

CRANSTON SCHOOL COMMITTEE PUBLIC WORK SESSION

NOVEMBER 20, 2013

WILLIAM A. BRIGGS BUILDING (REED CONFERENCE ROOM)

845 PARK AVENUE, CRANSTON, RI

EXECUTIVE SESSION 6:00 P.M.

**PUBLIC WORK SESSION IMMEDIATELY FOLLOWING EXECUTIVE
SESSION**

**PUBLIC SESSION IMMEDIATELY FOLLOWING PUBLIC WORK
SESSION**

AGENDA

**1. Call to order- 6:00 p.m. Convene to Executive Session pursuant to
RI State Laws -**

2. PL 42-46-5(a)(1) Personnel:

A. Superintendent's Evaluation

B. Administrator Transfer

3. PL 42-46-5(a)(2) Collective Bargaining and Litigation:

Contract Negotiations' Update –

A. (Secretaries)

B. (Teachers)

C. (Teacher Assistants)

D. (Bus Drivers, Mechanics)

E. (Tradespeople)

F. (Custodians)

4. PL 42-46-5(3) Security:

A. District Safety Plan

5. Executive Session

6. Call to Order – Public Session

7. Roll Call – Quorum

8. Adjourn to Public Work Session

9. Public Work Session

a. Secondary Tardy Policy – Jeannine Nota-Masse

b. Waiver Policy – Jeannine Nota-Masse

c. Proficiency Based Graduation Requirements (PBGR) Handbook – Jeannine Nota-Masse

d. Budget Revision #1 – Joseph Balducci

e. Discussion of Personnel Policy Revisions (see attached)

 #5141.31 – Policy Against Teen Dating Violence and Sexual Violence

 #5141.32(a) – Safe School Act Statewide Bullying Policy

 #4116.11 and 5147 – Cranston School Department Section 504/ADA Prohibition Against Discrimination Based on Disability

 #4111.5 and 5141.32 – Anti-Discrimination/Anti-Harassment Policy and Grievance Procedure

f. Discussion of School Committee Code of Basic Management Principals and Ethical School Standards (see attached) – Attorney Cascione

g. District Strategic Plan – Dr. Judith Lundsten

10. Adjourn Public Work Session to Public Meeting

11. Executive Session Minutes Sealed – November 20, 2013

12. Adjournment

School Committee members who are unable to attend this meeting are asked to notify the Chairperson in advance.

Any changes in the agenda pursuant to RIGL 42-46-6(e) will be posted on the school district's website at www.cpsed.net, Cranston Public Schools' administration building, 845 Park Ave., Cranston, RI; and Cranston City Hall, 869 Park Ave., Cranston, RI and will be electronically filed with the Secretary of State at least forty-eight hours (48) in advance of the meeting.

Notice posted: November 15, 2013

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CRANSTON SCHOOL DEPARTMENT #5141.31

Policy Against Teen Dating Violence and Sexual Violence

Teen Dating Violence and Sexual Violence disrupts a school's ability to educate students and threatens public safety by creating an atmosphere in which such behavior can escalate into violence.

Teen Dating Violence and Sexual Violence is prohibited in the public schools of Cranston, RI [R.I.G.L. § 16-21-30].

It is the policy of the Cranston Public Schools that all students be treated with respect. The purpose of this policy is to:

- o Raise school-wide awareness about teen dating violence and sexual violence;**
- o Provide direction in responding to incidents; and**
- o Prevent new incidents of dating violence and sexual violence.**

At all times, school staff will model correct and courteous behavior to each other, to students, and to visitors to the school. Abusive or humiliating language or demeanor will not be accepted. An effort will be made to ensure that each student is well known by at least one certified teacher so that the student will have someone to turn to if abuse develops. To the extent possible the influence of cliques and other exclusive school groupings will be diminished by the creation of a range of inclusive school activities in which students will be encouraged to participate [R.I.G.L. 16-38-4. Exclusive clubs].

The Equal Employment Opportunity Commission (EEOC) has issued regulations under Title VII of the Civil Rights Act of 1964 entitled Sexual Harassment and Title IX of the Education Act of 1972, Anti-Discrimination Laws.

THIS POLICY SHOULD BE READ IN CONJUNCTION WITH THE DISTRICT'S STATEWIDE BULLYING POLICY, ANTI-DISCRIMINATION/ANTI-HARASSMENT POLICY AND GRIEVANCE PROCEDURE AND SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY POLICY.

Definitions:

Dating Violence: Dating violence is a pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal or emotional abuse to control his or her dating partner.

