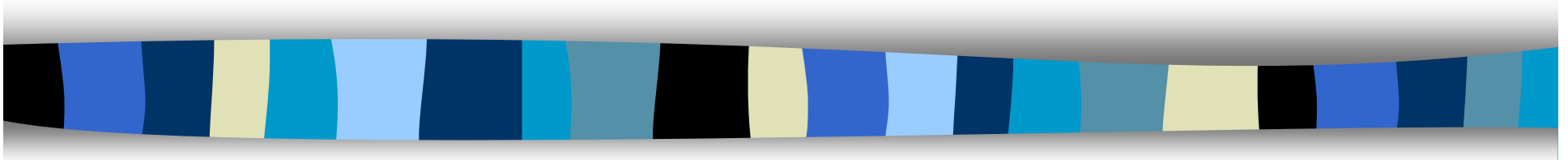


Please Scroll through the Slides
Using the bar on the Right

Civil Rights Training



Dudley-Charlton Regional
School District



Why provide on-line training?

- Annual training is mandated by Department of Education
- All employees are required to participate
- This training protects individuals and the district and ensures that all employees know their rights and responsibilities



What is non-discrimination?

- The Dudley-Charlton Regional School District is committed to ensuring that all programs and facilities are accessible to all.
- We actively seek to prevent discrimination or harassment on the basis of age, color, disability, national origin, religion, race, or sexual orientation.



Federal Law: Title VI

- Protects against discrimination based on race, color, and national origin
- Applies to students, parents, and employees
- Prohibits discrimination in student class assignments or ability tracking and protects English Language Learner (ELL) students
- Suzanne H. Cabral handles inquiries regarding non-discrimination policies



Federal Law: Title IX

- Prohibits discrimination or harassment related to gender, including sexual harassment
- Refer to the district sexual harassment policy for specifics regarding steps taken to investigate (Policy # 4116-6.4)
- Refer all Title IX issues to your building principal or the Superintendent of Schools



Title IX: Understanding Sexual Harassment

- Sexual harassment creates a hostile environment due to inappropriate speech, materials, or actions
- Sexual harassment is a form of sex discrimination and includes unwelcome sexual advances, requests for sexual favors, or other conduct, physical or verbal, of a sexual nature
- Sexual harassment interferes with school or work performance and creates an intimidating or offensive environment



Title IX: Understanding Sexual Harassment

- Examples of prohibited activities that might create a hostile work/learning environment might include:
 - vulgar or explicit sexually related epithets, abusive language
 - sexually explicit behavior or indecent exposure by students or employees
 - graffiti, posters or calendars



Reporting Requirements

- Any employee or student who believes he/she has been the victim of harassment or discrimination should report it to a building administrator, counselor, or a teacher
- Active investigations will result from the report, as applicable and may result in sanctions up to suspension or dismissal
- If the conduct violates the law, the appropriate authorities will be notified



Federal Law: Section 504

- Requires that no qualified disabled person shall be discriminated against or be excluded from participation in an activity
- A disability is a mental or physical impairment that limits a person's major life activity (self-care, walking, seeing, learning, breathing, speaking, working)
- Reasonable accommodations/modifications must be made to provide access to programs and/or facilities



Federal Law: Section 504

- No discrimination against a person with a disability will be permitted in any of the programs of the Dudley-Charlton Regional School District
- Questions about eligibility and enforcement should be directed to the building-based 504 coordinator



Federal Law: Title II (American Disabilities Act)

- Prohibits discrimination against:
 - access to programs and facilities
 - free appropriate public education for elementary and secondary students
 - employment
- Applies to special education services, evaluations, and IEPs, as well as, student discipline



Tips for Addressing Harassment/Discrimination

- Enlist parents, students, and community groups in the effort
- Monitor the school climate
- Foster respect and appreciation for diversity
- Be sensitive to religious holidays



More Tips for Addressing Harassment/discrimination

- Implement measures to address harassment immediately and effectively
- Collaborate with law enforcement
- Review crisis intervention plans
- Document and report all harassment incidents



Care and Protection of Children Under 18 (51A Report)

