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The following item will be discussed at the meeting of the Standing Committee on Governance and Employee Issues to be held virtual and/or in-person on Tuesday, May 31, 2022 at 4:30 p.m. in Room 410 of the Durkin Administration Building:

gb #2-147 - Novick (May 11, 2022)

To review district policy ACAB to ensure alignment with the United States Department of Education August 2021 "Letter to Students, Educators, and other Stakeholders re: Victim Rights Law Center et al. v. Cardona," the United States Department of Education July 2021 "Questions and Answers on the Title IX Regulations Regarding Sexual Harassment," and proposed rulemaking as released by the United States Department of Education.

Committee Members
Laura Clancey, Chair
Molly McCullough, Vice-Chair
Jermaine Johnson

Administrative Representative
Helen A. Friel, Ed.D.
Jennifer Boulais

OFFICE OF THE
CLERK OF THE SCHOOL COMMITTEE
WORCESTER PUBLIC SCHOOLS
20 IRVING STREET
WORCESTER, MA 01609

AGENDA #6

The Standing Committee on GOVERNANCE AND EMPLOYEE ISSUES will hold a virtual and/or in-person meeting:

on: Tuesday, May 31, 2022
at: 4:30 p.m.
in: Room 410 of the Durkin Administration Building

ORDER OF BUSINESS

- I. CALL TO ORDER
- II. ROLL CALL
- III. GENERAL BUSINESS

ros #0-9 - Administration (September 23, 2020)

RENNIE CENTER FOR EDUCATION RESEARCH & POLICY – REPORT ON THE TECHNOLOGY SECTION FROM THE STRATEGIC PLAN

gb #0-28 - Mayor Petty/Miss Biancheria/Mrs. Clancey/Mr. Foley/Ms. McCullough/Mr. Monfredo/Ms. Novick (January 8, 2020)

To create an Ad Hoc Subcommittee of the Worcester School Committee to consider changes to the school committee rules, meetings and agendas to make the work of the School Committee and our meetings more effective and better aligned with the focus on the strategic direction of the district. These changes should reflect best practices and address the recommendations included in the Department of Elementary and Secondary Education’s report from 2017.

gb #0-109 - Mr. Monfredo (March 16, 2020)

Request that the School Committee submit to the Clerk any proposed changes to the Rules of the School Committee.

gb #0-210 - Ms. Novick/Mrs. Clancey/Mr. Foley/Ms. McCullough (June 10, 2020)

To conduct an equity audit of the Worcester Public Schools' policies and student handbook.

gb #0-288.1 - Administration/Ms. Novick/Mrs. Clancey/Ms. McCullough (September 22, 2020)

Response of the Administration to the request to outline in writing under what circumstances the Department of Children and Families is called regarding a family or child, particularly with regard to student attendance.

gb #0-368 - Ms. Novick/Mrs. Clancey/Ms. McCullough (November 23, 2020)

To create Worcester School Committee operational norms.

ros #1-7 - Administration (April 7, 2021)

RENNIE CENTER-PROGRESS ON STRATEGIC PLAN

ros #1-10 - Administration (July 14, 2021)

To update the Superintendent's Goals and to consider changing the evaluation cycle to reflect the school year

gb #1-285 - Administration (October 14, 2021)

To formulate a policy regarding the use and replacement of Chromebooks and their accessories.

gb #1-322.1 -Administration/Ms. McCullough/Mrs. Clancey/Mr. Monfredo/
Ms. Novick (January 12, 2022)

Response of the Administration to the request to review the policies for athletic eligibility.

c&p #2-8 - Clerk (April 13, 2022)

To consider a petition from the PTO at Chandler Magnet School to convert the school to a completely bilingual school.

c&p #2-11 - Clerk (May 3, 2022)

To consider a communication from the EAW for approval of a donation of sick days to a systemwide teacher from a co-worker.

c&p #2-12 - Clerk (May 9, 2022)

