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CODE OF CONDUCT
for
Pittsfield Middle and High School Students

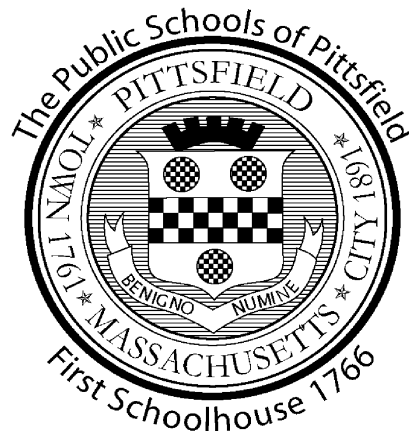


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INTRODUCTION

This **Code of Conduct** details and promotes the healthy interactions between Pittsfield Middle and High School students and their peers and between students and all school employees. It also describes inappropriate conduct of a sexual or harassing nature that if not prohibited can undermine the safety that is essential to our school and to all our students.

The purpose of the Code of Conduct is to:

- ✓ Protect students from sexual misconduct/abuse and its devastating impact on their health, mental health, social/emotional learning and academic achievement;
- ✓ Protect students, employees, contractors and volunteers by increasing their self-awareness of and ability to correct behaviors that might violate safe boundaries;
- ✓ Protect the school from the trauma, negative publicity, and potential legal liability that can result from incidents of sexual misconduct or abuse.

This Code of Conduct will continue to be a work in progress as we solicit ongoing feedback from Jr. and Sr. High School administrators, students, teachers, employees, parents, School Committee members, and others committed to ensuring that Pittsfield Schools are safe havens where our students can learn, grow and thrive.

Joseph Curtis, Superintendent
Pittsfield Schools

Date:

CODE OF CONDUCT FOR PITTSFIELD MIDDLE & HIGH SCHOOL STUDENTS

I. PURPOSE

The purpose of this Code of Conduct is to provide all students, staff, volunteers, and community members with clear guidelines and information about how to protect students from inappropriate conduct by adults or by other students and peers, both in and out of school. We are committed to creating a culture of safety in our school and community where inappropriate conduct, including child sexual abuse, is openly discussed, addressed, and prevented. We welcome and encourage the input of staff, volunteers, our students, and their parents as we continue to celebrate our school as a place where children can learn, play and grow safely.

II. REPORTING

If you are a victim of, or witness someone else being a victim of any of the behaviors described in this Code of Conduct, whether by a student or member of the school staff, you are required to report the incident to a trusted member of the staff, or member designated to receive these reports so that actions can be taken to address the problem and protect students.

Sometimes, for a number of reasons, youth may be reluctant to come forward and report an incident of inappropriate sexual behavior or abuse. Some reasons may include: fear of getting in trouble for other behaviors or rule breaking they may have been involved in when the incident took place, or fear of consequences for reporting the inappropriate behavior, such as fear of what might happen if the person or friends of the person found out the situation was reported.

While these concerns are understandable, our health and safety and that of our friends and peers is what is most important. If you come forward and report an incident of harassment or sexual assault that you experienced or that you witnessed, you will not be disciplined for other rule-breaking behaviors that took place at the time of the incident in question, e.g. underage drinking, trespassing on school grounds, etc.

III. DEFINITION OF SEXUAL HARASSMENT

Pittsfield Schools define sexual harassment as unwelcome or unwanted sexual advances, requests for sexual favors, or other verbal, physical, or electronic conduct or communication of a sexual nature when such conduct has not been consented to by all individuals involved. Examples of this include:

- Conduct that has the purpose or effect of interfering with a student's work, academic performance, or participation in a school program or extra-curricular activity;
- Conduct that has the purpose or effect of creating an intimidating, hostile, or offensive working, learning, or school environment; or
- Conduct that is unwanted by one or more individual(s) involved.
- Conduct by an adult school employee or volunteer towards a student

Sexual harassment may occur as a single incident or as a series of incidents. It can take place in person, over the telephone, through online communication, or any other means that communicates such harassment. It can involve a one-on-one situation or a group situation. The victim or harasser may be of any sexual orientation and it may occur between people of the same or different gender or age. This Policy applies to all students in our school whether they are on school grounds or not, e.g., during a school trip, on the bus or in public.

