This section of the Code of Conduct has been adapted from the Greenfield Public School’s Comprehensive Civil Rights Policy for promoting civil rights and prohibiting harassment, bullying, discrimination, retaliation, and hate crimes. Copies of the district’s Comprehensive Civil Rights Policy are available upon request, and may be viewed at the main office of the school’s department.

Disciplinary Policy Regarding Civil Rights Issues

The Greenfield Public Schools prohibits all forms of harassment, discrimination, and hate crimes based on the following protected categories: race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability.

The Greenfield Public Schools also prohibits bullying, as defined below. The Greenfield Public Schools will also not tolerate retaliation against persons who take action consistent with this Policy.

Permissible Disciplinary Sanctions and Corrective Actions in Response to Bullying, Discrimination, Harassment or Hate Crimes

Disciplinary sanctions and corrective actions may include, but are not limited to, one or more of the following:

1.) A written warning;
2.) Parent conferences;
3.) Classroom transfer;
4.) Limiting or denying student access to a part or an area of the School;
5.) Adult supervision on school premises, including in-house alternative program sites;
6.) Exclusion from participation in school-sponsored functions, after-school programs, and/or extracurricular activities;
7.) Short-term or long-term suspension;
8.) Exclusion, expulsion, or discharge from school;
9.) An apology to the victim;
10.) Awareness training (to help students understand the impact of their behavior);
11.) Participation in cultural diversity, anti-harassment, anti-bullying or intergroup relations programs;
12.) Mandatory counseling (in or outside of school); or
13.) Any other action consistent with the Code of Conduct.
Student Responsibilities

Each student is responsible for:

1.) Complying with this Policy;
2.) Ensuring that (s)he does not harass or discriminate against another person on school grounds or in a school-related function, event or activity because of that person’s race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability;
3.) Ensuring that (s)he does not bully another person on school grounds or in a school-related function, event or activity;
4.) Ensuring that (s)he does not retaliate against any other person for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, or for cooperating in an investigation of harassment, bullying, discrimination, or a hate crime; and
5.) Cooperating in the investigation of reports or complaints of harassment, bullying, discrimination, retaliation, or a hate crime.

Protection Against Retaliation
The Greenfield Public Schools will take appropriate steps to protect students from retaliation when they report, file a complaint of, or cooperate in an investigation of a violation of this Policy. Threats or acts of retaliation, whether person-to-person, by electronic means, or through third parties, are serious offenses that will subject the violator to significant disciplinary and other corrective action, including short or long-term suspension, or expulsion.

Glossary of Terms

BULLYING: Written or verbal expressions, or physical acts or gestures, directed at another person(s) which intimidate, frighten, ridicule, humiliate, or cause harm to the other person, where the conduct is not related to an individual’s actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, age, or disability. Bullying may include, but is not limited to, repeated taunting, threats of harm, disparagement, verbal or physical intimidation, cyber-bullying through e-mails, instant messages, or websites, pushing, kicking, hitting, spitting, or taking or damaging another’s personal property.

DISCRIMINATION: Treating people differently, or interfering with or preventing a person from enjoying the advantages, privileges or course of study in a public school because of an individual’s actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, age, or disability (i.e., protected status). A person may not be subjected to discipline or more severe punishment for wrongdoing, nor denied the same rights as other students because of his/her membership in a protected class.

HARASSMENT: Harassment is oral, written, graphic, electronic or physical conduct on school property or at a school-related event, function or activity relating to an individual’s actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, age, or disability, that is sufficiently severe, pervasive or persistent so as to interfere with or limit a student’s ability to participate in or benefit from the District’s programs or activities, by creating a hostile, humiliating, intimidating, or offensive educational environment. For purposes of this Policy, harassment shall also mean conduct, if it persists, that will likely create such a hostile, humiliating, intimidating or offensive educational environment. A single incident, depending on its severity, may create a hostile environment.

RETALIATION: Any form of intimidation, reprisal, or harassment by a student directed against any student, staff or other individual for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, for cooperating in an investigation under this Policy, or for taking action consistent with this Policy.
HATE CRIME: A hate crime is a crime motivated by hatred, bias, or prejudice, or where the victim is targeted or selected for the crime at least in part because of his/her actual or perceived race, color, ethnicity, national origin, religion, sexual orientation, age, disability or sex. A hate crime may involve a physical attack, threat of bodily harm, physical intimidation, or damage to another’s property.