Sexual Assault: Sexual assault includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability, or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation, or pressure and may include:

- o Intentional touching of someone in ways that are unwanted;**

- o Voyeurism;**

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- o Exposure to exhibitionism;**

- o Undesired exposure to pornography; or**

- o Public display of images that were taken in a private context or when the victim was unaware.**

At School: In the context of these regulations, the phrase at school includes the following places and situations:

- o In any location of the school (classroom, lavatory, locker room, gymnasium, etc.)
- o Anywhere on school property
- o Immediately adjacent to school property
- o On a school bus or other school vehicle
- o At school bus stops
- o While students are walking to or from school
- o At any school-sponsored activity or event, whether or not held on school premises

Disciplinary Sanctions: As a school community, we believe in progressive discipline to educate our students. Repeated offenses will result in more severe consequences. Disciplinary consequences will be determined on a case-by-case basis and reflect the number and severity of disciplinary issues. Parents are important partners in the disciplinary process. Communication with parents will be open and frequent as we work together to solve disciplinary issues for the safety and well-being of our students.

Disciplinary Sanctions for teen dating violence and sexual violence may include:

- o Loss of the opportunity to participate in extracurricular activities**
- o Loss of the opportunity to participate in school social activities**
- o Loss of the opportunity to participate in graduation exercises**
- o Loss of school bus transportation**
- o Transfer to another school**
- o Assignment of additional community/school service**
- o Classroom exclusion**
- o Short term school suspension (10 or fewer days of suspension) or long term suspension (suspension of more than 10 days)**
- o Admonitions, warnings and counseling**

Reporting Procedures: Cranston Public Schools shall establish a procedure for reporting, filing, and acting upon reports of incidents of teen dating violence and sexual violence. The procedure will be publicized to staff, parents, students, and volunteers. The person(s) responsible for reporting are:

- o The victim**
- o Anyone who witnessed any act covered by this policy**
- o Anyone with credible information that an act covered by this policy is or has taken place**

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A complaint form is attached to this policy, in the Cranston High School handbook, and on the Cranston High School website. Additional forms can be found in every classroom, guidance office and Principal's office. Reports should be made to an adult within the school system.

Administrator and Staff Training: The school shall provide training on the Cranston School District's teen dating violence and sexual violence policy to all staff who have significant contact with students, including educators, school nurses and mental health staff, administrators, custodial and food service staff, and parents.

Per the Lindsay Ann Burke Act, the training shall specifically include, but not be limited to:

- o Basic principles and warning signs of dating violence**
- o The Cranston teen dating violence and sexual violence policy.**

Student Education: On-going age-appropriate education on healthy relationships shall be provided to all students in grades K-12, with specific instruction relating to teen dating violence taught yearly in grades 7-12. Per the Lindsay Ann Burke Act this curriculum shall include but not be limited to:

- o Defining teen dating violence;**
- o Recognizing dating violence warning signs; and**
- o Characteristics of healthy relationships.**

Additionally, students shall be provided with the school district's teen dating violence and sexual violence prevention policy. Upon written request to the school Principal by a parent or legal guardian of a pupil less than eighteen (18) years of age and within a reasonable period of time after the request is made, said parent or legal guardian shall be permitted to examine the health education instruction materials at the school in which his or her child is enrolled.

Social Skills Training: The school health program and school counseling services will include appropriate social skills training to help students avoid isolation and to help them interact in a healthy manner.

Responsibility of Students: Students who observe any act covered by this policy or who have reasonable grounds to believe an act is taking or has taken place in violation of this policy are obligated to report the incident to school authorities. Failure to do so may result in disciplinary action.

Investigation: The Principal or his or her designee shall investigate all allegations of acts in violation of this policy. If the allegation is found to be credible, appropriate disciplinary sanctions, subject to appropriate due process procedures, will be imposed. The investigation will include an assessment by the appropriate school personnel of the effect the incident has had on the victim.

Police Notification: When the act involves conduct that involves criminal law, the police will be notified.

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Help for the Victim: If the investigation determines the victim's mental health has been placed at risk, appropriate referrals will be made. If the incident included a violent criminal offense, the victim will be informed of any school transfer rights he or she may have under the Federal No Child Left Behind Act.

Prohibiting Against Retaliation: Retaliation or threats of retaliation in any form designed to intimidate a victim, those who are witnesses to an incident, or those investigating the incident, shall not be tolerated. In most cases, retaliation or threat of retaliation will result in imposition of a short or long-term school suspension. In appropriate cases, school officials will refer to [R.I.G.L. 11-42-2. Extortion and Blackmail] [R.I.G.L. 59-2 Stalking Prohibited].

Prohibiting Against False Reporting: False reports of acts covered by this policy will be subject to appropriate school discipline, including short and long term suspension from school.

Individualized School Safety Plan: If a student is the victim of an act

in violation of this policy and as a result, does not feel safe in his or her school environment, the Principal of the school will prepare a written school safety plan outlining what steps will be taken to provide the student with a safe educational environment. This plan will be developed, if possible, with input from the parents of the student. Staff members who are to implement the plan will help formulate it.

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**TOWN OF CRANSTON PUBLIC SCHOOLS
SEXUAL HARRASSMENT, DATING VIOLENCE, AND SEXUAL
VIOLENCE
COMPLAINT FORM**

Name: _____

Date: _____

Date(s) _____ **of** _____ **Alleged**
Incident(s) _____

Persons/Parties involved:

Position/Grade _____

Position/Grade _____

Position/Grade _____

Position/Grade _____

Description _____ **of**
event(s) _____

When and where did the event happen?

Were there any additional witnesses? []yes []no

If yes, who?

Is this the first incident? []yes []no []I don't know

If no, how many times has it happened
before? _____

Other information including previous incidents or threats:

I certify that all the statements made in this complaint are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline. I authorize school officials to disclose the information I provided only as necessary in pursuing the investigation

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Student: _____

Date: _____

School Official receiving complaint:

_____ Date: _____

School official conducting follow-up:

_____ Date: _____

 

#5141.32(a)

CRANSTON SCHOOL DEPARTMENT

SAFE SCHOOL ACT STATEWIDE BULLYING POLICY

INTRODUCTION

This Statewide Bullying Policy is promulgated pursuant to the authority set forth in §16-21-34 of the General Laws of Rhode Island. Known as the Safe School Act, the statute recognizes that the bullying of a student creates a climate of fear and disrespect that can seriously impair the student's health and negatively affect learning. Bullying undermines the safe learning environment that students need to achieve their full potential. The purpose of the Policy is to ensure a consistent and unified statewide approach to the prohibition of bullying at school.

Nothing in this policy prohibits the Cranston School Department from complying with federal antidiscrimination laws

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1. DEFINITIONS

BULLYING means the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

- a. Causes physical or emotional harm to the student or damage to the student's property;**
- b. Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;**
- c. Creates an intimidating, threatening, hostile, or abusive educational environment for the student;**
- d. Infringes on the rights of the student to participate in school activities; or**

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- e. Materially and substantially disrupts the education process or the orderly operation of a school.**

The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as:

Race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic.

If the expression, physical act or gesture includes an incident or incidents that may be reasonably perceived as being motivated by characteristics or harassment based on race, color, religion, national origin, ethnicity, genetic information or testing, sex, sexual orientation, age or disability then the matter should be investigated under the District's Anti- Discrimination/Anti-Harassment Policy and Grievance Procedure.

Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and the bullying victim(s).

CYBER-BULLYING means bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by

a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

Forms of cyber-bullying may include but are not limited to:

- a. The creation of a web page or blog in which the creator assumes the identity of another person;**
- b. The knowing impersonation of another person as the author of posted content or messages; or**
- c. The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses (a) to (e) of the definition of bullying.**

AT SCHOOL means:

- a. on school premises,**
- b. at any school-sponsored activity or event whether or not it is held on school premises,**
- c. on a school-transportation vehicle,**

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- d. at an official school bus stop,**
- e. using property or equipment provided by the school, or**
- f. acts which create a material and substantial disruption of the education process or the orderly operation of the school.**

2. SCHOOL CLIMATE

Bullying, cyber-bullying, and retaliation against any person associated with a report of bullying or the investigation thereof is prohibited in all schools that are approved for the purpose of the compulsory attendance statute (§§16-19-1 and 16-19-2). School staff shall take all reasonable measures to prevent bullying at school. Such measures may include professional development and prevention activities, parental workshops, and student assemblies among other strategies. School faculty, administration and staff, at all times, will model courteous behavior to each other, to students, and to school visitors. Abusive or humiliating language or demeanor will not be accepted. Additionally, students and their families are expected to exhibit courteous behavior to all members of the learning community in school and at school sponsored events.

3. POLICY OVERSIGHT and RESPONSIBILITY

The school Principal, director, or head of school shall be responsible for the implementation and oversight of this bullying policy.

The school Principal, director, or head of school shall provide the superintendent, school committee and/or school governing board with a summary report of incidents, responses, and any other bullying-related issues at least twice annually.

For public schools, the prevention of bullying shall be part of the school district strategic plan (§ 16-7.1-2(e)) and school safety plan (§16-21-24).

4. INFORMATION DISSEMINATION

The school Principal, director or head of school shall ensure that students, staff, volunteers, and parents/legal guardians are provided information regarding this Policy. This information shall include methods of discouraging and preventing this type of behavior, the procedure to file a complaint, and the disciplinary action that may be taken against those who commit acts in violation of this policy.

