

PUBLIC SCHOOLS of BROOKLINE

STUDENT CIVIL RIGHTS POLICY¹

1. Commitment to Non-Discrimination

The Public Schools of Brookline is committed to maintaining an educational environment where students of all backgrounds and experiences are physically and psychologically safe, connected, encouraged, and can flourish. We aim to eliminate all forms of bias and bigotry, including discrimination based on race, color, age, physical or mental disability, pregnancy, homelessness, sex/gender, gender identity, religion, national origin, ancestry, sexual orientation, genetics, and natural or protective hairstyle. The Public Schools of Brookline is resolved that prejudice and disparate treatment will never impede our learners, consistent with our district goals:

- Joy in Learning
- Excellence in Teaching
- Culture of Collaboration
- Celebration of Differences
- Commitment to Equity
- Ethics of Wellness

Discriminatory behavior toward students of the Public Schools of Brookline, including intimidation, threats, or harassment by other students, employees, or anyone else who visits or is part of our learning community, is unacceptable and a violation of the Student Civil Rights Policy. Retaliatory conduct toward persons who have reported possible bias, discrimination, or inappropriate behavior, who have assisted in an investigation, or who have otherwise exercised their rights under this policy is also prohibited.

Conduct in violation of this policy includes any action, including verbal or nonverbal communication, that contributes to, promotes, or is complicit in disrupting the district's inclusive learning environment. Derogatory or intimidating statements, threats, acts of exclusion, or other mistreatment regarding a student's membership in or association with a member of a protected group, whether made in person or by telephone, postal

¹ Thank you to the Boston Public Schools for sharing their Superintendent's Circulars with the Public Schools of Brookline, upon which this policy is largely based.

mail, email, text or other messaging, social media posting, or any other means, will not be tolerated.

While this policy is aimed at promoting a learning environment that is free of discrimination or harassment of any kind, it is not intended to limit the district's authority to discipline or take remedial action to address misconduct by a student, employee, or other community member that is found to be inappropriate and bias-based and/or sexual in nature, regardless of whether that misconduct satisfies the definition of discrimination or harassment under the law.

This policy extends to all educational practices and programs, including:

- School admission, enrollment, or transfer
- Access to learning, including instruction, services, guidance practices, and school-sponsored curricular and extracurricular activities
- Grading and testing
- Discipline
- Reasonable accommodation for disabilities or religious practices
- Other terms and conditions of education

Schools will vigorously implement and actively enforce this policy to ensure that all of its daily operations are characterized by fairness, respect, and equity. Any violation of this policy will be viewed as serious misconduct and may result in discipline, up to and including termination of the offending employee or discipline of the responsible student consistent with the district's Code of Conduct. Retaliation against any person who has reported a possible violation or participated in any manner in an investigation, proceeding, or hearing of a report of a violation of this policy, will similarly be viewed as serious misconduct and may also result in discipline (up to and including termination for district employees).

All Public Schools of Brookline newly printed publications (e.g., school handbooks) for students, parents/caregivers, current or prospective employees, and the general public must contain the following nondiscrimination notice:

The Public Schools of Brookline prohibits discrimination in its programs, facilities, or employment or educational opportunities on the basis of race, color, age, criminal record (inquiries only), disability, pregnancy, homelessness, sex/gender, gender identity, religion, national origin, ancestry, sexual orientation, genetics, natural or protective hairstyle, or military/veteran status, and does not tolerate any form of retaliation, or bias-based intimidation, threat, or harassment that demeans individuals' dignity or interferes with their ability to learn or work.

2. Defining Bias-Based Conduct Toward Students

Students of the Public Schools of Brookline are protected from bias-based conduct or discrimination based on race, color, age, disability, sex/gender, gender identity, religion, national origin, ancestry, retaliation, sexual orientation, genetics, natural or protective hairstyle, or homelessness. Employees of the Public Schools of Brookline who become aware of any possible bias-based conduct toward or involving students must report the incident or concern to their school leader, supervisor, and/or the Office of Student Services as soon as practicable, generally within the same school day. The same standard applies to partners or contractors providing services in or under the auspices of the Public Schools of Brookline.

In some instances, bias-based conduct that violates this policy may also violate PSB's Bullying Prevention Policy because it involves the repeated use of a written, verbal, or electronic expression and/or a physical act or gesture directed at a student that causes physical or emotional harm to the student or damage to their property; places the student in reasonable fear of harm and/or damage to their property; and disrupts the student's education process or school operations. When misconduct may constitute both bias-based conduct and bullying, the reported incidents will be investigated under both policies.

Examples of unacceptable bias-based conduct include treating students differently because of their membership in a protected group, such that the treatment interferes with or limits the student's ability to participate in or benefit from an educational opportunity or extracurricular program. Bias-based conduct also includes derogatory verbal, physical, written, print, or digital communication or conduct relating to a student's membership in a protected category. Any form of communication or physical action that creates an intimidating, threatening, or abusive educational environment will be immediately and thoroughly addressed.

Such conduct may originate with students as well as employees and may also be caused by other persons who participate, observe, or otherwise engage in a district-sponsored activity. Behavior that occurs in a location other than a Public Schools of Brookline (PSB) building or outside of PSB school or work hours may still constitute bias-based conduct and a violation of this policy if that behavior has the effect of disrupting a student's ability to learn.

Examples of inappropriate bias-based behavior toward students that may violate this policy include:

- Speaking or otherwise communicating derisively to or about a student because of their membership in a protected group, such as their race, including the use of slurs

- Telling or digitally circulating jokes that are derisive toward members of a particular group, such as a student of a particular religious faith
- Using insulting nicknames for members of a protected group, such as a female student
- Refusing to allow students to participate in any activity because of their membership in a protected group, such as their sexual orientation, and in the absence of a legitimate nondiscriminatory reason for the refusal
- Disciplining a student more frequently or more harshly because of their membership in a protected group, such as their national origin
- Displaying pictures or taking any action that is derisive to any student based on their membership in a protected group
- Refusal to use the gender identity affirming name and/or pronouns that a student has stated

Students sometimes experience “microaggressions”: verbal or nonverbal communication that is rooted in implicit bias but does not rise to the level of a violation of this policy. Examples include:

- Mistaking one student for another because they share the same racial identity
- Complimenting a student for having a skill that is counter to a stereotype regarding their gender or ethnicity
- Assuming a student observes a particular religious holiday or has a particular sexual orientation
- Asking a student about their disability without their consent and/or the consent of their parent/caregiver

When microaggressions are reported, a school administrator or other PSB designee will partner with the student, parent/caregiver, and appropriate school staff to determine an effective intervention, such as coaching, mediation, restorative justice, or individual, classroom, or school-wide instruction or training.

3. Defining Sexual Misconduct Toward Students

The Public Schools of Brookline is committed to ensuring that students learn in an environment free of sexual misconduct. Sexual misconduct committed against a PSB student will not be tolerated.

Students participating in PSB academic, educational, extracurricular, athletic, and school programs or activities are protected from sexual misconduct by other students, parents/caregivers, PSB employees, contractors, and visitors. In addition, PSB students may be protected from sexual misconduct that occurs outside the context of a school’s education program, activity, or school property, if the behavior

was in connection with a school program or activity which includes locations, events, or circumstances over which the district exercised substantial control over both the person accused of the conduct and the context in which the sexual misconduct occurred.

The Public Schools of Brookline treats reports of sexual misconduct with the utmost seriousness. We will address any sexually inappropriate communication or behavior directed toward students, regardless of whether that conduct is unlawful.

For the purposes of this policy, sexual misconduct constitutes sexually inappropriate comments and/or behaviors of any kind, including sexual violence. Sexual violence is broadly defined as any sexual activity that is forced, coerced, or unwanted. It also includes any sexual act against another person who is incapable of giving consent, either because of their temporary or permanent mental, intellectual, or physical incapacity, or because they are a minor.

