

Sherborn School Committee

February 9, 2021

Agenda

5:30 pm

VIA ZOOM

Join Zoom Meeting

<https://us02web.zoom.us/j/86866358110?pwd=SjVVeGZSkRPb25lczFHZSttSGhEQT09>

Meeting ID: 868 6635 8110

Passcode: 478859

1. Call to Order
2. Community Comments
3. Reports:
 - Principal's Report – Dr. Brown
 - Warrant Report
4. FY21 Monthly Financial Report
5. Continued Discussion on FY22 Operating Budget
6. Policies:
 - Second Read **A.R.**
 - Class Size Policy IIB
 - First Read
 - Harassment Policy - First Read
 - Harassment Investigation Procedures
7. Consent Agenda **A.R.**
 - Approval of Minutes December 14, 2020
 - Donation
8. Communications (For Members Information)
 - Regional School Committee Minutes December 8, 2020 and January 12, 2021
 - Dover School Committee December 17, 2020
9. Items for March 9, 2021
10. Adjournment

Note: The listings of matters are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may, in fact, be discussed and other items not listed may also be raised for discussion to the extent permitted by law.

The Public Schools of Dover and Sherborn do not discriminate on the basis of age, race, color, sex/gender, gender identity, religion, national origin, sexual orientation, disability or homelessness



Pine Hill School

Sherborn, MA 01770

Phone: 508-655-0630 Fax: 508-655-2763

www.doversherborn.org

Dr. Barbara Brown, Principal

Ms. Allison Gullingsrud, Assistant Principal

TO: Andrew Keough, Superintendent
FROM: Barbara Brown, Principal
RE: Principal's Monthly Report
DATE: February 9, 2021

Principal's Reflection:

We are establishing a pre-registration list of students who will be eligible to enroll in kindergarten for the 2021-2022 school year. The criteria are that children must be five years old on or before September 1, 2021 and residents of Sherborn (there are no exceptions to the school entrance criteria). Official registration for school will take place in March-April using a new online registration tool for both the Pine Hill and Chickering Schools. We anticipate 60 incoming kindergartners in next year's class. Parent/guardian information sessions and student orientation "visits" will be virtual this spring. School visits and "meet the teacher" opportunities will be built into the back-to-school schedule in the fall.

First semester Report Cards were issued via the ASPEN parent portal on Friday, February 5th. Families received an email reminding them how to log in and an explanation of our standards-based reporting system. Parent-teacher conferences will be scheduled for early to mid-March.

The DS Remote Schoolhouse and TECCA remote learning programs currently support 37 Pine Hill students. Four students reenrolled for in-person learning with the start of the third quarter last week.

Students may switch from in-person learning to the Remote Schoolhouse anytime. We ask families to please allow the teachers to have one week's notice (5 school days) so they can transfer materials and progress updates between the sending and receiving teachers.

Students may transfer back to in-person learning at the quarter marks throughout the academic year. The next quarter begins on **April 12th**. Parents are asked to notify the principal (brownb@doversherborn.org) by April 1st if they wish to transfer to in-person learning.

Professional Development:

- January 27 – Educator webinar: Talking To Kids About Race And Racism: A Conversation With Dr. Beverly Daniel Tatum

- January 29 –Pine Hill Team (Julie Ma, Cindy Sidman, Chris Lukzcow, Nikki Carter, Allie Morey) participating in The Education Collaborative: Culturally Responsive and Sustaining Pedagogy (this is part one of a four part workshop series)

Pine Hill Happenings:

- January 8 – CSA Enrichment Program for Grade 1: Virtual Space Program
- January 12 - CSA Enrichment Program for Grade 2: NASCAR Science (Matter)
- February 4 - CSA Meeting
- February 5 - Report Cards Issued

The Public Schools of Dover and Sherborn

157 Farm Street

Dover, MA 02030

Phone: 508-785-0036 Fax 508-785-2239

www.doversherborn.org

Dr. Andrew W. Keough, Superintendent

Ms. Dawn Fattore, Business Administrator

Ms. Elizabeth M. McCoy, Asst. Superintendent

Ms. Kate McCarthy, Director of Student Services

*Commitment to Community
Equity and Excellence
Respect and Dignity
Climate of Care*

TO: Sherborn School Committee
FROM: Dawn Fattore, Business Administrator
DATE: February 5, 2021
RE: Approved Warrants

The following Accounts Payable Warrants were approved by one of the Committee's designated signers:

#	Date	Amount	Fund
1054	12/23/2020	\$87.99	SPED 262
1055	12/23/2020	\$9,213.36	General-School
1056	12/23/2020	\$17,937.70	General-OOD
1057	1/6/2020	\$22,618.10	General-OOD
1058	1/6/2020	\$38,870.37	OOD Circuit Breaker
1059	1/6/2020	\$29,859.50	General-School
1060	1/6/2020	\$1,043.91	FY21 Cares Re-Opening
1062	1/21/2021	\$5,000.00	FY21 Cares Re-Opening
1063	1/21/2021	\$18,112.05	General-OOD
1064	1/21/2021	\$6,455.18	Cafe
1065	1/21/2021	\$37,314.88	General-School
1067	2/4/2021	\$4,481.00	Pre-School
1068	2/4/2021	\$392.52	SPED 298
1069	2/4/2021	\$209.66	FY21 Cares Re-Opening
1070	2/4/2021	\$11,057.05	OOD Circuit Breaker
1071	2/4/2021	\$25,852.35	General-OOD
1072	2/4/2021	\$12,059.91	General-School

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TO: Andrew Keough, Superintendent
FROM: Dawn Fattore, Business Administrator
RE: FY21 Operating Update
DATE: February 5, 2021

*Status of Appropriations

Attached please find the Status of Appropriations as of February 4, 2021. New financial information is in **bold**.

Salaries

The majority of salaries have been encumbered. The following is a summary of unbudgeted activity to date:

- Three educators retired post-budget resulting in savings in Teachers, classroom & Guidance of \$150,000
- Two educators are on leave resulting in a savings of \$100,000
- Two additional educators have been hired to cover remote learning and approx. **\$100,000** of additional salaries are included in Teachers, classroom
- Additional EA support has been added to cover current operations. A portion of these costs are being covered by the CARES Re-opening grant.

We will continue to update the committee on changes in staffing as the year progresses.

Expenditures

There continue to be no material variances to report to date **except for special education services. Additional support services have been added as needed for students on IEPs resulting in an approx. \$15,000 negative variance.** Initial projections have been encumbered for utilities and we will continue to monitor those as the year progresses. The regular education transportation encumbrance reflects the contract amendment savings voted by the Committee in December.

Out-of-District

Placement costs to date for FY21 have been encumbered. FY21 circuit breaker reimbursement will be 75% this year. **The current year circuit breaker numbers are reflected on the monthly report. We have moved additional OOD tuitions to the Circuit Breaker fund so you will now see a positive variance of \$50,435 as of February 4th.**

*Special Revenue/Revolving Funds

Attached for your review is the summary of activity for these accounts as of December 31, 2020.

We will be happy to answer any questions the Committee may have at the meeting.

Sherborn Public Schools
Status of Appropriations as of February 4, 2021

	<u>FY21</u>	<u>EXPENDED</u>		<u>TOTAL</u>	<u>OPERATING</u>	<u>% of</u>
<u>SALARIES</u>	<u>BUDGET</u>	<u>THRU 2/4</u>	<u>ENCUMBRANCES</u>	<u>PROJECTED</u>	<u>VARIANCE/ BUD.REMAINING</u>	<u>BUDGET</u>
SUPERINTENDENT	\$142,754	\$71,909	\$71,909	\$143,817	(1,063)	- 0.74%
BUSINESS AND FINANCE	111,341	55,683	55,683	111,366	(25)	- 0.02%
DISTRICT INFO MANAGEMENT	77,163	35,904	35,904	71,808	5,355	6.94%
SPED ADMINISTRATION	212,408	83,386	127,307	210,693	1,715	0.81%
SCHOOL LEADERSHIP-BUILDING	316,106	184,132	122,545	306,677	9,429	2.98%
ACADEMIC LEADERS/QPO	25,624	8,713	11,713	20,426	5,198	20.29%
TEACHERS, CLASSROOM	2,612,834	1,117,534	1,447,917	2,565,451	47,383	1.81%
TEACHERS, SPED	920,668	417,199	456,269	873,468	47,200	5.13%
SUBSTITUTES	30,000	6,800	570	7,370	22,630	75.43%
EDUCATIONAL ASSISTANTS	353,265	223,817	176,001	399,818	(46,553)	-13.18%
LIBRARIANS & MEDIA CENTER	115,160	53,151	62,009	115,160	0	0.00%
BUILDING BASED PD	20,250	5,850	0	5,850	14,400	71.11%
GUIDANCE COUNSELORS	115,160	24,045	33,663	57,708	57,452	49.89%
PSYCHOLOGICAL SERVICES	107,304	49,525	57,779	107,304	0	0.00%
MEDICAL/HEALTH SERVICES	102,636	46,708	54,258	100,966	1,670	1.63%
CUSTODIAL SERVICES	233,757	122,154	78,479	200,632	33,124	14.17%
TOTAL SALARIES	\$5,496,429	\$2,506,507	\$2,792,006	\$5,298,513	\$197,915	3.60%
EXPENDITURES						
SCHOOL COMMITTEE	\$6,800	\$8,126	\$0	\$8,126	(1,326)	-19.50%
SUPERINTENDENT	17,250	13,764	0	13,764	3,486	20.21%
LEGAL SERVICES	8,000	5,000	0	5,000	3,000	37.50%
DISTRICT INFO MANAGEMENT	87,142	59,028	5,159	64,187	22,955	26.34%
SCHOOL LEADERSHIP-BUILDING	22,700	1,396	0	1,396	21,304	93.85%
CLASSROOM CONT SERVICES	4,000	1,127	1,898	3,025	975	24.37%
SPED SERVICES/SUPPLIES	77,700	39,355	54,091	93,446	(15,746)	-20.26%
LIBRARIANS & MEDIA CENTER	3,850	1,488	804	2,292	1,558	40.46%
COURSE REIMBURSEMENT/PD	26,000	1,086	1	1,087	24,913	95.82%
TEXTBOOKS & RELATED SOFTWARE	39,500	34,695	1,907	36,602	2,898	7.34%
LIBRARY INSTRUCTIONAL MATERIALS	4,500	0	3,268	3,268	1,232	27.39%
INSTRUCTIONAL EQUIPMENT	11,000	4,885	4,613	9,497	1,503	13.66%
GENERAL SUPPLIES	36,700	25,181	4,549	29,730	6,970	18.99%
CLASSROOM INSTRUCT TECHNOLOGY	15,250	19,923	2,553	22,475	(7,225)	-47.38%
GUIDANCE	3,300	3,242	0	3,242	58	1.77%
MEDICAL/HEALTH SERVICES	3,150	1,816	492	2,309	841	26.71%
TRANSPORTATION SERVICES	228,013	87,296	132,704	220,000	8,013	3.51%
CUSTODIAL SERVICES	21,500	6,491	2,623	9,115	12,385	57.61%
MAINTENANCE OF BUILDINGS	123,050	52,537	37,166	89,703	33,347	27.10%
UTILITIES	124,000	47,894	68,421	116,314	7,686	6.20%
TOTAL EXPENDITURES	\$863,405	\$414,329	\$320,249	\$734,577	\$128,828	14.92%
TOTAL INDISTRICT OPERATING	\$6,359,834	\$2,920,836	\$3,112,255	\$6,033,091	\$326,743	5.14%
OOD TUITION & TRANSPORTATION						
TUITION TO NON-PUBLIC	\$241,550	\$185,502	\$28,768	\$214,270	\$27,280	11.29%
TUITION TO COLLABORATIVES	240,150	142,583	97,553	240,137	13	0.01%
Total Tuition	481,700	328,086	126,321	454,407	27,293	5.67%
TRANSPORTATION SERVICES	155,000	68,611	63,247	131,858	23,142	14.93%
TOTAL OOD	\$636,700	\$396,697	\$189,568	\$586,265	\$50,435	7.92%
* Total Charged to CB	325,000	133,913	167,456	301,369	23,631	
TOTAL OPERATING	\$6,996,534	\$3,317,533	\$3,301,823	\$6,619,356	\$377,178	5.39%
<i>* not reflected in totals</i>						
Total expected CB at 75% (including in-district)	398,767	148,897	203,538	352,435	46,332	