This policy shall be:

- a. Distributed annually to students, staff, volunteers, and parents/legal guardians**
- b. Included in student codes of conduct, disciplinary policies, and student handbooks**
- c. A prominently posted link on the home page of the school /district website**

#5141.32(a)

5. REPORTING

The school Principal, director or head of school shall establish, and prominently publicize to students, staff, volunteers, and parents/guardians, how a report of bullying may be filed and how this report will be acted upon (See attached sample Report Form).

The victim of bullying, anyone who witnesses an incidence of bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying.

Any student or staff member who believes he/she is being bullied should immediately report such circumstances to an appropriate staff member, teacher or administrator.

Parents/Guardians of the victim of bullying and parents/ guardians of the alleged perpetrator of the bullying shall be notified within twenty-four (24) hours of the incident report. When there is a reasonable suspicion that a child is either a bully or a victim of bullying, the parents/ guardians of the child will be notified immediately by the Principal, director or head of school.

Responsibility of Staff: School staff, including volunteers, who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action.

Responsibility of Students: Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action. The victim of bullying, however, shall not be subject to discipline for failing to report the bullying. Student reports of bullying or retaliation may be made anonymously, provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Prohibition against Retaliation: Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, those who are witnesses to bullying, or those investigating an incident of bullying shall not be tolerated. Retaliation or threat of retaliation will result in the imposition of discipline in accordance with the school behavior code.

False Reporting/Accusations: A school employee, school volunteer or student who knowingly makes a false accusation of bullying or retaliation shall be disciplined in accordance with the school behavior code.

Reports in Good Faith: A school employee, school volunteer, student, parent/ legal guardian, or caregiver who promptly reports, in good faith, an act of bullying to the appropriate school official designated in the school's policy shall be immune from a cause of action for damages arising from reporting bullying.

#5141.32(a)

6. INVESTIGATION/RESPONSE

The school Principal, director or head of school shall promptly investigate all allegations of bullying, harassment, or intimidation. If the allegation is found to be credible, appropriate disciplinary actions, subject to applicable due process requirements, will be imposed. The School Resource Officer or other qualified staff may be utilized to mediate bullying situations.

The investigation will include an assessment by the school psychologist and/or social worker of what effect the bullying, harassment or intimidation has had on the victim. A student who engages in continuous and/or serious acts of bullying will also be referred to the school psychologist and/or social worker.

Police Notification: Immediate notification of the local law

enforcement agency will be made when circumstances warrant the pursuit of criminal charges against the perpetrator.

Protection: If a student is the victim of serious or persistent bullying:

a. The school Principal, director or head of school will intervene immediately to provide the student with a safe educational environment.

b. The interventions will be developed, if possible, with input from the student, his or her parent/guardian, and staff.

c. The parents/ guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation.

7. DISCIPLINARY ACTION

The disciplinary actions for violations of the bullying policy shall be determined by the school/district appropriate authority. Disciplinary actions for violations of the bullying policy shall balance the need for accountability with the need to teach appropriate behavior. The severity of the disciplinary action shall be aligned to the severity of the bullying behavior.

The range of disciplinary actions that may be taken against a perpetrator for bullying, cyberbullying or retaliation shall include, but not be limited to:

a. Admonitions and warnings

- b. Parental/ Guardian notification and meetings**
- c. Detention**
- d. In-school suspension**
- e. Loss of school-provided transportation or loss of student parking pass**
- f. Loss of the opportunity to participate in extracurricular activities**
- g. Loss of the opportunity to participate in school social activities**
- h. Loss of the opportunity to participate in graduation exercises or middle school promotional activities**
- i. Police contact**

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j. School suspension: No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this Policy.

8. SOCIAL SERVICES/COUNSELING

Referral to appropriate counseling and/or social services currently being offered by schools or communities shall be provided for bullying victims, perpetrators and appropriate family members of said students.

9. SOCIAL NETWORKING

Students shall be prohibited from accessing social networking sites in school, except for educational or instructional purposes and with the prior approval from school administration.

10. OTHER REDRESS

This section does not prevent a victim of bullying, cyber-bullying or retaliation from seeking redress under any other available law, either civil or criminal. This section does not create or alter any tort liability.

11. ADOPTION OF POLICY

The Cranston School Committee hereby adopts this policy, in its entirety effective immediately.

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#4116.11 and #5147

CRANSTON SCHOOL DEPARTMENT SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Pursuant to Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Act of 1990 (“ADA”) and their implementing regulations, no otherwise qualified individual with a disability shall, solely by reason of his/her disability,

be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity in the Cranston School Department “(District)”. The District does not discriminate in admission or access to, participation or treatment, or employment in, its programs or activities. As such, the District’s policies and practices will not discriminate against students and employees and with disabilities, will provide equal opportunity to employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. Disability discrimination will not be permitted in any of the programs, activities, policies, and/or practices in the District.

