

Revised  
File: ACAB

## SEXUAL HARASSMENT

All persons associated with the Spencer-East Brookfield Regional School District including, but not necessarily limited to, the committee, the administration, the staff, and the 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 Spencer-East Brookfield Regional School District 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: Director of Pupil Services  
302 Main Street, Spencer, MA 01562 (508)885-8515

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: In the event the complaint is against the Grievance Officer, the complaint should go to the Director of Academic Services and Technology.

### Procedure

1. Any member of the school community who believes that he or she has 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, and in no case, will the case not be addressed within 10 business days.**
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 witness.**
  - b. The grievance officer will then attempt to meet with the charged party in order to obtain his or her response to the complaint.
  - c. The grievance officer will hold as many meetings with the parties as is necessary to facts.
  - d. On the basis of the grievance officer's perception of the situation he or she may:
    - (1) Attempt to resolve the matter informally through reconciliation.
    - (2) Report the incident and transfer the record to the superintendent or his/her designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the superintendent or designee, The Director of Pupil Services, 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.

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 180 days; MCAD - 6 months).

1. The United States Equal Employment Opportunity Commission (EEOC)

1 Congress Street - 10th Floor  
Boston, MA 02114  
(617) 565-3200

2. The Massachusetts Commission Against Discrimination (MCAD)

Boston Office  
One Ashburton Place - Rm. 601  
Boston, MA 02108  
(617) 727-3990

Springfield Office  
424 Dwight Street - Rm. 220  
Springfield, MA 01103  
(413) 739-2145

LEGAL REFS.: Title VII, Section 702, 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

ACKNOWLEDGEMENT OF RECEIPT OF POLICY

I ACKNOWLEDGE RECEIPT OF THE SEXUAL HARASSMENT POLICY OF THE SPENCER-EAST BROOKFIELD REGIONAL SCHOOL DISTRICT AND I HAVE READ ITS CONTENTS.

EMPLOYEE: \_\_\_\_\_

DATE: \_\_\_\_\_

WITNESS: \_\_\_\_\_