Sherborn Public School
Special Revenue/Revolving Funds as of December 31, 2020

<u>SPECIAL REVENUE / REVOLVING FUNDS</u>	<u>FUND BALANCE @ 07/01/2020</u>	<u>REVENUE</u>	<u>EXPENDITURES/ ENCUMBRANCES</u>	<u>FUND BALANCE @ 12/31/20</u>	<u>Notes:</u>
BUILDING RENTAL	\$ 79,732		\$ 20,648	\$ 59,084	<i>\$17,000 used for classroom cabinetry/sink replacements \$3,000 used for repairs to basketball backboards</i>
CAFETERIA	55,579	25,757	26,012	55,325	<i>Net of deposits in advance - \$11,507, Reported ACTUAL ACTIVITY ONLY</i>
CIRCUIT BREAKER	121,749	17,089	266,528	(127,690)	<i>CB revenue allocated from the Region not recorded as of Dec. 31, 2020</i>
GIFT FUND <small>(see page 2 detail)</small>	1,458			1,458	
NON-RESIDENT TUITION	84,653	18,945	47,124	56,474	<i>Includes expense for FY21 added classroom section</i>
PINE HILL PRESCHOOL	44,752	24,626	28,118	41,259	<i>Preschool Tuition balances of \$8,977 due in March. Estimated fund balance @ June 30 = \$50,237</i>
SAWIN GIFT FUND	11,363			11,363	
<u>FIDUCIARY FUND</u>					
STUDENT ACTIVITY FUND	\$ 2,055			2,030	<i>Student Activity Fund balance per Town report at December 31</i>

FY 21 Miscellaneous Donations							
Gift/Donor	Purpose	Bal Fwd @ 07/01/2020	Revenue	Expenditures	Encumbered	Balance @ 12/31/2020	Date/Yr
GIFT FUND							
Special Education Gifts	SPED Program	\$ 1,254.30				1,254.30	7/14 & 10/18
Follett Gift	Library Books	100.00				100.00	11/19
Mudge Gift	Assistive Hearing Auditorium	91.81				91.81	7/14
Poetry Center Gift(s)	Poetry Center honoring McAdams	12.15				12.15	9/15
		\$ 1,458.26	0.00	0.00	0.00	\$ 1,458.26	

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TO: Sherborn School Committee
FROM: Dawn Fattore, Business Administrator
DATE: February 4, 2021
RE: FY22 Budget Updates – Operating and Capital

We will provide updates on the budget process to the Committee on Tuesday evening. Included for your review is our annual enrollment analysis. The various projections support 20 classroom sections meeting the enrollment needs once changes in the grade allocations are considered. We have some minor budget adjustments to date that we can share but will present the formal V2.0 in March once we have final estimates for OOD transportation and any known changes to OOD placements. The March meeting will also include the Public Budget Hearing. In the interim, we are scheduled to review the budget with Sherborn Advisory on February 24th.

Since our last meeting, we reviewed the proposed FY22 capital project of classroom casework replacements and have determined that work is not warranted. Given this we do not have any needed capital requests for FY22 and have adjusted the 5-year plan accordingly. The new plan is included for your review. We will ask the Committee to approve this in March along with the final version of the operating budget.

We will be happy to answer any questions at Tuesday's meeting.

**Sherborn Public Schools
FY22 Enrollment Analysis
as of February, 2021**

Current Sections

<u>Grade Level</u>	<u>#</u>	<u>Assuming no +/-</u>	<u>Class Size</u>	<u>3-year growth %</u>	<u>Class Size</u>	<u>1-yr growth %</u>	<u>Class Size</u>	<u>.5 of 3-year growth %</u>	<u>Class Size</u>
K*	3	57	19.00	57	19.00	57	19.00	57	19.00
1	4	56	14.00	63	15.75	63	15.75	59.5	14.88
2	3	73	24.33	76	25.33	78	26.00	74.5	24.83
3	3	67	22.33	68	22.67	65	21.67	67.5	22.50
4	4	52	13.00	55	13.75	58	14.50	53.5	13.38
5	3	82	27.33	86	28.67	86	28.67	84	28.00
	<u>20</u>								
TOTAL ENROLLMENT		387		405		407		396	
<i>net change from FY21</i>				18		20		9	

Proposed Sections

<u>Grade Level</u>	<u>#</u>	<u>Assuming no +/-</u>	<u>Class Size</u>	<u>3-year growth %</u>	<u>Class Size</u>	<u>1-yr growth %</u>	<u>Class Size</u>	<u>.5 of 3-year growth %</u>	<u>Class Size</u>
K*	3	57	19.00	57	19.00	57	19.00	57	19.00
1	3	56	18.67	63	21.00	63	21.00	59.5	19.83
2	4	73	18.25	76	19.00	78	19.50	74.5	18.63
3	3	67	22.33	68	22.67	65	21.67	67.5	22.50
4	3	52	17.33	55	18.33	58	19.33	53.5	17.83
5	4	82	20.50	86	21.50	86	21.50	84	21.00
	<u>20</u>								
TOTAL ENROLLMENT		387		405		407		396	
<i>net change from FY21</i>				18		20		9	

* K estimate based on preliminary census

- Below class size guidelines of 18-23 for K-3 and 20-25 for 4-5
- Over class size guidelines of 18-23 for K-3 and 20-25 for 4-5
- Reallocation of sections between grades

CLASS SIZE – ELEMENTARY SCHOOLS

Pine Hill, Sherborn

~~It is desirable to limit class size in most areas, in relation to the subject taught, type of student, physical plant, availability of staff and various support facilities and/or techniques. Class size, where practical, should be held to a maximum of twenty five (25) students~~

The Sherborn School Committee recognizes that class size can be an important factor in good education. For planning purposes, the School Committee supports the following class size guidelines:

The number of students in Kindergarten through Grade 5 shall be in the range of 18-23 students per classroom. The principal, working with the professional staff, will develop and recommend to the School Committee any staffing needs consistent with this policy.

Grades K-5 18-23 students per class
~~Grades 4-5 20-25 students per class~~

The process that the School Committee uses to determine class size considers many factors including group composition, staff needs, available space and the financial health of the school budget. In keeping with this policy, the School Committee will adhere, whenever possible, to these guidelines.

HARASSMENT

The Dover-Sherborn Public Schools are committed to maintaining a welcoming school environment that is free of Harassment. As such, Harassment ~~of students by other~~ students, employees, vendors and/or other third parties will not be tolerated in the (Name of District) Public Schools. ~~The alleged harassment must involve conduct that occurred within the school's own program or activity, such as whether the harassment occurred at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school sponsored activities.~~

~~Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability~~Dover-Sherborn Public Schools. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District. Harassment is prohibited:

- on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district; or through the use of technology or an electronic device owned, leased, or used by a school district, and
- at a location, activity, function, or program that is not school-related or through the use of technology or an electronic device that is not owned, leased, or used by a school district, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

An incident that occurs during remote learning, or on a remote learning platform, will generally be treated as occurring in school or at a school-related event. Further, incidents that involve social media, texting, or other online activity may qualify as in-school incidents even if some of the activity originates outside of school during non-school hours. Because of its pervasive presence in students' lives, social media activity, in particular, may contribute to in-school bullying or Harassment regardless of when or where it originally occurs.

I. Harassment and Retaliation Prohibited

Harassment prohibited by the District includes, but is not limited to, Harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability. Retaliation against an employee or student-complainant, because they have filed a complaint or assisted or participated in an investigation or proceeding of Harassment prohibited under this policy, is also unlawful and prohibited (regardless of the merits of the underlying complaint).

Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to the District’s disciplinary ~~code~~ policy. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations. While this policy sets forth our goals of promoting an environment that is free of Harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct constitutes Harassment as defined in this policy.

~~Employee-to-Student~~ Harassment for purposes of this policy is conduct of a written, verbal or physical nature that is designed to embarrass distress, agitate, disturb or trouble students when:

Comment [1]: LTC merged Student-Student and Employee to Student

- A school employee makes sSubmission to such conduct ~~is made~~ either explicitly or implicitly a term or condition of employment, a student's education or of a student's participation in school programs or activities;
- A school employee uses sSubmission to or rejection of such conduct by a student ~~is used~~ as the basis for decisions affecting the employee or student; or
- A student’s or school employee’s conduct~~employee’s~~ Such conduct toward another student has the purpose or effect of unreasonably interfering with that employee’s employment, that student's performance or creating an intimidating or hostile working or learning environment.

Harassment as described above may include, but is not limited to:

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- Written, verbal, or physical (including texting, blogging, or other technological methods) Harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter;
- Demeaning jokes, stories, or activities directed at the student;
- Hate Incidents and Hate Crimes.

- By law, what constitutes Harassment is determined from the perspective of a reasonable person who possesses the characteristic on which the Harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.¹

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II. Types of Harassment with Specific Definitions

1. **Hate Crime:** A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's Bias (Hatred, hostility, or negative attitudes towards, or prejudice against, any group or individual on account of race, religion, ethnicity, disability, gender, gender identity, or sexual orientation)².
2. **Hate Incident: An act, whether consisting of conduct, speech, or expression, to which a Bias motive is evident without regard to whether the act constitutes a crime.**
3. **Sexual Harassment:** Sexual Harassment is unwelcome conduct of a sexual nature.³
Forms of Sexual Harassment include:

- **Hostile Environment:** unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity ~~it also, includes. To determine if particular conduct causes a hostile environment, a school will consider the conduct from both a subjective and objective perspective. In making this determination, all relevant circumstances should be considered, including the victim's age, race, sex, and disability status. A hostile environment may be created even though the student does not suffer tangible harm, such as a drop in grades. For example, a hostile environment could be found where a student, with~~

¹ Conduct such as verbal statements, online or social media activity, graffiti, and violent or threatening physical conduct can constitute both Harassment and bullying. As a general matter, bullying and Harassment differ to the extent that bullying, by definition is: (1) "repeated" conduct (2) "directed at a target". "Harassment" on the other hand: (1) does not have to be repeated; (2) does not have to be targeted at a particular victim (a single, severe hate incident may create an intimidating or hostile environment); and (3) is based on race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability.

² A Bias motive can be inferred from the presence of one or more Bias indicators (i.e. objective facts, circumstances, or patterns attending a criminal act(s) which, standing alone or in conjunction with other facts or circumstances, suggest that the offender's actions were motivated, in whole or in part, by any form of Bias). See 501 CMR 4.04.

³ ~~Because Sexual Harassment~~ Harassment is by definition "unwelcome," this policy does not preclude legitimate, nonsexual physical contact such as the use of necessary restraints to avoid imminent, serious physical harm or conduct such as [a] teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student. Note that some conduct of a sexual nature is presumptively unwelcome, such as between a student and an adult employee. Massachusetts General Laws Ch. 119, Section 51A requires that mandated reporters at public schools report cases of suspected child abuse, including sexual abuse immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families.

considerable effort, was able to continue to go to school and achieve good grades despite the difficulties caused by the harassing behavior.

- Quid Pro Quo: unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. ~~Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to where acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education.~~
- Sexual Violence: sexual assault, sexual battery, sexual abuse, sexual coercion, stalking, physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). ~~A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).~~

While it is not possible to list all those additional circumstances that may constitute sexual ~~Harassment~~harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual ~~Harassment~~harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances-whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;

- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of Sexual Harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute Sexual Harassment. The prohibition against Sexual Harassment applies whether the Harassment is between people of the same or different gender.