As used in this policy and as defined under Section 504/ADA (as the same may be amended from time to time), “an individual with a disability” means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

The Section 504 regulations also require a school district to provide a "free appropriate public education" (FAPE) to each eligible student who has a disability and is in the school district's jurisdiction. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the

student's individual educational needs as adequately as the needs of nondisabled students are met and are based upon adherence to the applicable Section 504 and Title II regulations.

1. Free and Appropriate Public Education for Students

The District is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who are disabled within the definition of Section 504.

Under Section 504, the District must provide a free appropriate public education to each qualified disabled child. A free appropriate public education, under Section 504, consists of regular or special education and related aids and services that are designed to meet the individual student's needs and based on adherence to the regulatory requirements on educational setting, evaluation, placement, and procedural safeguards. 34 CFR 104.33, 104.34, 104.35, and 104.36. A student may be handicapped within the meaning of Section 504, and therefore entitled to regular or special education and related aids and services under the Section 504 regulations, even though the student may not be eligible for special education and related services under IDEIA.

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Parent(s)/guardian(s)/custodian(s)/ (“parents”) are invited and

encouraged to participate fully in the evaluation process, 504 plan development, 504 meetings, etc.

The District will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. The District will verify that persons with disabilities participate with persons without disabilities in such activities and services to the maximum extent appropriate.

Any parent who disagrees with a decision made by the District or the disagrees with the student's 504 team may follow the "Grievance Procedure for Addressing Discrimination" set forth below OR may request a hearing before an impartial hearing officer at the Rhode Island Department of Education (RIDE) OR may file a complaint with the United States Department of Education, Office of Civil Rights (OCR). Contact information for RIDE and OCR can be found at the end of this policy.

2. Employment Practices

Discrimination Prohibited

In accordance with Section 504/ADA, no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any of the District's programs or

activities. Further, the District will take positive steps to employ and advance in employment qualified individuals with disabilities. The District will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the District will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

Reasonable Accommodation

The District will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities.

3. Facilities and Programs

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies. This includes, but is not limited to, providing accommodations to parents with

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disabilities necessary for them to participate as other parents are allowed to participate in their child's educational programs or meetings pertinent thereto.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. Programs and activities will be designed and scheduled so that the location and nature of the facility or area of the program will not deny a student with a disability the opportunity to participate on the same basis as a student without disabilities. The District will meet its obligation through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, alteration of existing facilities and/or construction of new facilities, or any other method that results in making its programs and activities accessible to persons with disabilities. In choosing among available methods for meeting its obligations, the district will give priority to those methods that serve persons with disabilities in the most integrated setting appropriate.

Designated Officials for Addressing Discrimination Complaints

In each school building, the Principal is responsible for receiving and investigating reports and complaints of violations of this Policy at the school level. Individuals may file a report or complaint of discrimination with the Principal. In the event that the Complaint alleges violations against the Principal, the Complaint shall be delivered to the Superintendent, who shall appoint an individual to conduct the investigation.

Grievance Procedure for addressing Discrimination

The following complaint procedure has been established to ensure prompt and effective investigation into allegations of disability discrimination. If the complaint pertains to allegations of disability-based harassment, refer to the District's Anti-Discrimination/Anti-Harassment Policy and Grievance Procedure.

A person who believes that he or she had been discriminated against is encouraged to report the situation to the Principal immediately. Reports/complaints are to be filed within ninety (90) days after the conduct complained of occurred or the time the individual reasonably becomes aware of the conduct. (Note: this filing period may be extended for good cause.) The report can be written or oral and should consist of the following:

1. the specific action objected to, including but not limited to a team decision, action, or refusal to take an action requested by the parent or alleged denial of FAPE

2. the date(s) and time(s) such action or refusal to take an action or alleged denial of FAPE took place,

3. the name(s) of the District staff or other persons believed to be discriminating against them,

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4. the name(s) of any witness(es),

5. action sought to remedy the situation, and

6. any other details or information requested by the investigating official.

In addition, the person should provide the Principal with any documentation (emails, notes, pictures, etc.) or other information in support of the allegation of discrimination.

Investigation of Complaints

Upon receipt of a report or complaint, the Principal shall facilitate a prompt investigation. The investigation must allow for the complainant, the subject of the complaint, and the individual alleged to have discriminated to provide information, including the names of witnesses or other evidence, relevant to the investigation of the complaint. The Principal will also endeavor to promptly interview and

obtain detailed written statements from the complainant, the subject of the complaint, the individual alleged to have discriminated, as well as any potential witnesses. The Principal will also review any other documents or information that he or she believes is relevant to the investigation.