In some instances, sexual misconduct that violates this policy may also violate PSB's Bullying Prevention Policy because it involves the repeated use of a written, verbal, or electronic expression and/or a physical act or gesture directed at a student that causes physical or emotional harm to the student or damage to their property; places the student in reasonable fear of harm and/or damage to their property; and disrupts the student's education process or school operations. When misconduct may constitute both sexual misconduct and bullying, the reported incidents will be investigated under both policies.

Consent is defined as clear, active agreement and permission to engage in any form of verbal or nonverbal sexual communication or activity with another person. The initiator of the sexual contact is responsible for obtaining consent before engaging in any sexual contact. Consent can be withdrawn by either party at any point. Consent must be voluntary and may not be valid if a person is being subjected to an emotional, psychological, physical, reputational, or financial threat, intimidation, or coercion. Consent to engage in one sexual activity, or past agreement to engage in a particular sexual activity, cannot be presumed to constitute consent to engage in a different sexual activity or to engage again in a sexual activity. Consent cannot be validly given by a person who is incapacitated or under the age of sixteen.

Sexual violence may include criminal acts, such as indecent assault and battery, rape, abuse, or assault with intent to rape. Any acts that may be criminal will be referred to law enforcement. Examples of sexual violence may include, but are not limited to, the following:

- Unwelcome sexual touching, including touching of the breast, thigh, or genital area
- Non-consensual sexual contact that occurs during school or non-school hours, on or off school grounds, including dating violence
- Recruiting, transporting, obtaining, or providing a student of any gender for the purpose of sex

Other forms of sexual misconduct include unwelcome conduct of a sexual nature that denies or limits, on the basis of sex, a student's ability to participate in or to receive benefits, services, or opportunities in the school's program or activities. Examples of behavior that may constitute sexual misconduct depending upon the totality of the circumstances, the ages of the student or other individuals involved, and the severity and pervasiveness of the conduct, include but are not limited to:

- Sexual advances or requests for sexual favors, whether or not they involve touching
- Making an educational decision or benefit contingent upon a student's submission to unwelcome sexual conduct
- Offensive public sexual display of affection, including groping, fondling, gestures, or inappropriate touching of oneself or others
- Consensual groping, fondling, sexual touching, or sex in a PSB building, on school property, or at any school-sponsored activity
- Sexual jokes or references
- Comments regarding a student's body or a student's sexual activity or orientation
- Offensive name-calling or profanity that is sexually suggestive, sexually degrading, or based on sexual stereotypes or sexual orientation
- Different treatment because of a student's pregnancy status
- Displaying or distributing sexually explicit messages or images of any kind
- Trafficking of youth for sexual purposes, such as recruiting, transporting, or otherwise exploiting a minor in exchange for money, shelter, or food
- Sexual advances or contact, whether or not they are consensual, between a student and adult employee, contractor, or community partner
- Other verbal, nonverbal, or physical conduct of a sexual nature.

Any student, regardless of gender identity or sexual orientation, can be a target of sexual misconduct, and the alleged targets and the subject of the concern can be of the same or different genders.

PSB employees or volunteers who become aware of any possible sexual misconduct toward or involving students must report the incident or concern to their school leader or other school administrator, supervisor, and/or the Office of Student Services as soon as practicable, generally within the same school day. The same reporting requirement applies to community partners or contractors providing services to students in or under the auspices of the Public Schools of Brookline.

The above list of examples is not exhaustive. If you are unsure whether a student may have been a target of sexual misconduct or if you have knowledge of a possible incident of sexual misconduct involving a student, immediately contact your school principal/head of school, supervisor, or the Office of Student Services.

4. Reporting Allegations of Bias-Based and Sexual Misconduct

Reports to School Administrators

Students, parents/caregivers, and other community members are **encouraged** to report concerns regarding incidents that may constitute bias-based or sexual misconduct toward a student to their school's principal or head of school, or another school administrator. It is advised to file this report as close to the time of the incident as possible, as matters are generally more easily resolved the sooner they are reported. Reporting a possible violation will not be construed as reflecting unfavorably on a student, parent/caregiver, employee, or other community member's good standing, academic performance, loyalty, or desirability to the Public Schools of Brookline.