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Comment [2]: Moved retaliation down, Notice, Due Process, Record Keeping to Procedures doc

Comment [3]: LTC addition per OCR Guide

III. Complaint and Investigation

Any individual who believes ~~they have~~ ~~he or she has~~ been harassed in violation of this policy, or who has witnessed or learned about the ~~Harassment~~ harassment of another person in the school environment, should inform the Principal as soon as possible. If the individual does not wish to discuss the issue with the Principal, or if the Principal does not address the problem in an effective manner, the individual should inform the Superintendent.

Comment [4]: From MCLE Model Harassment policy

Because the District takes allegations of ~~Harassment~~ harassment seriously, we will conduct a prompt, thorough, and impartial investigation of the ~~Harassment~~ harassment allegations through designation of a building based employees, who may include principals or their designees or, in the case of Sexual Harassment, the Title IX Coordinator. The Superintendent will recommend, in consultation with the principals, opportunities to the designated recipients for appropriate training. The District's investigation will follow the procedures prescribed by state and federal law.

Following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Hate Incidents: The District will act immediately to stop and address the incident in a manner that is consistent with its legal obligations and the District's policies and procedures including the Harassment Investigation Procedures and the Memoranda of Understanding between the District and the Dover and Sherborn Police Departments (the "MOU"). Measures the District will undertake include the following:

Comment [5]: Per DoE Guidance

- Provide an immediate staff response to the report of a hate motivated incident.
- Actual and suspected Hate Crimes and sexual violence are classified as Mandatory Reporting Incidents under the MOU. As such, the designated official will notify law enforcement officers of the incident and request assistance, if necessary. Note that law enforcement may proceed with its own concurrent investigation.

- Have law enforcement officers photograph/copy graffiti, property damage, and documentation.
- Remove all graffiti (after it has been photographed) before students arrive at school so that the message is not seen by students.
- Inform the alleged victim's and alleged perpetrator's parents of the steps it is taking to address the incident.
- Take immediate steps to prevent the spread of misinformation including the designation of a media spokesperson to quickly disseminate accurate information regarding the incident.
- Utilize school or District crisis response teams to support students and provide victims of hate-motivated behavior or crime with support and assistance, including referral to victim support agencies, communicating with their parents/guardians, and assistance with completing school and law enforcement report paperwork).
- Work with students who are in formal and informal leadership roles to plan activities which will restore campus harmony: e.g., campuswide "No Put-Down" campaigns.
- Assign a district team to protect the victim, perpetrator and their families from the media.
- If appropriate, invite the media back to the school at a later date to observe positive campus activities and the effect of remedial measures/programs undertaken by the District.

IV. Final Determination and Closure of Complaint

After the investigation is complete, the principal or designee will make a determination based upon all of the facts and circumstances. The principal or designee will prepare a final written report documenting their findings and notify the parents or guardians of the target and the aggressor as soon as reasonably possible about the results of the investigation.

If, after investigation, ~~Harassment~~harassment or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior.

~~Please note that while this policy sets forth our goals of promoting an environment that is free of harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct constitutes harassment.~~

The Complainant may also file a legal complaint with:

- The Massachusetts Commission Against Discrimination,
1 Ashburton Place, Room 601
Boston, MA 02108.
Phone: 617-994-6000
- Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02109
Phone: 617-289-0111
- The United States Equal Employment Opportunity Commission,
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203

Please note that the entities above have specific time limits for filing a claim.

LEGAL REF.:

M.G.L. 151B:3A
Title IX of the Education Amendments of 1972
BESE 603 CMR 26:00 (Equal Education Opportunity)
34 CFR 106.44 (a), (a)-(b)
34 CFR 106.45 (a)-(b) (1)
34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020
Massachusetts Anti-Bullying Law (G.L. c. 71, § 37O)
Student AntiDiscrimination Act (G.L. c. 76, § 5)
42 U.S.C. § 2000d et seq. (“Title VI”) (covering race, color and national origin)
Title VII, Section 703, Civil Rights Act of 1964 as amended

20 U.S.C. § 1681 et seq. (“Title IX”) (covering sex)
42 U.S.C. § 12131 et seq. (Americans with Disabilities Act) (covering disability)
G.L. c. 71, § 37O(b)
M.G.L. c. 22C, § 33” 501 Mass. Reg. 4.01, 4.02 (Hate Crime Reporting Act)
Federal Regulation 74676 issued by EEO Commission
M.G.L. 71:37O; 265:43, 43A; 268:13B; 269:14A (bullying, stalking, criminal harassment, witness intimidation, reporting false information)

REFERENCES:

Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan
MCAD Model Sexual Harassment Investigation Guidelines
MA AG's Guidance to Schools on Legal Obligations to Prevent and Address Hate and Bias Incidents 11/17/2020

CROSS REFERENCES.:

AC, Nondiscrimination
JICFA, Prohibition of Hazing
JK, Student Discipline Regulations
JICFB, Bullying Prevention

~~**Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.**~~

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SOURCE: MASC July 2020

HARASSMENT

The Dover-Sherborn Public Schools are committed to maintaining a welcoming school environment that is free of Harassment. As such, Harassment by students, employees, vendors and/or other third parties will not be tolerated in the Dover-Sherborn Public Schools. This policy is in effect while on school grounds, School District property or property within the jurisdiction of the School District. Harassment is prohibited:

- on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district; or through the use of technology or an electronic device owned, leased, or used by a school district, and
- at a location, activity, function, or program that is not school-related or through the use of technology or an electronic device that is not owned, leased, or used by a school district, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

An incident that occurs during remote learning, or on a remote learning platform, will generally be treated as occurring in school or at a school-related event. Further, incidents that involve social media, texting, or other online activity may qualify as in-school incidents even if some of the activity originates outside of school during non-school hours. Because of its pervasive presence in students' lives, social media activity, in particular, may contribute to in-school bullying or Harassment regardless of when or where it originally occurs.

I. Harassment and Retaliation Prohibited

Harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability is prohibited by the District. Retaliation against an employee or student, because they have filed a complaint or assisted or participated in an investigation or proceeding of Harassment prohibited under this policy, is also unlawful and prohibited (regardless of the merits of the underlying complaint).

Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to the District's disciplinary policy. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations. While this

policy sets forth our goals of promoting an environment that is free of Harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct constitutes Harassment as defined in this policy.

Harassment for purposes of this policy is conduct of a written, verbal or physical nature that is designed to embarrass distress, agitate, disturb or trouble employees or students when:

- A school employee makes submission to such conduct either explicitly or implicitly a term or condition of employment, a student's education, or of a student's participation in school programs or activities;
- A school employee uses submission to or rejection of such conduct by an employee or student as the basis for decisions affecting the employee or student; or
- A student's or school employee's conduct that has the purpose or effect of unreasonably interfering with that employee's employment, that student's performance or creating an intimidating or hostile working or learning environment.

Harassment as described above may include, but is not limited to:

- Written, verbal, or physical (including texting, blogging, or other technological methods) Harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter;
- Demeaning jokes, stories, or activities directed at the employee or student;
- Hate Incidents and Hate Crimes.

By law, what constitutes Harassment is determined from the perspective of a reasonable person who possesses the characteristic on which the Harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others. Note also that some conduct may also be covered by the District's Bullying Prevention and Intervention policy which has similar procedures for handling conduct that meets its definition of bullying.¹

¹Conduct such as verbal statements, online or social media activity, graffiti, and violent or threatening physical conduct can constitute both Harassment and bullying. As a general matter, bullying and Harassment differ to the extent that bullying, by definition, is: (1) "repeated" conduct (2) "directed at a target". "Harassment" on the other hand: (1) does not have to be repeated; (2) does not have to be targeted at a particular victim (a single, severe hate incident may create an intimidating or hostile environment); and (3) is on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability.

II. Types of Harassment with Specific Definitions

1. **Hate Crime:** A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's Bias (Hatred, hostility, or negative attitudes towards, or prejudice against, any group or individual on account of race, religion, ethnicity, disability, gender, gender identity, or sexual orientation)².
2. **Hate Incident:** An act, whether consisting of conduct, speech, or expression, to which a Bias motive is evident without regard to whether the act constitutes a crime.

3. **Sexual Harassment:** Sexual Harassment is unwelcome conduct of a sexual nature.³ Forms of Sexual Harassment include:

- *Hostile Environment:* unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity. To determine if particular conduct causes a hostile environment, a school will consider the conduct from both a subjective and objective perspective. In making this determination, all relevant circumstances should be considered, including the victim's age, race, sex, and disability status. A hostile environment may be created even though the employee or student does not suffer tangible harm, such as a drop in grades. For example, a hostile environment could be found where a student, with considerable effort, was able to continue to go to school and achieve good grades despite the difficulties caused by the harassing behavior.
- *Quid Pro Quo:* unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature where acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education.

² A Bias motive can be inferred from the presence of one or more Bias indicators (i.e. objective facts, circumstances, or patterns attending a criminal act(s) which, standing alone or in conjunction with other facts or circumstances, suggest that the offender's actions were motivated, in whole or in part, by any form of Bias). See 501 CMR 4.04.

³Because Sexual Harassment is by definition "unwelcome," this policy does not preclude legitimate, nonsexual physical contact such as the use of necessary restraints to avoid imminent, serious physical harm or conduct such as [a] teacher's consoling hug of a young student, or one student's demonstration of a sports move requiring contact with another student. Note that some conduct of a sexual nature is presumptively unwelcome, such as between a student and an adult employee. Massachusetts General Laws Ch. 119, Section 51A requires that mandated reporters at public schools report cases of suspected child abuse, including sexual abuse immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families.

- *Sexual Violence*: sexual assault, sexual battery, sexual abuse, sexual coercion, stalking, dating violence, domestic violence, physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the employee or student from having the capacity to give consent).

While it is not possible to list all those additional circumstances that may constitute sexual Harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual Harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances-whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of Sexual Harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute Sexual Harassment. The prohibition against Sexual Harassment applies whether the Harassment is between people of the same or different gender.

III. Complaint and Investigation

Anyone who believes they have been harassed in violation of this policy, or who has witnessed or learned about the Harassment of another person in the school environment, should inform the Principal as soon as possible. If the individual does not wish to discuss the issue with the Principal, or if the Principal does not address the problem in an effective manner, the individual should inform the Superintendent. If the principal is the alleged harasser, the report should be made to the Superintendent. If the Superintendent is the alleged harasser, the report should be made to the School Committee.

Because the District takes allegations of Harassment seriously, we will conduct a prompt, thorough, and impartial investigation of the Harassment allegations through designation of building based employees, who may include principals or their designees or, in the case of Sexual Harassment, the Title IX Coordinator. The Superintendent will recommend, in

consultation with the principals, opportunities to the designated recipients for appropriate training. The District's investigation will follow the procedures prescribed by state and federal law.

Hate Incidents: The District will act immediately to stop and address the incident in a manner that is consistent with its legal obligations and the District's policies and procedures including the Harassment Investigation Procedures and the Memoranda of Understanding between the District and the Dover and Sherborn Police Departments (the "MOU"). Measures the District will undertake include the following:

- Provide an immediate staff response to the report of a hate motivated incident.
- Actual and suspected Hate Crimes and sexual violence are classified as Mandatory Reporting Incidents under the MOU. As such, the designated official will notify law enforcement officers of the incident and request assistance, if necessary. Note that law enforcement may proceed with its own concurrent investigation.
- Have law enforcement officers photograph/copy graffiti, property damage, and documentation.
- Remove all graffiti (after it has been photographed) before students arrive at school so that the message is not seen by students.
- Inform the alleged victim's and alleged perpetrator's parents of the steps it is taking to address the incident.
- Take immediate steps to prevent the spread of misinformation including the designation of a media spokesperson to quickly disseminate accurate information regarding the incident.
- Utilize school or District crisis response teams to support students and provide victims of hate-motivated behavior or crime with support and assistance, including referral to victim support agencies, communicating with their parents/guardians, and assistance with completing school and law enforcement report paperwork).
- Work with students who are in formal and informal leadership roles to plan activities which will restore campus harmony: e.g., campuswide "No Put-Down" campaigns.
- Assign a district team to protect the victim, perpetrator and their families from the media.
- If appropriate, invite the media back to the school at a later date to observe positive campus activities and the effect of remedial measures/programs undertaken by the District.