- School personnel are mandated reporters legally obligated to contact the Massachusetts Department of Social Services (DSS)
- If school personnel have reasonable cause to suspect physical or emotional abuse or substantial risk of harm/neglect they must follow DSS 51A reporting requirements
- Please consult with school principals or the district Special Education Director for assistance if abuse or neglect is suspected



Overview of Physical Restraint Guidelines and Crisis Prevention and Intervention



DUDLEY-CHARLTON REGIONAL SCHOOL DISTRICT

(Policy 5110 – Physical Restraint)

Crisis Prevention and Intervention

- “The purpose of 603 CMR 46.00: (Physical Restraint Regulations) is to ensure that every student participating in a Massachusetts public education program is free from the unreasonable use of physical restraint”
- “Physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution”



Two goals when utilizing physical restraint:

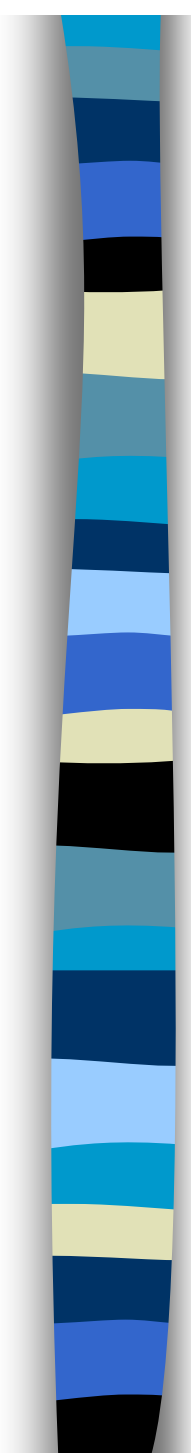
- “To administer a physical restraint only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm; and”
- “To prevent or minimize any harm to the student as a result of the use of physical restraint”

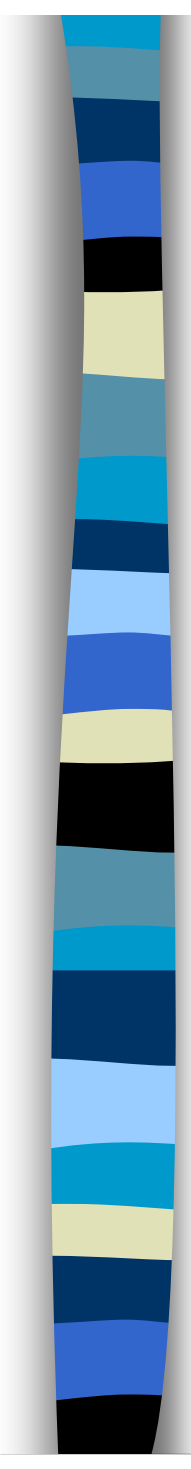
Applies to school events and activities sponsored by public education programs



Explanation of Terms:

- Physical restraint: “The use of bodily force to limit a student's freedom of movement”
- Physical escort: “Touching or holding a student without the use of force for the purpose of directing the student”
- Extended restraint: “A physical restraint the duration of which is more than twenty (20) minutes. Extended restraints increase the risk of injury and, therefore, require additional written documentation”

- 
- Mechanical Restraint: “The use of a physical device to restrict the movement of a student or the movement or normal function of a portion of his or her body”
 - Seclusion Restraint: “Physically confining a student alone in a room or limited space without access to school staff”
 - Non-Seclusion Restraint: “Staff member remains accessible to the student”
 - Chemical restraint: “The administration of medication for the purpose of restraint”

- 
- “The use of chemical or mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent or guardian”
 - * “The use of seclusion restraint is prohibited in public education programs”



Determining When Physical Restraint May Be Used:

- “Non-physical interventions would not be effective; and”
- “The student's behavior poses a threat of imminent, serious, physical harm to self and/or others”
- Pursuant to a student’s IEP or written plan developed in accordance with state and federal law and approved by the school and parent/guardian
- “Limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm”



Determining When Physical Restraint May Not Be Used:

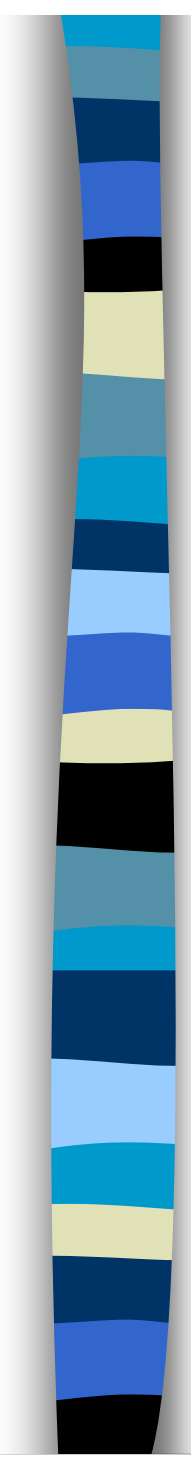
Physical restraint is prohibited in the following circumstances:

- As a means of punishment
- As a response to property destruction
- Disruption of school order
- Student's refusal to comply with a school rule or staff directive
- Verbal threats that do not constitute a threat of imminent, serious, physical harm



Proper Administration of Physical Restraint:

- Trained personnel should administer physical restraint
- “Training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm”
- The physical restraint shall be witnessed by another adult who does not participate in the restraint, whenever possible

- 
- Use only the amount of force necessary to protect the student or others from physical injury
 - Use the safest method available and appropriate to the situation
 - Discontinue a restraint as soon as possible. Over twenty (20) minutes is considered an "extended restraint"
 - “Floor or prone restraints shall be prohibited unless the staff member administering the restraint has received in-depth training”



Safety Requirements:

- Restraint should not prevent the student from breathing or speaking
- Continuously monitor the physical status of the student such as skin color and respiration
- Release hold immediately if there are any signs of physiological distress
- Release hold when the student is no longer at risk of causing imminent physical harm to him or herself or others



Special Circumstances:

- Be aware of any medical or psychological limitations, as well as behavior intervention plans for individual students, including students with disabilities
- For students who require frequent restraint due to a high risk of frequent, dangerous behaviors, school staff may seek and obtain the parent or guardian's consent to waive reporting requirements unless the restraint results in injury or constitutes an extended restraint



Follow-up Procedures:

- Review the incident with the student in order to address the behavior that precipitated the restraint and to teach appropriate replacement techniques
- Review the incident with the staff to discuss restraint procedures and any changes necessary for future crisis intervention
- Discuss if any follow-up is appropriate for students who witnessed the incident



Reporting Requirements:

- Physical restraint that results in any injury to a student or staff member
- Physical restraint of a duration longer than five minutes
- Utilize the District's approved Restraint Report Form



Informing School Administration:

- Verbally inform the designated administrator of the restraint as soon as possible, and provide a written report by the next school working day
- The administrator must maintain an on-going record of all reported instances of physical restraint



Informing Parents:

- Verbally inform the student's parents or guardians of the restraint as soon as possible
- Provide a written report postmarked no later than three school working days following the use of restraint



Report to the Department of Education:

- A report should be filed when a restraint has resulted in a serious injury to a student or staff member or the restraint lasted longer than twenty minutes (extended restraint)
- Provide a copy of the written report to the Department of Education within five school working days of the administration of the restraint
- A copy of the record of physical restraints maintained by the administrator for the thirty day period prior to the reported restraint



cpi NONVIOLENT CRISIS INTERVENTION®

- CPI, developed by the Crisis Prevention Institute, Inc., is the training program utilized by the School District
- “*Nonviolent Crisis Intervention* program is a safe, non harmful behavior management system designed to help human service providers provide for the best possible **care, welfare, safety and security** of disruptive, assaultive and out-of-control persons even during the most violent moment”



Crisis Development Model :

Staff attitudes and behavior affect student attitudes and behavior (vise versa)

Behavior :

1. Anxiety
2. Defensive
3. Acting Out
4. Tension Reduction

Appropriate Reaction

1. Supportive
2. Directive
3. Nonviolent Physical Crisis Intervention
4. Therapeutic Rapport

- Staying in control when you encounter an Acting Out Person and utilizing the appropriate staff response can help to prevent the escalation of the behavior



Anxiety:

A noticeable increase or change in behavior.

