FOSTERING A CULTURE & COMMUNITY OF RESPECT
OUR COMMITMENT

We are committed to employing cohesive whole school practices to

◆ **Combat discrimination, harassment, and bullying**
◆ **Effectively intervene**
◆ **Empower all members of our community**

In order to ensure a accessible, safe and secure learning and work environment FOR ALL

See also: Equal Educational Opportunities Act of 1974 (EEOA)
WHY PROVIDE ANNUAL REVIEW/TRAINING & INFORMATION FOR EMPLOYEES?

- Having informed employees helps foster a healthy work and learning environment.

- This training protects individuals and the District and ensures that all employees know their rights and responsibilities.

- Annual training is mandated by the State and Federal Department’s of Education. All employees are required to participate.
RESPONSIBILITIES OF SCHOOL PERSONNEL

- Be aware of the Civil Rights laws and mandates
- Know your District’s Discrimination/Harassment/Bullying Policies.
- Post the District’s Discrimination/Harassment Policy in all school classrooms and offices.
- Be alert to signs of student harassment and bullying.
- Challenge biased or disrespectful attitudes of and behavior by students and staff.
- Be sensitive to religious holidays and diverse cultures.
- Don’t tolerate discrimination, harassment, and bullying.
- Report all discrimination, harassment, and bullying to appropriate personnel.
School Personnel means EVERYONE!

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<tr>
<th>Volunteers/Chaperones</th>
<th>Teachers</th>
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<tbody>
<tr>
<td>Substitutes</td>
<td>Technology/Media Staff</td>
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<td>School Committee Members</td>
<td>Security/Student Supervisors</td>
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<td>Paraprofessionals</td>
<td>Nurses</td>
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<td>Facilities &amp; Farm Staff</td>
<td>Employers</td>
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<td>Counselors</td>
<td>Consultants/Contractors</td>
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<td>Administrators</td>
<td>Coaches</td>
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<td>Clerical Staff</td>
<td>Cafeteria Staff</td>
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<td>Bus Driver/Mechanics</td>
<td>Advisors</td>
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<td>Administrators</td>
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as well as Parents/Caregivers and Students
Severe or pervasive harassment or discrimination unlawfully denies a student or employee the advantages and privileges of school or work, creating a HOSTILE, HUMILIATING, INTIMIDATING and/or OFFENSIVE educational and employment environment.
DISABILITIES  
Title II/ADA/ IDEA  
Section 504

RACE, COLOR and NATIONAL ORIGIN  
(including EL/ESL)  
Title VI

GENDER/SEXUAL HARRASSMENT  
(including gender identity)  
Title IX

HOMELESS STATUS  
Title X  McKinney Vento
DISABILITIES
SECTION 504 OF THE REHABILITATION ACT OF 1973

“...no otherwise handicapped individual in the United States shall, solely by reason of his/her handicap,

- be excluded from participation in,
- be denied the benefits of, or
- be subjected to discrimination

under any program or activity receiving federal financial assistance.”

A disability is a mental or physical impairment that limits a person’s major life activity (e.g.: self-care, walking, seeing, learning, breathing, speaking, working)

NOTE: All students who have IEPs under the Individuals with Disabilities Education Act (IDEA) are also considered to be handicapped and protected under Section 504

Questions about eligibility and enforcement should be directed to Sandra Goldstein, Section 504 Coordinator
**Title II of the ADA** provides: “No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” 42 U.S.C. § 12132

Prohibits discrimination against:

→ Access to programs and facilities
→ *(FAPE)* Free appropriate public education for elementary and secondary students
→ Employment
In Massachusetts, special education is also governed by (MGL c. 71B)

Governs special education and special education services, evaluations, and IEPs, as well as, student discipline.

Staff is responsible to consult with Special Education Administration to consider referral for an evaluation if they suspect a student may have a disability that prevents access to the curriculum.

Janet Norris Director of Special Education
Sue Stevens, Special Education Coordinator
Protects against discrimination, exclusion from participation and denial of benefits based on race, color, and national origin.

This statute governs the education of English Language Learners (EL’s) and prohibits discrimination in student class assignments or ability tracking and protects English Language Learner (ELL) students.

To assure equal access to information disseminated in the school district, all written materials including forms, notices, handbooks and applications will be made available in the native language of families for whom the first language is not English. If you have a short notice or memo that needs to be translated, utilize on-line translations.

Janet Norris, ELL Coordinator
"No person in the United States shall, on the basis of sex, be

- Excluded from participation in
- Denied the benefits of or
- Subjected to discrimination under any education program...

Prohibits discrimination or harassment/sexual harassment on the basis of:

- Gender
- Gender Identity
- Sexual Orientation

Also Provides protections for:

- Pregnant & Parenting Teens
- Survivors of sexual harassment, assault, threats, abuse, bullying, stalking, and violence including teen dating violence
The issue of **Sexual Harassment** receives special treatment under both Massachusetts and federal law. Massachusetts law is more specific, including an additional definition of and protection against harassment in educational institutions based on sex.

**Sexual Harassment** can be based on: Gender Identity or Sexual Orientation

**Sexual Harassment** can be directed from:

- Male to female
- Female to male
- Male to male
- Female to female
- Student to student
- Student to employee
- Employee to student
- Employee to employee
Ensures the rights and protections for children and youth experiencing **homelessness** defined as students living in:

- Shelters,
- Motels,
- Vehicles,
- On the street,
- Living with relatives
- DCF Custody including foster care and kinship foster care

Homeless students have the right to stay enrolled in their school, automatically qualify for free lunch, be supported with transportation access, and receive the same services as all other students.

If you believe a student is homeless contact the Homeless Coordinator: **Sandra Goldstein, Guidance Director**
• In this School District **VIOLATIONS** of Civil Rights resulting in
  
  ➢ Hate Crimes
  ➢ Discrimination
  ➢ Harassment
  ➢ Sexual/Gender Harassment
  ➢ Hostile Environment
  ➢ Retaliation

**ARE UNACCEPTABLE AND WILL NOT BE TOLERATED**
A **Hate Crime** is

- Motivated in whole or in part by hatred or bias or

- Where the target is selected based on **his/her actual or perceived** differences:

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**Discrimination** occurs when

- An individual is treated differently and/or unfairly in an educational or employment context, solely on the basis of the individual's

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*Discrimination on the basis of sex shall include, but not be limited to,*

*Sexual Harassment.*
### HARASSMENT

**Harassment is**

- Oral
- Written
- Electronic
- Graphic
- Physical Conduct

- On school property or at a school-related activity
- Relating to an individual’s **actual** or **perceived**

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Sexual Harassment in educational institutions can be in the form of: Advances Requests Verbal or Physical Conduct

With the purpose or effect of unreasonably interfering with an individual’s education or employment by creating an environment that is

- Intimidating
- Hostile
- Humiliating or
- Sexually offensive.
Retaliation is any form of

- Intimidation
- Reprisal or
- Harassment

by a school community member directed at or against another school community member for:

- reporting or filing a complaint
- aiding or encouraging the filing of a report of complaint
- participating in an investigation under this policy or
- taking action consistent with this policy
**Hostile Environment** is a situation in which harassment or discrimination causes the school or work environment to be permeated with

- **Intimidation**
- **Ridicule or**
- **Insults**

That is *sufficiently severe or pervasive* to alter the conditions of the student’s education or the employee’s work environment.
EXAMPLES OF BEHAVIOR PROHIBITED BY POLICY

- **Verbal Conduct**
  Racial, ethnic, religious, sexual slurs, jokes, offensive noises, demeaning comments

- **Written Conduct**
  Symbols, text messages, graffiti, email/electronic content (messages, pictures, video)

- **Non-verbal Conduct**
  Threatening or suggestive gestures, stalking, staring

- **Visual Conduct**
  Sexually suggestive or provocative photos, objects, posters, sexting

- **Physical Contact**
  Unwelcome touching of person or clothing, physical intimidation

For additional examples see “Unlawful and Prohibited Conduct Defined” p.3-4 Discrimination & Harassment Policy at www.essexttech.net
LOCATIONS – ALL APPLY

✓ School Grounds

✓ Property immediately adjacent to school grounds

✓ At a school sponsored or school related activity, function or program (Prom, SKILLS, Topsfield Fair, Coop, Off Campus job site)

✓ School Bus Stop

✓ On School Bus or other vehicle owned, leased or used by the School District

✓ Through the use of Technology or Electronic Device

*Can be a location “not school related” or technology “not school owned, leased or issued”*
REPORTING REQUIREMENTS
HARASSMENT & DISCRIMINATION

- Any employee or student who believes he/she has been the target of harassment or discrimination should report it online or to the designated staff promptly.

- Any school employee, independent contractor, consultant, or school volunteer who becomes aware or has **REASONABLE BELIEF** that an incident has or **MAY HAVE** occurred on school property or in a school related activity, etc. whether such contact has been directed at him/her or some other person **MUST PROMPTLY REPORT** the alleged incident.

- **FAILURE OF AN EMPLOYEE TO REPORT AN INCIDENT OF DISCRIMINATION OR HARASSMENT MAY RESULT IN DISCIPLINARY ACTION**

- Any employee who knowingly makes a false accusation of discrimination, harassment or retaliation shall be subject to disciplinary action.
All **Employees, Contractors, Consultants, and Volunteers** who believe they are targets of discrimination/harassment or retaliation can report verbally or in writing.