IV. Final Determination and Closure of Complaint

After the investigation is complete, the principal or designee will make a determination based upon all of the facts and circumstances. The principal or designee will prepare a final written report documenting their findings and notify the parents or guardians of the target and the alleged aggressor as soon as reasonably possible about the results of the investigation.

If, after investigation, Harassment or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior.

The Complainant may also file a legal complaint with:

- The Massachusetts Commission Against Discrimination,
1 Ashburton Place, Room 601
Boston, MA 02108.
Phone: 617-994-6000
- Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02109
Phone: 617-289-0111
- The United States Equal Employment Opportunity Commission,
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203

Please note that the entities above have specific time limits for filing a claim.

LEGAL REF.:

M.G.L. 151B:3A

Title IX of the Education Amendments of 1972

BESE 603 CMR 26:00 (Equal Education Opportunity)

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

Massachusetts Anti-Bullying Law (G.L. c. 71, § 37O)

Student AntiDiscrimination Act (G.L. c. 76, § 5)

42 U.S.C. § 2000d et seq. ("Title VI") (covering race, color and national origin)

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

20 U.S.C. § 1681 et seq. ("Title IX") (covering sex)

42 U.S.C. § 12131 et seq. (Americans with Disabilities Act) (covering disability)

G.L. c. 71, § 37O(b)

M.G.L. c. 22C, § 33” 501 Mass. Reg. 4.01, 4.02 (Hate Crime Reporting Act)

Federal Regulation 74676 issued by EEO Commission

M.G.L. 71:37O; 265:43, 43A; 268:13B; 269:14A (bullying, stalking, criminal harassment, witness intimidation, reporting false information)

REFERENCES:

Massachusetts Department of Elementary and Secondary Education’s Model Bullying Prevention and Intervention Plan

[MCAD Model Sexual Harassment Investigation Guidelines](#)

[MA AG's Guidance to Schools on Legal Obligations to Prevent and Address Hate and Bias Incidents 11/17/2020](#)

CROSS REFERENCES.:

AC, Nondiscrimination

JICFA, Prohibition of Hazing

JK, Student Discipline Regulations

JICFB, Bullying Prevention

SOURCE: MASC July 2020

POLICIES AND

**PROCEDURES FOR REPORTING AND RESPONDING
TO ~~BULLYING~~HARASSMENT AND RETALIATION**

Harassment of students by other students, employees, vendors and other third parties will not be tolerated in the Dover-Sherborn Public Schools. The District's policies against harassment are in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school sponsored activities. Acts of Bullying are prohibited:

- on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district; or through the use of technology or an electronic device owned, leased, or used by a school district, and
- at a location, activity, function, or program that is not school-related or through the use of technology or an electronic device that is not owned, leased, or used by a school district, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

More detailed information regarding the District's prohibition against harassment is set out in the Dover-Sherborn Public Schools Harassment Policy, and, to the extent applicable, the Bullying Prohibition policy, both of which can be found on the District's website.

To support efforts to respond promptly and effectively to ~~Bullying and Retaliation~~harassment and retaliation, the Dover Sherborn Public Schools have ~~policies and procedures in place~~implemented the following procedures for receiving and responding to reports of ~~Bullying and Retaliation~~harassment or retaliation. These procedures ensure that members of the school community – students, parents, and staff – know what will happen when incidents of ~~Bullying~~harassment occur.

~~A. Reporting Bullying~~ **Reporting Harassment or Retaliation:**

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Reports of ~~Bullying or Retaliation~~harassment or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written.

Oral reports made by or to a staff member must be recorded in writing by the staff member. All employees are required to report such events as soon as reasonably possible to the ~~Principal/Headmaster~~principal or designee any instance of ~~Bullying or Retaliation~~harassment or

retaliation when the staff member becomes aware of or witnesses the incident. Reports made by students, parents ~~or~~/guardians, or other non-employees may be made anonymously. but the District's ability to investigate and address the alleged incident will be limited.

If the Principal/Headmasterprincipal is the alleged aggressor, the report should be made to the Superintendent. If the Superintendent is the alleged aggressor, the report should be made to the School Committee. The Schoolschools will make reporting resources available to the school community including, but not limited to, the Dover ~~Sherborn Public Schools~~ Sherborn Bullying Prevention and Intervention Incident Reporting Form, available on the Dover Sherborn Public Schools' website. [†] See Appendix A for Dover Sherborn Public Schools ~~Bullying Prevention and Intervention Incident Reporting Form.~~

Use of the Dover Sherborn Public Schools Bullying Prevention and Intervention and the Harassment Incident Reporting Form, both available on the Dover Sherborn Public Schools' website.

Use of the Incident Reporting ~~Form~~Forms is preferred but not required as a condition of making a report. Schools will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the Principal/Headmasterprincipal or designee; and 3) post it on the school's website.

At the beginning of each school year, schools will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of Bullying and Retaliation. ~~harassment and retaliation.~~ A description of the reporting procedures and resources, including the name and contact information of the Principal/Headmasterprincipal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about these procedures and the Dover Sherborn Public Schools Bullying Prevention and Intervention Plan that is made available to parents or guardians.

1. Reporting by Staff A staff member will report such events as soon as reasonably possible to the Principal/Headmasterprincipal or designee when he/she/they witnesses or becomes aware of conduct that may be Bullying or Retaliation~~harassment or retaliation.~~ If the Principal/Headmasterprincipal is the alleged aggressor, the report should be made to the Superintendent. If the Superintendent is the alleged aggressor, the report should be made to the School Committee. The requirement to report to the Principal/Headmasterprincipal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with each school's policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians, and Others Students, parents or guardians, and

others who witness or become aware of an instance of Bullying or Retaliation harassment or retaliation involving a student shall report it to the Principal/Headmaster/principal or designee. – If the Principal/Headmaster/principal is the alleged aggressor, the report should be made to the Superintendent. If the Superintendent is the alleged aggressor, the report should be made to the School Committee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. – Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of Bullying or Retaliation harassment or harassment with a staff member, or with the Principal/Headmaster/principal or designee.

B. Responding to a report of Bullying Report of Harassment or Retaliation:

1. — Safety

1. **Notice:** When the District has actual notice of harassment it will respond promptly (regardless of whether the complainant has filed a formal complaint). School districts have actual notice when an allegation is made known to any school employee. With respect to sexual harassment and hate incidents/crimes in particular, the District will respond as follows:

Comment [1]: Title IX regs (34 CFR 106.30)

Sexual Harassment: Upon receipt of a formal¹ complaint of sexual harassment, the District will inform the Title IX Coordinator and commence a formal grievance process that will incorporate the Title IX due process rights of both the target(s) and the alleged aggressor as well as supportive measures designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party.

At any time prior to reaching a determination regarding responsibility the District may, at the written request of both parties after the parties have been fully informed, facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Note, however, that this informal resolution option is not available in a case that involved employee to student harassment.

Hate Incidents: The District will act immediately to stop and address the incident in a manner that is consistent with its legal obligations and the District's policies and procedures including the Harassment Investigation Procedures. Measures the District will undertake upon Notice of a Hate Incident include the following:

Comment [2]: MA Hate Crime Regulations 501 CMR 4.00

¹ A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment. 34 C.F.R. 106.30

- Provide an immediate staff response to the report of a Hate Incident.
- Have law enforcement officers photograph/copy graffiti, property damage, and documentation.
- Remove all graffiti (after it has been photographed) before students arrive at school so that the message is not seen by students.
- Inform the victim's and perpetrator's parents of the steps it is taking to address the incident.
- Take immediate steps to prevent the spread of misinformation including the designation of a media spokesperson to quickly disseminate accurate information regarding the incident.
- Utilize school or District crisis response teams to support students and provide victims of Hate Incident or crime with support and assistance, including referral to victim support agencies, communicating with their parents/guardians, and assistance with completing school and law enforcement reports).
- Work with students who are in formal and informal leadership roles to plan activities which will restore campus harmony: e.g., campuswide "No Put-Down" campaigns.
- Assign a District team to protect the victim, perpetrator and their families from the media.
- If appropriate, invite the media back to the school at a later date to observe positive campus activities and the effect of remedial measures/programs undertaken by the District.

4-2. Safety: Before fully investigating the allegations of ~~Bullying or Retaliation~~ harassment or retaliation, the ~~Principal/Headmaster~~ principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. There may be circumstances in which the ~~Principal/Headmaster~~ principal or designee contacts parents or guardians prior to an investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the alleged aggressor's schedule and access to the target. ~~The Principal/Headmaster~~ The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The ~~Principal/Headmaster~~ principal or designee will implement appropriate strategies for

protecting from ~~Bullying or Retaliation~~harassment, or retaliation a student who has reported ~~Bullying or Retaliation~~harassment or retaliation, a student who has witnessed ~~Bullying or Retaliation~~harassment or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of ~~Bullying or Retaliation~~harassment or retaliation.

~~2.~~ **Confidentiality:** The confidentiality of students and witnesses reporting alleged acts of ~~Bullying or Retaliation~~harassment will be maintained to the extent possible given the school's obligation to investigate the matter.

~~3.~~ ~~2.~~ Obligations to Notify Others Note that where the school is legally obligated to investigate the matter, it will do so even if the target asks that it not investigate their claim and while the matter will be kept as confidential as possible, it may not be possible to withhold the target's identity from the alleged harasser.

C. Notifications to Others

1. Notice to parents or guardians: Upon determining that ~~Bullying or Retaliation~~harassment or retaliation has occurred, the ~~Principal/Headmaster~~principal or designee will notify the parents or guardians of the target and the student who is the alleged aggressor or the staff member who is the alleged aggressor, of this determination as soon as reasonably possible, and of the procedures for responding to it.

2. Notice to Another School or District: If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the ~~Principal/Headmaster~~principal or designee first informed of the incident will notify by telephone as soon as reasonably possible the ~~Principal/Headmaster~~principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR.

3. Notice to Law Enforcement: At any point after receiving a report of ~~Bullying or Retaliation~~harassment or retaliation, including after an investigation, if the ~~Principal/Headmaster~~principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, ~~the Principal/Headmaster~~as in the case, for example, of actual or suspected sexual violence, child abuse, or hate incidents, the principal or designee will notify the local law enforcement agency.—Notice will be consistent with the requirements of ~~603~~

~~CMR 49.00603 CMR 49.00 and locally established agreements with the local law enforcement agency—(bullying) and 501 CMR 4.00 (hate crimes), Massachusetts General Laws Ch. 119, §51A (child abuse) and the Memoranda of Understanding between the District and the Dover and Sherborn Police Departments.~~ Also, if an incident occurs on school grounds involving an individual not enrolled in the school, the ~~Principal/Headmaster~~principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the ~~Principal/Headmaster~~principal will, consistent with ~~the Plan and with~~ District policies and procedures, consult with local law enforcement/school resource officer, and other individuals the ~~Principal/Headmaster~~principal or designee deems appropriate.

~~C. —~~ Investigation Procedure:

~~1. —~~ Pre Investigation:

~~Even before fully investigating allegations of Bullying or Retaliation, school personnel will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.~~

~~2. —~~ Investigation:

~~The Principal/Headmaster or designee will~~ **D. Investigation:**

1. Timing: ~~The principal or designee will thoroughly and impartially~~ investigate as soon as reasonably possible all reports of ~~Bullying or Retaliation~~harassment or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved and/or information related to the staff member involved. If the incident has been reported to law enforcement, law enforcement may conduct its own concurrent investigation.