Reporting and Resolution Process

A. DESIGNATED OFFICIALS FOR REPORTING

The building principal or his/her designee which may be an academy leader is responsible for receiving reports and complaints of violations of this Policy.

B. REPORTING PROCEDURES

1. Any student who becomes aware or has a reasonable belief that harassment, bullying, discrimination, retaliation, or a hate crime has occurred or may have occurred on school property or in a school-related activity should promptly report the incident(s) to the Principal or designee or his/her designee. In situations where a student or other person does not feel comfortable reporting the incident to a designated official, (s)he may report it to a trusted school employee, who must promptly transmit the report to the Principal or designee or his/her designee.

2. When a report or complaint involves physical injury, the Principal or designee will promptly report the incident to the Director.

3. All complaints or reports about a violation of this Policy must be documented on the School’s “Reporting/Complaint Form” (see Appendix B). The form is available from designated school officials. If a complainant or reporter is either unwilling or unable to complete the District’s Reporting/Complaint Form, the school official who receives the oral complaint or report will promptly prepare a written report by filling out the District’s Reporting/Complaint Form, using, to the extent practicable, the reporter’s or complainant’s own words to describe the potential violation.

4. The School official will promptly provide the Principal or designee or his/her designee with the completed Reporting/Complaint Form.

C. RESOLUTION PROCESS: DETERMINING WHETHER TO INSTITUTE FORMAL OR INFORMAL PROCEEDINGS

1. After the Principal or designee or his/her designee receives a complaint or report, s(he) must determine whether to resolve the complaint or report through Formal or Informal Proceedings.

2. If s(he) determines that (1) the allegation is serious enough that it appears to place the complainant or any other person at physical risk; (2) the incident has resulted in a criminal charge; (3) the incident involves a referral to the Department of Children and Family Services; (4) the allegation involves a serious form of harassment, discrimination, or retaliation; (5) the allegation involves bullying behavior, where the District has intervened with the alleged student offender under the Code of Conduct for bullying on a prior occasion; (6) there is a pending Formal Proceeding against the subject of the complaint; (7) the subject of the complaint has previously been found to have violated this Policy; (8) or that a Formal Proceeding is otherwise appropriate under the circumstances, then the District must commence a Formal Proceeding.
3. For allegations or incidents that do not require a Formal Proceeding, a designated school official may at his/her discretion initiate an Informal Proceeding.

4. Nothing in this Policy limits the School taking immediate interim disciplinary actions as set forth in the Code of Conduct.

D. INFORMAL PROCEEDINGS

STEP ONE
Upon the initiation of an Informal Proceeding, the designated official will separately meet in a timely manner with the complainant and the subject of the complaint to tell them about the informal process, the nature of the complaint, explain the prohibition against retaliation, and determine the corrective action the complainant seeks.

STEP TWO
If appropriate after adequate investigation, the designated official will propose a resolution. If the complainant and the alleged offender agree with the proposed resolution, the designated official will write down the resolution, and the complainant and the subject of the complaint will sign it, and each person will receive a copy. At the meeting, the designated official will again explain the prohibition against retaliation.

STEP THREE
A designated school official will monitor the situation, and will follow up with the complainant weekly for one (1) month to determine whether there are further incidents or concerns. The designated official will maintain a written record of the follow up.

STEP FOUR
If the complainant and alleged offender cannot agree to an informal resolution, or the designated official determines that the problem is not corrected, the School will commence a Formal Proceeding.

STEP FIVE
File Retention: The Principal or designee or his/her designee will maintain in a separate confidential file the School’s Reporting/Complaint Form, information obtained through inquiry and investigation, and the proposed and agreed-to resolution.

E. FORMAL PROCEEDINGS

STEP ONE
The Principal or his/her designee will separately meet in a timely manner with the complainant and the subject of the complaint to tell them about the formal process, explain the prohibition against retaliation, and determine the remedy the complainant seeks.

STEP TWO
The Principal or his/her designee will conduct an investigation in accordance with the procedures described in Section F, Investigations.

