565-3200, TDD Users (617) 565-3204; and the U.S. Department of

Education for Civil Rights (OCR), J.W. McCormack POCH, Boston, MA 02109-4557, telephone (617) 223-9662, TTD Users (617) 2239695.

The Public Schools of Brookline Complaint Form for Reporting Harassment

Harassment is defined as any communication or conduct that limits or denies the ability of a student to attend, participate in, or benefit from the educational program. It includes, but is not limited to, any communication, written, spoken or otherwise, such as jokes, comments, innuendoes, notes; material placed on school property, the display of pictures or symbols, graffiti, gestures, or other conduct that offends or shows disrespect to others based on age, color, disability, gender, national origin, race, religion, or sexual orientation.

If you believe that you have been subjected to harassment you are encouraged to complete this form to the best of your ability and submit it to the Building Principal or District Coordinator for Title IX, Title IV, and Section 504 (students). You will not be retaliated against for filing a complaint. If you are more comfortable reporting verbally or in another manner, the district will complete this form, provide you with a copy and follow its harassment prevention policy by investigating the claim as outlined at the end of this form.

YOUR INFORMATION (for all persons making a complaint)

Your name: _____ Name of student (for parents/guardians): _____
Home address: _____
Home or cell phone: _____ Email: _____
School: _____ Grade/class: _____

COMPLAINT INFORMATION (for all persons making a complaint)

1. Your complaint of harassment is made against:

Name: _____
School: _____
Grade/Class (if a student): _____
Job Title (if an employee): _____
School/work location (if known): _____

Relationship to you (please check one below):

Other student Teacher Other staff member Other (please describe)

(Please use additional sheets of paper if the complaint is against multiple people.)

2. Please describe what happened and how it is affecting you and your education. Please use additional sheets of paper if necessary and attach relevant documents or evidence.

[Empty vertical box]

3. Date(s) and location(s) harassment occurred:

[Empty vertical box]

Is the harassment continuing? Yes No

4. Please list the name and contact information (if known) of any witnesses or individuals who may have information related to your complaint:

[Empty vertical box]

Print Name:			Date:	
Signature:				

Civil Rights and harassment questions or concerns that pertain to students falls under the Office for Student Services.

Dr. Maria Letasz, District Coordinator for Title IX, Title VI, and Section 504 (students)

Deleted: School-based Complaint Managers:
Brookline Early Education Program, Regina Watts, Interim Principal
Baker School – Torrance Lewis, Principal
Coolidge Corner School – Jennifer Buller, Principal
Driscoll School – Suzie Talukdar, Principal
Heath School – Asa Sevelius, Principal
Lawrence School – Monica Crowley, Principal
Lincoln School – Brian Denitzio, Principal
Pierce School – Lesley Ryan-Miller, Principal
Runkle School – Genteen Jean-Michel, Principal
Brookline High School – Brian Poon, Dean of Student Services