~~Procedures for investigating reports of Bullying and Retaliation are consistent with district policies and procedures as detailed in each handbook. If necessary, the Principal/Headmaster or designee will consult with the Superintendent/Assistant Superintendent.~~

~~The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address this matter.~~

3. ~~Written statement of the complaint:~~

~~The investigator will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.~~

~~It is helpful to have these facts in writing. If age appropriate, the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations, read them to the complainant to confirm accuracy, and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the investigator may sign and date the document her/himself.~~

4. ~~Interviews:~~

The nature and duration of the investigation will depend on the circumstances of the complaint, including the type, severity and frequency of the alleged harassment.

2. Interviews: During the investigation the ~~Principal/Headmaster~~principal or designee will, among other things, interview the victim, the alleged perpetrator, students, staff, witnesses, parents or guardians, and others as necessary. The ~~Principal/Headmaster~~principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.~~The Principal/Headmaster or designee shall remind the alleged aggressor, target, and witnesses of the importance of the investigation and of their obligation to be truthful. The following are general guidelines for responding to a report of Bullying or Retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.~~

~~Depending upon the circumstances, the Principal/Headmaster or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the Bullying or Retaliation behavior and to assess the level of need for additional social skills development.~~

~~Interviews will be conducted by the Principal/Headmaster or designee, or other staff members as determined by the Principal/Headmaster or designee, and in consultation with the school counselor, as appropriate.~~

Interviews will be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school

~~counselor, as appropriate. These interviews will be conducted in person where possible. The investigator will inform each interviewee, as well as any other individual apprised of the investigation, that the investigation is confidential and should not be discussed with co-workers. To the extent practicable, and given the obligation to investigate and address the matter, the Principal/Headmaster/principal or designee will maintain confidentiality during the investigative process. The Principal/Headmaster or designee will maintain a written record of the investigation.~~

~~Once the allegations of the complainant are established, the investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. If appropriate, the investigator should remind the alleged aggressor and witnesses that Retaliation against persons whom they believe might have reported the incident or cooperated with the investigation is strictly prohibited and will result in disciplinary action.~~

~~D. Determinations:~~

~~School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute Bullying or Retaliation. The Principal/Headmaster or designee will make a determination based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like age, intelligence, and experience under like circumstances." See Ellison v. Brady, 924 F.2d 872 (9th Cir. 1991).~~

~~If, after investigation, Bullying or Retaliation is substantiated Procedures for investigating reports of harassment and retaliation will be consistent with District policies and procedures as detailed in each handbook.~~

E. Determinations:

The principal or designee will make a determination based upon all of the facts and circumstances and from the perspective of a "reasonable person." When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like age, intelligence, and experience under like circumstances." See Ellison v. Brady, 924 F.2d 872 (9th Cir. 1991).

F. Written Record:

~~After the employer's investigation is complete, the Principal/Headmaster/principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The Principal/Headmaster or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary. Depending upon the circumstances, the~~

Comment [3]: Moved to Remedial Action section

~~Principal/Headmaster or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the Bullying behavior or Retaliation and to assess the level of need for additional social skills development.~~

~~If a School Principal/Headmaster or designee determines that Bullying or Retaliation has occurred, he/she shall take appropriate disciplinary action, and if it is believed that criminal charges may be pursued against the aggressor, the Principal/Headmaster shall notify the appropriate local law enforcement agency and notify the superintendent.~~

~~A Principal/Headmaster or designee, upon determining that Bullying or Retaliation has occurred, shall promptly contact the parents or guardians of the alleged target(s) and when the alleged aggressor(s) is a student or a staff member, parents or guardians of the alleged aggressor(s). Actions being taken to prevent further acts of Bullying and Retaliation shall be discussed.~~

~~If Bullying or Retaliation is substantiated, the school will take steps reasonably calculated to prevent recurrence and ensure that the target is not restricted in participating in school or in benefiting from school activities. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the age of the students involved. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of Bullying or Retaliation:~~

- ~~● Holding parent conferences;~~
- ~~● Transferring student's classroom or school;~~
- ~~● Limiting or denying student access to a part, or area, of a school;~~
- ~~● Enhancing adult supervision on school premises;~~
- ~~● Excluding from participation in school sponsored or school related functions, after school programs, and/or extracurricular activities;~~
- ~~● Providing relevant educational activities for individual students or groups of students. Guidance counselors and others in the school setting who have been trained in working with students on interpersonal issues may be helpful in providing such programs.~~
- ~~● Personalized Action Plan and directives for future conduct, including providing the target with a process for reporting any concerns about future conduct immediately. It is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student.~~
- ~~● Arranging for communication between the parties, if appropriate, to assist them in resolving issues which have arisen between them. (Such an approach will be used cautiously since communication can sometimes exacerbate, rather than alleviate, the target's concerns and since the conduct often involves an imbalance of power.)~~

- ~~Providing counseling (or other appropriate services) or referral to such services for the target and/or the aggressor and/or for appropriate family members of said students.~~
- ~~Disciplinary actions for employees who are found to have committed an act of Bullying or Retaliation shall be in accordance with state law, any applicable Collective Bargaining Agreements, and the district's policies and procedures.~~

Comment [4]: Deleted - requirements are specific to bullying

~~E. Closing the Complaint and Possible Follow Up~~

Comment [5]: Moved to notification and remedial action sections

~~School staff will provide notice as soon as reasonably possible to the parent/guardian of the target(s) and the aggressor(s) about whether or not the complaint was substantiated and, if substantiated, what action is being taken to prevent any further acts of Bullying or Retaliation. Specific information about disciplinary action taken will not be released to the target's parents or guardians unless it involves a directive that the target must be aware of in order to report violations.~~

~~If appropriate, within a reasonable time period following closure of the complaint, the Principal/Headmaster or designee will contact the Target to determine whether there has been any recurrence of the prohibited conduct. The district will retain a report of the complaint, containing the name of the complainant, the date of the complaint, investigator, school, a brief statement of the nature of the complaint, the outcome of the investigation, and the action taken.~~

~~The Principal/Headmaster or designee will notify the parents or guardians of the target and the aggressor as soon as reasonably possible about the results of the investigation and, if Bullying or Retaliation is found, prepare a final written report documenting their findings. Generally, the investigator's report will detail the steps the investigator took in examining the complainant's allegations and will explain any conclusions the investigator has made. The District will create and maintain a written record of harassment complaints which will include the final written report and records documenting mediation, restorative justice, or other models of alternative dispute resolution undertaken by the parties, and any supportive measures offered and implemented.~~

G. Notification of Results:

The principal or designee will notify the parents or guardians of the target and the alleged aggressor as soon as reasonably possible about the results of the investigation and explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based. If harassment or retaliation is found, the

notification will explain what action is being taken to prevent further acts of **Bullying or Retaliation**. ~~harassment or retaliation.~~ All notice to parents must comply with applicable state and federal privacy laws and regulation and due process is followed in all cases as documented in school handbooks. Because of the legal requirements regarding the confidentiality of student records, the ~~Principal/Headmaster~~principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a directive that the target must be aware of in order to report violations.

~~The Principal/Headmaster or designee will inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the Bullying determination.~~

~~F. Responses to Bullying and Retaliation:~~

~~The Dover-Sherborn Public Schools have incorporated a range of individualized strategies and interventions that may be used in response to remediate a student's skills or to prevent further incidences of Bullying and/or Retaliation.~~

~~1. Teaching Appropriate Behavior through Skills Building~~

~~Upon the Principal/Headmaster or designee determining that Bullying or Retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill building approaches that the Principal/Headmaster or designee may consider include:~~

- ~~● offering individualized skill building sessions based on the school's/district's anti-Bullying curricula;~~
- ~~● providing relevant educational activities for individual students or groups of students, in consultation with school counselors and other appropriate school personnel;~~
- ~~● implementing a range of academic and nonacademic positive behavioral supports to help students understand pro social ways to achieve their goals;~~
- ~~● meeting with parents and guardians to engage parental support and to reinforce the anti-Bullying curricula and social skills building activities at home;~~
- ~~● adopting behavioral plans to include a focus on developing specific social skills; and~~

Comment [6]: same - specific to bullying

making a referral for evaluation **H. Remedial and Disciplinary Action:**

1. Remedial Action: If, after investigation, harassment or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal/headmaster or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the harassment behavior and to assess the level of need for additional social skills development.

2. Disciplinary Action: If the ~~Principal/Headmaster~~principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the ~~Principal/Headmaster~~principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior.

Discipline will be consistent with applicable Dover Sherborn Public Schools ~~Bullying Prevention and Intervention Plan and with each school's policies and procedures.~~

~~Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.~~

policies and procedures, including, for example the Harassment policy, the Bullying Prevention and Intervention Plan, and with the school's code of conduct/student handbook. If necessary, the principal or designee will consult with the Superintendent/Assistant Superintendent. Disciplinary actions for employees who are found to have committed an act of ~~Bullying or Retaliation~~harassment or retaliation shall be in accordance with state law, any applicable collective bargaining agreement, and the Dover Sherborn Public Schools' policies and procedures.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the ~~Principal/Headmaster~~principal or designee determines that a student knowingly made a false allegation of ~~Bullying or Retaliation~~harassment or

retaliation, that student may be subject to disciplinary action consistent with the school's code of conduct/student handbook.

~~Disciplinary actions for employees who are found to have committed an act of Bullying or Retaliation will be in accordance with state law and the Dover-Sherborn Public Schools' policies and procedures.~~

3.

I. Promoting Safety for the Target and Others

The Principal/Headmaster/principal or designee(s) will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Principal/Headmaster/principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the Principal/Headmaster/principal or designee will work with appropriate school staff to implement them as soon as reasonably possible.

VII. COLLABORATION WITH FAMILIES

Comment [7]: Legal requirements specific to bullying

~~The Dover-Sherborn Public Schools Bullying Prevention and Intervention Plan includes strategies to engage and collaborate with students' families in order to increase the capacity of each of our Schools as well as the district to prevent and respond to Bullying. Resources for families and communication with them are essential aspects of effective collaboration. Provisions for informing parents or guardians about the Bullying Prevention and Intervention curricula used by the Schools include: (i) how parents and guardians can reinforce the curricula at home and support the school or district plan; (ii) the dynamics of Bullying; and (iii) online safety and Cyber Bullying. Parents and guardians will also be notified in writing each year about the student related sections of the Dover-Sherborn Public Schools Bullying Prevention and Intervention Plan.~~

~~Schools will collaborate with School Councils and overarching parent organizations (School Councils, PTO, CSA, POSITIVE, Guidance Advisory Council, and SEPAC) to create parent resource and information networks. Schools will join with these parent groups to offer education programs for parents and guardians that are focused on the parental components of the anti-Bullying curricula and any social competency curricula used by the school(s).~~

~~Schools will annually inform parents or guardians of enrolled students about the anti-Bullying curricula that are being used. This notice will include information about the dynamics of Bullying, including Cyber Bullying and online safety. The Schools will send parents written notice each year about the student related sections of the Dover-Sherborn Public Schools Bullying Prevention and Intervention Plan and the Dover-Sherborn Network and Internet Acceptable Use Policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. Each school will post the Dover-Sherborn Public Schools Bullying Prevention and Intervention Plan and related information on its website.~~

~~VIII. PROHIBITION AGAINST BULLYING AND RETALIATION~~

Comment [8]: Specific to DESE model re bullying

~~The Dover-Sherborn Public Schools will not tolerate any unlawful or disruptive behavior, including any form of Bullying or Retaliation, in our school buildings, on school grounds, on school buses and at school bus stops or in school related activities. Schools will investigate as soon as reasonably possible all reports and complaints of Bullying and Retaliation, and take prompt action to end that behavior and restore the target's sense of safety. The Dover-Sherborn Public Schools will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.~~

~~Acts of Bullying are prohibited:~~

- ~~• on school grounds and property immediately adjacent to school grounds, at a school sponsored or school related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district; or through the use of technology or an electronic device owned, leased, or used by a school district, and~~
- ~~• at a location, activity, function, or program that is not school related or through the use of technology or an electronic device that is not owned, leased, or used by a school district, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.~~

~~Retaliation against a person who reports Bullying, provides information during an investigation of Bullying, or witnesses or has reliable information about Bullying is also prohibited. As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.~~

~~IX. PROBLEM RESOLUTION SYSTEM~~

Comment [9]: Same

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/prs>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information is also available at the Superintendent's office.

