

NEW SALEM/WENDELL SCHOOL COMMITTEE
POLICY ON SEXUAL HARASSMENT OF CHILDREN

Erving School Union #28 will not tolerate harassment of any child including harassment based on race, color, age, gender, gender identity, ethnicity, sexual orientation, religion, creed, ancestry, national origin, or disability.

POLICY STATEMENT:

It is the policy of Erving School Union #28 to maintain a school environment that is free from sexual harassment.

DEFINITION:

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and/or any verbal or physical contact of a sexual nature when:

- a. Such conduct has a purpose or effect (intended or unintended) of creating a hostile, humiliating, sexually offensive, or intimidating environment and/or interfering with an individual's positive school experience. Or
- b. Submission to such conduct is made a term or condition of a child's sense of physical or emotional safety or participation or success in school programs or activities.

Some examples of conduct which, in unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness are:

- Sexual epithets, jokes, gossip, or comments about a child's sex life or sexual orientation,
- Display of sexually suggestive objects, pictures, cartoons,
- Unwelcoming leering, sexual gestures, sexual touching

PROCEDURES:

Any child or parent of a child who believes that a child has been sexually harassed is strongly encouraged to make a report to the child's teacher or to the building principal, Assistant to the Superintendent or the Superintendent of Schools immediately.

These people are also available to discuss any concerns someone may have about sexual harassment and to provide information about our policy on sexual harassment and the complaint process.

Retaliation in any form against any child or adult who has filed a complaint relating to sexual harassment or who cooperates with an investigation of sexual harassment is forbidden by this organization.

RESPONSE:

The principal purpose of the school district's response to an allegation of sexual harassment is to ensure that each child has a sense of physical and emotional safety in school and, therefore, to ensure that any harassment which may be occurring stop and stop quickly. Because allegations of sexual harassment are taken seriously, they will be responded to speedily. Where it is determined that such inappropriate conduct has occurred, the district will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Investigations will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

The School District policy concerning reporting child abuse and Massachusetts law requires that teachers, nurses, school administrators, and others, who in their professional capacity to have reasonable cause to suspect that a child "is suffering serious physical or emotional injury resulting from abuse inflicted upon him including sexual abuse..." shall immediately report such condition to the Department of Social Services. In a case where such a report has been filed and screened in by the Department of Social Services, the investigation shall be the responsibility of the Department of Social Services or the investigators in the District Attorney's Office.

APPEALS:

If satisfaction is not achieved or if the complainant prefers to file an initial complaint at a higher level, a complaint or an appeal may be filed with the Assistant to the Superintendent of Schools, or with the Superintendent of Schools both of whom are at 18 Pleasant Street, Erving, MA 01344, (413) 423-3337.

These people are also available to discuss any concerns someone may have about sexual harassment and to provide information to you about our policy on sexual harassment and our complaint process.

If satisfaction is not achieved at that level or if it is appropriate to file an initial complaint at a higher level, a complaint or an appeal may be filed, out only in writing, to the school committee.

All School Committee complaints may be addressed to the School Committee Chairperson, 18 Pleasant Street, Erving, MA 01344

CONSEQUENCES:

Consequences for children responsible to sexual harassment will be age appropriate and may range from a reprimand to suspension and will be the decision of the principal in a manner consistent with statutory requirements.

This policy is not designed or intended to limit the districts authority to discipline or take remedial action with regard to employees' or children's conduct which the district deems unacceptable, regardless of whether that conduct satisfied the definition of sexual harassment.

First Vote: 9/4/97

Second Vote: 10/9/97

Review and Final Vote: 03-05-15