

Monty Tech Nights Student Handbook

Office Staff & Contact

Mary M. Roth	Director	roth.mary@montytech.net
Autumn Elie	CTI Program Manager	cti@montytechnites.com
Meghan Caribo	Program Assistant	adulthoodeducation@montytech.net

Student Responsibilities

Monty Tech and its Monty Tech Nights faculty and staff expect that you will conduct yourself appropriately as a responsible adult. Appropriate behavior includes, but is not limited to:

- ✓ Attend all class sessions.
- ✓ Arrive on time and plan to stay until class is dismissed.
- ✓ Be prepared for class (you must bring the required textbooks and/or tools, as applicable, and dress appropriately for safety and comfort).
- ✓ Provide new contact information if it changes from enrollment.
- ✓ Respect the classroom you are in and use the facilities and materials as instructed and for assigned/approved projects.
- ✓ Keep up with coursework and be prepared for each class.
- ✓ Encourage your peers' learning and participation. No form of hazing or harassment will be tolerated.
- ✓ Participate in class discussions and exercises. Pay attention to presentations, be an active learner, and refrain from talking during class unless working on a project or asking a question (when called upon by the instructor).
- ✓ Always be courteous and respectful to others (this includes building staff, instructors, MONTY TECH NIGHTS staff, and other students).
- ✓ Contact your instructor or a Monty Tech Nights staff member with any problems or concerns you might have as soon as they arise.
- ✓ Comply with all policies and procedures applicable to Monty Tech Nights, especially those relating to safety and security
- ✓ Valuables and/or excessive money should not be brought to class. Monty Tech and Monty Tech Nights staff will not be responsible for any lost or stolen articles.

Violations of Student Responsibilities may result in disciplinary actions as described in the later sections.

Instructor Responsibilities

- ✓ Be prepared for class.
- ✓ Support student success.
- ✓ Begin and end class on time.
- ✓ Keep attendance accurate and honest.
- ✓ Be available for individual consultation and assistance.
- ✓ Teach license requirements and current industry standards.
- ✓ Treat all students courteously, respectfully, and professionally.
- ✓ Bring student, building, or community concerns to the office promptly.
- ✓ Present information through lectures, visual aids, and innovative instruction.
- ✓ Provide timely and appropriate feedback regarding grades and progress in coursework.
- ✓ Good character and Have FUN!

Respect, Equal Opportunity, and Prohibition of Harassment

Monty Tech is committed to providing all students and employees with a respectful, non-discriminatory, harassment and retaliation-free educational environment based on any status protected by law, including, but not limited to race, color, national origin, religion, age, disability, sex/gender, sexual orientation, gender identity or expression, genetics or veterans' status. It will not tolerate violations of this policy and offending behavior may result in punishment or removal from the program.

Monty Tech and Monty Tech Nights provide a safe and welcoming environment and will not tolerate discriminatory, disrespectful, harassing, or retaliatory interactions. In some cases, offending behaviors may warrant punishment or removal of the program.

Harassment may be perpetrated by peers, school staff, or others with whom the victim must interact to fulfill school/job duties. Prohibited conduct includes but is not limited to:

- ✓ Inappropriate jokes
- ✓ Intimidation by words or actions
- ✓ Sexual insults and name-calling, including any LGBTQ+ derogatory comments
- ✓ Pressure for sexual activity
- ✓ Offensive touching and/or gestures
- ✓ Behaviors viewed to be offensive by a reasonable person in the victim's situation

It is recognized that the content of this procedure may be expanded to include behaviors that diminish the comfort and safety of individuals whether within the legal definition of sexual harassment or other forms of harassment such as:

- Throwing objects at a person
- Unwanted negative attention
- Racial, politically charged, and ethnic slurs

For further information regarding Monty Tech Night's non-discrimination and harassment policies and grievance procedures, please refer to Appendix A.

Attendance

Attendance is mandatory. Tardiness will affect students' overall attendance. Excessive absenteeism and tardiness may negatively affect grades or hours obtainment and could result in the student being dismissed from the course. Habitual tardiness will be addressed and documented at the discretion of the instructor and Director. Make-up hours may be available at the direction of specific licensing boards and the School of Continuing Education (SCE). Additional hours may result in an additional cost per hour to the student.

Please see the table below to see how many absences each program allows:

**If you do not see your program listed below, then your course does not have built-in make-up hours and/or does not require a student to meet a state-required number of hours.*

Program	Allowed absences	Program	Allowed absences
Electrical	15 Hours	Plumbing	9 Hours
CNA & CHHA	9 Hours	Phlebotomy	2 Classes
CBCS	3 Classes	Manicuring	12 Hours
Cosmetology	75 Hours (25 per trimester)	Medical Assistant	2 Classes
EKG Tech	1 Class	No-Cost Training	Not to exceed 10%

The student is responsible for maintaining a record of absences and tardiness. Once a student exceeds the allocated absences, they will receive a letter or email advising them of their absences and that they will be terminated from the program with no refund unless they can provide satisfactory evidence that the marked absence was an error.

Withdrawal and Refund Information

To withdraw from a program, you must inform the office via email at adulthoodeducation@montytechNights.com or by calling the office at **978-345-9200 x5220**.

All Monty Tech Nights programs are non-refundable after the first night. All tuition paid to date will be forfeited. Any student who withdraws or is terminated from the program after the first night of class is still financially responsible for full tuition. No student will be able to register for future classes until unpaid balances are paid in full.

Classroom/Shop Usage – Shared Space

Students are required to respect the classroom/shop space and the school building/property including restrooms. Students must enter and exit the building through the main door unless otherwise instructed and remain in unlocked areas (classroom, restrooms, allowed hallways) during the class. At no time should students be in any unsupervised classroom or shop area. Evening students are not allowed to touch or move any items belonging to Day instructors. The teacher's desk may be used by the Instructor **ONLY**.

- ✓ Make sure all desks are in their original spots and chairs are pushed in.
- ✓ In Shops all tools, equipment, and materials must be put away.
- ✓ All computers should be logged out of and powered off at the end of the night.
- ✓ No documents should be saved onto the computer itself. All documents need to be saved on Google

Drive or a flash drive. If you need a flash drive one will be provided for you.

- ✓ Willful destruction or theft from classrooms will result in immediate dismissal from the program. Any remaining balances for course fees will still be collected.
- ✓ In the last few minutes of class, clean up your space.

Emergency Procedures:

Emergency procedures will be covered by instructors on the first day of class but in case of emergency:

- Fire: Students shall evacuate the building with their instructor, meet for attendance, and will not re-enter the building until notice is given.
- Medical: Please follow all instructions given by staff. First Aid kits are in the Nurse's Office, and 911 should be called if injuries cannot be treated immediately.
- Other Emergency: Please follow all instructions given by staff.

Use of Technology Guidelines

Cell phones may not be used while in class, practice laboratory, or clinical setting. While in the classroom in clinical settings or shop, your cell phone needs to be silenced. Students must wait for a break to make or return calls. Exceptions can be made at the discretion of the instructor. The use of earbuds/headphones in class is at the instructor's discretion.

Recording

Students must obtain the instructor's permission for the use of any recording devices before each session (class/lab/shop). It is unethical (and illegal in the Commonwealth of Massachusetts) for any person to record another person without their knowledge and consent, (as in, for the student to record the lecture/activity if the instructor denied permission). If permission is granted, all cell phones or recorders must be placed on desktops or tabletops while recording in-person sessions. **Online/remote sessions are not allowed to be recorded at all.** When permission is granted to use a recording device, the recorded materials are for the private use of the student only. The lecture/activity materials are the property of the instructor. It is dishonest for the student to use the recording for anything other than private usage (i.e., students may NOT post a recording on YouTube, Facebook, or other social media and networks without the instructor's written permission). Disciplinary action will be taken and may include permanent dismissal from the program.

Monty-Tech Acceptable Use Policy (AUP) <https://www.montytech.net/Page/6260>

This document is a guide to acceptable use of the Montachusett Regional Vocational Technical School (MRVTS) data communications network. It is intended to address the minimum standards of use for the data communications network as implemented at the Montachusett Regional Vocational Technical School. Access to data communications carried across other networks is subject to acceptable use policies of those other networks. If other networks are accessed through the MRVTS network, the more restrictive and/or conservative policy shall, in all cases, apply, without exception.

Student Access & Privacy Monitoring

- ✓ There is no expectation of privacy while using Monty Tech computers, networks, or technology. The device and systems are the property of Monty Tech, and Monty Tech has the right to determine what is appropriate and to search any device used on its property, if necessary, at any time.
- ✓ Monty Tech's filtering software allows it to block websites that are inappropriate for students whether they are accessing the web via Monty Tech wireless network or if devices are connected to the Internet

at other locations.

- ✓ Students who access inappropriate sites or are accessing sites during school that are not related to a class they are in will be subject to disciplinary action.
- ✓ If prohibited or inappropriate websites or content are accessed by accident, the student should immediately leave the site and report the incident to a staff member. NOTE: The district will continue to expand "digital citizenship" in which students are educated on acceptable standards of online behavior.

