

# Annual Civil Rights and Other Required Training 2016-2017 Tri-Town Elementary Schools

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# Purpose of This Training and Important Information Please Read Carefully

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- This PowerPoint presentation is designed to provide the annually required mandated training for all staff.
- While many of the slides are the same or similar to previous years, there are new slides including significant changes to the anti-bullying law
- On or before September 30<sup>th</sup>, please carefully read through the presentation. Please allow yourself at least 30 minutes to complete the training exercise.
- Thank you in advance for complying with these legal requirements.



# Training Part 2: 51A Child Abuse and Neglect Training

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- You will also be expected to complete the required 51A Child Abuse and Neglect Training by cutting and pasting the link below into your web browser to visit the Middlesex Advocacy Center at :
- <http://middlesexcac.org/51A-reporter-training/>
- The estimated time for the 51A training is 30 minutes

# Part 3: State Ethics Commission

## Conflict of Interest Training

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- The third training requirement for all staff this year is to complete the State Ethics Commission training module at:
- <http://www.muniprogram.state.ma.us/>
- This training is required for all new employees within the first 30 days of employment. It is required for all continuing municipal and school employees every two years.

# Part 4: Restraint Training

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- Base Level Restraint Training is also required on an annual basis. The training module for this requirement is not included in this presentation. It will be made available as a separate presentation prepared by Alissa Christopher, our Intensive Needs Specialist

# Why Provide Online Training?

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- Having informed employees helps foster a healthy work and learning environment.
- Annual training is mandated by the Department of Elementary and Secondary Education or the Massachusetts Ethics Commission
- All Employees are required to participate.
- This training protects individuals and the District and ensures that all employees know their rights and responsibilities.
- If you have any questions about any information contained herein, please contact your building principal.

# Topics Covered

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1. Non-Discrimination
2. Applicable Federal Laws
3. Applicable State Laws
4. Restraint Training Overview (Separate Session)
5. Harassment and Bullying
5. Special Education



## Topics Covered 2

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6. Child Abuse and Neglect
7. Privacy and Confidentiality
8. Other Responsibilities
9. School and Public Health Information
10. Internet Acceptable Use Guidelines
11. School Safety Teams

# NON- DISCRIMINATION

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## Section 1

# What is non-discrimination?

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- The Boxford, Middleton and Topsfield Public Schools are 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, gender, color, homelessness, disability, national origin, religion, race, *gender identity* or sexual orientation.

# Notice of Non-Discrimination

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- *All programs, activities, and employment opportunities engaged in by the Boxford, Middleton and Topsfield Elementary Schools are offered without regard to age, race, gender, color, sex, religion, national origin, gender identity, sexual orientation or disability.*
- The Title VI, Title IX and Section 504 Coordinator for the Boxford, Middleton and Topsfield Elementary Schools is:
  - Sharon Stewart
  - Assistant Superintendent of Student Support Services
  - 28 Middleton Road
  - Boxford, MA 01921
  - Tel: 978-887-4119
  - Fax: 978-887-8042
  - Email: [sstewart@tritownschoolunion.com](mailto:ssewart@tritownschoolunion.com)



# Schools Responsibility

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- M.G.L. Chapter 76:Section 5:
  - No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, gender, color, sex, religion, national origin, *gender identity* or sexual orientation.
  - Severe or pervasive harassment unlawfully denies a student the “advantages and privileges” of school, creating a hostile, humiliating, intimidating and offensive educational environment.



# Massachusetts DESE Regulations Active Efforts- C.M.R. 26:07

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- All public schools shall strive to prevent harassment or discrimination and all public schools shall respond promptly to such discrimination or harassment when they have knowledge of its occurrence.
- The School Committee and Superintendent shall provide in-service training for all school personnel at least annually regarding the prevention of discrimination and harassment and the appropriate methods for responding to such discrimination in a school setting.
- The Superintendent shall promote and direct effective procedures for the full implementation of 603 CMR 26.00.

## Annual and continuous notification concerning nondiscrimination and coordinators

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- If the district offers vocational education programs, it advises students, parents, employees and the general public before the beginning of each school year that all vocational opportunities will be offered regardless of race, color, national origin, sex or disability. The notice includes a brief summary of program offerings and admission criteria and the name(s), office address(es), and phone number(s) of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504.
- In all cases, the district takes continuing steps to notify applicants, students, parents, and employees (including those with impaired vision or hearing), as well as unions or professional organizations holding collective bargaining or professional agreements with the district, that it does not discriminate on the basis of race, color, national origin, sex, or disability. This notice, also, includes the name(s), office address(es), and phone number(s) of the person(s) designated under CR 11A to coordinate compliance under Title IX and Section 504.
- Written materials and other media used to publicize a school include a notice that the school does not discriminate on the basis of race, gender, color, national origin, sex, disability, religion, ***gender identity*** or sexual orientation.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.6(d); Title IX: 20 U.S.C. 1681; 34 CFR 106.8(a), 106.9; Section 504: 29 U.S.C. 794; 34 CFR 104.8; M.G.L. c. 76, s. 5; 603 CMR 26.02(2)

# Transgender Rights Law

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- In effect July 1, 2012
- Added “gender identity” as a protected characteristic to Massachusetts employment, housing, credit, and public education anti-discrimination laws and to Massachusetts hate crime law.
- Defines “Gender Identity” as a person’s gender related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.

## Non-discriminatory administration of scholarships, prizes and awards

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- Scholarships, prizes and awards sponsored or administered by the district are free of restrictions based upon race, gender, color, sex, religion, national origin, *gender identity*, sexual orientation or disability.
- Schools may post or print information regarding private restricted scholarships as long as no preferential treatment is given to any particular scholarship offered and as long as the school does not endorse or recommend any such scholarship nor advise or suggest to a particular student that he or she apply for such a scholarship.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.37; Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(1)(v); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(1)(v); Mass. Const. amend. art. 114; M.G.L. c. 76, s. 5; 603 CMR 26.07(7)

# APPLICABLE FEDERAL LAWS

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## Section 2

# Federal Law Mandates

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- Federal Civil Rights Laws Require Schools to:
  - Remedy discrimination and harassment.
  - Regularly notify students, parents and employees that the district schools do not discriminate on the basis of sex or disability.
  - Implement and disseminate prompt and equitable complaint procedures for handling allegations of discrimination and harassment.
  - Designate an employee to be responsible for coordinating compliance with these federal civil rights laws.



## Federal Law: Section 504 of the Rehabilitation Act of 1973

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- Section 504 states: "No otherwise qualified handicapped individual in the United States, shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

## Federal Law: Section 504 of the Rehabilitation Act of 1973

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



## Federal Law: Section 504 of the Rehabilitation Act of 1973

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- No discrimination against a person with a disability will be permitted in any of the programs of the Boxford, Middleton and Topsfield Public Schools.
- Questions about eligibility and/or enforcement should be directed to your building based 504 coordinator (Building Principal)

## Federal Law: Section 504 of the Rehabilitation Act of 1973

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- Prohibits discrimination, exclusion from participation, and denial of benefits based on disability in programs or activities receiving federal financial assistance. Section 504 is codified at 29 U.S.C. 794; regulations have been promulgated under it at 34 CFR Part 104 (available at <http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html>)

## Federal Law: Title II (Americans with Disabilities Act)

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- Prohibits discrimination against:
  - Access to programs and facilities;
  - Free, appropriate public education for elementary and secondary students;
  - Employment opportunities.

*Applies to special education services, evaluations and Individual Educational Plans and to student disciplinary measures.*



## **Title II: *Title II of the Americans with Disabilities Act of 1990***

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- Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in public entities. Title II is codified at 42 U.S.C. 12131 *et seq*; regulations have been promulgated under it at 28 CFR Part 35 (available at <http://www.ed.gov/policy/rights/reg/ocr/edlite-28cfr35.html>).

## Federal Law: *Title VI of the Civil Rights Act of 1964*

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- Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color or national origin in programs or activities receiving federal financial assistance. Title VI is codified at 42 U.S.C. 2000d *et seq.*; regulations have been promulgated under it in the Code of Federal Regulations at 34 CFR Part 100 (available at <http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr100.html>).

## Federal Law: *Title VI of the Civil Rights Act of 1964*

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- 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
- Building Principals handle inquiries regarding non-discrimination policies.



## Federal Law: Title IX

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- Title IX reads as follows: "No person in the United States, shall be on the grounds of race, color, or national origin, excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance, or be so treated on the basis of sex under most education programs or activities receiving federal assistance."