~~X. RELATIONSHIP TO OTHER LAWS~~

Comment [10]: Same

~~Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, ancestry, sexual orientation, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Nothing in the Dover Sherborn Public Schools Bullying Prevention and Intervention Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.~~

~~In addition, nothing in the Dover Sherborn Public Schools Bullying Prevention and Intervention Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether this Plan covers the behavior.~~

J. Relationship to Other Laws

Nothing herein is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H1/2, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether this Plan covers the behavior.

Grievance Process requirements: 34 CFR 106.45

MA AG's Guidance to Schools on Legal Obligations to Prevent and Address Hate and Bias Incidents 11/17/2020



**DOVER-SHERBORN PUBLIC SCHOOLS
HARASSMENT REPORTING FORM**

Date: _____

1. Name of Reporter/Person Filing the Report*: _____

*While reports may be made anonymously, no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

2. Check whether the incident based on sex ____ gender identity ____ sexual orientation ____ race ____ national origin/ethnicity ____ religion ____ disability ____ (check all that apply)

*If the incident was not based on any of the above characteristics, consider whether the incident should instead be reported as bullying under the District's Bullying Prevention and Intervention Plan ("BPIP). The BPIP Incident Reporting Form can be accessed [\[here\]](#)

3. Check if you personally are the Target of the behavior ____ or a member of the Targeted group ____

4. Check whether you are a:

Student ____ Parent ____ Other (specify) _____

Staff member or Administrator (specify role) _____

5. Your contact information

Home and/or cell phone: _____; E-mail: _____

6. School Information:

If you are a student, please indicate your school _____

Please indicate your grade: _____

If you are a staff member, please indicate your school and/or work location:

7. Information about the Incident:

Name of Target (if known): _____

Name of alleged Aggressor if known (Person who engaged in the behavior):

Date(s) of incident(s): _____

Time of day that incident(s) occurred: _____

Location of Incident(s) (be as specific as possible): _____

8. Witnesses (list people who saw the incident or have information about it):

Name: _____ • Student • Staff • Other _____

Name: _____ • Student • Staff • Other _____

Name: _____ • Student • Staff • Other _____

8. Please describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). If the incident involved property damage, graffiti, writings (such as letters or emails), please describe and if possible, provide photographs. Please use additional pages if necessary.

All of the information on this form is accurate and true to the best of my knowledge

Signature: _____ Date: _____

FOR ADMINISTRATIVE USE ONLY

Name of person receiving the form: _____

Position: _____ Date: _____

Signature: _____

Date Received: _____

INVESTIGATION

1. Investigator(s): _____

Position(s): _____

2. Interviews:

Interviewed alleged aggressor(s): Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Interviewed target: Name: _____ Date: _____

Interviewed witnesses: Name: _____ Date: _____

Name: _____ Date: _____

3. Any prior documented Incidents by the alleged aggressor? Yes No

If yes, have incidents involved target or target group previously? Yes No

Any previous incidents with findings of harassment, bullying, or retaliation? Yes No

Summary of Investigation: (Please use additional paper and attach to this document as needed)

CONCLUSIONS FROM THE INVESTIGATION

1. Finding of harassment or retaliation: YES NO

- Harassment Incident documented as _____
 Retaliation Discipline referral only _____

2. Contacts:

- Target's parent/guardian Date: _____
 Alleged Aggressor's parent/guardian Date: _____
 Other (as appropriate/necessary)
 District Equity Coordinator (DEC) Date: _____
 School Counselor Date: _____
 Law Enforcement Date: _____
 Other School District Date: _____

3. Action Taken(s):

- Loss of Privileges Detention STEP referral Suspension
 Community Service Education Other _____

4. Describe Safety Planning and/or supportive measures:

5. Follow-up

- With Target:** scheduled for _____ Initial and date when completed: _____
With Aggressor: scheduled for _____ Initial and date when completed: _____

Report forwarded to Principal/Headmaster: Date _____

Report forwarded to Superintendent: Date _____
(If principal was not the investigator)

Signature: _____ **Title:** _____

Date: _____

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PROCEDURES FOR REPORTING AND RESPONDING TO HARASSMENT AND RETALIATION

Harassment of students by other students, employees, vendors and/or other third parties will not be tolerated in the Dover-Sherborn Public Schools. The District's policies against harassment are in effect while students are on school grounds, District property or property within the jurisdiction of the District, school buses, or attending or engaging in school sponsored activities. Harassment is prohibited:

- on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district; or through the use of technology or an electronic device owned, leased, or used by a school district, and
- at a location, activity, function, or program that is not school-related or through the use of technology or an electronic device that is not owned, leased, or used by a school district, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

More detailed information regarding the District's prohibition against harassment is set out in the Dover-Sherborn Public Schools Harassment Policy, and, to the extent applicable, the Bullying Prevention and Intervention policy, both of which can be found on the District's website.

To support efforts to respond promptly and effectively to harassment and retaliation, the Dover-Sherborn Public Schools have implemented the following procedures for receiving and responding to reports of harassment or retaliation. These procedures ensure that members of the school community – students, parents, and staff – know what will happen when incidents of harassment occur.

A. Reporting Harassment or Retaliation

Reports of harassment or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written.

Oral reports made by or to a staff member must be recorded in writing by the staff member. All employees are required to report any instance of harassment or retaliation as soon as reasonably possible to the principal or the principal's designee after the staff member becomes aware of or witnesses the incident. Reports made by students, parents/guardians, or other non-employees may be made anonymously but the District's ability to investigate and address the alleged

Comment [1]: <https://www.doe.mass.edu/lawsregs/603cmr26.html?section=07> and <https://www.mass.gov/doc/ago-guidance-on-hate-and-bias-incidents-in-schools-112020/download>

Comment [2]: Language is intro from Harassment policy (ACAB)

Comment [3]: Per title change

incident will be limited.

If the principal is the alleged aggressor, the report should be made to the Superintendent. If the Superintendent is the alleged aggressor, the report should be made to the School Committee. The schools will make reporting resources available to the school community including, but not limited to, the Dover Sherborn Bullying Prevention and Intervention Incident Reporting Form, and the Harassment Incident Reporting Form, both available on the Dover Sherborn Public Schools' website.

Use of the Incident Reporting Form is preferred but not required as a condition of making a report. Schools will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's website.

At the beginning of each school year, schools will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of harassment and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about these procedures and the Dover Sherborn Public Schools Bullying Prevention and Intervention Plan that is made available to parents or guardians.

1. Reporting by Staff A staff member will report such events as soon as reasonably possible to the principal or designee when the staff member witnesses or becomes aware of conduct that may be harassment or retaliation. If the principal is the alleged aggressor, the report should be made to the Superintendent. If the Superintendent is the alleged aggressor, the report should be made to the School Committee. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with each school's policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians, and Others Students, parents or guardians, and others who witness or become aware of an instance of harassment or retaliation involving a student shall report it to the principal or designee. If the principal is the alleged aggressor, the report should be made to the Superintendent. If the Superintendent is the alleged aggressor, the report should be made to the School Committee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of harassment or harassment with a staff member, or with the principal or designee.

B. Responding to a Report of Harassment or Retaliation:

Comment [4]: Per 34 CFR 106.45 (Grievance Process)

1. **Notice:** When the District has “actual notice” of harassment it will respond promptly (regardless of whether the target has filed a formal complaint). The District has “actual notice” when an allegation is made known to any school employee. With respect to sexual harassment and hate incidents/crimes in particular, the District will respond as follows:

Sexual Harassment: Upon receipt of a formal¹ complaint of sexual harassment, the District will inform the Title IX Coordinator and commence a formal grievance process that will incorporate the Title IX due process rights of both the target(s) and the alleged aggressor as well as supportive measures designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party.

Comment [5]: 34 CFR 106.45

At any time prior to reaching a determination regarding responsibility the District may, at the written request of both parties after the parties have been fully informed, facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Note, however, that this informal resolution option is not available in a case that involved employee to student harassment.

Comment [6]: 34 CFR 106.45(9)

Hate Incidents: The District will act immediately to stop and address the incident in a manner that is consistent with its legal obligations and the District’s policies and procedures. Measures the District will undertake upon actual notice of a Hate Incident include the following:

- Provide an immediate staff response to the report of a Hate Incident.
- Have law enforcement officers photograph/copy graffiti, property damage, and documentation.
- Remove all graffiti (after it has been photographed) before students arrive at school so that the message is not seen by students.
- Inform the victim’s and alleged perpetrator’s parents of the steps it is taking to address the incident.
- Take immediate steps to prevent the spread of misinformation including the designation of a media spokesperson to quickly disseminate accurate information regarding the incident.

¹ A document filed by a target or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment. 34 C.F.R. 106.30

- Utilize school or District crisis response teams to support students and provide victims of Hate Incident or crime with support and assistance, including referral to victim support agencies, communicating with their parents/guardians, and assistance with completing school and law enforcement reports).
- Work with students who are in formal and informal leadership roles to plan activities which will restore campus harmony: e.g., campuswide “No Put-Down” campaigns.
- Assign a District team to protect the victim, perpetrator and their families from the media.
- If appropriate, invite the media back to the school at a later date to observe positive campus activities and the effect of remedial measures/programs undertaken by the District.

2. **Safety:** Before fully investigating the allegations of harassment or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. There may be circumstances in which the principal or designee contacts parents or guardians prior to an investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the alleged aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from harassment, or retaliation a student who has reported harassment or retaliation, a student who has witnessed harassment or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of harassment or retaliation.

3. **Confidentiality:** The confidentiality of students and witnesses reporting alleged acts of harassment will be maintained to the extent possible given the school’s obligation to investigate the matter. Note that where the school is legally obligated to investigate the matter, it will do so even if the target asks that it not investigate their claim and while the matter will be kept as confidential as possible, it may not be possible to withhold the target’s identity from the alleged harasser.

C. Notifications to Others

1. Notice to parents or guardians: Upon determining that harassment or retaliation has occurred, the principal or designee will notify the parents or guardians of the target and the student who is the alleged aggressor or the staff member who is the alleged aggressor, of this determination as soon as reasonably possible, and of the procedures for responding to it.

2. Notice to Another School or District: If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will notify by telephone as soon as reasonably possible the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR.

3. Notice to Law Enforcement: At any point after receiving a report of harassment or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, as in the case, for example, of actual or suspected sexual violence, child abuse, or hate incidents, the principal or designee will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 (bullying) and 501 CMR 4.00 (hate crimes), Massachusetts General Laws Ch. 119, §51A (child abuse) and the Memoranda of Understanding between the District and the Dover and Sherborn Police Departments. Also, if an incident occurs on school grounds involving an individual not enrolled in the school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with applicable school or district policies and procedures, consult with local law enforcement/school resource officer, and other individuals the principal or designee deems appropriate.

D. Investigation

1. Timing: The principal or designee will thoroughly and impartially investigate as soon as reasonably possible all reports of harassment or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved and/or information related to the staff member involved. The nature and duration of the investigation will depend on the circumstances of the complaint, including the type, severity and frequency of the alleged harassment. If the incident has been reported to law

Comment [7]: MCLE Model Sexual Harassment Investigation Guidelines: <https://docs.google.com/document/d/1C5S1bg1NpDI8Wx1-Dd3YzdZs48tXgCnC/edit#heading=h.gjdgxs> and MCAD Guidelines (p 9-13): <https://www.mass.gov/doc/mcad-guidelines-on-sexual-harassment-laws-in-employment/download>

enforcement, law enforcement may conduct its own concurrent investigation.

