

## Non Discrimination Statement

It is the policy of the Franklin Public Schools to provide a learning and working environment free from discrimination and harassment. Staff, student or third party complaints of discrimination or harassment based upon race, color, creed, religion, ancestry, national origin, sex, gender identity or expression, sexual orientation, marital status, genetic information, disability, pregnancy or a related condition, veteran status, age, or homelessness should be brought to: [Discrimination/Harassment Complaint Coordinator](#), 350 East Central Street, Franklin, Massachusetts.

A student who believes that he/she is the victim of harassment may also report the matter to a teacher, counselor, or administrator who in turn will notify the Building Principal in the school. As an alternative, a student may report directly to the Building Principal or the [District's Discrimination/Harassment Complaint Coordinator](#).

All employees of the Franklin Public Schools must respond to suspected harassment and to complaints by students of harassment by notifying the building principal or his/her designee. Employees are expected to take every report of discrimination or harassment seriously and to understand the reporting procedures.

The policy and procedures set forth herein shall apply to complaints pursuant to state and federal laws, including: Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans With Disabilities Act; and Massachusetts General Laws, Chapter 151B.

The Franklin Public Schools strictly enforces a prohibition against harassment and discrimination, sexual or otherwise, of any of its students or employees by anyone, including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of the Franklin Public Schools and its commitment to equal opportunity in education and employment.

Discrimination and harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as race, color, creed, religion, ancestry, national origin, sex, gender identity or expression, sexual orientation, marital status, genetic information, disability, pregnancy or a related condition, veteran status, age, or homelessness. The Franklin Public Schools will not tolerate harassing or discriminatory conduct that affects employment or educational conditions, that interferes unreasonably with an individual's school or work performance, or that creates an intimidating, hostile, or offensive work or school environment. Discrimination and/or harassment of employees or students occurring in the schools or workplace is prohibited by law and will not be tolerated by the Franklin Public Schools. For purposes of this policy, "workplace" or "school" includes school-sponsored social events, trips, sports events, work-related travel or similar events connected with school or employment. Further, any retaliation against an individual who has complained about discrimination, harassment or retaliation; or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment or retaliation

complaint is similarly unlawful and will not be tolerated. Claims of retaliation will be investigated pursuant to this policy and procedures.

The Franklin Public Schools takes allegations of discrimination and harassment seriously and will respond promptly to complaints by taking interim steps to protect the complainant and the school community from further discrimination and/or harassment and by conducting a timely, thorough and impartial investigation. Where it is determined that inappropriate conduct has occurred, the Franklin Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school-related discipline. All actions taken will have the intention of minimizing the burden on the complainant and providing due process rights to those persons involved.

### Procedures

All grievances shall be processed in a fair, expeditious and confidential manner. When a complaint of discrimination or harassment is made, the following investigative and appeal procedures will be followed:

#### Step 1: Reporting, Investigation and Response

Complaints may be made verbally or in writing to the [Coordinator](#) or his designee, who has authority to investigate all grievances. Complaints should be made promptly, within a short time after the occurrence giving rise to the complaint, to assure a prompt investigation and fair resolution. All complaints will be thoroughly investigated. Both the complainant and the subject of the complaint will be interviewed and given a full opportunity to state their case through the presentation of witnesses and other evidence. Witnesses and other persons relevant to the complaint, if any, will also be interviewed. A record will be kept of each investigation.

The complaints will be investigated within a reasonable time, usually not to exceed thirty (30) school days after the complaint has been received. When more than thirty (30) school days is required for the investigation, the [Coordinator](#) or his designee shall inform the employee or student who filed the complaint that the investigation is still ongoing. Both the complainant and the subject of the complaint will be informed of the result of the investigation, in writing in a manner consistent with federal and state law. If the complaint is substantiated, the [Coordinator](#) will refer the matter to the proper supervisor or administrator for appropriate responsive measures, including but not limited to disciplinary action. For students, discipline will be imposed consistent with the student code of conduct and state laws and regulations. Discipline of school staff will be consistent with collective bargaining procedures, if applicable, and may include reprimand, suspension from employment, or employment termination. Responsive measures will include any steps necessary to prevent the recurrence of any discrimination and/or harassment and will include corrective action aimed at eliminating any discriminatory effects on the complainant and others, as appropriate.

In certain cases, harassment and, in particular, sexual harassment of a student may constitute child abuse under Massachusetts law. The Franklin Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse. The Franklin Public Schools will also report instances of harassment that may involve a crime in a manner consistent with the MOU between the Franklin Public Schools and the Franklin Police Department.

## Step 2: Appeal

In the event a complainant or subject of a complainant disputes the results of the investigation or resolution, he or she may further appeal to the Superintendent within ten (10) school days of the [Coordinator's](#) decision. Any request for appeal shall be made in writing.

The Superintendent shall meet with the parties to hear the appeal, and shall review the records of the investigation. The Superintendent shall issue a decision within ten (10) days of the hearing. The Superintendent's decision shall be final.

Nothing in this policy or procedure shall be deemed to affect a grievant's right to other remedies at law, including administrative appeals or lawsuits. Administrative agencies with jurisdiction in these matters include:

The Massachusetts Commission Against Discrimination ("MCAD")

One Ashburton Place, Room 601  
Boston, MA 02108  
(617) 727-3990

The U.S. Department of Education, Office for Civil Rights

5 Post Office Square 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
(617) 289-0111

Massachusetts Department of Education

75 Pleasant Street  
Malden, MA 02148  
(781) 388-3300

The U.S. Equal Employment Opportunity Commission ("EEOC")

One Congress Street - 10th Floor  
Boston, MA 02114  
(617) 565-3200