Please note that PSB employees are **required** to report any incidents they become aware of that may constitute bias-based or sexual misconduct toward a student, and may be subject to discipline for failing to report an incident and/or failing to report an incident timely. They may report an incident to a principal, head of school, the Office of Student Services, Human Resources or any Central Office department head. Incidents that a PSB employee becomes aware of indirectly, such as from a written note or an overheard conversation, will also be investigated.

A school administrator will ask the reporter for information regarding the incident(s) and may request, though not require, that the reporter submit a written statement. The administrator will ensure that assistance is provided in preparing such a written statement if needed.

The principal or head of school (or their designee) will ensure that any next steps are carried out consistent with this policy and appropriately documented in partnership with the Office of Student Services. Anonymous reports will be investigated to the extent possible.

Reports to the Office of Student Services

Students, parents/caregivers, or other community members who do not wish to seek assistance from their school's principal or head of school, or who are dissatisfied with a school administrator's steps to address a report, may bring their concerns directly to the Office of Student Services (OSS). To report a concern to OSS, a student, parent/caregiver, or employee may:

- A. Write, call, or email Karen Shmukler, Interim Deputy Superintendent of Student Services, Town Hall, 333 Washington Street, 5th Floor Brookline, MA 02445, 617-730-2447, karen_shmukler@psbma.org
- B. Write, call, or email Claire Galloway-Jones, Executive Director of Educational Equity, Town Hall, 333 Washington Street, 5th Floor Brookline, MA 02445, or 617-730-2404, claire_gallowayjones@psbma.org
- C. Complete the Community Incident Reporting Form available at this link.

Reports to Human Resources

Employees who do not wish to seek assistance from their school's principal or head of school, or who are dissatisfied with a school administrator's steps to address a report, may bring their concerns directly to Human Resources. To report a concern to Human Resources, an employee may:

- D. Write, call, or email Alvin Cooper, Director of Human Resources, Town Hall, 333 Washington Street, 4th Floor Brookline, MA 02445 617-730-2410, alvin_cooper@psbma.org
- E. Complete the Community Incident Reporting Form available at this link.

Nothing in this policy shall prevent a student, parent/caregiver, employee, or other community member from reporting a concern directly to the Office of Student Services or alvin_cooper@psbma.org .

A member of the Office of Student Services or Human Resources staff will ask the reporter for information regarding the incident(s) and may request, though not require, that the reporter submit a written statement. OSS and HR will ensure that assistance is provided in preparing such a written statement if needed.

After a report is received, the Office of Student Services, Human Resources (or their designee) will notify the appropriate school leader(s) and/or the individual about whom the report has been filed. The Office of Student Services, Human Resources will designate a school administrator or OSS staff member, HR Director to investigate or otherwise address the concern. Anonymous reports will be investigated to the extent possible.

5. Prohibition of Retaliation

Retaliation against any student, parent/caregiver, employee, contractor, or other community member for reporting or participating in any way in the reporting or investigative procedure related to any violation of this policy is strictly prohibited and will not be tolerated. Students, parents/caregivers, or employees who exercise their rights under any section of this policy are protected from retaliatory conduct. Reports of retaliation may be made in the same manner as any concern regarding possible bias-based or sexual misconduct.

6. Investigating Possible Bias-Based and/or Sexual Misconduct

Detailed protocols regarding investigations of possible bias-based or sexual misconduct are provided in a separate document entitled, the *Public Schools of Brookline Student Civil Rights and Bullying Incident Response Protocol*. This policy provides basic information about the process and is available at this link.

PSB will take all concerns regarding possible bias-based or sexual misconduct seriously. Any interim measures needed to ensure the safety of the students involved and maintain their access to educational programs and activities must be taken upon receipt of the report consistent with district protocols.

