

Uniform Complaint Procedures for Harassment or Discrimination Claims

These procedures cover complaints alleging discrimination or harassment as described in Belmont Public School District's Harassment Policy. Please note that the District has separate procedures for responding to Sexual Harassment.

A. Compliance Coordinators

The following people have been designated to handle inquiries regarding these laws and may be contacted at 644 Pleasant Street, Belmont, MA 02478.

Coordinator of Title VI and Title IX:

Lucia Sullivan
Assistant Superintendent
(617) 993-5410

Coordinator of Section 504 for Students:

Kenneth Kramer
Director of Student Services
(617) 993-5440

Coordinator of Section 504 for Employment:

Michael McAllister
Director of Human Capital
(617) 993-5425

B. Reporting

A member of the Belmont Public School Community (student, employee, volunteer, intern, student teacher or visitor) who believes that he or she has been the target of harassment or discrimination, or who has knowledge of harassment or discrimination, should report incident(s) to any teacher, guidance counselor, or school administrator.

Any employee who witnesses, overhears, or receives information concerning an incident of harassment of or discrimination against students at school or during school-sponsored activities shall report it to the principal. If the incident involves the principal, the employee shall make the report directly to the Superintendent at 644 Pleasant Street, Belmont, (617) 993-5401.

Complaints will be kept confidential to the extent possible given the District's legal reporting requirements, and the need to respond to harassment.

C. Informal Resolution Procedure

Before initiating the formal procedure, a complainant has the option to resolve any complaint on an informal basis. The appropriate school administrator shall attempt within his/her authority, to work with the individual to resolve the complaint fairly and expeditiously within ten (10) working days of receiving the complaint.

If the complainant is not satisfied with the resolution, or if s/he/they does not choose informal resolution, the formal complaint process will be utilized.

D. Formal Resolution Procedure

Complainants are encouraged to report the incidents to the Compliance Coordinator, listed above, or to one of the following:

Students: to the Principal

Employees: to the Director of Human Capital

Other Community members: to the Superintendent

If the complaint concerns the Superintendent, a formal complaint may be directed to the Chair of the School Committee.

The complaint should state the name of the individual and the location where the alleged harassment or discriminatory practice occurred, the basis for the complaint and the corrective action sought. The complaint should be in writing or may be taken orally and reduced to writing by a designated staff member. All complaints, if not initially directed to the Superintendent shall be forwarded to the Superintendent within 24 hours of receipt.

E. Investigation

The administrator designated to receive and investigate complaints alleging harassment or discrimination shall promptly conduct an investigation which will include interviews with the individuals involved. The investigator may also contact any other persons who may have knowledge of the circumstances giving rise to the complaint, and may review all other relevant evidence.

The investigation shall be completed as soon as practicable and no later than thirty (30) calendar days following receipt of the complaint. The thirty (30) days may be extended for just cause. In such event, the investigator shall document the investigation's progress, the reason for extending the process beyond thirty (30) calendar days and an estimated number of additional days required to complete the investigation. The complainant shall be notified of the extension.

Upon completion of the investigation, the investigator shall decide if a violation of any District policy on harassment or discrimination has occurred and report that decision in writing, along with the evidence supporting it, to the Superintendent, or if the complaint involves the Superintendent, directly to the chair of the school committee, for appropriate action in accordance with school district disciplinary policy. The results of the District's investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties in accordance with state and federal laws regarding data or records privacy, and consistent with the privacy rights of the alleged harasser.

F. Resolution

The District shall impose disciplinary or remedial action as appropriate in order to ensure that further harassment does not occur. Such action may include, but is not limited to:

- For Students: counseling, awareness training, parent-teacher conferences, warning, suspension and /or expulsion
- For Employees: counseling, awareness training, transfer, suspension and or/termination
- For volunteers or others: Restriction of activities and/or termination from position

In determining an appropriate response to a finding that harassment in violation of this policy has occurred, the School District shall consider:

- What response is most likely to end any ongoing harassment?,
- Whether a particular response is likely to deter similar future conduct by the harasser or others,
- The amount and kind of harm suffered by the victim of the harassment,
- Past incidents or past continuing patterns of behavior;
- The relationship of the parties involved,
- The identity of the party who engaged in the harassing conduct, whether the harassment was engaged in by school personnel, and if it was, how the District can best remediate the effects of the harassment.

Action taken for violation of this policy will be consistent with the requirements of Massachusetts and federal law, School District policies and applicable collective bargaining agreements.

G. Retaliation

Retaliation for reporting harassment or cooperating in an investigation of harassment is a violation of Massachusetts law. Any person who retaliates against any individual who reports, testifies, assists, or participates in an investigation or hearing related to a harassment or discrimination complaint will be subject to appropriate action and /or discipline.

H. Record Keeping

A record of any complaint and investigation of harassment or discrimination as well as the disposition of the complaint and any disciplinary or remedial action will be maintained by the School District in a confidential file.

State & Federal Agencies

If a satisfactory resolution cannot be reached through either the informal or formal resolution procedures detailed above, the complainant has the right to take the complaint to an appropriate state or federal agency. Use of the District's complaint process does not prohibit the filing of a complaint with the agencies.

The District urges all individuals in the school community to bring any concerns or complaints of harassment to the attention of school personnel so that we can address them. If either party to the complaint is dissatisfied with the results or progress of the District's investigation, they may discuss this directly with the Superintendent of Schools.

The state agency responsible for enforcing laws that prohibit harassment in the workplace is the Massachusetts Commission Against Discrimination (MCAD), One Ashburton Place, Suite 601, Boston, MA 02108-1518; telephone (617) 994-6000; TTY Users (617) 994-6196. The time frame for filing a complaint with the MCAD is 300 days from the date of the most recent incident of alleged harassment. The state agency responsible for ensuring that Massachusetts public schools do not discriminate on the basis of protected characteristics is the Massachusetts Department of Elementary and Secondary Education (DESE), 75 Pleasant Street, Malden, MA 02148-4906; telephone (781) 338-3300; TTY Users (800) 439-2370. The MA DESE's Program Quality Assurance Services (PQA) accepts complaints when the alleged violation occurred no more than one year before PQA received the written complaint.

The Equal Employment Opportunity Commission (EEOC) is the federal agency that enforces federal laws prohibiting employment discrimination. The deadline for filing a complaint with the EEOC is within 300

days from the day of the alleged discrimination The EEOC is located at JFK Federal Bldg., 475 Government Center, Boston, MA 02203; (617) 565-3200 or (800) 669- 4000; TTY Users (800) 669-6820.

The US Department of Education's Office for Civil Rights (OCR) is a federal agency that enforces five federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age in programs or activities that receive federal financial assistance from the US Department of Education. In most cases, a complaint must be filed with OCR within 180 calendar days of the date of the alleged discrimination. OCR is located on the 8th Floor, 5 Post Office Square, Boston, MA 02109-3921; telephone (617) 289-0111, fax (617) 289-0150.

Updated: