



# CITY OF BOSTON IN CITY COUNCIL

IN THE YEAR TWO-THOUSAND AND TWENTY-THREE

## ORDER OF COUNCILOR MURPHY

**ORDERED:** That under the provisions of section 17F of Chapter 452 of the Acts of 1948, as amended, and any other applicable provision of law, Her Honor, the Mayor, be, and hereby is, requested to obtain and deliver to the City Council, within one week of the receipt hereof, the following information:

BPS Office of Equity investigates allegations of possible violations of EQT-3 defines “sexual misconduct” broadly as “any sexually inappropriate comments and/or behaviors of any kind.” EQT-3 and the related protocols are consistent with the District’s obligations to investigate and address allegations of sexual misconduct, including possible sexual harassment, under state and federal law.

**Sexual violence** may include criminal acts, such as indecent assault and battery, rape, abuse, or assault with intent to rape. Any acts that may be criminal will be referred to law enforcement. Examples of sexual violence may include, but are not limited to, the following:

- Unwelcome sexual touching
- Non-consensual sexual contact that occurs during school or non-school hours, on or off school grounds, including dating violence
- Recruiting, transporting, obtaining, or providing a student of any gender for the purpose of sex.

**Sexual misconduct** includes unwelcome conduct of a sexual nature that denies or limits, on the basis of sex, a student's ability to participate in or to receive benefits, services, or opportunities in the school's program or activities.

Examples of behavior that may constitute sexual misconduct depending upon the totality of the circumstances, the ages of the student or other individuals involved, and the severity and pervasiveness of the conduct, include but are not limited to:

- Sexual advances, whether or not they involve touching
- Requests for sexual favors
- Making an educational decision or benefit contingent upon a student’s submission to unwelcome sexual conduct
- Offensive public sexual display of affection, including groping, fondling, gestures, or inappropriate touching of one’s self or others

- Consensual groping, fondling, sexual touching, or sex on school property or at any school-sponsored activity
  - Sexual jokes or references
  - Comments regarding a student's body or a student's sexual activity or orientation
  - Offensive name calling or profanity that is sexually suggestive, sexually degrading, or based on sexual stereotypes or sexual orientation
  - Different treatment because of pregnancy status
  - Displaying or distributing sexually explicit drawings, pictures, or other materials in any form (such as sexting)
  - Trafficking of youth for sexual purposes, such as recruiting, transporting, or otherwise exploiting a minor in exchange for money, shelter, or food
  - Sexual advances or contact, whether or not they are consensual, between a student and employee, contractor, or community partner
  - Sexual activity between students in a school, or any building where BPS business is conducted
  - Other verbal, nonverbal, or physical conduct of a sexual nature.
1. Breakdown of data on Superintendent Circular EQT-3 for the School Year 2021-22 and 2022-23 for those behaviors defined as Sexual Assault and not considered a Sexual Misconduct.
  2. Breakdown of Data on Superintendent Circular EQT-3 for the School Year 2021-22 and 2022-23 for those behaviors defined as Sexual Misconduct and not considered a Sexual Assault.

Requesting that Boston Public School's, through the Mayor, provide any and all information that is available regarding this matter.

**Filed in Council:** February 15th, 2023