## **Title IX: *Title IX of the Education Amendments of 1972***

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- Prohibits discrimination, exclusion from participation, and denial of benefits based on sex in educational programs and activities receiving federal financial assistance. Title IX is codified at 20 U.S.C. 1681 *et seq.*; regulations have been promulgated under it at 34 CFR Part 106 (available at <http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html>)



## Federal Law: Title IX

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- Prohibits discrimination and harassment related to gender, including sexual harassment.
- Refer to the District's Discrimination/Harassment Policy for specifics regarding steps taken to investigate and remediate.
- Refer all Title IX issues to your Building Principal or to Sharon Stewart, Assistant Superintendent of Student Support Services.

## Equal Educational Opportunity

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- In conformance with The State Department of Education and The U.S. Office of Education requirements, parents are notified annually of the provisions of the Massachusetts Legislation, and Federal Legislation, Title IX of the Education Amendments of 1972, and section 504 of the Federal Rehabilitation Acts of 1973. These Acts prohibit discrimination in public schools.

## ***EEOA: the Equal Educational Opportunities Act of 1974***

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- Prohibits the denial of equal educational opportunity in public schools on account of race, color, sex, or national origin. The EEOA is codified at 20 U.S.C. 1701 *et. seq.*

# McKinney-Vento Act

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## Homeless Assistance

## Individuals who are eligible to receive services include children and youth who:

- Do not have a permanent home
- Live in motels, hotels, trailer parks or camping grounds
- Live in State Care and Custody
- Live in cars, parks, public places, abandoned buildings, substandard buildings, or similar settings
- Share housing of other persons due to loss of housing, economic hardships, or a similar reason
- Are considered an unaccompanied youth (youth not in physical custody of a parent or guardian)



# They have the right to:

- Go to school, no matter where they live or how long they have lived there. They must be given access to the same public education provided to other students.
- Continue in the school they attended before they became homeless or the school they last attended, if that is their choice and is feasible. The school district's local liaison for homeless education must assist them, if needed, and offer them the right to appeal a decision regarding their choice of school if it goes against their wishes.
- Receive transportation to the school they attended before they became homeless or the school they last attended, if they request such transportation.



# They have the right to:

- Attend a school and participate in school programs with students who are not homeless. Students cannot be separated from regular school programs because they are homeless.
- Enroll in school without giving a permanent address. School cannot require proof of residency that might prevent or delay school enrollment.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Receive the same special programs and services, if needed as provided to all other students served in these programs.
- Receive transportation to school and to school programs.



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All Homeless Children must have full and equal opportunity to succeed in school and receive educational services.”

# APPLICABLE STATE LAWS

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## Section 3



## **Massachusetts Constitution. amend. art. 114: Article CXIV of the Amendments to the Massachusetts Constitution**

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- Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in any program or activity in the Commonwealth.

**M.G.L. c. 69: *Massachusetts General Laws, Chapter 69***

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- Establishes the powers and duties of the Department of Education. Section 1G requires the Board of Education to set the minimum length for a school day and the minimum number of days in the school year for Massachusetts public schools. Regulations have been promulgated under Section 1G at 603 CMR 27.00.

## M.G.L. c. 71: *Massachusetts General Laws, Chapter 71*

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- Governs public schools. Section 34D requires promulgation by the Board of Education of student record regulations. Such regulations have been promulgated at 603 CMR 23.00. Section 34H concerns the provision of information by schools to non-custodial parents. Section 37G provides for the use of reasonable force to protect pupils, school personnel, and other persons from assault by a pupil and requires the promulgation by the Board of Education of regulations regarding the use of physical restraint on students. Such regulations have been promulgated at 603 CMR 46.00. Section 37H relates to codes of conduct and handbooks. Section 38Q  $\frac{1}{2}$  requires every school district to adopt and implement a curriculum accommodation plan.

## **M.G.L. c. 71A: *Massachusetts General Laws, Chapter 71A***

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- Governs the education of English learners.  
Regulations have been promulgated under it at 603  
CMR 14.00.

**M.G.L. c. 71B: *Massachusetts General Laws,  
Chapter 71B***

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- Governs the education of children with special needs. Section 6 relates to the assignment of children to special education classes. Regulations have been promulgated under c. 71B at 603 CMR 28.00.