IV. DEFINITION OF SEXUAL ASSAULT AND CHILD SEXUAL ABUSE

“Sexual Assault” and “Child Sexual Abuse” include acts committed by **an adult against a child or student, or by a student against another student** that constitute a sexual offense under the laws of Massachusetts. These acts can include, but are not limited to:

- Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, or pulling against another’s body or clothes;
- Sexual advances, comments, threats, bullying, jokes, gestures, electronic communications or messages (e.g. email, text, social media, voicemail), online exploitation, leering, stalking or invasion of privacy, obscene phone calls, exhibitionism, or allowing children to witness sexual activity;
- Touching private parts over or under clothing;
- Sexual contact between an adult school employee and a student or between a student and any adult in a position of authority over them. Most states have passed laws that specifically prohibit sexual relationships between individuals working in or associated with schools and students.
- Oral sex, intercourse, sodomy or forcible rape.

V. WHAT IS CONSENT?

All interactions of a sexual nature, or interactions that involve touching another student require consent to be given by all people involved. It must be emphasized, however, that a **youth may never engage in sexual activity against a younger child, as younger children are never capable of giving consent to such activity**. Consent is made up of 5 key pillars that can help us figure out whether it has truly been given in any situation.

THE FIVE PILLARS OF CONSENT

When establishing if someone has consented to gestures that are romantic, sexual, or involve physical contact, these 5 features should be considered:

1. Consent is **Informed** - This means that, when a person gives consent, they are fully aware of what it is that they are consenting to.
2. Consent is **Revocable** - This means that even if a person has given consent, they are able to change their mind, and if they do, the interaction must immediately stop. A person might revoke their consent if an interaction has progressed to a point where that person is no longer comfortable, or because they decided they no longer want to do whatever it is that they initially consented to.

3. Consent is **Enthusiastic** - This means that consent can only really exist when it is the genuine choice of everyone involved in a particular interaction. Consent should never be given as the result of pressure. A person might feel pressured into giving consent (and, therefore, is not truly giving consent) for any of the following reasons:
 - a. The person is afraid of what might happen to them if they deny or withdraw their consent.
 - b. The person is under the influence of drugs, alcohol, or any other mind-altering substance that makes them unable to understand what is going on.
 - c. There is an unbalanced power dynamic occurring between the individuals in question (e.g., a teacher and a student, a much older student with a much younger student).
4. Consent is **Unambiguous** - In order to be 100% sure that consent has been obtained from someone, it should be or have been explicitly vocalized. Just because someone has not said ‘no’, does not necessarily mean they are saying ‘yes’. We can make absolutely sure that we have obtained consent from someone by explicitly asking their permission before initiating an act that is romantic, sexual, or involves physical contact.
5. Consent is **Ongoing** - As previously mentioned, a person has every right to change their mind at any point during an encounter. We always want to make sure that we have created an environment in which someone would feel comfortable vocalizing that they have changed their mind.

VI. WHICH BEHAVIORS ARE CONSIDERED APPROPRIATE?

Many behaviors are considered appropriate in friendly and/or romantic relationships between students, and these behaviors are common and expected. Depending on individuals’ levels of maturity and readiness, romantic relationships between students do happen in middle and high school. All students should ensure that any sexual activity, even kissing, is consensual and that both partners are ready for it to happen, and that it happens in private and not in public

VII. WHICH BEHAVIORS ARE CONSIDERED INAPPROPRIATE BETWEEN PEERS?

It should always be a goal of students to maintain a welcoming and safe learning environment for themselves and their peers. Accomplishing this goal involves respecting the physical and verbal boundaries of everyone in our school community. Some behaviors that are not respectful of others’ boundaries, and may also meet the definition of sexual harassment include:

- Asking for or demanding sexual favors while offering rewards
- Intentionally touching someone in a sexual way when you are not in a relationship with that person, or they do not want you to do so, or in an inappropriate setting, such as in public or in class. These touches include patting, grabbing, or brushing up against someone in a sexual manner
- “Pantsing”, “wedgies”, and “bra-snapping”
- Poking someone’s hips, slapping their behind, or otherwise touching someone without their consent