Possession and/or Use of Controlled Substances

SUBSTANCE FREE CAMPUS

Montachusett Regional Vocational Technical School and the School of Continuing Education are substance-free schools. Use or possession of any alcohol, tobacco, vaping products, or controlled substances is not allowed in school buildings or on school grounds. In addition, if a student is found to be in possession or under the influence of, or otherwise appears to have used, any controlled or intoxicating substance, the student will be subject to immediate disciplinary action including the possibility of dismissal from the program.

Students are expected to abide by all laws including state and local rules prohibiting the use of tobacco products in school buildings and on school grounds and regarding the use or possession of all controlled substances. Violators could also be subjected to any penalty imposed or action taken by local authorities.

Possession and/or Use of Weapons

Weapons are not allowed on school grounds. Weapons include, but are not limited to knives and guns, explosive devices or replicas of such weapons/devices, and any object used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches, drones or a lighter. While such objects would not always constitute "dangerous weapons", administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student's possession constitutes a dangerous weapon in the school setting and under the circumstances. Any weapon deemed "dangerous" will be confiscated and may be turned over to the police.

Any student who brings a firearm to school will not be allowed to reenter the premises and may be terminated from the program following notice. The definition of a firearm includes but is not limited to guns which include a starter gun, BB gun or replicas, etc. The term "explosives" includes, but is not limited to bombs, grenades, rockets, missiles, mines, and similar devices.

Local authorities will be notified if a student brings any weapons to campus, and the student will be prosecuted to the fullest extent of the law.

Safety

Monty Tech Nights is committed to providing a safe and healthy learning environment. Therefore, students must conduct themselves in a respectful/responsible manner that does not create a safety concern that could result in harm to themselves or others. For example, students must not open locked doors or "peg" a locked door to re-enter the building or aid anyone to enter the building who is not otherwise authorized to do so. Any

unsafe conduct or behavior will be subject to discipline. Safety is everyone's responsibility on the Monty Tech campus. Students are encouraged to be aware of and alert to potential safety issues and to report them to the Monty Tech Nights staff immediately.

All students should be aware that they may be videotaped in all public areas of the school building and grounds. Further, based on reasonable suspicion that a student has brought onto school property any prohibited substances, weapons, and/or other similarly prohibited and/or dangerous items, the student, including his/her/their possessions and/or car on school property will be subject to search.

Parking

Students must park in a marked parking spot with no reservation sign. Please do not park in reserved spots like Superintendent, or School Committee. Cars parked illegally or in marked spaces will be towed at the owner's expense. Please be conscientious about parking appropriately and practice safe driving in all areas of the campus parking lot.

Grounds for Student Dismissal

Monty Tech Nights endeavors to create a model workplace atmosphere for learning. Disruptions, unprofessional and/or inappropriate behavior, or conduct will be reviewed on an individual basis. A student may be asked to reenroll next year or be expelled from the program and forfeit all credentials, certificates, tools, and references for reasons including, but not limited to, the following:

- ✓ Missed payments over 30 days.
- ✓ Failure to meet program attendance requirements.
- ✓ Failure to follow ethical/legal/safety guidelines or policies, including:
 - Arguing, fighting, and/or horseplay or other improper conduct.
 - Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct that threatens or endangers the health or safety of any person, staff, and/or student.
 - If there is suspected harassment based on a legally protected class (race, color, national origin, age, disability, religion, creed, sex, sexual orientation, gender identity, gender expression or gender stereotyping, or any other protected status protected by law), please refer to Appendix A for more information on the process.
 - Attempted or actual theft of and/or damage to personal or public property.
 - Violating academic/professional integrity which includes but is not limited to cheating or plagiarism, stealing, and/or lying.
 - Failure to comply with orders or directions of instructor, Monty Tech Nights staff, or law enforcement officers acting in the performance of the duties and/or failure to identify oneself to these persons when requested to do so.
 - A violation of the Student Responsibilities as listed previously.
- ✓ Violation of federal, state, or local law on premises, including but not limited to the following:
 - Intoxication, use, possession, or distribution of narcotics or other controlled substances.
 - Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on school premises.
 - Smoking/vaping on school premises.
 - Possession of an intoxicating substance, being under the influence of or otherwise appearing to have used an intoxicating substance while on school premises.

- ✓ Other reasons as determined by the Program Director.

When possible grounds for termination occur, the Director of Adult Education & Workforce Development or their designee will notify the student of the allegations and possible consequences. The student can appeal the determination by providing his/her/their response including any relevant supporting facts to the Director of Adult Education & Workforce Development, within 7 days of that notice. Thereafter, the matter will be reviewed with Monty Tech's Superintendent for a final decision. Students may be subject to lesser forms of discipline short of termination of enrollment.