PSB will promptly investigate allegations of bias-based or sexual misconduct even when the incident is being investigated by law enforcement or another entity. Our obligation is to determine if there has been a violation of this policy and/or the PSB Code of Conduct. The investigation will be conducted in a manner maintaining confidentiality to the extent practicable under the circumstances.

Generally, an employee who is an administrator at the school that the subject(s) of the investigation attends will be designated to investigate. The designated investigator must be thoroughly familiar with PSB policies and protocols, and ideally, will have completed investigative skills training and established meaningful relationships with most or all of the involved students and parents/caregivers.

In some instances, a central office administrator may be designated, for example, in cases where the allegations are egregious and/or where an employee is the subject of the investigation.

After receiving a report of bias-based or sexual misconduct, the school leader or other designated school administrator will determine and promptly take the next steps. Depending on the nature of the alleged incident, those steps may include:

- A. In the event of sexual or physical violence, contacting the Brookline Police Department, calling 911, and/or seeking assistance from the school nurse.
- B. Ensuring that a student who discloses sexual violence or other egregious sexual misconduct is not interviewed by any other PSB employee subsequent to the initial disclosure to preserve the integrity and reliability of any criminal investigation.
- C. Assessing the need for emergency interim safety measures (a “safety plan”) to actively prevent any additional incidents, and ensure that all of the students involved are able to fully engage in the school’s programs and activities.
- D. Contacting the Department of Children and Families (DCF) to file a 51A report that same day (or in rare circumstances, early the following morning) if the allegation warrants. As mandated reporters, PSB employees are required to report situations when there is reasonable cause to believe a student is suffering from any physical or emotional injury that causes harm or a substantial risk of harm.
- E. If the allegations are egregious, contacting the Office of Student Services for assistance in ensuring all needed steps are taken.
- F. Notifying the parent/caregiver(s) of the students who were directly impacted.
- G. Submitting Section 1 of the Civil Rights and Bullying Incident Response Documentation Form within the same school day, if possible, but always within 48 hours of the incident.
- H. In collaboration with the Office of Student Services, determining if whole classroom or whole school community communication is warranted based on the impact on the learning environment.
- I. Investigating and documenting the allegation, including interviews with

individuals who have pertinent information, and any other relevant evidence, such as documents, emails, text messages, social media posts, or video footage. PSB employees and students are obligated to cooperate with any investigation, including promptly providing any requested information or electronic evidence. Information regarding the allegations must be kept confidential to the extent practicable. During the investigation, the alleged target of the misconduct should not discuss the incident with the subject of the concern present under any circumstances.

- J. Completing the investigation within 10 days of the incident.
- K. Determining whether there was a violation of this policy, and if so, how to address what occurred consistent with the Code of Conduct. In addition, assess what preventive, remedial, and restorative practices will help address the incident(s), including classroom instruction, training, alternative dispute resolution, or restorative justice.
- L. Submitting Section 2 of the Civil Rights and Bullying Incident Response Documentation Form within 10 days of the incident.
- M. Notifying all parties, including impacted students' parents/caregivers, that the investigation has concluded, and whether a policy violation was found by email and/or mail.

7. Making and Addressing Investigative Findings

In determining whether the alleged conduct constitutes a violation of this policy, the investigator will, in partnership with the Office of Student Services, consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. A determination of whether a particular action or incident constitutes a violation of the policy will be based on all of the facts and the preponderance of the evidence (i.e., that it is more likely than not that a violation occurred).

If the investigation results in a finding of a violation of this policy, PSB will take the necessary steps to end the misconduct, prevent any further misconduct, remedy its effects where appropriate, and take disciplinary action as appropriate under the circumstances.

- Refer individuals found to have violated this policy for disciplinary action when appropriate.
 - *For employees*, such action may include written warning, suspension,

termination, or another action deemed appropriate under the circumstances.