- Making jokes of a sexual nature to or in front of someone who does not welcome hearing them, or making jokes of a sexual nature made in an inappropriate environment, such as in a classroom
- Making negative statements or remarks about one's gender identity, whether male, female, or other, even if the comments are not sexual in nature
- Asking unwanted questions or making unwanted comments about another's sexual experiences
- Spreading rumors of a sexual nature about other students
- Sharing information of a sexual nature (whether true or not) about an individual without that individual's consent
- Making hand or body gestures of a sexual nature in front of others
- Catcalling, e.g. whistling or heckling and making sexual comments about a person's body
- Repeatedly asking someone on a date after that person has already declined
- Demanding sex acts
- Attempting to pressure another person into engaging in a sexual act through threats of violence, humiliation, or by coercion, that is, persuading someone to do something against their will.
- Rating individuals based on physical attributes or appearance
- Looking up anyone's skirt or down anyone's shirt or pants is inappropriate and constitutes sexual harassment.
- Following another student around when you have no reason to be going where they are going and they have asked you to stop.
- Exposing another person to sexually explicit behavior, drawings, pictures, objects, or writings without their consent
- Sexual images of anyone under the age of 18 are considered "child sexual abuse material" or CSAM, formerly referred to as child pornography, and it is illegal to produce, possess and share CSAM. This means that the following activities, in addition to being inappropriate, are also illegal:
 - Photographing, videotaping, or making any other visual or audio recording of sexual activity or intimate parts of a person's body without his or her knowledge and consent. If the person being photographed or recorded is a minor, doing so even with their consent is illegal.
 - Creating sexually explicit images using a peer's image or likeness through AI or photo editing tools – this is considered production of child sexual abuse material if the person whose likeness is used is a minor, so it is illegal to produce and/or share. Editing someone's photos with AI to make them appear nude is called the production of "deepfake nudes" and is being criminalized in multiple states and federally. Producing, possessing and distributing CSAM are all illegal activities.
 - Sending via electronic means, images of sexual activity or sexual or intimate parts of the body, i.e., "sexting" without the consent of the recipient. Sharing images of your own body is also considered dissemination of CSAM if you are a minor, and it is illegal.
 - Sharing with others via electronic or physical means, images of sexual activity or sexual or intimate parts of the body that someone has sent to you - this qualifies as the distribution of CSAM if the person depicted is a minor, and it is illegal. Sharing nude images of a person

with others without that person's consent is also considered "revenge porn," and is illegal in 48 states, including Massachusetts, even if the image is of an adult.

VIII. WHICH BEHAVIORS ARE CONSIDERED INAPPROPRIATE BETWEEN STUDENTS AND SCHOOL STAFF OR VOLUNTEERS?

As described earlier, it is important to maintain boundaries around personal space and physical and verbal interactions, inside and outside of school. Adult staff and volunteers in our school have been trained on which behaviors would be inappropriate if they took place between an adult and a student. It is important for students to understand these guidelines as well, so that in the event that you or a peer's boundaries are crossed by a member of the school staff, the situation can be handled in a way that maintains the health and safety of everyone. Likewise, it is important for students to respect the boundaries of all staff members.

Some examples of behaviors that are **INAPPROPRIATE** if they were to take place between a student and adult member of the staff are:

- Engaging in rough or provocative physical contact with students, e.g. horseplay, wrestling, tickling
- Stroking hair, rubbing shoulders/back, patting of backside
- Being assisted with something you are able to do yourself, e.g. combing hair, bathroom assistance
- Exchanging sexual comments, jokes, suggestive gestures, or engaging in flirtatious behavior
- Staff commenting about a student's physical attributes or development
- Students commenting about a staff's physical attributes
- Showering or changing with a staff member after athletic practices or events
- Being picked up or held by a staff member, or sitting in the lap of a staff person
- Being shown pornography or child sexual abuse material by a staff person
- Being asked by a staff member to send photos of yourself to them, including sexual images or videos
- Receiving alcohol, drugs, or tobacco products from a staff member
- Being addressed by or addressing a staff member with personalized terms of endearment, pet names, or in any other overly familiar manner
- Being singled out by a staff member for personal attention and friendship, or for discipline beyond the professional staff/student relationship
- Violating the school's policy regarding giving and receiving gifts
- Accepting a car ride or borrowing the car of a staff member
- Being asked to perform an errand or favor by a staff member that is unrelated to any educational purpose
- Having one-on-one meetings during which a member of the staff closes or locks the door or covers windows, so that the student-staff interaction would not be visible to onlookers
- Engaging in phone, email, text messages or other forms of written or electronic communication with a staff member unrelated to legitimate school business
- Asking a teacher or other school employee to "friend" you on social media or agreeing to a request from a teacher or other school employee to "friend" them
- Socializing or spending time with a staff member outside of school-sponsored or community organized events, for example, going out for drinks or meals, movies, shopping, traveling, and recreational activities

- Being asked unnecessarily by a staff member about your or another student's romantic relationships
- Being told about personal, sexual, family, or employment concerns or other private matters by a staff member
- Entering into any sort of sexual or romantic relationship with an adult member of the staff
- Staff members hitting on, flirting with or asking out students
- Students hitting on, flirting with or asking out staff members
- Students asking staff members about their sexual preferences or relationships
- Students or staff looking up anyone's skirt or down anyone's pants or shirt is inappropriate and constitutes sexual harassment.
- Any other conduct of a sexual nature between students and staff is inappropriate, and if a staff member does anything to make a student uncomfortable, the student should tell a trusted staff member or a person designated by the school to receive these reports.

