

# DISCRIMINATION AND HARASSMENT

## Investigation & Grievance Procedures<sup>1</sup>

The Nauset Public School Schools does not discriminate in their educational programs or activities or in their admissions or employment policies on the basis of race, color, sex, religion, national origin, actual or perceived shared ancestry, ethnic characteristics, or disability. Staff or student complaints of discrimination or harassment based on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status, actual or perceived shared ancestry, ethnic characteristics or disability, should be made to Assistant Superintendent Keith Gauley. Title IX sexual harassment complaints should be made to the Title IX Coordinator, Mary Buchanan.

This procedure applies to complaints pursuant to federal laws, particularly to complaints under Title VI of the Civil Rights Act of 1964, Title IX of the Education Acts of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990). This procedure also applies to complaints pursuant to state laws, particularly Massachusetts General Laws Chapter 622, and Massachusetts General Laws Chapter 151B. **See separate Grievance Procedures for Complaints of Sexual Harassment under Title IX of the Education Acts of 1972 (Policy ACAB-R).**

When a complaint of discrimination or harassment is made, the following investigative and appeal procedures will be followed:

1. Complaints may be made verbally or in writing. 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. Witnesses, if any, will also be interviewed.
2. Upon receiving a complaint of harassment, the District will assess whether supportive measures are necessary while the investigation is pending and implement such supportive measures, if needed. If the complaint is substantiated, the District will (1) implement measures to stop the harassment and/or discrimination and prevent its recurrence and (2) assess whether ongoing supportive measures are needed for the complainant and implement such supportive measures, if necessary.
3. The complaints will be investigated within a reasonable time, usually not to exceed ten (10) school days after the complaint has been received. Both the complainant and the subject of the complaint will be informed of the result of the investigation, in writing. If the complaint is substantiated, the investigator will refer the matter to the proper supervisor or administrator for appropriate discipline, which may include suspension from employment or school or employment termination or expulsion from school.

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<sup>1</sup> See District Policy ACAB-R for Grievance Procedures related to complaints of sexual harassment under Title IX.

4. In the event of a complaint or subject of a complaint disputes the results of the investigation or resolution, he or she may further appeal to the Superintendent within ten (10) days of the investigator'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. Employees may have additional rights in accordance with any applicable collective bargaining agreement.
5. The District will create and maintain contemporaneous records of all alleged reports of discrimination and harassment, including any notice provided to the parties, the status of the investigation and outcome of the investigation. The District will also track and maintain records of outcomes from all harassment investigations including all supportive measures implemented, all actions taken in response to harassment/discrimination complaints and any relief provided to complainants.

Nothing in this policy or procedure shall be deemed to affect a complainant's right to other remedies at law including the administrative appeal or lawsuit. Administrative agencies with jurisdiction in these matters include:

*The Massachusetts Commission Against Discrimination ("MCAD")*

Boston Office  
One Ashburton Place, #601  
Boston, MA 02108  
617-994-6000

Springfield Office  
436 Dwight Street, Room 220  
Springfield, MA 01103  
413-739-2145

The United States Department of Education Office for Civil Rights  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
[OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)  
617-289-0111

Massachusetts Department of Education  
State Board of Education  
75 Pleasant Street  
Malden, MA 02148-4906  
781-338-3000

*The United States Equal Employment Opportunity Commission ("EEOC")*  
JFK Federal Building  
15 New Sudbury Street, Room 475  
Boston, MA 02203-0506  
800-669-4000

Massachusetts Department of Education Bureau of Special Education Appeal  
State Board of Education  
75 Pleasant Street

Malden, MA 02148-4906  
781-338-3000