



LINCOLN PUBLIC SCHOOLS
Lincoln, Massachusetts

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PROHIBITION OF HARASSMENT

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It is the policy of the Lincoln Public Schools to prevent unlawful discrimination or harassment of any individual working in or attending the schools and to encourage individuals to bring concerns about discrimination or harassment to the attention of the Administrative Team or the Superintendent of Schools.

The Lincoln Public Schools expects all individuals to be treated equally. All members of the community should treat one another with dignity and respect. As an equal opportunity employer, the Lincoln Public Schools is committed to maintaining an environment in which no employee, student, or visitor is subjected to unequal treatment because of race, color, ancestry, disability, sex, age, national origin, religion, gender identity, or sexual orientation. The Lincoln Public Schools will not tolerate any discrimination against or difference in treatment by or among employees, students, visitors, or others, based on these characteristics.

Deleted: - employees and students alike - to treat each other with dignity and respect.

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HARASSMENT

Harassment in the workplace is unlawful. Harassment includes verbal or physical conduct that may or does offend, denigrate or belittle any individual by reference to any of the characteristics listed above. Such conduct includes showing pictures, telling jokes, making innuendoes, vulgar gestures, or other behavior that creates an atmosphere of intolerance, bias, or intimidation.

While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes sexual advances, dirty jokes, showing of offensive pictures, offensive sexual contact, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature under any of the following conditions:

1. Acceptance of or submission to such conduct is made a term or condition of an employee's employment, either explicitly or implicitly.
2. The employer's response to such conduct is used as a basis for employment decisions affecting that employee.
3. Such conduct interferes with an employee's work performance.
4. The conduct creates an intimidating, hostile, or offensive work environment.

Harassment in any form or for any reason is forbidden. This includes harassment of a subordinate by a manager, between employees, between students, or between students and employees, including student harassment of faculty and staff.

REPORTING HARASSMENT/INVESTIGATION

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A report can be made to a principal or a district administrator.

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The Superintendent or their designee(s) will be the person responsible for processing complaints and determining how the investigation will be conducted for incidents reported. All investigations will remain confidential to the extent possible.

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Retaliation is prohibited. It is unlawful to retaliate against or punish any student or employee who files a complaint of harassment or who cooperates in an investigation of a complaint of harassment. The Lincoln Public Schools will not tolerate any retaliation against any person who files such a complaint or who cooperates in an investigation into possible harassment. The Superintendent will take disciplinary action against any person who engages in retaliation.

1. Any member of the school community who believes they have been harassed will report the incident to a principal or a district administrator. All complaints will be investigated promptly and resolved as soon as possible.
2. Upon receiving a complaint, the administrator will notify the Superintendent who will direct their designee(s) to conduct an investigation.
3. The Superintendent's designee(s) will investigate the problem through the following process:
 - a. The Superintendent's designee(s) will meet with the person making the charge to gather information and obtain a clear understanding of the person's statement and may interview witnesses.
 - b. The Superintendent's designee(s) will meet with the person accused of the charge to obtain their response to the complaint.
 - c. The Superintendent's designee will hold meetings with each party to further establish the facts if necessary.
 - d. Upon completion of the investigation a summary of the findings will be provided to the Superintendent and the parties will be provided with written notification of the completion of the investigation and next steps.

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After review of the investigation summary of findings by the Superintendent (as the Title IX Coordinator), the Superintendent or their designee(s) may take steps to gather additional evidence or information needed to determine the appropriate actions to be taken, including disciplinary or legal actions.

The Lincoln Public Schools urges all those in the school community to bring any concerns or complaints of harassment to an administrator's attention so that the issue can addressed.

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The state agency responsible for enforcing the law prohibiting harassment is the Massachusetts Commission Against Discrimination, One Ashburton Place, Suite 601, Boston, Massachusetts. <https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>

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The federal agency responsible for enforcing federal laws prohibiting harassment is the Equal Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, Massachusetts. <https://www1.eeoc.gov/field/boston/index.cfm>

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SOURCE MASC File ACAB, Sexual Harassment

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Legal Refs:

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- Title IX of the Education Amendments of 1972
- Title VII, Section 703 Civil Rights Act of 1964 as amended 45
- Board of Education 604 CMR 26:00
- Federal Regulation 74676 issued by EEO Commission
- Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX)

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Deleted: If you believe you have been harassed, or if you witness or learn about the harassment of another individual, you should inform your immediate supervisor or principal immediately. Your supervisor or principal will promptly investigate the complaint. Such investigation may include discussions with all involved parties, identification and questioning of witnesses, and other appropriate actions.

- Voted at November 4, 1996 School Committee Meeting
- Revised at June 5, 2000 School Committee Meeting
- Revised at February 26, 2009 School Committee Meeting
- Reaffirmed at School Committee Meeting of June 16, 2011
- Revised at School Committee Meeting of April 25, 2013
- Revised at School Committee Meeting of

If your teacher, supervisor or principal determines that harassment has occurred, he/she will take action to end the harassment and ensure that it is not repeated. Corrective actions may include warnings, transfers, suspension, probation, and discharge proceedings. In the event that a student is determined to have harassed a student, employee or faculty member, the student will be automatically suspended from school for 1-3 days. If the harassment persists, the student may face expulsion.

If you do not wish to discuss the issue with your supervisor or principal, or if he/she does not address the problem, you should inform the Superintendent of Schools, Ballfield Road, Lincoln, Massachusetts 01773, 781-259-9409, who will, upon hearing of the complaint, conduct his/her own investigation. Upon request, and/or for cause, the Superintendent may designate a member of the Administrative Team to hear the complaint and/or conduct the investigation.

It is unlawful to retaliate against or punish any student or employee who files a complaint of sexual harassment or who cooperates in an investigation of a complaint of sexual harassment. The Lincoln Public Schools will not tolerate any retaliation against any person who files such a complaint or who cooperates in an investigation into possible harassment. The ... [1]

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MASC File: ACAB - SEXUAL HARASSMENT

All persons associated with the _____ public schools including, but not necessarily limited to, the Committee, the administration, staff, and students, are expected to conduct themselves 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. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating in an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.

Because the [] 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 employment or 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.

The Grievance Officer: [Name, Office, Address, Phone Number]

The Committee will annually appoint a sexual harassment grievance officer who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out below:

Complaint Procedure:

1. Any member of the school community who believes that they have been subjected to sexual harassment will report the incident (s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.
2. The grievance officer will attempt to resolve the problem in an informal manner through the following process:
 - a. The grievance officer will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses.

- b. The grievance officer will then attempt to meet with the charged party in order to obtain their response to the complaint.
 - c. The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.
 - d. On the basis of the grievance officer's perception of the situation they may:
 - Attempt to resolve the matter informally through reconciliation.
 - Report the incident and transfer the record to the Superintendent or their designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the Superintendent or designee **[Name, Office, Address, Phone Number]** may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the committee for termination or expulsion. At this stage of the proceedings the parties may present witnesses and other evidence, and may also be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters involving sexual harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct.
4. The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.

SOURCE: MASC

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

Federal Regulation 74676 issued by EEO Commission

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

Board of Education 603 CMR [26:00](#)



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Lincoln, Massachusetts

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