To consider a communication from the EAW to provide member feedback on the student dysregulation issue.

gb #2-24 - Ms. Novick/Ms. Clancey/Ms. Mailman (January 12, 2022)

To consider what observances are recognized by the Worcester Public Schools.

gb #2-25 - Ms. Novick/Ms. Clancey/Ms. Kamara (January 12, 2022)

To make provision within all WPS secondary schools of space for prayer during the day for those whose religious observance requires it; relatedly; to add to the student handbook notification to students and families that such provision will be made as needed.

gb #2-119 - Novick (March 31, 2022)

To consider a one-year alteration to the district policy limiting excused absences to 7 days, in light of quarantine requirements during the COVID-19 pandemic.

gb 2-140 - Clancey (April 11, 2022)

Request that the Administration provide an update within the next couple of weeks on the caseload numbers and make sure that the Mental Health staff is placed where the biggest need is in the schools for the following positions:

- School Psychologists
- School Adjustment Counselors and
- any other positions that provide social-emotional support to WPS students.

gb 2-147 - Novick (May 11, 2022)

To review district policy ACAB to ensure alignment with the United States Department of Education August 2021 "Letter to Students, Educators, and other Stakeholders re: Victim Rights Law Center et al. v. Cardona," the United States Department of Education July 2021 "Questions and Answers on the Title IX Regulations Regarding Sexual Harassment," and proposed rulemaking as released by the United States Department of Education.

Motion gb #2-6 - Administration - (January 4, 2022)

To consider input from the School Committee's student representatives.

Facilities

Create more single use bathrooms, limit the locking of bathrooms and enhance the HVAC and heating systems.

V. ADJOURNMENT

Helen A. Friel, Ed.D.
Clerk of the School Committee

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Tuesday, May 31, 2022

ITEM: Novick (May 11, 2022)

To review district policy ACAB to ensure alignment with the United States Department of Education August 2021 "Letter to Students, Educators, and other Stakeholders re: Victim Rights Law Center et al. v. Cardona," the United States Department of Education July 2021 "Questions and Answers on the Title IX Regulations Regarding Sexual Harassment," and proposed rulemaking as released by the United States Department of Education.

PRIOR ACTION:

5-19-22 - Member O'Connell Novick requested that the proposed amendment to policy ACAB regarding sexual harassment provided by Superintendent Binienda and the backup procedures be sent electronically to the School Committee.
On a voice vote, the item was referred to the Standing Committee on Governance and Employee Issues.

BACKUP:

Annex A (6 pages) contains a copy of the proposed policy ACAB - SEXUAL HARASSMENT
Annex B (6 pages) contains a copy of the proposed ACAB-R: Grievance Procedures for Complaints of Sexual Harassment under Title IX of the Education Amendments of 1972.

WORCESTER CURRENT ACAB WITH PROPOSED REVISIONS

Worcester Public Schools policy ACAB - SEXUAL HARASSMENT

All persons associated with the Worcester 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.

Since the Worcester School Committee takes allegations of sexual harassment seriously, we will respond promptly and equitably 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.

When a complaint or report of sexual harassment is made under this school's policy, the Title IX Coordinator (or designee) will: (1) confidentially contact the complainant to offer supportive measures, consider the complainant's wishes with respect to supportive measures, and inform them of the availability of supportive measures with or without filing a formal complaint; (2) explain the process for how to file a formal complaint; (3) inform the complainant that any report made in good faith will not result in discipline; and (4) respect the complainant's wishes with respect to whether to investigate unless the Title IX Coordinator determines it is necessary to pursue the complaint in light of a health or safety concern for the community.

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 persons' 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.