Inclement Weather/School Cancellation

Snow Days: If the day school is closed, the night school will also be closed. If the weather looks questionable for night school hours, a decision for night school will be made by 3 PM. Please check your email for cancellation notices (check your spam folder). In addition, the school's website (www.montytechnites.com) and social media platforms will reflect MONTY TECH NIGHTS cancellation information.

Reminder: *If your phone number or email address changes, please notify the Continuing Education office to ensure you receive notifications.*

School Cancellation: If your class is canceled, or your instructor is unable to come into class that evening, you will be contacted via email if it is before 3 PM.

If the cancellation is after 3 PM, you will receive a phone call and email.

Communication

Monty Tech Nights communicates primarily via phone calls and emails. **If you change your phone number or email**, please send the updated contact information to adulthoodeducation@montytech.net so it can be updated in our system.

Please make sure your voicemail is set up and check it regularly. Make sure to provide an email you check regularly. Failure to do so will result in missed messages and school-related information.

Appendix A: Non-Discrimination and Harassment Policies and Procedures

EQUAL EMPLOYMENT OPPORTUNITY

Montachusett Regional Vocational Technical School ("MRVTS") is an equal opportunity employer and school. We are committed to maintaining an environment in which employees and students are treated equally without regard to their race, color, religion, national origin, age, sex, sexual orientation, gender identity, gender expression, disability, genetic information, military status, or any other status protected by law. Any discrimination on the basis of an individual's protected status will not be accepted or tolerated. It is our goal to provide equal employment opportunities for all employees and applicants for employment or education and to prevent any unlawful discrimination or harassment of any individual working at or attending MRVTS. If you have any questions or believe that you may have been the victim of discrimination, please bring your concerns to the attention of the Business Manager.

Harassment Policy

MRVTS is committed to promoting a work and educational environment which is professional and which treats all staff and students with dignity and respect. Therefore, MRVTS will take appropriate action to:

- Prevent and/or otherwise respond to any unlawful discrimination or harassment of any of its employees or students, and
- Provide a process by which individuals can bring any concerns about discrimination or harassment to MRVTS' attention for resolution.

Harassment at MRVTS is unlawful and will not be tolerated. This includes harassment of or among staff, students, visitors, or placements because of race, color, religion, national origin, age, sex, sexual orientation, gender identity, gender expression, disability, genetic information, military status, or any other status protected by law.

Harassment includes verbal or physical conduct that 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 that creates an environment that is intimidating, hostile, or offensive to anyone.

It is unlawful to retaliate against, or punish, any staff person who files a complaint of harassment or discrimination, or who cooperates in an investigation of such a complaint. MRVTS will not tolerate any such retaliation and will take disciplinary action against any employee who engages in unlawful retaliation.

Definition of Sexual Harassment

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 or at school, including sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

- Submission to, acceptance of, or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term of employment or as a basis for employment decisions; or

- Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's work performance and/or creating an intimidating, hostile, humiliating, or offensive work environment.

While it is not possible to list all the actions that would be considered sexual harassment, some examples are:

- Unwelcome sexual advances, whether or not they involve physical touching, sexual assault, or coerced sexual acts.
- Requests for sexual favors in exchange for actual or promised job benefits such as a favorable review, salary increases, promotions, increased benefits, or continued employment.
- Sexual gestures; suggestive or sexually insulting comments, epithets, or jokes; written or verbal references about sexual conduct.
- Displaying sexually suggestive objects, pictures, or cartoons.
- Demonstrating supervisory favoritism toward certain individuals over others based on a sexual relationship.

If you believe you may have been harassed, you should notify immediately your supervisor or the Business Manager.

MRVTS will promptly investigate every complaint of harassment. The Business Manager will coordinate the investigation. Typical steps in an investigation include separate interviews with those involved, putting statements from each party in writing, identifying and questioning witnesses, and other appropriate actions. If it is determined that harassment has occurred, MRVTS will act promptly to stop the offending conduct and ensure that it is not repeated.

If MRVTS determines that one or more staff person(s) has engaged in sexual harassment or has retaliated against another staff member for complaining of harassment or participating in a harassment investigation, MRVTS will take appropriate corrective action. Depending on the severity of the incident (s), such corrective action may include counseling, training, a verbal or written warning, suspension, transfer, or termination.

MRVTS will conduct the investigation with as much confidentiality and privacy for the parties as possible without compromising the thoroughness of the investigation. The school will caution all participants in the investigation to limit discussions to those staff directly involved in the investigation and to treat the matter as confidential.

Employees are expected to cooperate fully in any investigation. Failure to do so may result in disciplinary action up to and including discharge.

