

Harassment and Discrimination Policy for Employees and Volunteers of:
MATCH CHARTER PUBLIC SCHOOL
THE CHARLES SPOSATO GRADUATE SCHOOL OF EDUCATION, INC.
THE MATCH FOUNDATION, INC.

Guiding Value

Match Charter Public School, The Charles Sposato Graduate School of Education, Inc. (“CSGSE”), and The Match Foundation, Inc. (collectively, “Match Education”) is committed to providing a professional work and school environment free from all forms of discrimination and conduct that could be considered harassing, coercive, bullying or disruptive, including sexual harassment.

Policy

Our policy is straight forward and zero tolerance. We do not discriminate or tolerate any form of harassment in our workplace or on our campuses on the basis of race, color, sex, sexual orientation, gender identity, age, national origin, disability, religion, veteran status, pregnancy or a condition related to pregnancy, including, but not limited to, lactation, or the need to express breast milk for a nursing child, and any other class of individuals protected from discrimination under state or federal law in any aspect of the access to, admission, or treatment of students in its programs and activities, or in employment and application for employment.

Questions and/or reports from Match Charter Public School employees and volunteers about/of harassment and discrimination, including sex discrimination, sexual harassment and/or Title IX, should be directed to Match Charter Public School’s Title IX Coordinator: Michael Kerr, Deputy Executive Director, 215 Forest Hills Street, Jamaica Plain, MA 02130, (718) 614-9943, TitleIXCoordinator@matcheducation.org and/or your immediate supervisor.

Questions and/or reports from employees and volunteers of The Match Foundation, Inc. about/of harassment and discrimination, including sex discrimination, sexual harassment and/or Title IX, and should be directed to Anne Healy, CFO, Title IX Coordinator, 215 Forest Hills Street, Jamaica Plain, MA 02130, (617) 529-7284, TitleIXCoordinator@matcheducation.org and/or your immediate supervisor. If the reports of harassment and/or discrimination, including sexual harassment deal with students, employees or volunteers at either Match Charter Public School or CSGSE, Anne Healy will notify and coordinate with the Title IX coordinator from the respective school to properly respond to the allegations.

Questions and/or reports from employees and volunteers of CSGSE about/of harassment and discrimination, including sex discrimination, sexual harassment and/or Title IX, should be directed to Dana Salvia, Director of Elementary Training, Title IX Coordinator, 215 Forest Hills Street, Jamaica Plain, MA 02130, (631) 275-8055, TitleIXCoordinator@matcheducation.org and/or your immediate supervisor.

We expect employees and volunteers to treat each other with the dignity and respect each of us deserves. Supervisors are expected to maintain work and learning environments free of intimidation and harassment and to respond immediately and appropriately to any complaints of harassment.

Harassment of employees, volunteers or students occurring on any of the campuses of Match Education or in other settings in which employees, volunteers or students may find themselves in connection with their affiliation with Match Education is unlawful and will not be tolerated by this organization. To achieve our goal of providing an environment free from harassment, the conduct that is described in this policy will not be tolerated and we have provided herein a procedure by which inappropriate conduct will be dealt with, if encountered by employees or volunteers.

Each employee and volunteer is expected to adhere to this Harassment and Discrimination policy and must report any incidents of harassment against employees, volunteers, or students of The Match Foundation, Inc., Match Charter Public School and/or CSGSE to the appropriate above-listed contact(s). Because Match Education takes allegations of harassment seriously, we will respond promptly to complaints of harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action up to and including dismissal where appropriate. Retaliation against an individual who has complained about harassment, and retaliation against an individual for cooperating with an investigation of a harassment complaint is unlawful and will not be tolerated by this organization.

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

Definition

Harassment includes verbal or physical conduct which may offend, denigrate, or belittle any person because of, or due to any of the characteristics described above. Such conduct includes pictures, jokes, comments, innuendoes or any other behavior which creates an environment that is intimidating, hostile, or offensive to anyone.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. What one person may consider acceptable behavior may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile, or offensive.

While all types of harassment are prohibited, sexual harassment requires particular attention. In Massachusetts, the definition of sexual harassment is as follows:

Sexual harassment is any unwelcome sexual conduct on the job, including sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment
- (b) Submission to or rejection of such advances, requests or conduct is used as a basis for employment decisions or as a basis for educational, disciplinary, or other decisions affecting a student; or,
- (c) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance, education or participation in extra-curricular activities by creating an intimidating, hostile, humiliating or sexually offensive environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

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 male or female workers may also constitute sexual harassment. Furthermore, sexual violence, including rape, sexual assault, sexual battery and sexual coercion are also forms of sexual harassment.

