

## *Statement of Civil Rights Policy*

The Martha's Vineyard Public Schools recognize the right of each student and employee to perform in an atmosphere free of harassment, intimidation, ridicule, hostility or offensiveness. The Martha's Vineyard Public Schools (MVPS) extends its policy of non-discrimination to students, staff, the general public, and individuals with whom it does business. ***No person shall be excluded or discriminated against on the basis of race, color, sex, age, religion, national origin, sexual orientation, gender identity, or disability.*** Anyone aggrieved by or complaining of discrimination because of race, color, sex, age, religion, national origin, sexual orientation, or disability may register a complaint with the Civil Rights Compliance Coordinator at the Office of the Superintendent, RR 2, Box 261, 4 Pine St. Vineyard Haven, MA 02568 508.693.2007 ext. 12. The Title VI and IX Coordinator is Dr. James H. Weiss, and the Section 504 Coordinator is Ms. Donna Lowell-Bettencourt.

### 1. GRIEVANCE PROCEDURE

Once the Civil Rights Compliance Coordinator, principal, supervisor, or other school personnel is notified, an immediate investigation of the allegation(s) will be conducted and necessary corrective action shall be taken through the grievance process. No employee or student shall be subjected to adverse treatment because the employee or student made a complaint. All appropriate confidences shall be maintained.

### 2. GRIEVANCE PROCESS

Students and employees are encouraged but not required to directly object to acts or behavior felt to be discrimination. If (s) he feels uncomfortable in doing so, or if the issue is unresolved after direct discussion, (s) he should inform the school principal and/or the Civil Rights Compliance Coordinator.

The Civil Rights Compliance Coordinator may advise the aggrieved of various options:

- Formal or informal implementation of the grievance procedure;
- Filing a complaint with the Massachusetts Department of Education
- Filing a complaint with the Massachusetts Human Rights Commission
- Filing a complaint with the U.S. Department of Education Office for Civil Rights
- Filing a private lawsuit

### 3. INFORMAL PROCEDURE

*Once the grievance is brought to the attention of the Civil Rights Compliance Coordinator, (s) he shall attempt to resolve the matter through fact finding.*

If the Civil Rights Compliance Coordinator is unable to resolve the complaint, the complainant may move to the formal grievance procedure. The Civil Rights Compliance Coordinator then becomes a resource to all parties.

4. FORMAL PROCEDURE

- a. The complainant may file a formal grievance with the principal or supervisor within 30 (thirty) working days (school days for students and school year employees) of the date that the complaint was made to the Civil Rights Compliance Coordinator. If all of the parties involved in the complaint process desire to extend the formal process, the 30-day requirement may be waived. If the complainant does not file a written complaint to the principal or supervisor, the principal or supervisor will record the complaint in writing. If the complaint process begins with the principal and does not go back to the Civil Rights Compliance Coordinator, then the formal process ensues. The principal/supervisor may advise the complainant to talk first with the Civil Rights Compliance Coordinator and proceed with an internal review.
- b. The Civil Rights Compliance Coordinator will put in writing any recommendation for resolving the complaint and present it to the complainant, other parties involved in the complaint and the principal or supervisor.
- c. Within fourteen (14) days (school days for students or school year employees) days from receipt of the complaint, the principal/supervisor must investigate and respond in writing with her/his review of the incident and of any action taken or decision made. The principal/supervisor may notify the parent/guardian in accordance with established school policy if a student under 18 (eighteen) years of age is involved. The investigation may include but is not limited to the following:
- meeting with the person charged to obtain a response to the complaint;
  - conducting interviews of possible witnesses to any alleged events;
  - report the matter to local police if criminal activity is involved (see Massachusetts general Laws, chapter 265 section 43, which prohibits stalking, and chapter 269 section 17 which prohibits hazing) and/or suspected child abuse to the Department of Social Services as required by Massachusetts General Laws chapter 119 section 51A;
  - subject to the requirements of due process, take disciplinary action against the person charged pursuant to any collective bargaining agreement, student handbook, and state and federal law, including without limitation, a letter of reprimand or warning or a suspension of 1(one) to 10 (ten) days;
  - refer the person charged to the Superintendent and/or designee for further disciplinary action.

***The written report must contain the following information:***

- All facts and circumstances of the incident;
  - Verification of parent or guardian notification if a student under 18 (eighteen) years of age is involved;
  - A summary of the investigation of all allegations which will include interviews with all individuals reasonably believed to have relevant information: the complainant, the person charged, and if either is under the age of 18 (eighteen), their parent(s)/guardian(s), witnesses, and anyone who may have been the victim of similar conduct
- d. If the complainant is dissatisfied with the response of the principal or supervisor, (s) he may submit a written request for review to the Superintendent of Schools or designee within 30 (thirty) days (school days for students and school year

employees). The Superintendent of Schools or designee must respond, in writing, within 14 (fourteen) working days.

- e. An employee, student or parent/guardian acting on behalf of a student may at any time file a grievance with the following agencies:

United States Department of Education  
Region 1, John W. McCormack Building  
C.H.ROOM 222  
Boston, MA 02109-4557  
(617) 223-9317

Massachusetts Human Rights Commission  
51 Inman St. Second Floor  
Cambridge, MA 02139  
(617) 349-4396

Massachusetts Department of Education  
350 Main Street  
Malden, MA 02148-5023  
(781) 338-3300

- f. Records of any grievance filed by a complainant shall not be placed in the complainant's personnel file.

### ***Retaliation/Confidentiality***

*The Martha's Vineyard Public Schools will not allow anyone to retaliate against any person because (s) he complains of discrimination or assists in an investigation of discrimination. Intimidation, coercion or any other attempt to interfere with an investigation of discrimination will not be tolerated. Information provided during an investigation of discrimination will be treated as confidential. This means that such information will be shared with others on a need-to-know basis only.*

{Adoption Date} 07.22.2002 by the Up-Island Regional School District School  
Committee

Revised:

LEGAL REFS.:

*Updated 8.16.2012*