

Martha's Vineyard Public Schools (Chilmark Elementary School, Edgartown Elementary School, Oak Bluffs Elementary School, Tisbury Elementary School, West Tisbury Elementary School, Martha's Vineyard Regional High School) Anti-Bias and Anti-Discrimination Policy

POLICY STATEMENT:

The Martha's Vineyard Public Schools believes for a school community to be truly healthy, it must be guided by the values of multicultural inclusion, respect, and equality, and it must provide a safe, respectful, and supportive learning environment in which all students can thrive and succeed in its schools. The Martha's Vineyard Public Schools prohibits discrimination on the basis of race, color, sex, gender identity and expression, religion, national origin, sexual orientation, disability, or homeless status and ensures that all students have equal rights of access and equal enjoyment of the opportunities, advantages, privileges, and courses of study available at the Martha's Vineyard Public Schools. No person shall be excluded from or discriminated against in admission to a public school of any member town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity and expression, religion, national origin, sexual orientation, disability, or homeless status.

In June 2012, the Massachusetts Board of Elementary and Secondary Education (Board) adopted revised Access to Equal Education Opportunity Regulations, 603 CMR 26.00, and Charter School Regulations, 603 CMR 1.00, to reflect the broadened student anti-discrimination provision in G.L. c. 76, §5. The Board also directed the Department of Elementary and Secondary Education (Department) to provide guidance to school districts to assist in implementing the gender identity provision.

The Martha's Vineyard Public Schools will adhere to the Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment, which is referenced and linked here: <http://www.doe.mass.edu/sfs/lgbtq/GenderIdentity.html>, as well as the March 24, 2015, Massachusetts Board of Elementary and Secondary Education's "Principles for Ensuring Safe and Supportive Learning Environments for Lesbian, Gay, Bisexual, Transgender, Queer, and Questioning (LGBTQ) Students." The principles are summarized below.

1. Schools must have policies, and update them as needed, protecting all students from harassment, violence, and discrimination.
2. Schools must include content about violence and suicide prevention related to LGBTQ students in their required training for school personnel.
3. Schools are encouraged to offer school-based groups for LGBTQ and heterosexual students.
4. Schools are encouraged to provide support for family members of LGBTQ students.
5. School districts are encouraged to designate a staff member who is proficient in issues related to sexual orientation and gender identity.
6. Schools, through their curricula, shall encourage respect for the human and civil rights of all individuals.

7. Schools are encouraged to provide age-appropriate information about LGBTQ issues in school libraries and in student and faculty resource centers.
8. Schools are encouraged to have a diverse workforce.
9. Schools are encouraged to review academic and nonacademic policies and procedures, and available data, to identify issues or patterns that may create barriers to a safe and successful learning experience for all students.

The complete MA DESE Principles can be found using the following link:
<http://www.doe.mass.edu/sfs/lgbtq/Principles-SafeEnvironment.html>.

All students need a safe and supportive school environment to progress academically and developmentally. Administrators, faculty, staff, and students each play an important part in creating and sustaining that environment. The above referenced principles and guidance is intended to help school and district administrators take steps to create a culture in which transgender and gender nonconforming students feel safe, supported, and fully included, and to meet each school's obligation to provide equal educational opportunities for all students, in compliance with G.L. c. 76, §5 and the state regulations.

The members of the Martha's Vineyard Public Schools system believe in the importance of a safe climate where communication between adults and students is encouraged and supported, and where conflict is managed and mediated constructively. In a climate of safety, students are willing to break the unwritten, but powerful "code of silence." When students know that harassment, intimidation, and bullying will not be tolerated, they are more likely to turn to trusted adults for help in resolving problems without the feeling that they are "ratting," "tattling," or "telling" on a peer. By encouraging responsible bystander behavior in students, serious problems will come to adult attention earlier, and can be addressed and mediated more effectively.

Martha's Vineyard Public Schools employees, students, and volunteers who witness or have reliable information about a student being subjected to harassment, intimidation, or bullying, whether verbal or physical, are encouraged to report these incidents. We encourage all Martha's Vineyard Public Schools professionals to be actively engaged in the struggle to end oppression, to prevent bias-related violence in our school communities, and to take action to eradicate injustice.

PURPOSE:

Discrimination, harassment, intimidation, and bullying of students by other students, and/or staff will not be tolerated in the Martha's Vineyard Public Schools system.

SCOPE:

This policy is in effect while students are on school grounds, school district property, or property within the jurisdiction of the school district, school uses, or while students are engaging in school-sponsored activities.