A written determination regarding the complaint and any resolution will be provided by the Principal to the complainant and the accused within thirty (30) school/working days of the complaint.

Appeal Process

The complainant may request reconsideration of the determination and/or resolution of a complaint by notifying the Superintendent in writing or verbally within seven (7) school/working days of receipt of the written determination of the Principal. The Superintendent or his/her designee will respond to such request within thirty (30) school/working days of receipt of the request for reconsideration; his/her decision is final.

If a violation is found to have occurred, the District will take steps to prevent reoccurrence of the violation and correct its discriminatory effect on the person(s) affected.

If the violation involves the denial of a free and appropriate public education to a student or students, such steps may include

re-convening of the 504 team, revision of a 504 plan, compensatory services, development of a safety plan and other remedies, as appropriate.

If the violation involves an employment issue, such steps may include appropriate discipline up to and including possible termination of any employee violating this policy and/or such other remedies as are appropriate.

#4116.11 and #5147

Confidentiality

Investigations of discrimination complaints shall be conducted in such a manner as to disclose information only to those who need to know or those who may have information pertinent to the investigation. Please note, some level of disclosure may be necessary in the course of conducting interviews in connection with investigation of any complaint under this policy. The Cranston Public Schools shall endeavor to keep such information as confidential as it can without compromising the thoroughness of the investigation.

State and Federal Authorities

In addition to the process described above, the complainant may, at any time, file a complaint with to the Office for Civil Rights, Rhode Island Department of Elementary and Secondary Education, or other appropriate federal or state agency charged with enforcement of state and federal laws prohibiting discrimination.

U. S. Department of Education, Office for Civil Rights

John W. McCormack Building

5 Post Office Square, Suite 900

Boston, MA 02109

Telephone: (617) 289-0111

<http://www.ed.gov>

Rhode Island Department of Education

255 Westminster Street

Providence, RI 02903

Telephone: (401) 222-4600

<http://www.ride.ri.com>

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ANTI-DISCRIMINATION/ANTI-HARASSMENT POLICY AND GRIEVANCE PROCEDURE

The Cranston Public Schools (the “District”) is committed to maintaining and promoting an educational environment free from all forms of discrimination, including harassment. The civil rights of all school community members are guaranteed by law, and the protection of those rights is important to the District. Discrimination, including harassment, on the basis of race, color, religion, national origin, ethnicity, genetic information or testing, sex, sexual orientation, age or disability (hereinafter “membership in a protected class”) will not be tolerated. Retaliation against any student or any other individual who has complained of discrimination, including harassment, or individuals, who have cooperated with an investigation of such complaint, is also unlawful and will not be tolerated. The District will promptly investigate, remedy any harm, seek to protect students and/or employees, and to prevent recurrence of such conduct. This policy applies to conduct directed toward students and other persons associated with the educational community by all other persons associated with the educational community including, but not limited to, students, District employees, the School Committee, school volunteers, parents and independent contractors. (For a complaint of disability discrimination that is NOT harassment, please refer to the District’s Section 504/ADA Prohibition Against Discrimination Based on Disability policy/procedure.)

I. What is Discrimination, including Harassment?

A. Discrimination: Treating persons differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected class.

B. Harassment: Oral, written, graphic, electronic, or physical conduct relating to a person's actual or perceived membership in a protected class that is sufficiently severe, pervasive or persistent so as to interfere with or limit that person's ability to participate in the District's programs or activities by creating a hostile educational environment.

Harassing conduct based on a person's protected status may include, but is not limited to:

∙ Degrading, demeaning, insulting, or abusive verbal or written statements;

∙ Taking personal belongings, taunting, teasing, name-calling, or spreading rumors;

∙ Drawing or writing graffiti, slogans, visual displays, or symbols on school or another's property;

∙ Telling degrading or offensive jokes;

∙ Unwanted physical contact of any kind;

∙ Physical violence, threats of bodily harm, physical

intimidation, or stalking;

∙ Threatening letter, emails, instant messages, or websites that come within the scope of the District's disciplinary authority;

∙ Defacing, damaging, or destroying school or another's property.

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• Harassing conduct does not have to be directed towards a particular individual. Other members of the same protected class may be considered the victim of harassment by virtue of being exposed, even indirectly, to the harassing conduct.

II. Sample of Conduct Which May Constitute Specific Types of Harassment

The following is not intended as an inclusive list of conduct that may violate this policy.

Disability Harassment:

 Unwelcome verbal, written or physical conduct directed at a person based on his/her disability or perceived disability, including damaging or interfering with use of necessary, equipment, intimidating manner of movement, using disability-related slurs, or invading personal space to intimidate.

