Non-Discrimination and Harassment Policy for:

MATCH CHARTER PUBLIC SCHOOL

Non-Discrimination

Match Charter Public School (hereinafter referred to as "Match") does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race , color or national origin, in accordance with Title VI of the Civil Rights Act of 1964 ("Title VI"); on the basis of sex (including sexual assault and sexual harassment), in accordance with Title IX of the Education Amendments of 1972 ("Title IX"); on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act of 1990; or on the basis of age, in accordance with the Age Discrimination in Employment Act of 1975. In addition, no person shall be discriminated against in admission to Match on the basis of race, color, national origin, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, or proficiency in the English language or a foreign language or academic achievement, or homelessness, as required by M.G.L. c. 71, §89(m); 603 CMR 1.06(2). Finally, no person shall be discriminated against in obtaining the advantages, privileges or access to the courses of study offered by the school on the basis of race, sex, color, gender identity, religion, national origin, immigration or citizenship status, disability, sexual orientation or homelessness as required by M.G.L. c. 76, § 5. Match does not tolerate any form of discrimination, intimidation, threat, coercion, and/or harassment on the basis of actual or perceived race, color, national origin, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or academic achievement, homelessness or any other consideration made unlawful by any federal, state or local laws or regulations.

Further, extracurricular activities sponsored by Match shall be non-discriminatory such that (1) Match provides equal opportunity for all students to participate in intramural and interscholastic sports and (2) extracurricular activities or clubs sponsored by Match do not exclude students on the basis of race, sex, color, religion, national origin, sexual orientation, gender identity, disability or homelessness or any other protected class.

Harassment

Harassment by employees, students, vendors, volunteers and other individuals at Match, school-sponsored events, or school-related digital spaces is unlawful and is strictly prohibited. Match requires that all employees, volunteers and students conduct themselves in an appropriate manner with respect to all members of the school community.

Harassment can take the form of offensive jokes, slurs, comments, innuendoes, notes, displays of pictures or symbols, gestures, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures or other conduct that offends or shows disrespect to others based upon race, color, national origin, creed, sex, gender identity, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or academic achievement, or homelessness.

Sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. It is a verbal, physical or visual behavior where the purpose or effect is to create an offensive, hostile or intimidating environment. Some examples of sexual harassment are:

1. Acceptance of or submission to such conduct is made as a term of education, whether explicitly or implicitly.
2. The individual's response to such conduct is used as a basis for educational, disciplinary, or other decisions affecting a student.
3. Such conduct interferes with a student's education or participation in extra-curricular activities.
4. The conduct creates an intimidating, hostile or offensive work or school environment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is

hostile, offensive, intimidating, or humiliating to students may also constitute sexual harassment. Furthermore, sexual violence perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age, use of drugs or alcohol, or intellectual disability), including rape, sexual assault, sexual battery and sexual coercion are forms of sexual harassment.

Title IX of the Education Amendments of 1972 also prohibits sexual harassment of students, volunteers and employees at Match, but the conduct considered to be "sexual harassment" under Title IX is limited and does not capture all conduct that amounts to sexual harassment under school policy and/or other state and federal laws. For these reasons, Match will investigate all allegations of sexual harassment of its respective employee, volunteers and/or students in accordance with its Title IX Policy, but if it determines that the alleged conduct falls outside of Title IX's scope but still constitutes sexual harassment under this Harassment and Discrimination Policy, Match will implement appropriate remedial and/or disciplinary action in accordance with this and/or other applicable policies.

Retaliation against an individual who has brought harassment or other inappropriate behavior to the attention of Match or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by Match.

Incidents of sexual harassment may constitute child abuse under state law and may also violate criminal laws. Match will comply with all legal requirements governing the reporting of suspected cases of child abuse and criminal violations to the appropriate authorities, including the Department of Children and Families.