If either party to the complaint is dissatisfied with the results or progress of MRVTS's investigation, they may discuss this directly with the Superintendent. MRVTS urges all staff to bring any concerns or complaints of harassment to our attention so that we can address them. The agencies responsible for enforcement of laws prohibiting harassment are: Federal Equal Employment Opportunity Commission (EEOC), JFK Federal Bldg., Room 475, One Congress Street, Boston, MA 02203-0002, (617) 565-3200; Massachusetts Commission Against Discrimination (MCAD), One Ashburton Place, Suite 601, Boston, MA 02108-1518, (617) 727-3990.

Title IX Policy

MONTY TECH NIGHTS (the "District") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations. The District shall respond promptly and meaningfully to all allegations of discrimination based upon sex, including sexual harassment.

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

Inquiries about Title IX may be referred to the District's Title IX Coordinator. The District Title IX Coordinator is:

Ms. Victoria Zarozinski, Director of Student Support Services, 1050 Westminster Street, Fitchburg, MA 01420. (978) 345-9200 ext. 5237 or zarozinski_victoria@montytech.net.

The District's grievance procedures can be located below.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please see our Title IX page:

<https://www.montytech.net/domain/4252>.

Harassment Based Upon Sex.

Title IX of the Education Amendments of 1972 ("Title IX"). Pursuant to regulations promulgated by Title IX, the District must provide an environment free from discrimination based upon sex, including sexual harassment. According to Title IX, the following definition shall apply:

Sex-Based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

(1) Quid pro quo harassment. An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

(2) Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment).



(3) Specific offenses: (i) Sexual Assault, (ii) Dating Violence, (iii) Domestic Violence, and (iv) Stalking, as defined by federal law.

Retaliation: The District expressly prohibits retaliation in all forms. Retaliation is an action by a peer or employee aimed at infringing upon a person's rights under this policy (examples: intimidation, threats, coercion, or discrimination).

CONTACT INFORMATION FOR STATE AND FEDERAL ENFORCEMENT AGENCIES

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

Title IX Grievance Procedure **Scope and Purpose**

The Title IX Sexual Harassment Grievance Procedure has been developed in accordance with the revised Title IX regulations, 34 CFR Part 106, which mandates specific procedures for responding to and investigating allegations of sexual harassment under Title IX.

The Title IX Sexual Harassment Grievance Procedure applies only to allegations of sexual harassment and sex discrimination under Title IX, which includes harassment or discrimination based on sex, sexual orientation, gender identity/expression, sex stereotypes, sex characteristics, pregnancy or related conditions, and is defined in the Definitions section below.

The Title IX Sexual Harassment Grievance Procedure applies to conduct that occurs in an education program or activity of MONTY TECH NIGHTS, regardless of whether such MONTY TECH NIGHTS program or activity is conducted on or off school grounds. An MONTY TECH NIGHTS education program or activity includes locations, events, or circumstances over which MONTY TECH NIGHTS exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

Allegations of conduct that meet the definition of sexual harassment or sex discrimination under Title IX will be addressed through the Title IX Sexual Harassment Grievance Procedure. Allegations of conduct that meet the definition of sexual harassment or sex discrimination under Title IX, and simultaneously meet the definitions of sexual harassment or sex discrimination under Title VII of the Civil Rights Act of 1964 (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment and Sex Discrimination Grievance Procedure.

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through MONTY TECH NIGHTS's Civil Rights Grievance Procedure. The definitions of sexual harassment under Title VII, M.G.L. c. 151B, and M.G.L. c. 151C are set out in the Civil Rights Grievance Procedure.

Confidentiality

MONTY TECH NIGHTS will keep the personally identifiable information of complainants, respondents, and witnesses confidential, except when given prior written consent by that party, to the parent or guardian or other legal representative of the person whose information is in question, as permitted by the Family Educational Rights and Privacy Act (FERPA), as otherwise required by law, and/or as necessary to carry out this Procedure.

Pregnancy

MONTY TECH NIGHTS will treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions. MONTY TECH NIGHTS will not adopt or implement any rule policy, practice, or procedure concerning the actual potential current, potential, or past parental, family, or marital status of a student or applicant that treats persons differently on the basis of sex; discriminate against any person on the basis of a current, potential, or past pregnancy, related conditions, or adopt any rule implement any policy, practice, or procedure that so discriminates; and make a pre-admission inquiry as to the marital status of an applicant for admission, including whether such applicant is "Miss" or "Mrs." MONTY TECH NIGHTS may ask an applicant for admission to self-identify their sex, but only if such this question is asked of such all applicants of both sexes and if the results of such inquiry are response is not used in connection with as a basis for discrimination prohibited by this part.