- *For students*, such action may include suspension, expulsion, or another action deemed appropriate under the circumstances. (For more information on student discipline, please see the Code of Conduct.)
- Require students, employees, or other community members found to have violated this policy to attend instruction or training, as appropriate.

8. Nondiscrimination on the Basis of Gender Identity

The Public Schools of Brookline prohibits bias and discrimination on the basis of gender identity. All students need a safe and supportive school environment to develop academic and social-emotional skills. Administrators, faculty, staff, and students each play an important part in creating and sustaining that environment. This policy is intended to create a culture in which transgender, gender nonbinary, and gender nonconforming students feel safe, supported, and included, and to meet each school's obligation to provide equal educational opportunities for all students.

Definitions

Understanding the terminology associated with gender identity is important to providing a safe and supportive school environment. Please note that terminology evolves over time, and the best practice is to ask individuals how they identify and respect their preferred terms.

Gender expression: how a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

Gender identity: a person's gender-related identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.

Gender nonbinary: a term to describe people who identify as neither male nor female, and may use the pronoun, "they." Other similar terms include genderqueer and genderfluid.

Gender nonconforming: a term to describe people whose gender expression differs from stereotypic expectations. This may also include people who identify as gender diverse or gender expansive.

Transgender: a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

Gender transition: the experience by which a person goes from living and identifying as one gender to living and identifying as another. For most youth, gender transition involves no medical intervention.

Names and Pronouns

In Massachusetts, an individual may adopt a name that is different from the name that appears on their birth certificate. PSB shall accurately record the student's chosen name on all records, whether or not the student or parent/caregiver provides the school with a court order formalizing a name change. For students who undergo a gender transition while attending the same school, the PSB will work with the student and/or parent/caregiver(s) on a plan for initiating the use of the chosen name and pronouns consistent with the student's gender identity.

Privacy, Confidentiality, and Student Records

Some transgender, gender nonbinary, and gender nonconforming students are not open about their gender identity at home due to safety concerns or lack of acceptance. School personnel will speak with the student first before discussing a student's gender nonconformity or transgender status with their parent/caregiver, including discussing how the school should refer to the student, e.g., appropriate pronoun use, in communication with their parent/caregiver.

Under state law, information about a student's assigned birth sex, name change for gender identity purposes, gender transition, medical or mental health treatment related to gender identity, or any other information of a similar nature, is part of their student record, is considered confidential, and must be kept private and secure. When determining which, if any, staff or students should be informed that a student's gender identity is different from their assigned sex at birth, decisions should be made in consultation with the student, or in the case of a student under 14, the student's parent/caregiver. The key question is whether and how sharing the information will benefit the student. Please see [this document](#) for PSB's Gender Support Plan.

Transgender, gender nonbinary, and gender nonconforming students may decide to discuss and express their gender identity openly and may decide when, with whom, and how much to share private information. A student who is 14 years of age or older, or who has entered the ninth grade, may consent to disclosure of information from their student record. If a student is under 14 and not yet in the ninth grade, the

student's parent/caregiver (alone) has the authority to decide on disclosures and other student record matters.

Gender Markers on Student Records

A gender marker is the designation on school and other records that indicates a student's gender. For most students, records that include an indication of a student's gender will reflect a student's assigned sex at birth. For transgender students, however, a documented gender marker (for example, "male" or "female" on a permanent record) should reflect the student's gender identity. For example, upon request by a transgender student whose gender identity is male (or their parent/caregiver, if they are under 14), the school should change the gender marker on the record to male.

Transgender students who transition after completing high school may ask to amend school records consistent with their gender identity, including reissuing a high school diploma or transcript.

Restrooms, Locker Rooms, and Changing Facilities

All students are entitled to have access to restrooms and changing facilities that are sanitary, safe, adequate, and consistent with their gender identity, so they can comfortably and fully engage in their school program and activities. Each situation needs to be reviewed and addressed based on the particular circumstances of the student and the school facilities. Transgender students who are uncomfortable using a sex-segregated restroom or changing facility should be provided with a safe and adequate alternative, such as a single "all gender" restroom or nurse's restroom.

