



WEYMOUTH SCHOOL COMMITTEE

Policy Sub-Committee

Rebecca Shangraw
Tracey Nardone
Carrie Palazzo
John Sullivan (ex officio)

Meeting Minutes

Meeting Date: October 11, 2022

Meeting Time: 6:00pm

Meeting Location: Administration Conference Room, 111 Middle Street, Weymouth, MA 02188

Members Present: Dr. Shangraw, Ms. Nardone, Ms. Palazzo

Members Absent: Dr. Sullivan (ex officio)

Administration Representative(s) Present: Melanie Curtin

The meeting was called to order at 6:02pm.

The sub-committee reviewed MASC-recommended updates to the following policies:

JIC – Student Discipline

AC – Non Discrimination including Harassment and Retaliation

AC-R – Non Discrimination including Harassment and Retaliation

GBA – Equal Employment Opportunity

GCF – Professional Staff Hiring

JB – Equal Educational Opportunities

KCD - Public Gifts to the Schools

Dr. Shangraw motioned for the sub-committee to vote on a favorable recommendation to bring the updated policies listed above to the full School Committee for three readings. Tracey Nardone seconded the motion. Unanimous vote – yes.

Next, the sub-committee took up MASC-recommended updates to the following policies:

JFBB – School Choice (to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law)

JFBB-1 – School Choice (**not** to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law)

Whereas 1) it would not make sense to include both JFBB and JFBB-1 in the WPS policy manual, and 2) WPS' practices align best with JFBB-1, Dr. Shangraw motioned for the sub-committee to vote on a favorable recommendation to bring JFBB-1 to the full School Committee for three



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readings. The updated JFBB-1 policy would replace the Committee's current JFBB policy. Tracey Nardone seconded the motion. Unanimous vote – yes.

At 6:35pm, Ms. Nardone made a motion to adjourn the meeting. Ms. Palazzo seconded. Unanimous vote to adjourn.

Attachments:

JIC – Student Discipline

AC – Non Discrimination including Harassment and Retaliation

AC-R – Non Discrimination including Harassment and Retaliation

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JFBB-1 – School Choice (**not** to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law)

October, 2022: MASC Updated MASC Model Policies

In response to recent updates in federal law, new guidance issued at the federal level, and recent action taken by the 192nd General Court of the Commonwealth of Massachusetts: Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles), MASC Field Staff have updated the following policies to reflect the new requirements and guidance. These policies have been updated in the MASC online reference manual.

JIC – Student Discipline – includes a reference to recently issued federal guidance pertaining to student discipline and Section 504 of the Rehabilitation Act of 1973, ensuring that students are effectively supported when responding to a behavior that is based on a student’s disability that could lead to student discipline, and a legal reference to Chapter 222, An Act Relative to Student Access to Educational Services and Exclusion from School.

- Chapter 222 An Act Relative to Student Access to Educational Services and Exclusion from School
- Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 *and*
- Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's (IDEA's) Discipline Provisions.

AC Non Discrimination including Harassment and Retaliation - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

AC-R Non Discrimination including Harassment and Retaliation - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

GBA Equal Employment Opportunity - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

GCF - Professional Staff Hiring - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

JB - Equal Educational Opportunities - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

JFBB - School Choice - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

JFBB-1 - School Choice - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

KCD – Public Gifts to the Schools - to more explicitly clarify districts’ responsibilities under MGL.

STUDENT DISCIPLINE

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication to be made available to students and parents/guardians.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

Suspension

In every case of student misconduct for which suspension may be imposed (except for offenses referenced in the note at the end of this policy), a Principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

Notice of Suspension:

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent/guardian oral and written notice, and provide the student an opportunity for a hearing and the parent/guardian an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to student and parent/guardian in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent/guardian present, the Principal must be able to document reasonable efforts to include the parent/guardian.