MONTY TECH NIGHTS will make reasonable modifications to our policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the recipient's education program or activity. Each reasonable modification must be based on the student's individualized needs. In determining what modifications are required under this paragraph, MONTY TECH NIGHTS will consult with the student. A modification that a recipient can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable modification. The student has the right to accept or decline each modification. Students will have access to a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

Students are also allowed to voluntarily take a leave of absence from MONTY TECH NIGHTS to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. When the student returns, the student must be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began. However, absences or leaves from any of our evening programs are governed by the MA Licensing Board of that particular industry (i.e. Cosmetology, Board of Registration of Cosmetology, and Barbering). Each of the license boards has its own regulations around course hours, and leaves of absence.

Definitions for the Purposes of this Procedure:

Complainant: A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or this part and who was participating or attempting to participate in the recipient's education program or activity at the time of the

alleged sex discrimination. For the purpose of this Procedure the terms “complainant” and “alleged victim” shall have the same meaning.

Complaint: An oral or written request to MONTY TECH NIGHTS or any of its employees that objectively can be understood as a request for MONTY TECH NIGHTS to investigate and make a determination about alleged discrimination under Title IX.

At the time of the Complaint, the complainant must be participating in or attempting to participate in MONTY TECH NIGHTS’s education program or activity with which the Complaint is being made.

Party: a complainant or respondent.

Pregnancy or related conditions: (1) Pregnancy, childbirth, termination of pregnancy, or lactation; (2) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or (3) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Relevant: Information related to the allegations of sex discrimination under investigation as part of the grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

Respondent: a person who is alleged to have violated the recipient's prohibition on sex discrimination.

Supportive Measures: Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the Complainant or Respondent, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive measures available to complainants and respondents include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain areas of the building and/or campus; and other similar measures. Violations of the restrictions imposed by supportive measures may be considered a violation of school rules and may also be considered in determining whether sexual harassment has occurred. Unless necessary to provide the supportive measure or restore or preserve a party’s access to an educational program or activity, a party’s supportive measures will be kept confidential.

Reporting

Anyone may report an allegation of sexual harassment or sex discrimination. Individuals are encouraged to report allegations of sex discrimination or sexual harassment to the **Title IX Coordinator, Ms. Victoria Zarozinski, Director of Student Support Services, 1050 Westminster Street, Fitchburg, MA 01420. (978) 345-9200 ext. 5237** or zarozinski_victoria@montytech.net, but any MONTY TECH NIGHTS employee who receives a report of sexual harassment will respond to the report as outlined below. Any MONTY TECH NIGHTS employee who receives a report of sex discrimination or sexual harassment shall respond by promptly informing the Principal or Title IX Coordinator of the report.

Any MONTY TECH NIGHTS employee who observes sexual harassment of a student should intervene to stop the conduct and shall promptly inform the Principal or Title IX Coordinator of the incident. If a report involves an allegation against the Title IX Coordinator, an MONTY TECH NIGHTS employee shall instead report the allegation to the Executive Director.

Any Administrator who receives a report of sex discrimination or sexual harassment shall promptly inform the relevant Title IX Coordinator of the report. MONTY TECH NIGHTS will respond to all reports of sexual harassment promptly and equitably, and in a manner consistent with this Procedure and any other relevant MONTY TECH NIGHTS procedures and policies. Upon receipt of a report, the Title IX Coordinator shall:

1. Promptly and confidentially contact the complainant to discuss the availability of supportive measures.
2. Consider the complainant's wishes with respect to supportive measures.
3. If MONTY TECH NIGHTS does not provide the complainant with supportive measures, document the reasons why such a response was reasonable; and
4. Explain to the complainant the process of the Title IX Grievance Process.

Receipt of a Title IX Complaint:

The Title IX grievance, as detailed below, is triggered when there is receipt of a Complaint. Title IX Complaints will be investigated promptly and effectively by the Title IX Coordinator or designee, as follows:

Step 1: MONTY TECH NIGHTS has actual notice of sex discrimination or harassment. Actual notice can be if staff receive a complaint or witnesses sex discrimination under Title IX:

1. At the time of the receipt of the Complaint, the alleged victim must be participating in or attempting to participate in the education program or activity of the school MONTY TECH NIGHTS with which the Complaint is filed.
2. Consolidation of Complaints: Schools may consolidate Complaints where the allegations arise out of the same facts.
3. The Title IX Coordinator will consider the use of the Informal Resolution Process with the consent of the parties. This can be made available to the parties prior to an investigation.
4. Throughout this process, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
5. If there is an absence of a Complaint, the Title IX Coordinator will determine whether to initiate a complaint to comply with the grievance process.

Step 2: Consider Supportive Measures for Both the Complainant and the Respondent: Once a Complaint is received, the Title IX Coordinator will ensure that supportive measures are considered for both parties. MONTY TECH NIGHTS may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance process. If either party is a student with a disability, the Title IX Coordinator must consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, appropriate, of the group of persons responsible for the student's placement decision), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act and

Section 504 of the Rehabilitation Act of 1973, throughout the implementation of grievance procedures.