STEP THREE
The Principal or his/her designee will determine whether the allegations have been substantiated, and whether this Policy and/or the Code of Conduct has been violated. If the complaint is substantiated, the designated official will decide based on the investigative findings, on the appropriate course of action.

The Principal or his/her designee will prepare a written report that includes the investigative findings.
STEP FOUR
The designated official will promptly notify the complainant and the subject of the complaint in writing to let them know whether the complaint has been substantiated. If the complaint is substantiated and the offender remains a student in the school, the designated official will meet with the offender to describe, consistent with the Code of Conduct, the disciplinary and/or corrective action recommended, the school's expectations for future behavior and the potential consequences for retaliation or future violation of the Policy.

If a complaint is substantiated, a report of the incident will be placed in the offender's student records.

File Retention: The Principal or designee or his/her designee will maintain a separate confidential file containing the original completed Reporting/Complaint Form, investigatory interview notes and reports, findings made, the results of the investigation, including any decision for action, and other relevant investigatory materials.

Any disciplinary or corrective action against a student must conform to the due process requirements of federal and state law.

STEP FIVE
The Principal or his/her designee will monitor the situation, and will follow up with the complainant at least weekly for two months to determine whether there are further incidents or concerns, and whether the corrective action and/or disciplinary action(s) imposed has/had been effective. The designated official will maintain a written record of the follow-up.

STEP SIX
Any right of appeal from discipline imposed is governed by the Code of Conduct.

F. INVESTIGATIONS FOR FORMAL PROCEEDINGS

Prompt and Thorough Investigations: When the Principal or his/her designee determines that a Formal Proceeding is appropriate, the school will promptly investigate all reports or complaints of an alleged violation of this Policy. The goal of the investigation is to obtain an accurate and complete account of all incidents and circumstances deemed relevant to the allegations of the complaint.

Emergencies: The Principal, in his/her sole discretion, will immediately call 911 in a case of a threat of imminent physical harm or actual physical harm to a school community member or where police, fire, medical, or other emergency assistance is needed.

Investigative Procedure: The Principal or his/her designee investigating the incident will gather and preserve evidence and identify all involved parties and witnesses. If the incident involves physical injury, destruction of public property, or acts of a serious criminal nature, the designated official will confer with the local police department prior to gathering or preserving evidence.

Communication During Investigation: Throughout the investigatory and complaint resolution process, the Principal or his/her designee will make reasonable efforts to regularly inform the complainant and the subject of the complaint and their parent(s) or guardian(s) of the status of the complaint, the anticipated timing for concluding the investigation, and determination of discipline and/or corrective action(s).

Time for Investigations: The Principal or his/her designee will complete his/her investigation as soon as practicable, not to exceed more than ten (10) school days after (s)he receives the complaint or
The Principal or his/her designee will expedite the investigation of any claim involving physical violence or serious threats of harm.

Ensuring Safety During Investigation: The Principal or his/her designee will take any step he/she determines is necessary and/or advisable to protect, to the extent practicable, the complainant, witnesses, and other individuals from further incidents or from retaliation pending the outcome of the investigation. Those steps may include, but are not limited to, ordering interim disciplinary action under the Code of Conduct, appropriate adult supervision, reassigning classroom seating, temporarily transferring the subject of the complaint from his/her class(es) with the complainant, or placement in an alternative educational setting.

Victim Assistance: The Principal or his/her designee will make appropriate referrals for victim assistance, including counseling and crisis intervention, if requested, or as needed.

Confidentiality: The District will respect the privacy of the complainant, the subject(s) of the complaint, and the witnesses to the extent possible consistent with its obligations under federal and state law and regulations and the Policy to investigate, report, and take appropriate disciplinary and corrective action, and consistent with applicable confidentiality laws and student record regulations.

IMPOSING DISCIPLINARY AND CORRECTIVE ACTION

If the Principal or his/her designee concludes that the subject of the complaint has violated this Policy, the District will impose disciplinary measures and/or corrective action reasonably calculated to end the complained of conduct, deter future conduct, and protect the complainant(s) and other similarly situated individuals.

False Charges

Any student who knowingly makes false charges or brings a malicious complaint will be subject to any of the disciplinary and/or corrective action(s) detailed above.