

## **HARASSMENT/DISCRIMINATION**

It is the policy of the Franklin Public School District to provide a learning and working environment free from discrimination and harassment. Staff or student complaints of discrimination or harassment based upon sex, race, color, religion, national origin, disability, age, or sexual orientation should be brought to: Discrimination/Harassment Complaint Coordinator, Franklin Public Schools, Franklin, MA 02038. The policy and procedures set forth herein shall apply to complaints pursuant to state and federal laws, including: Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans With Disabilities Act; and Massachusetts General Laws, Chapter 151B.

### Procedure

All grievances shall be processed in a fair, expeditious and confidential manner. When a complaint of discrimination or harassment is made, the following investigative and appeal procedures will be followed:

#### **Step 1: Discrimination/Harassment Complaint Coordinator**

Complaints may be made verbally or in writing to the Coordinator, who has authority to investigate all grievances. Complaints should be made promptly, within a short time after the occurrence giving rise to the complaint, to assure a prompt investigation and fair resolution. All complaints will be thoroughly investigated. Both the complainant and the subject of the complaint will be interviewed and given a full opportunity to state their case. Witnesses, if any, will also be interviewed. A record will be kept of each investigation.

The complaints will be investigated with a reasonable time, usually not to exceed ten (10) school days after the complaint has been received. Both the complainant and the subject of the complaint will be informed of the result of the investigation, in writing. If the complaint is substantiated, the Coordinator will refer the matter to the proper supervisor or administrator for appropriate disciplinary action. For students, discipline may include a warning or reprimand, in school or out of school suspension, or expulsion from school. Discipline of school staff will be consistent with collective bargaining procedures, if applicable, and may include reprimand, suspension from employment, or employment termination.

#### **Step 2: Superintendent**

In the event a complainant or subject of a complainant disputes the results of the investigation or resolution, he or she may further appeal to the Superintendent within ten (10) school days of the Coordinator's decision. Any request for appeal shall be made in writing.

The Superintendent shall meet with the parties to hear the appeal, and shall review the records of the investigation. The Superintendent shall issue a decision within ten (10) days of the hearing.

**Step 3: School Committee**

Further appeal may be taken to the School Committee within ten (10) school days of the Superintendent's decision. Such appeal must be in writing. The School Committee will hear the appeal and make its determination within ten (10) school days of the School Committee hearing.

Nothing in this policy or procedure shall be deemed to affect a grievant's right to other remedies at law, including administrative appeals or lawsuits. Administrative agencies with jurisdiction in these matters include:

**The Massachusetts Commission Against Discrimination ("MCAD")**

One Ashburton Place, Room 601  
Boston, MA 02108  
(617) 727-3990

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

222 J.W. McCormack Post Office & Courthouse, 7th Floor  
Boston, MA 02109-4557  
(617) 223-9662

**Massachusetts Department of Education**

350 Main Street  
Malden, MA 02148  
(781) 388-3300

**The U.S. Equal Employment Opportunity Commission ("EEOC")**

One Congress Street - 10<sup>th</sup> Floor  
Boston, MA 02114  
(617) 565-3200