Step 3: Written Notice of Allegations: Upon receipt of a Complaint, MONTY TECH NIGHTS shall send written notice of the allegations, including the identity of the parties, to both the complainant and the respondent, if their identities are known. The written notice must include (1) the procedures of the grievance process; (2) sufficient information known at the time to allow the respondent the opportunity to respond to the allegations; (3) a statement that retaliation is prohibited; and (4) that the parties/advisors may inspect and review the relevant and otherwise not impermissible evidence in accordance with this Procedure. If, in the course of the investigation, MONTY TECH NIGHTS decides to investigate allegations of sexual harassment that are not included in the initial written notice of allegations, MONTY TECH NIGHTS shall provide notice of the additional allegations to the parties whose identities are known.

Step 4: Consider Whether Dismissal of Complaint is Warranted: Some Complaints will be subject to dismissal under Title IX. Dismissal of Complaint: The Title IX Coordinator may dismiss a Complaint under Title IX when the conduct alleged:

- a. When if proven, would not meet the definition of sexual harassment or sex discrimination under Title IX; or
- b. Did not occur in an education program or activity of MONTY TECH NIGHTS.
- c. MONTY TECH NIGHTS is unable to identify the respondent after taking reasonable steps to do so.
- d. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the Complaint or allegations and the Title IX Coordinator determines that without the Complainant the conduct would not constitute sexual harassment.
- e. The respondent is no longer enrolled or employed by MONTY TECH NIGHTS; or
- f. Specific circumstances prevent MONTY TECH NIGHTS from gathering sufficient evidence to make a determination.

The Title IX Coordinator must provide the parties with written notice of any dismissal of a Complaint and the reasons for the dismissal. Dismissal of a Complaint for purposes of Title IX shall not preclude MONTY TECH NIGHTS from addressing the allegations under any other relevant MONTY TECH NIGHTS policies or procedure(s), including but not limited to, the Civil Rights Grievance Procedure, the Bullying Prevention and Intervention Plan, the Student Code of Conduct, and/or an employment action. The Title IX Coordinator shall have the discretion to make any such referrals and proceed as appropriate in regard to the allegations.

Step 5: Initial Investigation: All Complaints will be investigated by the Title IX Coordinator. In the event of an appeal, a separate "Appeal Officer" must also be appointed. This shall be the Chairperson of the Board of Trustees.

All individuals involved in processing a Complaint must be free of bias and conflict of interest and must receive training regarding this policy and their respective roles.

During the Complaint resolution process:

1. Standard of Proof: The investigator shall make factual findings based on a preponderance of the evidence standard.

2. The burden for gathering evidence and the burden of proof remains on MONTY TECH NIGHTS, not on the parties.
3. MONTY TECH NIGHTS shall provide equal opportunity for the parties to present facts and expert witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.
4. The Title IX Coordinator will have the opportunity to question parties and witnesses to aid in evaluating the allegations and assess credibility to the extent credibility is both in dispute and relevant.
5. Privacy of Medical Treatment and Mental Health Treatment Records: MONTY TECH NIGHTS may not access or use either the complainant's or the respondent's medical, psychological, or similar treatment records unless MONTY TECH NIGHTS obtains the party's written consent to do so.

The Title IX Coordinator will review the evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

Step 6: Opportunity for Parties to Respond to Evidence: MONTY TECH NIGHTS must provide each party with an equal opportunity to access the evidence, or an accurate description of that evidence, that is relevant to the allegations of sex discrimination and not otherwise impermissible. Each party will be provided 10 days to respond to the evidence or the accurate description of the evidence.

1. Prior to providing evidence to the parties, the investigator may redact confidential information that is not directly related to the allegations or that is otherwise barred from use under Title IX or by privilege (e.g., treatment records), the Family Educational Rights and Privacy Act and/or 603 CMR 23.00. Information that is directly related to the investigation, and that is not expressly barred from disclosure under Title IX (e.g., treatment records), the Family Educational Rights and Privacy Act, and/or 603 CMR 23.00, must be made available for review by both parties.
2. The parties and their advisors shall be prohibited from dissemination of any of the evidence for any purpose not directly related to this grievance procedure.

Step 7: Determination of Responsibility/Findings of Fact by the Decision-Maker:

The Title IX Coordinator shall issue a written determination of whether or not there was sex discrimination and the rationale for that decision as well as the procedures and bases for appeal.

Standard of Proof: The Title IX Coordinator shall make factual findings based on a preponderance of the evidence standard.