Physical Education Classes and Athletic Activities

Where there are sex-segregated physical education classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a manner consistent with their gender identity.

Dress Codes

The PSB shall not require students to wear gender-based clothing for school attendance, field trips or graduations, nor have gender-based dress codes for prom, special events, athletics, or any other school-related activity.

9. Expectant and Parenting Students

Expectant and parenting students have the right to choose how and when they seek services and support from school staff, and to have their health and personal information kept confidential, including from other students and staff who are not required to be informed, except in circumstances involving their physical safety. When a student informs a staff member of their expectant or parenting status, the staff member must inform their head of school within a reasonable time period, and make the student aware of the need to inform the head of school. Staff must not force or coerce a student to inform their parent/caregiver, or any other individual, of their pregnancy or related information.

School staff must not disclose information about a student's expectant or parenting status to their parent/caregiver without their permission. Staff should encourage the student to consider informing their parent/caregiver about the pregnancy and decisions related to that pregnancy. Medical professionals within a school building may keep confidential medical records on pregnant students who have sought treatment.

Bias-based conduct toward any expectant or parenting student is prohibited, and expectant or parenting students may not be excluded from any school, program, class, or extracurricular activity on the basis of their expectant or parenting status. All school staff must maintain and communicate high academic expectations for all students, regardless of expectant or parenting status.

10. Rights of Students with Disabilities

The Public Schools of Brookline is committed to preventing and addressing any form of bias-based conduct toward students with disabilities, and to providing students with reasonable ("Section 504") accommodations to ensure they have full access to all instruction, extracurricular activities, and other school-sponsored activities. A qualified student with a disability is an individual with a mental, intellectual, or physical impairment that substantially limits a major life activity, such as walking, seeing, hearing, speaking, or learning. A student with a severe allergy, such as an airborne tree nut allergy, may also be considered a student with a disability.

A reasonable accommodation is one that would not pose an undue burden on the PSB by being unduly costly, extensive, substantial, or disruptive, or by fundamentally altering the nature or operation of a PSB program, service, or activity. Depending on the circumstances, examples of reasonable accommodations may include access to a school elevator, wheelchair-accessible transportation to school and school-sponsored activities, additional time to complete testing, assistive technology, or removal of an architectural barrier.

Students or their parents/caregivers who are seeking reasonable accommodations related to a student's disability should direct their request to the Office of Student Services. OSS will work with the student, their parent/caregiver, and their instruction team to determine reasonable accommodations (a "Section 504 Plan") with clear timelines establishing whether each element must be annually reevaluated, reevaluated in the event of enrollment at a different PSB school, or will be implemented for the duration of that student's enrollment in any PSB school. More information about 504 Accommodation Plans can be found on the [PSB website](#).

11. Rights of Students Requesting Religious Accommodations

The Public Schools of Brookline is committed to preventing and addressing bias-based conduct toward students based on their religious identity or observance. In addition, PSB provides reasonable accommodations for students who need a modification to their instructional expectations or other aspects of their education in order to observe or practice their sincerely held religious belief. A reasonable accommodation is one that would not pose an undue burden on the PSB by being unduly costly, extensive, substantial, or disruptive, or by fundamentally altering the nature or operation of a PSB program, service, or activity. Depending on the circumstances, examples of reasonable accommodations may include excused absences for religious observances, allowing head coverings or other religious garments, and planning tests and activities around religious holidays.

PSB designates various state, federal, cultural, and religious holidays in three categories. On Category 1 holidays, school is closed, and no homework will be assigned in any class on the last day of school before that holiday. In addition, any assignments cannot be due nor tests held until at least the second school day after the holiday, even in the case of a longer school vacation. On Category 2 holidays, school is in session, but no homework will be assigned on the last day of school before the holiday, and any assignments cannot be due nor tests held until at least the second school day after the holiday. On Category 3 holidays, school remains in session and adjustments to assignments or tests are not standard. Information about which holidays are designated as Category 1, 2, or 3 is available on the PSB school calendar each year.

