

**Committee of the Whole Meeting
August 10, 2020**

A Committee of the Whole meeting will be held on **Monday, August 10, 2020, at 10:00 a.m. via Zoom meeting.**

Please note this meeting will be streamed live on the School Committee YouTube Channel and members of the public can participate by emailing questions in advance or during the meeting to SCParticipant@reverek12.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us02web.zoom.us/j/81365895799?pwd=V0pFbHljb0hWajdTM2xGeINUT2VPdz09>

Passcode: iEe6g0

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 813 6589 5799

Passcode: 574120

International numbers available: <https://us02web.zoom.us/j/k9nUWkkHb>

AGENDA:

1. Call to Order
2. Public Speak
3. Discussion of final reopening plans
4. Motion
 - a. A motion to vote on the Re-Opening Plan
5. ELT Funding
6. Update Title 9 language regarding sexual harassment

Respectfully submitted,

Dianne K. Kelly, Ed.D
Superintendent of Schools

DK/rp

REVERE PUBLIC SCHOOL SYSTEM ANTI-HARASSMENT POLICY

I. General Statement of Policy

The Revere Public Schools (RPS) is committed to providing faculty, staff, and students with a learning and working environment that is free from harassment (verbal and/or physical) based on gender, gender identity, race, religion, national origin, ethnic background, age, sexual orientation, or disability. The goal is to maintain a school climate that is conducive to learning, and therefore supportive and respectful.

The purpose of this policy is not merely to provide rules to prohibit inappropriate behavior, but also to educate members of the school community as to what types of interaction are consistent with our community's sense of dignity and respect.

For the purposes of this policy, members of the school community include all administrators, teachers, pupils, and all other school personnel. It is a violation of this policy for any member of the school community to harass, in any way, any other member of the school community on school grounds, during school activities, en route to or from school, either personally or electronically. The Revere Public Schools will investigate all complaints, formal or informal, verbal or written, of harassment. The Revere Public Schools will discipline, or take appropriate action against, any member of the school community who is found to have violated this policy.

It is the responsibility of all members of the school community to treat each other respectfully. In addition, all members are expected to become familiar with this anti-harassment policy and to abide by it.

II. Definition of Types of Harassment and Examples

A. General Definition of Harassment

"Harassment" is defined as conduct that:

1. is so severe, persistent or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity, or an employee's ability to undertake his/her job responsibilities, or creates an intimidating, hostile, threatening or abusive educational or work environment; or,
2. interferes with a student's academic performance or learning opportunities; or interferes with an employee's work, continued employment or advancement opportunities.

Harassment of any kind, including bullying and teasing, will not be tolerated.

B. Bullying

1. *Definition*

Bullying is defined as the act of one or more individuals deliberately and repeatedly humiliating, hurting, or frightening others through verbal, physical, written interactions or other communications. Bullying can take many forms and occur in virtually any setting. It can create unnecessary and unwarranted anxiety that will affect attending and participating in school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extra-curricular activities, or riding on the bus to and from school each day.

2. *Examples*

- Teasing that humiliates or hurts another
- Intimidation, either physical or psychological

- Threats of any kind, stated or implied
- Assaults on students, including those that are verbal, physical, psychological, or emotional
- Attacks on students' belongings

C. Sexual Harassment

1. *Definition*

"Sexual harassment" is defined as unwelcome sexual advances, conduct that is severe, pervasive, and objectively offensive that it denies educational access, requests for sexual favors and/or other verbal conduct or communications of a sexual nature.

Sexual harassment can occur adult to student, student to adult, adult-to-adult, student-to-student, male to female, female to male, female to female, and/or male to male. Sexual harassment can be based on gender, gender identity, or sexual orientation.

2. *Examples*

- Telling sexual jokes or stories
- Making sexual comments about a person's clothing, anatomy, or appearance
- Repeatedly asking out a person who is not interested
- Telling lies, spreading rumors, or gossiping about any person's sexual life
- Whistling, catcalls, making kissing sounds, smacking lips
- Name-calling, teasing, or other derogatory or dehumanizing remarks involving sex, gender, gender identity or sexual orientation
- Following a person or blocking a person's path
- Drawing or displaying sexually explicit or suggestive posters, cartoons, pictures, calendars, designs on clothing, or other similar materials
- Staring or leering with sexual overtones, making sexual gestures with hands or body movements
- Giving unwanted gifts of a personal or suggestive nature
- Unwanted touching of people, their hair, or their clothing
- Unwanted hugging, kissing, pinching, patting, or stroking
- Assault, attempted rape, or rape

D. Teen dating violence

1. *Definition*

Teen dating violence is actual or threatened psychological, physical, sexual, or economic abuse of an individual by someone with whom s/he is on a date, or with whom s/he has, or has had, an intimate relationship. The specific behaviors covered by this definition range from verbal and emotional abuse, to physical assault, to rape and murder.