Sexual harassment is not limited to prohibited conduct by a male toward a female, by a supervisory employee toward a non-supervisory employee or by a teacher toward a student. The Worcester

Public Schools' view of sexual harassment includes, but is not limited to, the following considerations:

A. A man, as well as a woman, may be the victim of sexual harassment and a woman, as well as a man, may be the harasser.

B. The harasser does not have to be the victim's supervisor. He/she may also be an agent of the employer, a supervisory employee who does not supervise the victim, a non-supervisory employee (co-worker), or in some circumstances even a non-employee (student, parent).

C. The victim may be the same or opposite sex as the harasser.

D. The victim does not have to be the person at whom the unwelcome sexual conduct is directed. The victim may also be someone who is affected by such conduct when it is directed toward another person. For example, inappropriate attempts of humor or sexual harassment of one female/male employee may create an intimidating, hostile or offensive working or educational environment for another female/male or may unreasonably interfere with an individual's work or educational performance.

E. Sexual harassment does not depend on the victim's having suffered a concrete economic injury as a result of the harasser's conduct. For example, improper sexual advances which do not result in the loss of a promotion by the victim or the discharge of the victim may, nonetheless, constitute sexual harassment when they unreasonably interfere with the victim's work or education or unreasonably create a harmful or offensive work or educational environment.

The Grievance Officers:

Chief Human Resource Officer (508) 799-3020

20 Irving Street

Worcester, MA 01609

Instructional Support Personnel Director (508) 799-3027

20 Irving Street

Worcester, MA 01609

The committee will annually appoint sexual harassment grievance officers who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out below. [The grievance officers must be free from conflicts of interest and bias, and be trained to serve impartially without prejudging facts or issues.](#) †

Complaint Procedure:

1. Any member of the school community who believes that he/she has been subjected to sexual harassment will report the incident (s) to one of the grievance officers. All complaints shall be investigated promptly and resolved as soon as possible.

2. Supportive measures are available regardless of whether the complainant chooses to pursue any action under this school's policy, including before and after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are available to the complainant, respondent, and as appropriate, witnesses or other impacted individuals. The Title IX Coordinator will maintain consistent contact with the parties to ensure that safety and emotional and physical well-being are being addressed. Generally, supportive measures are meant to be shortterm in nature and will be re-evaluated on a periodic basis. To the extent there is a continuing need for supportive measures after the conclusion of the resolution process, the Title IX Coordinator will work with appropriate school resources to provide continued assistance to the parties.

INFORMAL RESOLUTION PROCESS

1.3. The grievance officer ~~may~~ will attempt to resolve the problem in an informal manner through the following process:

a. The informal resolution process shall not be used to resolve allegations that an employee harassed a student.

b. The parties' participation in an informal resolution process must be through voluntary written consent of the Complainant and the Respondent.

c. The grievance officer will confer with the Complainant ~~charging party~~ in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses.

~~a.d.~~ The grievance officer will then attempt to meet with the charged party in order to obtain his/her response to the complaint.

~~b.e.~~ The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.

~~e.f.~~ On the basis of the grievance officer's perception of the situation he/she may:

- Attempt to resolve the matter informally through mediation or restorative justice if both parties voluntarily agree. ~~reconciliation.~~
- Report the incident and transfer the record to the Superintendent or his/her designee, and so notify the parties by certified mail.

FORMAL INVESTIGATION PROCESS

~~After reviewing the record made by the grievance officer, the Superintendent or designee 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.~~

Once a formal Title IX complaint is filed, an investigator will be assigned and the parties will be treated equitably, including in the provision of supportive measures and remedies. They will receive notice of the specifics of the allegations as known, and as any arise during the investigation. The investigator will be unbiased and free from conflicts of interest and will objectively review the complaint, any evidence, and any information from witnesses, expert witnesses, and the parties. The investigation may include, among other things, interviewing the complainant, the respondent, and any witnesses; reviewing relevant student or employment files (preserving confidentiality wherever necessary); and gathering and examining other relevant documents, social media, and evidence. ~~At this stage of the proceedings, the parties shall~~ may be provided with an opportunity to present witnesses and other evidence, and may also be represented by an advisor or attorney at their own expense. The school will review the evidence provided by all parties and will make a final determination of responsibility after the investigation. The decision-maker will not be the Title IX Coordinator, the investigator, or any other individual who may have a conflict of interest. The final determination will be provided to the parties at the same time, with appeal rights provided. It will explain if any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, and