Supportive:

Empathic, nonjudgmental approach, attempting to alleviate anxiety.

Defensive:

Beginning stages to loss of rationality; Internal structures are beginning to break down.

Directive:

Staff takes control of a potentially escalating situation by setting limits.



Acting out person:

Total loss of physical and emotional control

Nonviolent physical crisis intervention:

* Safe, non harmful restraint technique to safely control an acting out person until they can regain control

Used as a LAST RESORT-

* When the individual presents a danger of imminent, serious, physical harm to self or others.



Tension reduction:

Subsiding of energy, decrease in both physical and emotional energy, and the individual eventually regains rationality

Therapeutic rapport:

Attempt to reestablish communication with the individual; Set up teaching and prevention



Nonverbal Behavior:

- A large portion of the message that we communicate is nonverbal
- Awareness of nonverbal communication increases the chances of deescalating a potential Acting Out Person
- Proxemics (personal space)
 - Affects the anxiety level of an individual when personal space is invaded
- Kinesics (body language)
 - Hand gestures, facial expressions, posture and body movement



The CPI Supportive Stance:

*At least one leg length for the person

Reasons for using stance:

- Personal safety
- Less challenging, less threatening
- Respect and honor space



Types of Physical Restraints:

- Children's Control Position:
Designed to be used with children
- Team Control Position:
Used to manage individuals who have become dangerous to self or others
- Transport Position:
Position will assist in safely moving an individual who is beginning to regain control



Team Approach:

- Assess the situation
- Develop a plan
- Leader should direct/cue Team
- Communicate with Acting Out Person
- Documentation and debrief



Auxiliary Team Member Duties (CARE)

- Check for signs of distress, environmental safety hazards
- Address safe use of any physical techniques, remove any safety hazards, follow directions of Team leader to de-escalate behavior
- Recognize when more help is needed, when to change strategies
- Engage in support for Team communication with the acting out person if assigned the role



Building CPI Procedures:

- Identify Building Team who received in-depth CPI training and function as school-wide resource to assist in proper administration of physical restraint
- Be aware of building code word
- Follow the protocol developed by the Team to be utilized during a crisis situation



Overview of Bullying Prevention and Intervention

Chapter 92 of the Acts of 2010

AN ACT RELATIVE TO BULLYING IN SCHOOLS

Approved, May 3, 2010.



POLICY

Bullying

Personnel 4116-6.3

I. Policy

- A. It is the policy of the Dudley-Charlton Regional School District to take pro-active, reasonable measures designed to provide a learning and working atmosphere for students, employees and other members of the school community free from sexual harassment, bullying, hazing and intimidation. These terms are referenced herein as “harassment”, which is more particularly defined below. The District in the strongest possible terms condemns harassment, whether based on race, color, religion, national origin, age, gender, sexual orientation, disability, or any other reason.



POLICY

Bullying

Personnel 4116-6.3

- B. It is a violation of policy for any administrator, teacher or other employee, or any student or other member of the school community, to engage in or condone harassment in school, on school grounds or at or in a school-related function, activity, communication or contact, or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of harassment.



POLICY

Bullying

Personnel 4116-6.3

C. This policy is not designed or intended to, nor shall it, limit the school's authority to take disciplinary action to take remedial action when such harassment occurs out of school, but has a sufficient nexus to school under applicable law, or is disruptive to an employee's or student's work or participation in school-related activities.

Reports of harassment, including but not limited to cyber-bullying by electronic or other means, occurring in or out of school will be reviewed, and, when a sufficient nexus to school or school-related work exists, will result in discipline.



POLICY

Bullying

Personnel 4116-6.3

D. It is the responsibility of every employee, student and parent to recognize acts of harassment and take reasonable action to see that the applicable policies and procedures of this school district are implemented. All members of the school community are and must act as partners in such efforts if we are to have any reasonable chance of success in preventing or minimizing activity of this type, which is harmful to both the victim and the perpetrator. The children attending our schools are in critical, formative stages of their lives. To the extent that we, working together, are able to show them a better way, they will reap immeasurable, lifelong benefits.