National Origin Harassment:

 Unwelcome verbal, written or physical contact directed at a person based on his/her national origin, ancestry, or ethnic background such as negative comments about surnames, customs, language, accents, immigration status or manner of speaking.

Racial Harassment:

 Unwelcome verbal, written or physical conduct directed at a person based on his/her race or color, including racial slurs or insults based on characteristics of a person's race or color, racial graffiti or symbols, hostile acts based on a race, nicknames based on racial stereotypes, negative comments about appearance, imitating mannerisms, taunting, or invading personal space to intimidate.

Religious Harassment:

 Unwelcome verbal, written or physical conduct directed at a person based on his/her religion, including derogatory comments about religious beliefs, traditions, practices (includes non-belief), or religious clothing.

Sexual Orientation Harassment:

 Unwelcome verbal, written or physical conduct, directed at a person based on his/her actual or perceived sexual orientation, such as anti-gay slurs or insults, imitating mannerisms. Taunting, or invading personal space to intimidate.

Sexual Harassment:

 Quid pro quo sexual harassment occurs when a person in a supervisory position explicitly or implicitly conditions participation in a program or activity or bases a decision concerning another on the other person's submission to unwelcome sexual advances, request for sexual favors, or other verbal or

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physical conduct of a sexual nature, whether or not the other person submits to the conduct. Quid pro quo sexual harassment, occurs, for example when a school employee causes a student to believe s(he) must submit to sexual advances to receive a better grade than deserved, or is threatened with a loss of a promised college application recommendation unless the student dates the employee.

 Hostile environment sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature by a student, a school employee, or a third party on school property or at a school related activities is sufficiently severe, pervasive or persistent so as to interfere with or limit a person's ability to participate in or benefit from the District's programs or activities by creating a hostile, humiliating, intimidating, or offensive educational environment. A victim may also be someone affected by conduct directed toward

another individual. Sexual harassment may occur adult to student, student to student, student to adult, adult to adult, male to female, female to male, female to female, and male to male.

Depending on the circumstances, sexual harassment may include, but is not limited to:

 Verbal forms of sexual harassment, including repeated unwanted requests for dates, sexual rumors, sexually explicit jokes, howling, whistles, catcalls, soliciting conversation regarding sexual activity and experiences, making unwanted gender-based references to a person's physical characteristics;

 Written forms of sexual harassment, including offensive gestures following or stalking another, cornering or blocking a person, leering, pressuring for sexual activities;

 Nonverbal forms of sexual harassment, including offensive gestures, following or stalking another, concerning or blocking a person, leering, pressuring for sexual activities;

 Visual forms of sexual harassment, including displaying sexually suggestive or sexually provocative photographs, pictures, objects, cartoons, or posters; or

 Unwelcome physical touching, including grabbing, groping,

squeezing, sexual fondling, kissing, brushing against another's body, body hugs, and other unwelcome contact.

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III. Responsibilities of all Persons Associated with Educational Community

Each member of the educational community is personally responsible for ensuring that his/her conduct does not in any way harass or discriminate against any other person that h/she has contact with in the performance of his/her duties or studies or while acting as a member of the school community. In addition, each member of the educational community is required to fully cooperate in any investigation of alleged discrimination, including harassment. Further, District employees are obligated to intervene and stop any discrimination, including harassment that they witness and to immediately report to the building Principal instances of discrimination, including harassment that are reported to them, they observe, or of which they otherwise learn.

IV. Designated Officials for Addressing Discrimination and Harassment Complaints

In each school building, the Principal is responsible for receiving and investigating reports and complaints of violations of this Policy at the school level. Individuals may file a report or complaint of discrimination, including harassment, with the Principal. In the event that the Complaint alleges violations against the Principal, the Complaint shall be delivered to the Superintendent, who shall appoint an individual to conduct the investigation.

V. Procedure for Reporting Discrimination and Harassment

The following complaint procedure has been established to ensure prompt and effective investigation into allegations of discrimination, including harassment. (For a complaint of disability discrimination that is NOT harassment, please refer to the District's Section 504/ADA Prohibition Against Discrimination Based on Disability policy/procedure.)

A person, who believes that he or she had been harassed or otherwise discriminated against, is encouraged to report the situation to the Principal immediately. Reports/complaints are to be filed within ninety (90) days after: the discriminatory conduct or the individual reasonably becomes aware of the conduct. (Note: this filing period may be extended for good cause.) The report can be written or oral and should consist of the following:

- 1. the specific conduct objected to,**
- 2. the date(s) and time(s) such conduct took place,**
- 3. the name(s) of the alleged harasser(s) or person believed to be discriminating against them,**
- 4. the location(s) where the conduct occurred,**
- 5. the name(s) of any witness(es),**
- 6. action sought to remedy the situation, and**
- 7. any other details or information requested by the investigating official.**

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In addition, the person should provide the Principal with any documentation (emails, notes, pictures, electronic or recorded media, etc.) or other information in support of the allegation of discrimination, including harassment.

