

ERVING SCHOOL COMMITTEE

HARASSMENT POLICY

Consistent with the District's Equal Employment Opportunity Policy, GBA, the District as a workplace shall welcome, respect and value people of all races, color, age, gender, ethnicity, sexual orientation, religions, creeds, ancestry, national origin, disability and veteran status. Harassment of any employees, volunteers or others associated with the District will not be tolerated. Harassment occurs when an individual is treated or spoken to in a discriminatory manner. There must be a pattern, persistence, or severity to make the harassing behavior unlawful; however, harassment need not rise to a standard of unlawfulness to be unacceptable in the workplace.

Any person who engages in actions deemed to be 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 harassment or against individuals for cooperating in an investigation of a harassment complaint will not be tolerated.

Because the School Committee takes allegations of harassment seriously, the District will respond promptly to complaints of harassment and, 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.

The Principal shall serve as the primary harassment grievance officer. He/she will be vested with the authority and responsibility of processing all harassment complaints in accordance with the procedure set out below. In the case that the harassment involves the Principal, or the aggrieved party feels uncomfortable disclosing the information to the Principal, the Superintendent shall serve as the temporary grievance officer. If the harassment involves the Superintendent, the Chairperson of the local school committee shall serve as the grievance officer.

Complaint Procedure:

1. Any member of the school community who believes that he/she has been subjected to harassment will report the incident(s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.
2. The grievance officer will first attempt to resolve the problem informally depending upon the severity of the issue and the positions of the parties involved. If the grievance officer perceives the situation to be amenable to informal resolution, he/she will use 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 witnesses.
 - b. The grievance officer will then attempt to meet with the charged party in order to obtain

- his/her response to the complaint.
- c. The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.
 - d. Based upon information gathered by the grievance officer, and if the parties agree, the grievance may be resolved informally as appropriate to the situation.
3. If the grievance officer is unable to resolve the matter informally he/she will initiate a formal process to:
- a. Obtain signed statements by witnesses as part of the formal record.
 - b. Report the incident formally in writing and transfer the written record to the Superintendent or his/her designee, and so notify the parties by certified mail.
 - c. Provide a copy of the complaint (and any written report and record) to the charged party provided that the charged party agrees to sign a release indicating that the documents received are confidential and will be released only to representation for the charged party. Retaliation by the charged party against the complainant or witnesses will be met with appropriate disciplinary action.
 - d. Determine what further evidence is necessary based upon the record and recommendations from the charging and charged parties. This should be done as soon as possible, but within 30 school days.
4. After reviewing the record made by the grievance officer, the Superintendent or designee may attempt to gather more evidence necessary to decide the case, and thereafter (within an additional 30 days) impose any sanctions deemed appropriate. 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 harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, the District will act promptly to eliminate the offending conduct.
5. The grievance officer, upon request, will provide the charging party with contact information for government agencies that handle harassment matters.

Reference:

Society for Human Resource Management

First Reading: 01-20-09

Second Reading, First Vote: 02-24-09

Final vote: 03-17-09