DEFINITIONS:

Harassment prohibited by the district includes, but is not limited to, harassment on the basis of race, color, creed, sex, gender identity and/or expression, sexual orientation, marital status, age, religion, or disability. Harassment means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb, or trouble students, and that has the effect of insulting or demeaning a student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Included in this definition are any words, acts, or gestures reasonably perceived as being motivated by a student's height, weight, socio-economic status, or any other distinguishing characteristic. This category is geared to other things that make students stand out in a way that might target them as likely victims of bullies.

Harassment may include, but is not limited to:

- **PHYSICAL AGGRESSION:** physical harm or destroying property;
- **SOCIAL AGGRESSION:** rumors, racial slurs, or exclusion from a group;
- **VERBAL AGGRESSION:** name calling, teasing, or threatening, implied or explicit threats concerning one's grades, achievements, or other school matter;
- **INTIMIDATION:** phone calls, mean tricks, or taking possessions;
- **WRITTEN AGGRESSION:** threatening notes or graffiti;
- **ELECTRONIC HARASSMENT:** threats using various types of electronic means and forms of social media;
- **SEXUAL HARASSMENT:** comments or actions of a sexual nature that make the victim uncomfortable;
- **RACIAL AND CULTURAL (ETHNIC) HARASSMENT:** comments or actions containing racial or ethnic overtones (*direct or indirect*) that make the recipient uncomfortable.

CONSEQUENCES AND REMEDIAL ACTION:

- 1) The student who is the victim will be offered additional support through the school counseling office.
- 2) Any student(s) involved in provoking an incident may receive one or more of the following consequences, consistent with the student code of conduct.
 - a) Immediate in-school or out-of-school suspension;
 - b) Parent meeting;
 - c) Verbal and/or written apology to the victim;
 - d) Restorative justice;

- e) Follow-up educational assignment facilitated by principal/school counselor from a list compiled and reviewed by school administration each year e.g., to conduct research on certain aspects of history involving coercion and mistreatment.

PROCEDURE FOR REPORTING ACTS OF HARASSMENT/BULLYING

When a harassment, intimidation or bullying incident occurs, staff members are required to immediately report the incident to school administration. Students may make anonymous reports of bullying to school staff as well.

School administration will contact school counselors who will provide emotional support or other supportive or safety measures to the victimized student.

Administration will conduct a thorough investigation and take effective steps reasonably calculated to end any harassment, eliminate the hostile environment, prevent the harassment from recurring, and remedy its effects.

Parents of both victim and aggressor will be notified of the results of the investigation. School reporting will be conducted with sensitivity to students' disclosure of their gender identity and sexual orientation. Guidance regarding parent notification can be found at the following: <http://www.doe.mass.edu/bullying/PNguidance.html>.

INVESTIGATION PROCEDURES:

- The district will promptly and reasonably investigate allegations of harassment, intimidation, or bullying in accordance with district procedures;
- The principal of each building will be responsible for handling all complaints by students alleging harassment, intimidation, and bullying.

PROHIBITION OF REPRISALS:

Retaliation against a student because a student has filed a harassment, intimidation, or bullying complaint, or assisted or participated in a harassment, intimidation, or bullying investigation or proceeding is prohibited. Martha's Vineyard Public Schools employees who promptly report an incident of harassment, intimidation, or bullying and who make this report in compliance with the procedures in this policy *are not* liable for damages arising from any failure to remedy the reported incident. A student who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including suspension and expulsion.

REFERENCES:

“*Words that Hurt*”, American School Board Journal, September 1999
National Education Policy Network, NSBA

Massachusetts Department of Elementary and Secondary Education (2013). *Safe Schools Program*. Retrieved from <http://www.doe.mass.edu/sfs/lgbtq/>

Massachusetts Department of Elementary and Secondary Education (2011). *Guidance on notifying parents when a student has been bullied based on sexual orientation or gender identity/expression*. Retrieved from <http://www.doe.mass.edu/bullying/PNguidance.html>

Massachusetts Transgender Political Coalition. (2012). *Best practices for serving transgender and gender Nonconforming students in schools*. Retrieved from <http://www.masstpc.org/issues/education/>

{ Adoption Date } 11.07.2005 by the Martha’s Vineyard Regional High School District School Committee

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LEGAL REFS. M.G.L. 151B: 3A; M.G.L. 76:5

Title VII, Section 703, Civil Rights Act of 1964 as amended

Board of Education 603 CMR 26:00, 603 CMR 1:00