The findings shall be based on an objective review of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness. The decision-maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions. The written determination must be sent simultaneously to both parties. Except where the parties have agreed to an extension of the timeline or where the process is otherwise reasonably delayed, the written determination shall be issued within sixty (60) school days of receipt of the Complaint.

Remedies: If the decision-maker determines that sexual harassment has occurred, MONTY TECH NIGHTS administration shall take steps to eliminate the harassing environment, which must include but need not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to MONTY TECH NIGHTS's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined above and/or may consist of alternative interventions and/or punitive or disciplinary sanctions that burden the respondent.

Discipline: Persons who engage in sexual harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination, expulsion (if applicable under M.G.L. c. 71, §§ 37H or 37H ½), or other sanctions as determined by MONTY TECH NIGHTS administration, subject to applicable procedural requirements. Although the respondent may, in accordance with Title IX, be subject to emergency removal at any time, the respondent may not be subject to disciplinary sanctions for the misconduct defined under this Procedure until after this grievance process has been completed.

Termination and Modification of Supportive Measures: MONTY TECH NIGHTS may modify or terminate supportive measures at the conclusion of the grievance procedure or information resolution process or continue them, as appropriate. If either party disagrees with a decision around their supportive measure, they will have an opportunity to seek a modification or termination of a decision to provide, deny, modify, or terminate their supportive measures from the District Superintendent. If there is a change of circumstances, then either party may reach out to the Title IX Coordinator to seek a modification of their supportive measures.

Informal Process: MONTY TECH NIGHTS may opt to offer and facilitate informal resolution options, such as mediation or restorative justice, at any point of the process prior to a determination of sex discrimination, with the exception of when the Complainant is a student, and the Respondent is an employee. Both parties must give voluntary, informed, written consent to attempt any offered informal resolution. Part of this informed consent includes notice that explains the allegations, the requirements of the informal resolution process, either party's right to withdraw from the informal resolution process, that informal resolution process would prevent the parties from initiating or resuming grievance procedures that come from the same allegations, the potential terms that may be requested or offered, and what information will be retained and whether and how that information may be disclosed. Any informal resolution under this Procedure will be facilitated by trained personnel who are not the Title IX Coordinator. The informal resolution process is not available to resolve allegations that an employee sexually harassed a student. The informal process is voluntary, and the alleged victim and/or respondent may terminate or decline any informal process at any time and resume the Formal Complaint grievance process. The informal process shall not exceed thirty (30) calendar days. Participation in the informal process will stay within the timelines of the Formal Complaint process.

Emergency Removal under Title IX: MONTY TECH NIGHTS may remove a respondent on an emergency basis at any time provided that MONTY TECH NIGHTS: (1) undertakes an individualized safety and risk analysis; (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and that there is no alternative to the respondent's emergency removal to mitigate the threat presented; and (3) provides the respondent with notice and the opportunity to challenge the decision immediately following the removal.

Anonymous Reports: MONTY TECH NIGHTS may be on notice of an allegation of sexual harassment through receipt of an anonymous report. In cases of anonymous reports, MONTY TECH NIGHTS's obligation is to respond in a manner that is not clearly unreasonable in light of the known circumstances. If the anonymous reporter is the complainant and requests confidentiality, MONTY TECH NIGHTS can and should offer supportive measures to the extent consistent with maintaining the request for confidentiality. If an anonymous report is received without disclosure of the complainant's identity, MONTY TECH NIGHTS will be unable to provide the complainant with supportive measures in response to that report. MONTY TECH NIGHTS may in conformance with applicable state laws and regulations be required to report sexual harassment identified in an anonymous complaint to state and/or local authorities such as the Massachusetts Department of Children and Families in conformance with state statutes and regulations and/or take actions to protect the safety of the school community (contacting the police, for example) that may result in the identity of the reporting person being disclosed. Although MONTY TECH NIGHTS shall respond to anonymous reports of sexual harassment in accordance with this Procedure, a Formal Complaint cannot be filed anonymously.

Appeals: The complainant or respondent may appeal from a determination regarding responsibility and/or from MONTY TECH NIGHTS's dismissal of a Complaint or any allegations therein, only on the following bases:

1. Procedural irregularity that affected the outcome of the matter.
2. Newly discovered evidence that could affect the outcome of the matter; and/or
3. Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

Recordkeeping: Records will be kept for seven years. Records will consist of:

- (1) For each complaint of sex discrimination, records documenting the informal resolution process or the grievance procedures, and if applicable the resulting outcome.
- (2) For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, records documenting the actions the recipient took to meet its obligations.
- 3) All materials used to provide training to employees. These training materials will be made available upon request for inspection by members of the public.

Title IX Coordinator: the Title IX Coordinator shall be_ Victoria Zarozinski, Director of Student Support (978) 345-9200 x5237