Emergency Removal

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or

disruption. The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation; Provide written notice to the student and parent/guardian as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent/guardian an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent/guardian; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

In School Suspension – not more than 10 days consecutively or cumulatively

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

Principal's Hearing – Short Term Suspension of up to 10 days

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent/guardian of the determination and the reasons for it, and, if the

student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

Principal's Hearing – Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's/guardian's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent/guardian requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent/guardian upon request.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent/guardian by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the Principal and the parent/guardian.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing

the decision, including that the student or parent/guardian must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent/guardian may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

Superintendent's Hearing

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent/guardian shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing – Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent/guardian in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent/guardian and Superintendent to participate. The Superintendent shall send written notice to the parent/guardian of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent/guardian upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

Expulsion

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault

on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Academic Progress

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other schoolwork as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent/guardian of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents/guardians of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent/guardian and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

Reporting

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

SOURCE: MASC – August 2022

LEGAL REF: M.G.L. [71:37H](#); [71:37H ½](#); 71:37H ¾; 76:17

603 CMR 53.00

[Chapter 222 An Act Relative to Student Access to Educational Services and Exclusion from School](#)

[Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973](#) and

[Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's \(IDEA's\) Discipline Provisions.](#)

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, S. 37H or 37H½. The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereon.

Chapter 222, An Act Relative to Student Access to Educational Services and Exclusion from School, addresses continuation of educational services for students when they are excluded from school.

New Federal Guidance related to Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 that students are effectively supported when responding to behavior that is based on a student's disability that could lead to student discipline has been added as a legal reference.

NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Weymouth School Committee and Weymouth Public Schools are committed to maintaining an education and work environment for all school community members. that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Weymouth Public Schools.

Weymouth Public Schools does not exclude from participation, deny the benefits of WPS from or otherwise discriminate against, individuals on the basis of race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.
6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Weymouth Public Schools requires all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

LEGAL REFS: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)
M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)
[Acts of 2022, Chapter 117](#) (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF: ACE, Non-Discrimination on the Basis of Disability
ACAB, Sexual Harassment
GBA, Equal Employment Opportunity
IJ, Instructional Materials
JB, Equal Educational Opportunities

SOURCE: MASC August 2022

NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

WPS will respond promptly to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, WPS will act promptly to eliminate the conduct and will impose developmentally-appropriate disciplinary, restorative, and/or corrective action.

Any member of the school community who is found, after investigation, to have engaged in any form of discrimination, including harassment or retaliation, against another member of the school community, will be subject to consequences determined appropriate by the administration. Such consequences may include restorative measures and corrective action, and/or student discipline or staff disciplinary action, up to and including termination of employment.

Definitions

"Discrimination" and "Harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Discrimination and/or harassment includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of __PS; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment.

"Title IX Sexual Harassment" (effective August 14, 2020) means verbal, physical or other conduct that targets a person based on their sex, and that satisfies one or more of the following:

- A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity;
- Any instance of "sexual assault", "dating violence", "domestic violence", or "stalking", as those terms are defined by the Clery Act (20 U.S.C. 1092(f)(6)(A)(v)) and the Violence Against Women Act (34 U.S.C. 12291(a)(8), (10) & (30)).

Allegations of Title IX Sexual Harassment shall be reported and investigated pursuant to the Weymouth Public Schools Protocol for Investigating Sexual Harassment and Retaliation Pursuant to Title IX.

Resources

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment Coordinator, and Grievance Officer for the School Committee, administration, faculty, staff, volunteers in the schools, and for parties who are contracted to perform work for the Weymouth Public Schools, and can be reached at:

Position
Address
Phone

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students in the Weymouth Public Schools. In addition, the [POSITION] is the District 504 Coordinator, and can be reached at:

Position
Address
Phone

Inquiries concerning the Weymouth Public Schools' policies and protocols, compliance with applicable laws, statutes, and regulations, and complaints may also be directed to the Director of Human Resources. Inquiries about laws, statutes, regulations and compliance may also be directed to the Massachusetts Department of Elementary and Secondary Education or the Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Suite 900, Boston, MA 02109; (617) 289-0111; Email: OCR.Boston@ed.gov; Website: www.ed.gov/ocr

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972
Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)
M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)
[Acts of 2022, Chapter 117](#) (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF: ACE, Nondiscrimination on the Basis of Disability
ACAB, Sexual Harassment
GBA, Equal Employment Opportunity
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[Title IX Sexual Harassment Grievance Procedure](#)
[Civil Rights Grievance Procedure](#)

SOURCE: MASC August 2022

EQUAL EMPLOYMENT OPPORTUNITY

The School Committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the District who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their *race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

SOURCE: MASC August 2022

LEGAL REF.: M.G.L. 151B:4;

BESE Regulations 603 CMR 26:00

Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF.: [AC](#), Nondiscrimination

NOTE: Although it is not usually necessary to have a policy that simply restates existing law, in this case it is important to reaffirm the School Committee's commitment to equal opportunity and to remind the hiring authorities in the District that many considerations other than District educational goals are factors to be considered.