2. *Examples*

Any sexually harassing behaviors that occur within the context of a dating or intimate relationship context are examples of teen dating violence. In addition, the following behaviors are also examples of teen dating violence:

Verbal/Nonverbal/Written:

- Use of put-downs, insults, name-calling, swearing, or offensive language
- Screaming or yelling at another
- Making threats, being intimidating or getting friends to threaten or scare another

Commented [RG1]: The new regulations narrowed the definition of sexual harassment into three categories. Under the new regulations, one category of sexual harassment is unwelcome conduct that is severe, pervasive **and** objectively offensive that it denies educational access. This deviates from prior guidance issued by the DOE that previously stated that the conduct had to be severe, pervasive **or** objectively offensive.

Physical:

- Hitting, punching, pinching, pushing, shoving, grabbing, slapping, kicking, choking, pulling hair, biting, throwing things, arm-twisting
- Intimidation, blocking exits, punching walls, knocking things around
- Damaging or destroying another's property
- Restraining, pinning someone to the wall, blocking someone's movements
- Stalking of an individual by someone who maintains unwanted physical proximity, though not necessarily visible, causing that individual emotional and/or physical discomfort

E. Harassment based on race, color, national origin, religion or disability

1. *Definition*

Harassment on the basis of race, color, national origin, religion or disability is unwelcome verbal, written, or physical conduct relating to the characteristics of a person's race, color, national origin, religion, or disability that:

- a. unreasonably interferes with an individual's educational or work performance; or
- b. creates an intimidating, hostile, or offensive educational or work environment.

2. *Examples of harassment based on race or color*

- Using nicknames that emphasize racial stereotypes
- Graffiti containing racially offensive language
- Name-calling, teasing, or other derogatory or dehumanizing remarks involving race or color
- Racial slurs, negative stereotypes, and hostile acts which are based upon another's race or color
- Written or graphic material containing racial comments or stereotypes which is posted or circulated and which is aimed at degrading members of specific racial or ethnic groups
- Physical acts of aggression or assault upon another because of, or related to, race or color

3. *Examples of harassment based on national origin or religion*

- Comments on a manner of speaking or proficiency with the English language
- Negative comments regarding surnames, customs, and/or language
- Graffiti containing offensive language which is derogatory to others because of their national origin, ethnicity, or religion
- Name-calling, teasing, or other derogatory or dehumanizing remarks involving national origin or religion
- Threatening or intimidating conduct directed at another because of the other's national origin, ethnicity, or religion
- Jokes or rumors based upon an individual's national origin, ethnicity, or religion
- Written or graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of specific ethnic or religious groups
- Physical acts of aggression or assault upon another because of, or related to, national origin, ethnicity, or religion

4. *Examples of harassment based on disability*

Disability harassment includes harassment based on a person's disabling mental and/or physical condition and includes any unwelcome verbal, written, or physical conduct directed at the characteristics of a person's disabling condition.

- Imitating manner of speech or movement
- Interfering with necessary equipment

- Bullying
- Name-calling, teasing, or other derogatory or dehumanizing remarks involving physical and/or mental disability
- Threatening or intimidating conduct directed at another because of the other's physical and/or mental disability
- Jokes or rumors based on an individual's physical and/or mental disability
- Physical acts of aggression or assault upon another because of, or related to, an individual's physical and/or mental disability
- Other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical and/or mental disability

The above referenced descriptions of inappropriate conduct represent examples, and are not intended to serve as an all inclusive list.

If you are unsure as to whether you have been a victim of any form of harassment, or if you have knowledge of an incident of harassment, you must contact your school principal, equity coordinator, or other appropriate school staff member with any questions that you may have.

III. Procedures for Reporting and Investigating Complaints

A. Reporting Complaints

Any member of the school community who believes that s/he has been the victim of harassment (as defined above) by an administrator, teacher, pupil, visitor, or other personnel of the Revere Public Schools, or who has knowledge of any of the above, must report the alleged acts as soon as possible.

A harassment complaint may be made to the principal, equity coordinator, or any other school personnel with whom the complainant feels comfortable. The equity coordinator is a member of the faculty from each Revere Public School who has received additional training to deal with issues of harassment. Each building principal shall provide the name of the equity coordinator, when such information is requested. If the report is made to someone other than the principal, it becomes the responsibility of that person to report the complaint to the principal in writing using the forms that are available in every principal's office or in the Office of the Superintendent of Schools.