VI. Investigation of Complaints

Upon receipt of a report or complaint, the Principal shall facilitate a prompt investigation. The investigation must allow for the complainant, the subject of the complaint, and the alleged harasser to

provide information, including the names of witnesses or other evidence, relevant to the investigation of the complaint. The Principal will also endeavor to promptly interview and obtain detailed written statements from the complainant, the subject of the complaint, the alleged harasser, as well as any potential witnesses. The Principal will also review any other documents or information that he or she believes is relevant to the investigation.

In the event that an investigation reveals that the alleged action or actions do not constitute discrimination or harassment as defined in this policy, but that the underlying conduct may meet the definition of bullying or cyberbullying as set forth in the District's Bullying Policy, then the results of the investigation should be forwarded and/or reviewed in conjunction with the provisions of that policy. If necessary, the investigation may be re-opened under the parameters of that policy

Conclusion of Investigation

A written determination regarding the complaint and any resolution will be provided by the Principal to the complainant and the accused within thirty (30) school/working days of the complaint.

If a violation is found to have occurred, the District will take steps to prevent reoccurrence of the violation and correct its discriminatory effect on the person(s) affected. Such steps may include appropriate

disciplinary action (including but not limited to suspension of student(s) and termination of employee(s)), counseling, development of a safety plan and other remedies, as appropriate.

Appeal Process

The complainant may request reconsideration of the determination and/or resolution of a complaint by notifying the Superintendent in writing or verbally within seven (7) school/working days of receipt of the written determination of the Principal. The Superintendent or his/her designee will respond to such request within thirty (30) school/working days of receipt of the request for reconsideration; his/her decision is final.

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VII. Confidentiality

Investigations of discrimination, including harassment complaints shall be conducted in such a manner as to disclose information only to those who need to know and as necessary to gain information pertinent to the investigation. Please note, some level of disclosure may be necessary in the course of conducting interviews in

connection with investigation of any complaint under this policy. The Cranston Public Schools shall endeavor to keep such information as confidential as it can without compromising the thoroughness of the investigation.

VIII. State and Federal Authorities

In addition to the process described above, the complainant may, at any time, file a complaint with to the United States Department of Education, Office for Civil Rights, Rhode Island Department of Elementary and Secondary Education, or other appropriate federal or state agency charged with enforcement of state and federal laws prohibiting discrimination, including harassment based on membership in a protected class.

U.S Department of Education, Office for Civil Rights

John W. McCormack Building

5 Post Office Square, Suite 900

Boston, MA 02109

Telephone: (617) 289-0111

<http://www.ed.gov>

Rhode Island Department of Education

255 Westminster Street

Providence, RI 02903

Telephone: (401) 222-4600

<http://www.ride.ri.com>

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School Committee Code of Basic Management Principles and Ethical School Standards

The Cranston School Committee does hereby establish a code of basic principles and ethical standards for school committee members acting individually and collectively as boards of education in the management of the public schools of Cranston.

The Cranston School Committee accepts the obligation to operate the public schools in accordance with the fundamental principles and standards of school management, which include but are not limited to the following:

(1) Formulate written policy for the administration of schools to be reviewed regularly and revised as necessary.

(2) Exercise legislative, policy-making, planning and appraising functions and delegate administrative functions in the operation of schools.

(3) Recognize their critical responsibility for selecting the superintendent, defining his or her responsibilities, and evaluating

his or her performance regularly without directly engaging in administrative processes.

(4) Accept and encourage a variety of opinions from and communication with all parts of the community.

(5) Make public relevant institutional information in order to promote communication and understanding between the school system and the community.

(6) Act on legislative and policy-making matters only after examining pertinent facts and considering the superintendent's recommendations.

(7) Conduct meetings with planned and published agendas.

(8) Encourage and promote professional growth of school staff so that quality of instruction and support services may continually be improved.

(9) Establish and maintain procedural steps for resolving complaints and criticisms of school affairs.

(10) Act only through public meetings since individual board members have no authority to bind the board.

(11) Recognize that the first and greatest concern must be the educational welfare of the students attending the public schools.

(12) Work with other committee members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent.

(13) Avoid being placed in a position of conflict of interest, and refrain from using the committee position for personal gain.

(14) Attend all regularly scheduled committee meetings as possible, and become informed concerning the issues to be considered at those meetings.