**Online Reporting Form** ([www.essexttech.net](http://www.essexttech.net) - Quick Links)

*or to an*

- Immediate Supervisor*
- Administrator*
- Title VI/Title IX Coordinators
- Principal*
- Superintendent*

*who will in turn promptly inform a Title VI/Title IX Coordinator(s)*
Students who believe they are victims of discrimination/harassment or retaliation can report to verbally or in writing to any school employee*, including but not limited to:

- Teachers/Faculty/Coaches, etc.*
- Counselors/Nurses*
- Administrator*
- The Title VI/Title IX Coordinator(s)
- The Principal*

*who will in turn promptly inform a Title VI/Title IX Coordinator(s)

Students may also access the Online Reporting Form.
"Bullying", the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a

- written
- verbal
- electronic expression
- physical act or gesture or
- any combination thereof
SPECIFICALLY BULLYING

(I) Causes physical or emotional harm to the victim or damage to the victim's property

(ii) Places the victim in reasonable fear of harm to himself or of damage to his property;

(iii) Creates a hostile environment at school for the victim;

(iv) Infringes on the rights of the victim at school; or

(v) Materially and substantially disrupts the education process or the orderly operation of a school.

For the purposes of this section, bullying shall include cyber-bullying.
REPORTING

Students and staff who

- believe that they are a target of bullying,
- observe an act of bullying, or who
- have reasonable grounds to believe that these behaviors are taking place,

are OBLIGATED to report all possible incidents to a member of the school staff.
IF A STUDENT REPORTS A POSSIBLE BULLYING INCIDENT TO YOU

**DO NOT** tell them they are being bullied.

**DO NOT** use Aspen to report bullying.

**DO** let the student know **YOU** will inform their Assistant Principal.
WAYS TO REPORT BULLYING

- Staff members can report to AP in person
- Anonymous tip line at the district app
- Website: Families tab
  Bullying Prevention Policy link
- Website Quick Links
REPORTER – YOU ARE NOT THE INVESTIGATOR
Target, Witness or Confidant: Staff/School Personnel, Peer, Family Member, Community Member, Coop Employer, Coach, Advisor etc.

TARGET(s) /VICTIM(s)
A person against whom harassment, discrimination, bullying, cyber bullying or retaliation is alleged to have been perpetrated.

AGGRESSOR(s)/ PERPETRATOR(s)
A person who is alleged to have engaged in harassment, discrimination, bullying, cyber bullying or retaliation towards a target(s).

WITNESS(ES)

LOCATION/TIMING

BRIEF DESCRIPTION
INVESTIGATION PROCEDURES & ASSURANCES

- Reports can may be made **anonymously**.
  
  *No formal disciplinary action will be taken solely on the basis of an anonymous complaint.*

Investigators will:

- Maintain **confidentially** to the extent practicable.

- Employ **interim measures** to protect parties, prevent continuation of unacceptable behavior during investigation and prevent retaliation.

- Follow **timelines** and **reporting requirements** outlined in District policies and procedures.
Findings/Recommendations could include:

- **Corrective Actions** (e.g.: counseling, education, monitoring)
- **Discipline** (e.g.: technology restriction, loss of bus privileges, suspension)
- **Employment Consequences**

If the conduct violates the law or suggests a minor is at risk of abuse or neglect, the appropriate authorities will be notified e.g.:

- Sexual Abuse (Danvers Police and/or DCF)
- Child Pornography/Sexually Exploited Child (Danvers Police and/or DCF)
- Hate Crimes (Danvers Police).
WHERE DO I FIND THE REVISED ENSATSD/ETHS POLICY & PROCEDURES?

EFF. MARCH 2017

✓ www.essextech.net
✓ Student Handbook
✓ Employee Handbook

FALL 2017: Summary Posters in
✓ OFFICES
✓ CLASSROOMS & PROGRAM AREAS
✓ GYM & LOCKER ROOMS
Essex North Shore Agricultural & Technical School District

I am very pleased to welcome you to the Essex North Shore Agricultural and Technical District website. The creation of this school district, which opened in September 2014, represents the visionary work of leaders from our seventeen (17) member districts, along with the Department of Agriculture, in merging the North Shore Vocational School, Essex Agricultural High School, and programs from Peabody High School.
Shannon Donnelly, Gr 9 Asst. Principal

Jen Skane, Gr 10-12 Asst. Principal, East Academy

Don Gibson, Gr 10-12 Asst. Principal, West Academy

Brad Morgan, Principal
Title VI/ Title IX Coordinators

Mary Kroesser, Director of Human Resources
Sandra Goldstein, Director of Guidance

If allegations involve administration:
Brad Morgan, Principal
William H. Lupini, Superintendent/ Director
The intent of this training is not merely to provide rules or to prohibit inappropriate or illegal behavior but also to support and educate all members of our school community as to appropriate behavior, which is consistent with individual dignity, respect for others, and an appreciation for the diversity at Essex Technical High School and the Essex North Shore Agricultural and Technical School District.

Embrace Differences, Welcome Differences