If the complaint involves a staff member, the complainant should file their report with either the building principal; Dr. Dianne Kelly, the superintendent of schools (781-286-8226); or the Title IX/Chapter 622 coordinator at 101 School Street, Revere, MA.

Commented [DK2]: Updated name

Upon receiving a complaint, whoever receives it, will immediately notify the building principal, who will oversee an investigation and who will serve as the complaint hearing officer. The building principal or designee will address the concern in a timely manner. Within five (5) working days, the principal will forward all formal complaints to the Title IX/Chapter 622 Coordinator and, if warranted, the superintendent of schools.

B. Investigation

The principal or designee will consider every report of harassment seriously and will investigate all reports in a timely manner. The Title IX/Chapter 622 Coordinator and other staff will assist the school hearing officer, as needed, in the investigative procedures and identification and delivery of all necessary services to concerned individuals.

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The investigation may consist of personal interviews with the complainant, the alleged harasser, and any other individuals who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The respondent (alleged harasser) will receive written notice of the allegations before an investigatory interview. In determining whether alleged conduct constitutes a violation of this policy, the principal or designee should consider the surrounding circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing patterns of behavior, and the relationships between the parties involved. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances. Special care will be taken to make sure that the person(s) accused of harassment has full and fair opportunity to explain his/her side of the story. Throughout the course of the investigation, the complainant and respondent will be given equal opportunities and time to present and respond to evidence.

Commented [RG3]: he new regulations require that the alleged harasser, referred to as the respondent, receive written notice of the allegations before any investigatory interview.

Commented [RG4]: During the investigation, the complainant and respondent must have equal opportunities and time to present and respond to evidence.

Whenever possible, the principal will complete the investigation and report within twelve (12) school days after the complaint has been filed indicating whether the allegations have been substantiated as factual or not. Evidence will be evaluated and a decision will be made according to the preponderance of evidence standard. There will be no reprisal against the person filing the complaint whether or not the complaint is sustained. If the allegations are sustained, the principal, or in a case against an employee, the Superintendent (or designee) must take immediate corrective and/or disciplinary action to resolve the situation. Such action may include, but is not limited to, requiring an apology, direction to stop the offensive behavior, counseling or education, mediation (provided that the complainant and the respondent consent without compulsion), warning, suspension, exclusion, transfer, expulsion, or discharge. Informal resolutions (such as mediation) is not applicable to adult to student cases.

Commented [RG5]: A school district must now state in its complaint process the standard of proof that will be used to evaluate evidence. The school district may use a preponderance of the evidence standard (lower threshold) or a clear and convincing standard (higher threshold).

As soon as the investigation is completed, all formal records of harassment will be forwarded to the Title IX/Chapter 622 coordinator. Access to these records will be limited to the superintendent and the Title IX/Chapter 622 coordinator. Anyone who is disciplined under this procedure will have the right to appeal to the superintendent of schools within ten (10) working days of receipt of the concluding report.

This procedure does not limit an individual's ability to file a formal complaint with the Massachusetts Department of Elementary & Secondary Education, 75 Pleasant Street, Malden, MA 02148 (781) 338-3300, or with the United States Office for Civil Rights, John W. McCormack Post Office & Courthouse, Boston, MA 02109, (617) 223-9669, or within six (6) months, with the Massachusetts Commission Against Discrimination (MCAD) at One Ashburton Place, Rm. 601, Boston, MA 02108, (617) 727-3990.

Alleged abuse by a parent, guardian, school staff, or other caretaker will be reported to the Department of Children and Families according to school policy and procedure. If allegations warrant, the local law enforcement agency will be notified.

C. Confidentiality

The Revere Public Schools recognizes that both the complainant and the alleged harasser have strong interests in maintaining the confidentiality of the allegations and related information. The privacy of the complainant, the individual(s) against whom the complaint is filed, and all witnesses will be respected as much as possible, consistent with legal obligations to investigate.

In the event that students are involved in allegations as victim, perpetrator, or witnesses, the principal will notify the parents and/or guardians of the allegations in a timely manner using appropriate discretion in the notification.

IV. **Provision against retaliation**

Retaliation against a complainant or witnesses will not be tolerated. The Revere Public Schools will discipline or take appropriate action against any student, teacher, administrator or other school community member who retaliates against:

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- any person who reports alleged harassment
- any person who testifies, assists, or participates in an investigation of harassment
- any person who testifies, assists, or participates in a proceeding or hearing related to an allegation of harassment

Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

V. Dissemination of policy

This policy will be included in all handbooks (faculty and student) and will be made available in all main offices. Faculty members, parents and students will be informed of this policy annually. Faculty members will be trained in the identification and prevention of all of the types of harassment discussed in this policy. Students (K-12) will receive age-appropriate anti-harassment training.