POLICY

Bullying

Personnel 4116-6.3

- E. Any employee or student who believes that he or she has been subjected to harassment has the right to file a complaint and to receive reasonably prompt and appropriate handling of the complaint. While proper enforcement of this policy foreseeably may require disclosure of any or all information received, all reasonable efforts will be made to maintain confidentiality to the extent consistent with such enforcement.
- F. The Building Principal/Designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of harassment.



POLICY

Bullying

Personnel 4116-6.3

II. Prohibition and Definitions

Harassment, including bullying, may take a variety of forms. It is utterly unacceptable in a school or work environment. As a result, neither any student, nor employee nor other member of the school community shall be subjected to harassment, intimidation, bullying, or cyber-bullying in any public educational institute.



POLICY

Bullying

Personnel 4116-6.3

- A. “Harassment”, including “Bullying”, the latter including but not limited to “cyberbullying”, as used in this policy means an unwelcome written, electronic, verbal or physical communication, act or gesture which: (1) reasonably causes a student or employee to feel coerced, intimidated, harassed or threatened and (2) under the circumstances foreseeably may cause: (a) a reasonable person to suffer physical or emotional harm, or (b) damage to a student’s or employee’s property, or (c) a disruptive or hostile school environment.



POLICY

Bullying

Personnel 4116-6.3

The behavior must interfere with an employee's ability to perform his or her duties or with a student's academic performance or ability to learn, or interfere with a student's ability to participate in or benefit from services, activities, or privileges:

1. that are being offered by or through the school district; or
2. during any district-related educational program or activity; or
3. while in school, on or using school district property or equipment, in a school vehicle, on a school bus, at school-designated bus stops, at school sponsored activities, at school-sanctioned events; or



POLICY

Bullying

Personnel 4116-6.3

4. through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network or any public education institute related to or provided or facilitated by the district; or
 5. in circumstances otherwise having a sufficient nexus with the school district.
- B. “Electronic communication” as used in this policy means any communication through an electronic device, including but not limited to a telephone, cellular phone, computer or pager.



POLICY

Bullying

Personnel 4116-6.3

III. Guidelines and Procedures for Investigating and Processing Harassment Claims

Harassment may take many forms. In a school district such could involve an instance of staff member to staff member, staff member to student, student to staff member, or student to student. It conceivably could also include parent to a student other than the parent's child, staff member to parent, or parent to staff member.

(For detail about the Guidelines and Procedures for Investigating and Processing Harassment Claims, please **CLICK HERE** to see a copy of ***Policy 4116.6-3, Bullying Policy for Personnel***)



POLICY

Bullying

Personnel 4116-6.3

IV. Retaliation:

In the event of retaliation in any form against any person who has made or filed, or provided any information as to, a complaint relating to harassment, any employee or student found to have engaged in same shall be subject to discipline in accordance with applicable law. In the case of an employee, up to and including dismissal from employment, and in the case of a student up to and including expulsion. If warranted a referral to law enforcement shall also be made.



POLICY

Bullying

Personnel 4116-6.3

V. Confidentiality:

Reports of harassment should be kept completely confidential to the extent consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior. For further information about these guidelines or help with sexual harassment problems or any other form of harassment, consult the Dudley-Charlton Regional School District Policy index: Community # 1350, 1351; Personnel # 4116-6.4, 4116-6.2; Students # 5131.4, 5131.5.



POLICY

Bullying

Personnel 4116-6.3

LEGAL REFERENCES

1. Title VII of the 1964 Civil Rights Act, Section 703: Unlawful employment practices
2. Title IX of the 1972 US Civil Rights Act: Equal Opportunity in Education Act
3. Chapter 151C, Massachusetts General Laws: Fair Educational Practices
4. M.G.L. Chapter 76 § 5: Place of attendance; violations; discrimination
5. M.G.L. Chapter 269 § 17, 18, 19: Hazing
6. M.G.L. Chapter 71, §§82, 84: Public secondary schools; right of students to freedom of expression; limitations; discipline of students on matters unrelated to school-sponsored activities

Thank You

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