This is also the category in which to include an affirmative action policy and plans. Details of the affirmative action plan could follow the Committee's policy as a School Committee-approved procedure. The cross references are to related statements in this manual.

PROFESSIONAL STAFF HIRING

Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will be based upon awareness to candidates who will devote themselves to the education and welfare of the children attending the schools.

It is the responsibility of the Superintendent, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the school district and to locate suitable candidates. No position may be created without the approval of the School Committee. The District's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children

It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the Committee for the type of position for which the nomination is made.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions, for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal) is directed to establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee, a representative screening committee may be established by the School Committee, or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making their recommendation to the School Committee.

SOURCE: MASC August 2022

LEGAL REFS.: M.G.L. [69:6](#); [71:38](#); [71:38G](#); [71:39](#); [71:45](#)

Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994

BESE Regulations 603 CMR [7:00](#), [26:00](#), and [44:00](#)

Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

NOTE: School Committees may determine the size and composition of the screening committee.

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their *race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, support services, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Elementary and Secondary Education in compliance with this law will be followed.

SOURCE: MASC - August 2022

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Title IX, Education Amendments of 1972

M.G.L. [76:5](#); [76:16](#) (Chapter 622 of the Acts of 1971)

603 CMR [26:00](#), 603 CMR [28.00](#)

The McKinney-Vento Act and Title I Part A, as Amended by the Every Student Succeeds Act of 2015

Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF.: [AC](#), Nondiscrimination

NOTE: The cross reference is to a related statement in this manual.

SCHOOL CHOICE

It is the policy of this School District to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law and under the following local conditions:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, if consideration is being given to withdraw from the provisions of the choice law, a public meeting will be held to review this decision.
3. That the selection of non-resident students for admission be in the form of a random drawing when the number of requests exceeds the number of available spaces. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
4. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the District until graduation from high school except if there is a lack of funding of the program.
5. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of *race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law, academic performance or proficiency in the English language.

SOURCE: MASC - August 2022

LEGAL REFS.: M.G.L. [71:6](#); [71:6A](#); [76:6](#); [76:12](#); [76:12B](#)

603 CMR [26:00](#)

[Acts of 2022, Chapter 117](#) (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

SCHOOL CHOICE

It is the policy of this school district **not** to admit nonresident students under the terms and conditions of the Interdistrict School Choice Law. This decision must be reaffirmed annually prior to June 1st by a vote of the School Committee following a public hearing. In the event the School Committee votes to participate, the following local conditions would apply:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, a public hearing will be held to review participation in the school choice program.
3. That the selection of nonresident students for admission when the number of requests exceeds the number of available spaces be in the form of a random drawing. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
4. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the district until graduation from high school except if there is a lack of funding of the program.
5. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of *race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law, academic performance or proficiency in the English language.

SOURCE: MASC - August 2022

LEGAL REFS.: M.G.L. [71:6](#); [71:6A](#); [76:6](#); [76:12](#); [76:12B](#)

603 CMR [26:00](#)

Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

PUBLIC GIFTS TO THE SCHOOLS

In accordance with state law, all grants and gifts to the District shall be reviewed and accepted by the School Committee before expenditure or use. In the case of gifts from industry, business, or special interest groups, no extensive advertising or promotion may be involved in any donation to the schools.

Gifts will automatically become the property of the school district. Any gift of cash, regardless of donor intent, will be accepted by vote of the School Committee kept separate from the general fund, and expended at the discretion of the Committee, as provided by law.

The Committee directs the Superintendent to assure that an appropriate expression of thanks is given all donors.

LEGAL REF.: M.G.L. 44:53A, 71:37A

CROSS REF: DD, Grants, Proposals, and Special Projects
GBEBD, Online Fundraising and Solicitation--Crowdfunding