IX. HAZING

Hazing can be defined as any action expected of a student joining a class, club, sports team, etc., or any action a student is expected to perform to remain in good standing with that group, that causes physical or emotional harm or that is humiliating or denigrating to the student, to others in the group or to others outside the group. Hazing is a form of harassment that can take place in one-on-one situations or in a group. It can occur in the classroom, on a playing field, in locker rooms, on the telephone, online, or through social media.

Examples of hazing can include a student or school employee requiring someone to:

- Submit to embarrassing, hurtful, or demeaning conduct as part of an initiation into the club, team, or other activity
- Suffer pranks continually aimed at one particular member of a club, team, or other activity;
- Ingest alcohol
- Submit to physical striking, beating, scratching, burning, branding or to engage in self-mutilation, or requiring one to commit such acts upon another
- Submit to acts of sexual abuse/assault
- Suffer abusive and demeaning speech
- Engage in acts of personal servitude
- Run through a line of other students punching you or hitting or throwing objects at you or otherwise humiliating or hurting you
- Suffer sleep deprivation
- Wear humiliating attire in public
- Appear in public in humiliating forms of undress
- Engage in indecent exposure
- Engage in illegal activity
- Engage in physical activity that is dangerous
- Submit to being tied up or abducted, or requiring one to do the same to another
- Expose his or herself to extreme weather conditions without appropriate protection
- Consume vile substances or allow such substances to be smeared on the body

- Engage in any degrading or humiliating act

Any student that witnesses or learns about any hazing incident is required to notify immediately the school principal or other person(s) designated to receive such reports. Covering up or failing to report them is a clear violation of this Code of Conduct and could result in disciplinary actions, including dismissal.

X. OUTINGS/OVERNIGHT TRIPS

Extracurricular activities and field trips present unique risks for the safety of students. It is important to be aware of these risks and take measures to minimize them. To this end, the following are required:

- Students will be required to use a buddy system whenever on field trips off school property. At no time should an individual student remain alone.
- Students will remain visible during off-site field trips at all times, except during their own personal restroom use.
- Students will wait until staff has scanned public restrooms before entering. If the public restroom is empty, students will be directed by staff to wait outside until an open stall or urinal becomes available. As students exit, more students will be sent in. If people unaffiliated with the school are present in a multi-stall restroom, students should not enter the restroom unless two staff members are also present with the students to ensure each student maintains complete privacy in their own stall.
- Separate quarters will be provided for boys and girls on overnight field trips.
- Students should remain in their own rooms overnight.
- Students transported by school bus to off-campus or out-of-town school functions, sporting events, etc. must return back to school by school bus. No student should accept an offer from staff to ride in their personal vehicle after an event.
- Students should not sit in the same bus seat next to staff or a chaperone. Students should sit with other students.
- If the school allows a school employee or authorized volunteer to carpool a group of students to an off-campus event, these students must return in the same group with the same employee or volunteer after such an event.

XI. SCHOOL BUILDINGS - “Rule of Three”

To keep all students and staff members safe, two students or a student and a staff member should never be alone in an isolated part of the school building or campus. Follow the “Rule of Three” by always having another student or staff member present or within sight. Empty classrooms should be locked when not in use, and meetings between two students or a staff member and a student should always be observable and interruptible. Students should not enter supply closets, boiler rooms, school roofs or any other isolated areas of the school. These areas should remain locked by staff members and inaccessible to students.

Thanks for all your efforts to keep Pittsfield Schools students safe and our schools strong!

STUDENT ACKNOWLEDGEMENT AND STATEMENT OF RESPONSIBILITY

I have read the entire Code of Conduct and understand my role in protecting myself and other students from unsafe or concerning conduct by students and/or adult staff. _____ (initial)

Specifically, I will:

- ☐ Conduct myself in accordance with the positive behaviors spelled out in the Code.
- ☐ Respect the boundaries between staff and students, refraining from any behavior that may be or appear to be inappropriate.
- ☐ Follow the social media/technology policies.
- ☐ Follow policies regarding outings/field trips/overnight activities.
- ☐ Follow the “Rule of Three” and not enter restricted areas of school buildings.
- ☐ Refrain from sexually harassing or assaulting any student or staff member.
- ☐ Always obtain consent if I engage in sexual contact with any other person.
- ☐ Refer students with concerning sexual behaviors to appropriate staff.
- ☐ If I see or hear about boundary violations, sexual misconduct, sexual abuse or hazing incidents, I will notify a trusted staff member right away so the behaviors can stop.

Name: _____

Signature: _____

School: _____ **Grade:** _____

Date: _____