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

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

Title IX of the Education Amendments of 1972 also prohibits sexual harassment of students, volunteers, and employees at The Match Foundation, Inc., Match Charter Public School, and CSGSE, 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, The Match Foundation, Inc., Match Charter Public School, and/or CSGSE will investigate all allegations of sexual harassment of its respective employee, volunteers and students in accordance its Sexual Harassment/Title IX Policy, *attached to this document as Appendix A*, 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.

Reporting

If you are being harassed, are aware of harassment against other employees, students, or volunteers of The Match Foundation, Inc., CSGSE, or Match Charter Public School, or are the victim of retaliation, you must report the conduct immediately.

Reporting the incident is a critical step in stopping the harasser, not only from harassing you but also from possibly harassing others. Write down when the incident(s) happened and any details so that you don't forget. Be prepared to tell exactly what happened, when it happened and if anyone else saw or heard the incident.

Report any incidents of harassment immediately by notifying the appropriate above-listed contact person(s). These persons are also available to discuss any concerns you may have and to provide information to you about our policy on harassment and our complaint process. Reporting may be done in writing or orally.

Response

When we receive the complaint we will promptly investigate the allegation. Complainants and alleged perpetrators will be told that Match Education will keep the complaint confidential to the extent practicable under the circumstances, that a prompt, neutral investigation into the allegations will take place, and that Match Education will not tolerate any form of retaliation against the complainant for having made the complaint or against other employees or volunteers for cooperating with the investigation.

The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. However, it may not be possible to withhold the complainant's identity from others involved in the investigation. Our investigation will typically include an interview with the person filing the complaint, the alleged perpetrator, and witnesses as appropriate depending on the circumstances. Match Education may also review documents, journals, recordings, photographs, voice mails, e-mails, telephone records, or other items that may be relevant to the allegations of harassment.

To reiterate, The Match Foundation, Inc., Match Charter Public School, and CSGSE will investigate all allegations of sexual harassment of its respective employees, volunteers and students in accordance its Sexual Harassment/Title IX Policy, *attached to this document as Appendix A*, 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, The Match Foundation, Inc., Match Charter Public School, and/or CSGSE will implement appropriate remedial and/or disciplinary action in accordance with this and/or other applicable policies.

Reports from Match Charter Public School employees and volunteers of sexual harassment should be made to Match Charter Public School's Title IX Coordinator: Michael Kerr, Deputy Executive Director, 215 Forest Hills Street, Jamaica Plain, MA 02130, (617) 529-7284, TitleIXCoordinator@matcheducation.org and/or your immediate supervisor. Reports should be made as soon as practicable, but not to exceed twenty-four hours after receiving notice.

Reports from employees and volunteers of The Match Foundation, Inc. of sexual harassment should be directed to Anne Healy, CFO, Title IX Coordinator, 215 Forest Hills Street, Jamaica Plain, MA 02130, (617) 529-7284, TitleIXCoordinator@matcheducation.org and/or your immediate supervisor. If the reports of sexual harassment deal with students, employees or volunteers at either Match Charter Public School or CSGSE, Anne Healy will notify and coordinate with the Title IX coordinator from the respective school to properly respond to the allegations. Reports should be made as soon as practicable, but not to exceed twenty-four hours after receiving notice.

Reports from employees and volunteers of CSGSE of sexual harassment should be directed to Dana Salvia, Director of Elementary Training, Title IX Coordinator, 215 Forest Hills Street, Jamaica Plain, MA 02130, (631) 275-8055, TitleIXCoordinator@matcheducation.org and/or your immediate supervisor. Reports should be made as soon as practicable, but not to exceed twenty-four hours after receiving notice.

If it is determined that inappropriate conduct has occurred under this nondiscrimination and harassment policy, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action. Such action may range from counseling to dismissal, and may include such other forms of disciplinary action as we deem appropriate under the circumstances. Match Education will follow-up with the complainant and any witnesses to verify that the conduct has not resumed and that such individuals have not suffered any retaliation. If you are a supervisor and fail to report or respond to complaints of harassment, or fail to act on knowledge of a violation of this policy, discipline up to and including termination may result.

Sexual harassment of minors may violate criminal laws or constitute child abuse under state law. Match Education will comply with all legal requirements governing the reporting of suspected criminal violations and cases of child abuse to the appropriate authorities.

In addition to the above, if you believe you have been subjected to unlawful harassment you maybe file a complaint with either or both of the following local government agencies. Each of the agencies has a short time period for filing a claim.

United States Equal Employment Opportunity Commission,
JFK Federal Building,
475 Government Center
Boston, Massachusetts, 02203
800-669-4000

Massachusetts Commission Against Discrimination,
Boston office at One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108,
617-994-6000

Office of Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02129
(617) 289-0111

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