12. Annual Reporting

PSB's Title VI Coordinator and Title IX Coordinators shall be responsible to maintain records of all reports of bias-based conduct or sexual misconduct. The Coordinator(s) will prepare an annual report to the Superintendent and School Committee (without personal identifying information) regarding the number and nature of reports, whether

a finding of a policy violation was made in each case, and any trends in this data. This annual report shall be submitted no later than August 1 of each year and shall be publicly posted in a manner accessible to the general public by August 15 of that same year.

In addition, the Section 504 Coordinator shall be responsible to maintain records of all requests for Section 504 accommodations, and all resulting 504 Plans. The Coordinator will prepare an annual report to the Superintendent and School Committee (without personal identifying information) This annual report shall be submitted no later than August 1 of each year and shall be publicly posted in a manner accessible to the general public by August 15 of that same year.

13. Key Contacts for Civil Rights Concerns and More Information

The Public Schools of Brookline's Section 504 Coordinator is responsible for ensuring compliance with the accommodation rights of students with disabilities. Any student, parent/caregiver, or employee with related concerns or questions, or who wish to request a religious accommodation for a student, may contact the district's Section 504 Coordinator:

Matthew DuBois
Senior Director of Clinical Services and Social and Emotional Learning
Town Hall, 333 Washington Street, 5th Floor Brookline, MA 02445
Phone: 617-730-2444
Fax: 617-730-2066
Email: matthew_dubois@psbma.org

The Public Schools of Brookline's Title VI Coordinators are responsible for ensuring compliance with the bias-based conduct investigatory process and related rights and responsibilities outlined in this policy, and tracking incidents across the district.

Students or parent/caregivers with related concerns or questions may contact:

Karen Shmukler
Interim Deputy Superintendent of Student Services
Town Hall, 333 Washington Street, 5th Floor Brookline, MA 02445
Phone: 617-730-2447
Fax: 617-730-2066
Email: karen_shmukler@psbma.org

Employees with related concerns or questions may contact:

Alvin Cooper

Director of Human Resources

Town Hall, 333 Washington Street, 4th Floor Brookline, MA 02445

Phone: 617-730-2410

Fax: 617-730-2066

Email: alvin_cooper@psbma.org

The Public Schools of Brookline's Title IX Coordinators are responsible for ensuring compliance with the sexual misconduct investigatory process and related rights and responsibilities outlined in this policy, and tracking incidents across the district.

Students or parent/caregivers with related concerns or questions may contact:

Karen Shmukler

Interim Deputy Superintendent of Student Services

Town Hall, 333 Washington Street, 5th Floor Brookline, MA 02445

Phone: 617-730-2447

Fax: 617-730-2066

Email: karen_shmukler@psbma.org

Employees with related concerns or questions may contact:

Alvin Cooper

Director of Human Resources

Town Hall, 333 Washington Street, 5th Floor Brookline, MA 02445

Phone: 617-730-2410

Fax: 617-730-2066

Email: alvin_cooper@psbma.org

14. State and Federal Remedies

Using the PSB civil rights reporting process does not prohibit any individual from also filing a complaint with a state or federal agency. These agencies have a short time period for filing a claim as indicated below.

- *For incidents involving discrimination against students (must be filed within 180 days):*
U.S. Department of Education Office for Civil Rights (OCR)
Information about filing a complaint can be found at this [link](#).
- *For concerns regarding students' equitable access to education (must be filed within the same school year):*
Problem Resolution System Office

Massachusetts Department of Elementary and Secondary Education (DESE)
135 Santilli Highway
Everett, MA 02149
Email: DESECompliance@mass.gov

- *For concerns regarding civil rights related to school-provided meals (must be filed within 180 days):*

U.S. Department of Agriculture (USDA)
Director, Center for Civil Rights Enforcement
1400 Independence Avenue, SW
Washington, DC 20250-9410
Email: program.intake@usda.gov

DRAFT