

Harassment

The Belmont Public Schools are committed to maintaining a school and work environment free of harassment based on race, color, religion, national origin, ancestry, age, gender, sexual orientation, gender identity, disability, active military or veteran status, genetic information or any other protected category as defined by state or federal law. The Belmont Public Schools expect all employees and members of the school community to conduct themselves in an appropriate and professional manner with concern for their fellow employees and students. The Belmont Public Schools shall comply with all federal and state laws and regulations prohibiting harassment.

Harassment on the basis of race, color, religion, national origin, ancestry, age, gender, sexual orientation, disability, active military or veteran status or genetic information in any form is unlawful and will not be tolerated. Such harassment can include unsolicited remarks, gestures or physical contact, display or circulation of written materials or pictures derogatory to either gender or to any individual or group based on race, color, religion, national origin, ancestry, age, gender, sexual orientation, disability, active military or veteran status or genetic information.

In addition, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain or maintain employment or educational development and opportunity, or

2. submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual, or

3. such conduct or communication whether intended or not, is unwelcome and has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive work or educational environment.

The Superintendent shall insure that all members of the school community are informed of this policy.

Any violation of this policy should be brought to the attention of the Superintendent, who will take appropriate action in accordance with the Belmont Public Schools procedures for reporting and investigating harassment. The Superintendent can be reached at 644 Pleasant St, Belmont, MA 02478, or by phone at 617 993-5400. A copy

of this procedure is available in each school office and from the Human Resource Manager, who can be reached at 617 993-5400.

Any student, employee or other member of the school community found to have engaged in harassment shall be subject to disciplinary action, including, but not limited to, warning, suspension, expulsion or termination, subject to applicable procedural requirements. In addition, retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of the school administration, or who has cooperated in an investigation of a complaint under this policy, is unlawful and will not be tolerated by the Belmont Public Schools. Retaliation may result in disciplinary action, including, but not limited to, warning, suspension, expulsion or termination, subject to applicable procedural requirements.

Under certain circumstances, sexual harassment may constitute child abuse under Massachusetts law (Chapter 119, sec. 51A). The Belmont Public Schools shall comply with Massachusetts laws in reporting suspected cases of child abuse.

The state agency responsible for enforcing laws prohibiting harassment is the Massachusetts Commission Against Discrimination (MCAD), located at 1 Ashburton Place, Boston, MA. The federal agency responsible for enforcing federal laws prohibiting harassment in the employment context is the Equal Employment Opportunity Commission (EEOC) located at the John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203

References:

Title VII of the Civil Rights Act of 1964, § 703; 42 USC 2000e et seq
Title IX of the Education Amendments of 1972; 20 USC 1681 et seq
Title II, Americans with Disabilities Act; 42 USC 12131-12134
The Rehabilitation Act of 1973, §504; 29 USC 794
MGL C 151B §3A-7: Unlawful discrimination
MGL C 76 §5: Place of Attendance; violations; discrimination

Procedure: 0002P – Procedures for Reporting and Handling Complaints of Harassment