Complaints of Harassment and Discrimination:

If you believe that you are a victim of harassment by a Match employee or volunteer, another student at Match or a third party, immediately report the incident to the following individuals:

- For alleged violations of Title IX including sexual harassment, sexual violence, and gender-based harassment: Alvin Cooper, Chief Human Resource Officer and Title IX Coordinator, 215 Forest Hills Street, Jamaica Plain, MA 02130, TitleIXCoordinator@matcheducation.org; (617) 438-0820.
- For alleged violations of Section 504 and Title VI: The Special Education Director or the Principal of your school.
- For all other incidents of harassment or discrimination: the Principal of your school.
- If the person designated above is the aggressor, report the incident to Kimberley Williams, Executive Director, 215 Forest Hills Street, Jamaica Plain, MA 02130, Kim.Williams@matchschool.org, (617) 866-3151.

Match staff will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain the confidentiality of both the complainant and the alleged aggressor to the extent practicable under the circumstances. Match will inform the complainant that its ability to respond to an allegation of harassment may be limited if the student requests that the student's name not be disclosed and that it will take steps to prevent and respond to retaliation. However, if the student still requests confidentiality, Match will investigate and respond to the complaint while respecting the student's request as long as doing so does not prevent the school from responding effectively to the harassment and preventing harassment of other students. In addition, if a student accuses an employee of sexual harassment, and the alleged harasser would need access to the name of the accuser and the nature of the allegation in order to defend itself in accordance with federally protected due process rights, Match's ability to impose disciplinary action against such an alleged harasser may be limited.

The investigation will include a private interview with the person filing the complaint and with possible witnesses. Match will also interview the person alleged to have committed the harassment.

During the investigation, it may be necessary for Match to take measures to separate the alleged harasser from the complainant in order to eliminate from the school environment the harassment about which the complainant has complained. Match will monitor any interim measures that it takes throughout the investigation.

Match will inform the alleged aggressor and the complainant of the outcome of its investigation. Generally, the complainant will not be informed of the sanction or discipline imposed on a student who engaged in harassment due to the aggressor's rights under the Family Educational Rights and Privacy Act. If it is determined that harassment has occurred, Match will act promptly to eliminate the offending conduct and put measures in place to prevent such conduct from recurring. In addition to addressing the specific incident, Match will work to eliminate any hostile environment created by the harassment. In determining the appropriate response, Match staff will consider various factors, including the characteristics and circumstances of the target, the nature of the incident, and the environment in which the incident occurred. Where appropriate Match may do one or more of the following: separate the aggressor from the target, provide counseling for the aggressor and/or target, reaffirm its policy against harassment, train faculty on appropriate responses to harassment, provide programming for students on the harmful effects of harassment, technological solutions, and/or impose disciplinary action against the aggressor. Match will follow up with harassed students and their families to find out whether there have been any new incidents of harassment or instances of retaliation and will act promptly to address any problems.

In cases involving sexual assault, Match staff will follow the procedures set forth in Match's Child Abuse and Neglect Policy.

If you believe that an act of retaliation has been committed against you for bringing harassment or inappropriate behavior to the attention of Match or for cooperating in an investigation of a complaint under this policy, please use the complaint procedures set forth above.

Please note: If you are not satisfied with Match's response, you may file a complaint directly with the Office of Program Quality Assurance at the Department of Elementary and Secondary Education or seek outside counsel. You may also contact the state agencies responsible for enforcing laws prohibiting harassment or discrimination in schools: the Massachusetts Department of Elementary and Secondary Education, 135 Santilli Highway, Everett, MA 02149 (781) 338-3000) and the Massachusetts Commission Against Discrimination, One Ashburton Place, Boston, MA (617) 994-6000). The agency responsible for enforcing the federal law prohibiting harassment on the basis of sex is the Office of Civil Rights within the United States Department of Education, which is located at the John W. McCormack Building, 5 Post Office Square, Boston, MA (617) 289-0111).

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