2. Interviews: During the investigation the principal or designee will, among other things, interview the victim, the alleged aggressor, students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews will be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. These interviews will be conducted in person where possible. The investigator will inform each interviewee, as well as any other individual apprised of the investigation, that the investigation is confidential and should not be discussed with co-workers. To the extent practicable, and given the obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. Procedures for investigating reports of harassment and retaliation will be consistent with District policies and procedures as detailed in each handbook.

E. Determinations

The principal or designee will make a determination based upon all of the facts and circumstances and from the perspective of a "reasonable person." When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like age, intelligence, and experience under like circumstances." See *Ellison v. Brady*, 924 F.2d 872 (9th Cir. 1991)..

F. Written Record

After the investigation is complete, the principal or designee will prepare a final written report documenting their findings. Generally, the investigator's report will detail the steps the investigator took in examining the target's allegations and will explain any conclusions the investigator has made. The District will create and maintain a written record of harassment complaints which will include the final written report and records documenting mediation, restorative justice, or other models of alternative dispute resolution undertaken by the parties, and any supportive measures offered and implemented.

G. Notification of Results

The principal or designee will notify the parents or guardians of the target and the alleged aggressor as soon as reasonably possible about the results of the investigation and will explain

each allegation, whether the respondent is found to be responsible or not responsible, including the facts and evidence on which the conclusion was based. If harassment or retaliation is found, the notification will explain what action is being taken to prevent further acts of harassment or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulation and due process is followed in all cases as documented in school handbooks. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a directive that the target must be aware of in order to report violations.

H. Remedial and Disciplinary Action

1. Remedial Action: If, after investigation, harassment or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal/headmaster or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the harassment behavior and to assess the level of need for additional social skills development.

2. Disciplinary Action: If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior.

Discipline will be consistent with applicable Dover Sherborn Public Schools policies and procedures, including, for example the Harassment policy, the Bullying Prevention and Intervention Plan, and with the school's code of conduct/student handbook. If necessary, the principal or designee will consult with the Superintendent/Assistant Superintendent. Disciplinary actions for employees who are found to have committed an act of harassment or retaliation shall be in accordance with state law, any applicable collective bargaining agreement, and the Dover Sherborn Public Schools' policies and procedures.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of harassment or retaliation, that student may be subject to disciplinary action consistent with the school's code of conduct/student handbook.

I. Promoting Safety for the Target and Others

The principal or designee(s) will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them as soon as reasonably possible.

J. Relationship to Other Laws

Nothing herein is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H1/2, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether this Plan covers the behavior.



**DOVER-SHERBORN PUBLIC SCHOOLS
HARASSMENT REPORTING FORM**

Date: _____

1. Name of Reporter/Person Filing the Report*:

*While reports may be made anonymously, no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

2. Check whether the incident based on sex ____ gender identity ____ sexual orientation ____
race ____ national origin/ethnicity ____ religion ____ disability ____
(check all that apply)

*If the incident was not based on any of the above characteristics, consider whether the incident should instead be reported as bullying under the District's Bullying Prevention and Intervention Plan ("BPIP). The BPIP Incident Reporting Form can be accessed [\[here\]](#)

3. Check if you personally are the Target of the behavior ____ or a member of the Targeted group _____

4. Check whether you are a:

Student ____ Parent ____ Other (specify)

Staff member or Administrator (specify role)

5. Your contact information

Home and/or cell phone: _____; E-mail:

6. School Information:

If you are a student, please indicate your school _____
Please indicate your grade: _____

If you are a staff member, please indicate your school and/or work location:

7. Information about the Incident:

Name of Target (if known):

Name of alleged Aggressor if known (Person who engaged in the behavior):

Date(s) of incident(s): _____

Time of day that incident(s) occurred:

Location of Incident(s) (be as specific as possible):

8. Witnesses (list people who saw the incident or have information about it):

Name: _____ • Student • Staff • Other

Name: _____ • Student • Staff • Other

Name: _____ • Student • Staff • Other

8. Please describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). If the incident involved property damage, graffiti, writings (such as letters or emails), please describe and if possible, provide photographs. Please use additional pages if necessary.

All of the information on this form is accurate and true to the best of my knowledge

Signature: _____ Date: _____

FOR ADMINISTRATIVE USE ONLY

Name of person receiving the form: _____

Position: _____ Date: _____

Signature: _____

Date Received: _____

INVESTIGATION

1. Investigator(s): _____

Position(s): _____

2. Interviews:

Interviewed alleged aggressor(s): Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Interviewed target: Name: _____ Date: _____

Interviewed witnesses: Name: _____ Date: _____

Name: _____ Date: _____

3. Any prior documented Incidents by the alleged aggressor? Yes No

If yes, have incidents involved the target or target group previously? Yes No

Any previous incidents with findings of harassment, bullying, or retaliation? Yes No

Summary of Investigation: (Please use additional paper and attach to this document as needed)

CONCLUSIONS FROM THE INVESTIGATION

1. Finding of harassment or retaliation: YES NO

Harassment Incident documented as _____

Retaliation Discipline referral only _____

2. Contacts:

Target's parent/guardian Date: _____

- Alleged Aggressor's parent/guardian Date: _____
- Other (as appropriate/necessary)
 - District Equity Coordinator (DEC) Date: _____
 - School Counselor Date: _____
 - Law Enforcement Date: _____
 - Other School District Date: _____

3. Action Taken(s):

- Loss of Privileges Detention STEP referral Suspension
- Community Service Education Other _____

4. Describe Safety Planning and/or supportive measures:

5. Follow-up

With Target: scheduled for _____ **Initial and date when completed:**

With Aggressor: scheduled for _____ **Initial and date when completed:**

Report forwarded to Principal/Headmaster: Date _____

Report forwarded to Superintendent: Date _____
(If principal was not the investigator)

Signature: _____ **Title:** _____

Date: _____

DRAFT

Sherborn School Committee Meeting of December 14, 2020

Members Present: Angie Johnson
Megan Page
Mike Fitzgerald

Also Present: Dr. Andrew Keough, Superintendent
Beth McCoy, Assistant Superintendent
Dawn Fattore, Business Administrator

1) Call to Order

Ms. Johnson called the virtual meeting to order at 6:30 pm and read the following into the record: Good evening. This Open Meeting of the Sherborn School Committee is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

In order to mitigate the transmission of COVID-19, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

For this meeting, the Sherborn School Committee is convening via Zoom App, as posted. Information on how to join our School Committee mtgs and mtg agendas were posted on the Dover Sherborn District Website and on the town calendars.

Please note that this meeting is being recorded, and that some attendees are participating by video conference. Accordingly, please be aware that others may be able to see you, so please take care not to "screen share" your computer. Anything you broadcast may be captured by the recording.

Community comments are an opportunity for members of the community to be heard. We respectfully request that you please make your comments brief (2-3 minutes) and that you move the discussion forward by adding new information. Please try to avoid repeating points that have already been made.

Community comments are an opportunity for us to listen to members of the community. It is not a forum for answering questions or engaging in a debate. Once the public comment section of the meeting has been concluded, we will move on to other business and unsolicited comments from the community will no longer be permitted. This is standard operating procedure in school committee meetings across our 3 school districts.

2) Community Comments - none

3) Reports

- Principal's Report - Dr. Brown highlighted recent and upcoming events at Pine Hill.
- Warrant Report

4) FY21 Monthly Financial Report - as of November 30th.

- Salaries - the majority of salaries have been encumbered. Unbudgeted activity to date includes: three educators retired post-budget resulting in savings in Teachers, Classroom, & Guidance of \$150,000; two educators on leave resulting in a savings of \$100,000; two additional educators have been hired to cover remote learning at a cost of \$100,000; and one additional EA has been hired for regular education with the costs through year-end being covered by the CARES Grant.

DRAFT

- Operating Expenditures - there are no variances to report this early in the fiscal year. Initial projections have been encumbered for utilities and the regular education transportation encumbrance reflects the contract amendment savings approved at last week's Joint meeting.
- Out-of-District - Placement costs for FY21 have been encumbered.
- CARES Re-opening Grant - \$85,000 in expenses were covered by the Town of Sherborn CARES Grant which has allowed staffing expenditures to be charged to the Pine Hill Re-opening Grant.

5) Proposed FY22 Operating Budget - the budget was developed using the following assumptions: 1) regular school operations (in-person, 5-days a week) with level enrollment; 2) compliance with Town budget guidance; 3) alignment with District's Strategic Plan; and 4) acute awareness of potential post-COVID 19 State budget financial constraints. Key budget drivers include:

*Payroll and related benefits represent approx 87% of the operating budget with key budget drivers being: contractual agreement increase of 2% across all bargaining units in addition to step and land increases for educators ranging from 4-13%; one classroom section added to operating budget (funded with revolving funds in FY21 budget); and staffing changes and retirements,

*Continued trend budgeting for all other operating accounts,

*In-District student enrollment - projecting approx 400 students and 20 classroom sections with class size range 18-22, and

*Out-of-District student enrollment - projecting 9 placements in FY22 (vs 11 in FY21)

Overall the operating budget totals \$7,101,569, an increase of \$105,035 or 1.5% with:

*In-district operating budget increase of \$61,735 or 0.97% (vs \$175,377 or 2.84% in FY21)

*Out-of-District operating budget increase of \$43,300 or 6.8% (vs \$427,663 decrease in FY21). The decline in in OOD placements has a corresponding decrease in circuit breaker reimbursement. The FY22 budget includes \$150,000 of circuit breaker vs \$325,000 in FY21.

Mike Fitzgerald made a motion to approve the FY22 Budget as presented. Megan Page seconded.

20-17 VOTE: 3 - 0

6) Proposed FY22 Capital - The FY22 capital projects include classroom casework totaling \$30,000. FY23 projects total \$990,000, the bulk of which is the roof replacement (\$875,000).

Mike Fitzgerald made a motion to approve the FY22 Capital Budget as presented. Megan Page seconded.

20-18 VOTE: 3 - 0

7) Tuition: Pre-K and Non-Resident - a 2% increase was proposed: 3-day rate - \$5,830 and 5-day rate - \$10,310

Megan Page made a motion approve the Pre-K tuition as presented. Mike Fitzgerald seconded.

20-19 VOTE: 3 - 0

8) ACED FY22 Recommendations - The ACED recommends that the 4 Curriculum Leader positions be changed to 6 Professional Learning Community Leaders. The ratio will stay the same resulting in an increase of \$7,557.

Megan Page made a motion to approve the ACED recommendations as presented. Mike Fitzgerald seconded.

20-20 VOTE: 3 - 0

DRAFT

9) Policy: Class Size, First Read - the changes to the policy were presented. Class sizes are recommended to be 18-23 across all grades at Pine Hill. A final vote on the policy will be taken at the next meeting.

10) Consent Agenda

- Approval of Minutes: October 13, 2020
Mike Fitzgerald made a motion to approve the Consent Agenda. Megan Page seconded.
20-21 VOTE: 5 - 0 via roll call

11) Communications

- Dover Sherborn Regional School Committee minutes of November 2, 2020
- Dover School Committee minutes of September 29, 2020

12) Items for February 9, 2021 meeting

13) Adjournment at 7:30 pm.

Respectfully submitted,
Amy Davis

The Public Schools of Dover and Sherborn

*Memo from
Superintendent Dr. Andrew Keough*

To: Dover Sherborn Regional School Committee

From: Dr. Andrew W. Keough, Superintendent

Re: Donation

I respectfully request the Sherborn School Committee accept the following donation from the Dover Sherborn Education Fund:

- Water Cooler with Bottle Filling station

APPROVED JANUARY 12, 2021

Dover-Sherborn Regional School Committee

Meeting of December 8, 2020

Members Present: Anne Hovey
Maggie Charron
Judi Miller
Kate Potter
Michael Jaffe
Lynn Collins

1) Call to Order

Ms. Charron called the virtual meeting to order at 5:30 pm and read the following into the record:

Good evening. This Open Meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020,

Information on how to join remote School Committee meetings and meeting agendas are posted on the Dover Sherborn District Website.

Please note that this meeting is being recorded. Be aware that anything that you broadcast may be captured by the recording.