any remedies available to the complainant to restore or preserve equal access. 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, the Worcester Public Schools will act promptly to eliminate the offending conduct, restore a sense of safety for the Complainant and remedy any impact upon the Complainant and the school community. In appropriate circumstances, law enforcement or the Department of Children and Families may be notified.

Worcester Public Schools adopts a “two-pronged” approach. All conduct not covered under the current definition of sexual harassment, including sexual misconduct, will be addressed by the building principal (or designee) under the student code of conduct. Title IX procedures will be reserved only for those alleged actions that fall under the Title IX definition of sexual harassment.

RETALIATION PROHIBITION

Retaliation in any form against any person because of or related to a sexual harassment or retaliation complaint, or because of or related to cooperation with an investigation of a sexual harassment or retaliation complaint, is unlawful and prohibited. Retaliation is also prohibited against any individual that participates or chooses not to participate in the grievance process.

If retaliation occurs, it could be considered grounds discipline, up to and including suspension and/or discharge for employee(s), and appropriate disciplinary action for students.

APPEAL PROCESS

Both parties have the right to appeal the decisionmaker’s determination to the Superintendent or designee. Any appeal should be submitted in writing to the Superintendent within ten (10) calendar days of receipt of the final determination.

The Superintendent or designee in reviewing the appeal may consider the following factors:

- A. Was there any procedural irregularity with the investigation process?
- B. Is there any new evidence not reasonably available at the time of the investigation?
- C. Did the Title IX investigator have a conflict of interest?

The decision of the appeal process is final and is not subject to further review by the School Committee.

All Title IX personnel including Title IX Coordinators, investigators, decision-makers, people who facilitate any informal resolution process shall receive training as required by Title IX and its supporting regulations. All training materials shall be made available to the public for inspection upon request.

Nothing in this policy or procedure shall be deemed to affect a complainant's right to pursue 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
5 Post Office Square 8th Floor
Boston, MA 02109-3921
(617) 289-0111

Massachusetts Department of Education
75 Pleasant Street
Malden, MA 02148
(781) 388-3300

The U.S. Equal Employment Opportunity Commission ("EEOC")
One Congress Street - 10th Floor
Boston, MA 02114
(617) 565-3200

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 SOURCE: WPS

[Questions and Answers on the Title IX Regulations on Sexual Harassment.](https://www2.ed.gov/about/offices/list/ocr/docs/202107-qa-titleix.pdf)
<https://www2.ed.gov/about/offices/list/ocr/docs/202107-qa-titleix.pdf>

MASC PROPOSED ACAB-R TAILORED TO WORCESTER PUBLIC SCHOOLS

Proposed ACAB-R: Grievance Procedures for Complaints of Sexual Harassment under Title IX of the Education Amendments of 1972

The following grievance procedures apply to all complaints made by students or staff of sexual harassment, sexual assault or sexual violence under Title IX of the Education Amendments of 1972 and in accordance with School Committee Policy ACAB.

I. Reporting of Sexual Harassment Complaints

A. How to Report a Complaint of Sexual Harassment

Students and employees who believe they have experienced or witnessed sexual harassment should notify the District's designated Title IX Coordinator, the Worcester Public School's Chief Diversity Officer, available at 20 Irving Street, Worcester, MA 01069 or 08-799-3115 x 6232. If the complaint concerns allegations against the Title IX Coordinator, then the complaint should be filed with the Superintendent or designee.

Employees who witness sexual harassment or have a reasonable belief that it is occurring, are required to report it immediately to the Title IX Coordinator.

