

CURRENT HPS POLICY

AC - NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Holyoke School Committee and Holyoke Public Schools are committed to maintaining an education and work environment for all school community members that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Holyoke Public Schools.

Holyoke Public Schools does not exclude from participation, deny the benefits of HPS from or otherwise discriminate against, individuals on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.*

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.
6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Holyoke Public Schools require all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

**race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.*

LEGAL REFS: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)

M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)

Acts of 2022, Chapter 117 -

<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

CROSS REF: [ACE](#), Nondiscrimination on the Basis of Disability

ACAB, Sexual Harassment

[GBA](#), Equal Employment Opportunity

[IJ](#), Instructional Materials

[JB](#), Equal Educational Opportunities

(Revised December 2023)

PROPOSED POLICY

AC- NON-DISCRIMINATION AND HARASSMENT

The Holyoke Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, ~~pregnancy~~ ~~pregnancy~~, ~~pregnancy related conditions~~, ~~pregnancy status~~, disability, homelessness, religion, age, active military/veteran status, or any category protected under state and/or federal law. ~~immigration status~~. The Holyoke Public Schools is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, sex, gender, sexual orientation, gender identity, pregnancy, ~~pregnancy related conditions~~, ~~pregnancy status~~, age, genetic information, ethnic background, ancestry, disability, or any category protected by state or federal law. In addition, the District provides equal access to all designated youth groups. Consistent with the requirements of the McKinney-Vento Act, the District also does not discriminate against students on the basis of homelessness.

The Superintendent shall designate at least one administrator to serve as the compliance officer for the District's non-discrimination policies in education-related activities, including but not limited to responding to inquiries related to Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; the Age Act; M.G.L c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

The Holyoke Public Schools' policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of the school district, or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, religion, national origin, sex, ~~gender~~, sexual orientation, gender identity, pregnancy, ~~pregnancy related conditions~~, ~~pregnancy status~~, age, active military/veteran status, genetic information, ethnic background, ancestry, disability, or any category protected by state or federal law. **No student shall be excluded from admission to a District school or in obtaining the advantages, privileges, and courses of study of such public school on the basis of immigration or citizenship status.**

In addition to designating at least one administrator to handle inquiries regarding the District's non-discrimination policies, the Superintendent shall adopt and publish one or more grievance procedures for addressing reports of discrimination, harassment and/or retaliation under the protected classes identified in this policy. If an individual is interested in filing a complaint that they have been discriminated against because of race, color, national origin, sex, sexual orientation, gender identity, pregnancy, ~~pregnancy related conditions~~, ~~pregnancy status~~, disability, homelessness, religion, age, active military/veteran status, **or other protected classification under state or federal law** ~~immigration status~~, their complaint should be filed in accordance with the District's applicable grievance procedures for discrimination, harassment, and retaliation.

The student handbooks and grievance procedures shall identify the name, office address and telephone number for the compliance officer(s) for the above-referenced statutes and this policy and be posted on the District's website.

ADOPTED:

REFS.: Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR ~~Part 106.31, 106.34, 106.35~~; Section 504 **of the Rehabilitation Act**: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5 (*as amended effective August 2025*); 603 CMR 26.03 as amended by Chapter 199 of the Acts of 2011; MGL. c. 71, s. 370; 42 USC s. 2000c et seq.; 42 USC s. 2000d et seq.; 20 USC s. 1701 et seq.; M.G.L c. 71, Sec. 84; MGL c. 151B; 151C.