Community comments are an opportunity for members of the community to be heard. We respectfully request that you please make your comments brief (2-3 minutes) and that you move the discussion forward by adding new information. Please try to avoid repeating points that have already been made.

Community comments are an opportunity for us to listen to members of the community. It is not a forum for answering questions or engaging in a debate. Once the public comment section of the meeting has been concluded, we will move on to other business and unsolicited comments from the community will no longer be permitted. This is standard operating procedure in school committee meetings across our 3 school districts. We appreciate that you have taken the time to participate and encourage you to reach out to your school committee reps at any time.

2) Community Comments - Rob Andrews, Warrant Committee, introduced himself to the committee members.

3) Reports

- Warrant Report

4) Proposed Changes to the 2021-2022 DSRHS Program of Studies - In addition to the changes discussed at last month's meeting, Mr. Smith discussed the proposed course addition in the Math Department titled "Financial Literacy". This semester class can be taken either as a Math requirement option or an elective and will be open to Juniors and Seniors at the Honors or College Prep level. Michael Jaffe stated he will vote against approving the Program of Studies as he believes the weighted GPA at the high school is fundamentally unfair.

Anne Hovey made a motion to approve the 2021-2022 DSRHS Program of Studies as presented. Judi Miller seconded.

20-33 VOTE: 5 - 1 (Michael Jaffe)

5) FY21 Financial Reports as of November 30th

- Revenues - there are no changes to report since last month
- Salaries - there are no changes to report since last month

APPROVED JANUARY 12, 2021

- Expenditures - Utilities are the last major expense to be encumbered and will be in place by the February meeting.
- Re-Opening Grant - Since the last report, additional monies have been spent on technology devices for educators, PPE including tent rentals, and instructional related software and supplies. The remaining \$19,225 will be spent by the deadline of December 30th.

6) FY22 Draft Budget

- **Draft Operating Budget** - the budget was developed using the following assumptions: 1) regular school operations (in-person, 5-days a week) with level enrollment; 2) compliance with Towns' budget guidance; 3) alignment with District's Strategic Plan; and 4) acute awareness of potential pos-COVID 19 State budget financial constraints. Key budget drivers include:
 - *Payroll and related benefits represent approx 80% of the operating budget with key budget drivers being: contractual agreement increase of 2% across all bargaining units in addition to step and land increases for educators ranging from 4-13%; healthcare premium increases estimated at 8.5% with approx 45% participants enrolled in high-deductible healthcare plans; and no new staffing positions for FY22,
 - *Continued trend budgeting for all other operating accounts resulting in overall budget reduction, and
 - *Student enrollment by member towns impacts the annual assessment percentage. The FY22 operating and capital assessment percentages reflect increase of .63% and .65% respectively for Sherborn. In addition, the state calculated minimum local contribution impacts the individual assessments.

Overall the operating budget increase is \$625,186 or 2.39% (vs 860,186 or 3.4% for FY21). Dover's assessment increase is \$386,083 (3.04%) vs 1.59% in FY21. Sherborn's assessment increase is \$451,335 (4.51%) vs 4.69% in FY21.

Anne Hovey made a motion to accept the FY22 Operating Budget as presented. Ms. Collins seconded.

20-34 VOTE: 6 - 0

- **Capital** - the roofing projects have been moved to FY23 or 24. Other projects are estimated to total \$350,000, the full capital plan will be presented at the January meeting.
- **Activity Fee** - after review of the MS and HS activity fees the Administration is recommending an increase to the HS activity fee. The Middle School programming currently costs \$14,000 to run offset by approximately \$11,000 in fees. The High School programming costs of \$100,000 are offset by \$13,500 in fees. The higher High School fee of \$75 would increase the revenue by \$9,000 to offset the operating costs of the programs. There was discussion about the reasoning behind the size of the fee increase.

Judi Miller made a motion to approve the increase to the High School activity fee as recommended. Anne Hovey seconded.

20-35 VOTE: 5 - 1 (Lynn Collins opposed)

7) Consent Agenda

- Approval of Minutes: November 2, 2020
- Donations - Girls Soccer coach stipends of \$4,180

APPROVED JANUARY 12, 2021

*Lynn Collins made a motion to approve the Consent Agenda. Judi Miller seconded.
20-32 VOTE: 5 - 0*

8) Communication

- DSHS Principal's Report
- DSMS Principal's Report

9) Items for December 8, 2020 meeting - Town Report

10) Adjournment at 6:37 pm.

Respectfully submitted, Amy Davis

APPROVED JANUARY 19, 2021

Dover School Committee Meeting of December 17, 2020

Members Present: Brooke Matarese
Leslie Leon
Colleen Burt
Sara Gutierrez Dunn

Also Present: Andrew Keough, Superintendent
Beth McCoy, Assistant Superintendent
Dawn Fattore, Business Manager

1) **Call to Order**

Ms. Matarese called the virtual meeting to order at 6:30 pm and read the following into the record: Good evening. This Open Meeting of the Dover School Committee is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

In order to mitigate the transmission of COVID-19, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely.

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2) **Community Comments** - none

3) **Reports**

- Principal's Report - Dr. Reinemann reviewed her report and answered questions.
- Superintendent Report - Dr. Keough announced that Dr. Reinemann has been named as Principal for Chickering School beginning July 1, 2021.
- Warrant Report

4) **FY21 Monthly Financial Report** - as of December 11, 2020.

- Salaries - there are no changes since the last report
- Expenditures - initial projections have been encumbered for building maintenance contracts and most utilities. Regular education transportation costs have been

APPROVED JANUARY 19, 2021

encumbered and reflect the savings resulting from the COVID-19 related amendment approved by the Committee last week.

- Out-of-District - There have been eight new placements to date resulting in a negative variance of approximately \$570,000 in tuition and \$75,000 in transportation. These negative variances will be offset by circuit breaker reimbursement which at this point in time is sufficient to cover the negative variance.
- COVID related grants - a full accounting of grant spending will be provided at the January meeting.

- 5) ACED Recommendation FY22** - The ACED recommends that the 6 Curriculum Leader positions be changed to 6 Professional Learning Community Leaders. The ratio will stay the same resulting in an increase of \$7,557.

Leslie Leon made a motion to approve the ACED Recommendations as presented. Sara Guitierrez Dunn seconded.

20-18 VOTE: 4 - 0 via roll call

- 6) Pre-K Tuition Rates FY22** - a 2% increase was proposed: 3-day rate - \$5,830 and 5-day rate - \$10,310

Leslie Leon made a motion to approve the increase in Pre-K tuition rates as presented. Colleen Burt seconded.

20-19 VOTE: 4 - 0 via roll call

- 7) Proposed FY22 Operating Budget** - the budget was developed using the following assumptions: 1) regular school operations (in-person, 5-days a week) with level enrollment; 2) compliance with Town budget guidance; 3) alignment with District's Strategic Plan; and 4) acute awareness of potential post-COVID 19 State budget financial constraints. Key budget drivers include:

*Payroll and related benefits represent approx 86% of the operating budget with key budget drivers being: contractual agreement increase of 2% across all bargaining units in addition to step and land increases for educators ranging from 4-13%; post-budget staffing changes; and any planned retirements for FY22 will be reflection in version 2,

*Continued trend budgeting for all other operating accounts,

*In-District student enrollment - projecting 462-465 students and 24 classroom sections with class size range 18-22, and

*Out-of-District student enrollment - projecting 26 placements in FY22 (vs 31 in FY21)

Overall the operating budget totals \$10,412,108, an increase of \$39,417 or 0.38% with:

*In-district operating budget increase of \$115,616 or 1.59% (vs \$1,615 or 0.02% in FY21)

*Out-of-District operating budget increase of \$76,199 or 2.44% (vs \$245,278 increase or 7.2% in FY21).

Leslie Leon made a motion to approve the FY22 Operating Budget as presented. Colleen Burt seconded.

20-20 VOTE: 4 - 0 via roll call

- 8) FY22 Capital Update** - The revised request for FY22 is \$100,500 and is comprised of: replacement of flooring \$85,000 and upgrading the cold water booster system \$15,500.

APPROVED JANUARY 19, 2021

Colleen Burt made a motion to approve the revised version of the FY22 Capital request. Sara Guitierrez Dunn seconded.
20-21 VOTE: 4 - 0 via roll call

9) Consent Agenda

- Approval of Minutes of October 20, 2020

*Leslie Leon made a motion to approve the Consent Agenda. Colleen Burt seconded.
20-22 VOTE: 3 - 0 - 1 via roll call (Brooke Matarese abstained)*

10) Communications

- Regional School Committee minutes of November 2, 2020
- Sherborn School Committee minutes of October 13, 2020

11) Items for January 19, 2021 - FY22 Budget v2, Town Report

12) Adjournment at 7:35 pm.

Respectfully submitted,
Amy Davis

APPROVED FEBRUARY 2, 2021

Dover-Sherborn Regional School Committee

Meeting of January 12, 2021

Members Present: Anne Hovey
Maggie Charron
Judi Miller
Kate Potter
Michael Jaffe
Lynn Collins

1) Call to Order

Ms. Charron called the virtual meeting to order at 6:31 pm and read the following into the record:

Good evening. This Open Meeting is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020,

Information on how to join remote School Committee meetings and meeting agendas are posted on the Dover Sherborn District Website.

Please note that this meeting is being recorded. Be aware that anything that you broadcast may be captured by the recording.

Community comments are an opportunity for members of the community to be heard. We respectfully request that you please make your comments brief (2-3 minutes) and that you move the discussion forward by adding new information. Please try to avoid repeating points that have already been made.

Community comments are an opportunity for us to listen to members of the community. It is not a forum for answering questions or engaging in a debate. Once the public comment section of the meeting has been concluded, we will move on to other business and unsolicited comments from the community will no longer be permitted. This is standard operating procedure in school committee meetings across our 3 school districts. We appreciate that you have taken the time to participate and encourage you to reach out to your school committee reps at any time.

2) Community Comments - Ms. Lotti and Ms. Friedman spoke about their support for "pool" testing in an effort to identify outbreaks and keep school in-person.

3) Reports

- Warrant Report

4) FY21 Financial Reports as of December 31, 2020

- Revenues - there are no changes to report since last month
- Salaries - there are no changes to report since last month
- Expenditures - no material variance are projected at this time.
- Re-Opening Grant - use of the grant has been extended to December 31, 2021. The Administration intends to expend the grant fully by the end of this school year. There was discussion about the State plan for surveillance testing which is still in development. It will be discussed further at the Joint meeting next week.

5) FY22 Capital Plan - \$425,000

- Hot Water Heaters - planned maintenance replacement due to age and to avoid 20% higher reactive replacement costs plus possible school closure.
- Floors/Hallways vinyl replacement - continued planned replacement of flooring. The new flooring does not require stripping or waxing. Stairways will be replaced with rubber flooring with improved traction for safety.

APPROVED FEBRUARY 2, 2021

- Asphalt paving - last re-paving project at the Region.
- Duct insulation - Lindquist HVAC ducting is on the roof which requires new insulation (current insulation is failing).

Anne Hovey made a motion to approve the FY22 Capital Plan as presented. Lynn Collins seconded.

21-01 VOTE: 6 - 0

6) Review of 2020 Town Report - a draft of the report was provided and discussed.

Anne Hovey made a motion to approve the Town Report. Judi Miller seconded.

21-02 VOTE: 6 - 0

7) Consent Agenda

- Approval of Minutes: December 8, 2020
- Donations - Leuders \$150, Needham Bank \$1,500 for the METCO program, and \$500 from Dover family.

Kate Potter made a motion to approve the Consent Agenda. Lynn Collins seconded.

21-03 VOTE: 6 - 0

8) Communication

- DSHS Principal's Report
- DSMS Principal's Report
- Sherborn School Committee minutes of October 13, 2020

9) Items for February 2, 2021 meeting - FY22 Budget,

10) Adjournment at 7:39 pm.

Respectfully submitted, Amy Davis