Reports of sexual harassment may also be made by employees to their direct supervisor and by students to a teacher, counselor, school nurse or building administrator, who shall immediately bring such report to the attention of the Title IX Coordinator.

The complaint may be filed by the alleged victim or any other party. Any person filing a complaint is encouraged to do so within a short time after the occurrence giving rise to the complaint, to assure a prompt investigation and fair resolution.

B. Handling of Sexual Harassment Complaints

All complaints shall be processed in a fair, expeditious and confidential manner. The Title IX Coordinator is responsible for overseeing the complaint response, including implementation of supportive measures and the grievance/appeal process. In doing so, the Title IX Coordinator may delegate certain duties to a designee. Complaints can be investigated by a building administrator, district-level staff member, or the Title IX Coordinator. The decision-maker must be a separate individual from the investigator. The Title IX Coordinator (or designee), investigator and decisionmaker shall not have a conflict of interest or bias. All Title IX personnel shall receive appropriate training in accordance with Section VIII below.

II. Supportive Measures and Filing of a Formal Complaint

A. Supportive Measures

Once a report of sexual harassment has been received, the Title IX Coordinator or designee will promptly contact the alleged victim (the “Complainant”) to discuss the availability of supportive measures and consider the Complainant’s wishes with respect to supportive measures. The District must investigate sexual harassment allegations in any formal complaint. The District must inform the Complainant of the availability of supportive measures with or without filing a formal complaint and explain to the Complainant the process for filing a formal complaint. Supportive measures shall also be offered to the Respondent as necessary to ensure continued and equal access to the education program and/or activity during any investigation.

“Supportive measures” are individualized services reasonably available that are nonpunitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures must be offered to both the Complainant and the Respondent, and may include, but not be limited to: no contact orders, change of class schedules, modifications of assignments/work, leaves of absence, increased security and monitoring of certain areas of the campus, and other appropriate measures.

In addition to the above supportive measures, the District, in its discretion, may consider the emergency removal of a student in accordance with applicable student discipline regulations. The District may place an employee on paid administrative leave during the course of an investigation of sexual harassment allegations against said employee as determined appropriate and consistent with any applicable collective bargaining agreement.

B. Filing a Formal Complaint

A formal complaint may be filed in writing by the Complainant or presented verbally and put into writing and signed by the Title IX Coordinator or designee. The District will respect the wishes of the Complainant with respect to whether the District investigates a report of sexual harassment, unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the Complainant is not clearly unreasonable in light of the known circumstances.

C. Contents of a Formal Complaint

A formal complaint is signed by a Complainant or the Title IX Coordinator or designee alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District. A formal complaint may be filed with the Title IX Coordinator or designee in person, by mail, or by electronic mail, by using the contact information set forth herein. The District must investigate sexual harassment allegations in any formal complaint. If the allegations in the formal complaint do not meet the definition of sexual harassment as set forth under Title IX or did not occur in the District's education program or activity, the District must dismiss such allegations for the purposes of Title IX, but may still address the allegations in any manner that the District deems appropriate consistent with its policies, procedures and code of conduct, including but not limited to its anti-bullying policies and plan.

III. Grievance Procedure

In accordance with Title IX and its supporting regulations, the District shall implement the following process when investigating formal complaints of sexual harassment:

- A.** The Complainant and Respondent will be treated equally throughout the investigation process and be provided with written notice of the allegation (including sufficient details known at the time and with sufficient time to prepare a response before any initial interview), the grievance process, the range of possible remedies the District may provide a Complainant and disciplinary sanctions the District might impose on a Respondent, following determinations of responsibility. Both parties have the right to have a representative/advisor participate in the process on their behalf.
- B.** Any interim supportive measures, as appropriate, will be offered to both parties.
- C.** The investigator will conduct an objective evaluation of all available evidence. This shall include an interview of both the Complainant and the Respondent, during which each party shall have a full opportunity to state their case through the presentation of witnesses and other evidence, although there will be no live hearing. Witnesses and other persons relevant to the complaint, if any, may also be interviewed. Please note that, during the investigation, rape shield protections apply to the Complainant and Complainants may generally not be asked about their prior sexual behavior.
- D.** During the investigation process, the parties shall not be prohibited from discussing the complaint or collecting evidence.
- E.** The investigation shall be completed in a reasonable time frame within thirty (30) school days except for good cause. Good cause may include, but not limited to, unavailability of a party, concurrent pending law enforcement investigation, or need for interpreter or accommodation of any party or witnesses' disability.
- F.** During the investigation, there is a presumption that the Respondent is not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.
- G.** The investigator will make findings based on a preponderance of the evidence standard.

- H.** The investigator will not request or solicit information from any party or witness that constitutes disclosure of information that is protected under a legally recognized privilege, unless the holder of the privilege voluntarily waives the privilege.
- I.** Prior to the conclusion of the investigation, and at least ten (10) calendar days prior to completion of the investigation, the Complainant and Respondent will both be provided a copy of the investigation report and an opportunity to submit any additional information they would like considered by the investigator before their report is finalized. Both parties shall be provided the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- J.** Once the investigation has been completed, the investigator will submit their investigation report, with recommendations with regard to responsive measures, to the decisionmaker. The Complainant and Respondent shall also be advised, in writing, of the investigator's findings and recommendations.
- K.** The decisionmaker will review the investigation report and hold a disciplinary hearing with the Respondent, in accordance with applicable procedures (for student or employee) if appropriate and in a manner consistent with the CBA or student code of conduct.
- L.** The decisionmaker will advise both parties of the final determination and any related remedial/responsive measures in a manner that complies with applicable laws regarding student confidentiality and appeal rights. The Respondent will be notified of any disciplinary action and other remedial measures, if the complaint is substantiated. Notice of such final determination will be made in writing and sent simultaneously to the parties along with information about how to file an appeal.

IV. Disciplinary Action

If a complaint is substantiated, the District will act promptly to eliminate the behavior and will refer the matter to the proper supervisor or administrator for appropriate responsive measures, including but not limited to disciplinary action and restoring a sense of safety for the Complainant. For students, discipline will be imposed consistent with the Code of Conduct and Massachusetts Student Discipline Law if appropriate.

Discipline of employees will be consistent with collective bargaining procedures, if applicable, and may include disciplinary action up to and including dismissal.

Responsive measures will also include any steps necessary to prevent the recurrence of any discrimination and/or harassment and will include corrective action aimed at eliminating any discriminatory effects on the complainant and others, as appropriate.

V. Retaliation Prohibited

Retaliation in any form against any person because of or related to a sexual harassment or retaliation complaint, or because of or related to cooperation with an investigation of a sexual harassment or retaliation complaint, is unlawful and prohibited. Retaliation is also prohibited against any individual that participates or chooses not to participate in the grievance process. If retaliation occurs, it could be considered grounds discipline, up to and including suspension and/or discharge for employee(s), and appropriate disciplinary action for students.

VI. Appeal Procedure

Both parties have the right to appeal the decisionmaker's determination to the Superintendent or designee. Any appeal should be submitted in writing to the Superintendent within ten (10) calendar days of receipt of the final determination.

The Superintendent or designee in reviewing the appeal may consider the following factors:

A.D. _____ Was there any procedural irregularity with the investigation process?

B.E. _____ Is there any new evidence not reasonably available at the time of the investigation?

C.F. _____ Did the Title IX investigator have a conflict of interest?

The decision of the appeal process is final and is not subject to further review by the School Committee.

VII. Training Requirements

All Title IX personnel including Title IX Coordinators, investigators, decision-makers, people who facilitate any informal resolution process shall receive training as required by Title IX and its supporting regulations. All training materials shall be made available to the public for inspection upon request.