## M.G.L. c. 76: *Massachusetts General Laws, Chapter 76*

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- Governs school attendance. Chapter 76 Section 5 prohibits discrimination in all public schools on the basis of race, color, gender, religion, national origin, *gender identity* or sexual orientation. Regulations have been promulgated under section 5 at 603 CMR 26.00. Section 18 requires notice to students permanently leaving school.

# Overview of Physical Restraint Guidelines, Crisis Prevention and Intervention

(Note: This material is now in a  
separate presentation)

## **Section 4**

# HARASSMENT and BULLYING

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## Section 5

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# Prevention and Intervention

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- The law requires all school employees to immediately report any instance of bullying or retaliation that they have witnessed or become aware of to the principal who shall promptly conduct an investigation. See school and district plans to review our obligations under the law.

# Bullying Prevention Instruction

- Each school district, charter school, DESE approved private special education school, and collaborative school is required to provide age-appropriate instruction on bullying prevention for students in each grade that is incorporated into the curriculum of the school or district. The curriculum must be evidence-based, and information about it must be made available to parents and guardians. (See M.G.L. c.71,370(c), as added by Chapter 92 of the Acts of 2010.)
- We are using the Olweus Bullying Prevention Program in all grades.

# Professional Development

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- Each school district, charter school, DESE approved private special education school, and collaborative schools must implement, for all school staff, professional development that includes developmentally appropriate strategies for bullying prevention and intervention, research findings on bullying, and information on cyberbullying and Internet safety. (See M.G.L. c.71,370(d), as added by Chapter 92 of the Acts of 2010.)
- Most of our staff were trained during the 2011-2012 school year. New staff will be trained during the school year of their hire.

# Requirements for Students with Disabilities

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- For students identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (See M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010.)
- Whenever the IEP Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment, or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing. (See M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010.)

# Definitions

- **Aggressor** is a student who engages in bullying, cyberbullying, or retaliation.
- **Bullying**, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: § causes physical or emotional harm to the target or damage to the target's property; § places the target in reasonable fear of harm to himself or herself or of damage to his or her property; § creates a hostile environment at school for the target; § infringes on the rights of the target at school; or § materially and substantially disrupts the education process or the orderly operation of a school.
- **Cyberbullying**, as defined in M.G.L. c. 71, § 37O, is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyberbullying also includes: § the creation of a web page or blog in which the creator assumes the identity of another person; § the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions listed in (i) to (v), inclusive, of the definition of bullying; and § the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions listed in (i) to (v), inclusive, of the definition of bullying.
- **Hostile environment**, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education. §
- **Retaliation** is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.
- **Staff** includes, but is not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals. §
- **Target** is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

# Bullying

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- Bullying is the severe or repeated use by one or more students of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a victim that has the effect of: (i) causing physical or emotional harm to the other student or damage to the other student's property; (ii) placing the other student in reasonable fear of harm to himself or of damage to his property; (iii) creating a hostile environment at school for the other student; (iv) infringing on the rights of the other student at school for the other student; (iv) infringing on the rights of the other student at school; or (v) materially and substantially disrupting the education process or the orderly operation of a school.
- A bully has actual or perceived physical, social and/or psychological power over his/her target.
- Bullying is deliberate, repeated, and power-imbalanced.

# Cyberbullying

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- Cyberbullying is bullying through the use of technology or any electronic communication which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic, or photo optical system, including but not limited to, electronic mail, internet communications, instant messages or facsimiles communications.
- Cyberbullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyberbullying shall also include the distribution by electronic means of the communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

# Hate Crime

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- A hate crime is a crime motivated in whole or in part by hatred or bias, or where the victim is targeted or selected based on his/her actual or perceived:
  - Race, color, religion, gender, sexual orientation, gender identity, disability, national origin, ethnicity or ancestry.

# Bullying Prevention and Intervention Resources

- District and school websites

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- The Massachusetts Department of Elementary and Secondary Education has posted a number of very helpful resources related to bullying prevention.
- Some of these include parent information, presentation slides from workshops, information from the Massachusetts Aggression Reduction Center and from the Massachusetts Attorney General's Office.
- These materials may be accessed at:  
[www.doe.mass.edu/ssce/bullying](http://www.doe.mass.edu/ssce/bullying)

# Harassment and Bullying Myths

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- Ignore it and it will go away.
- If you only stood up for yourself.
- It's something the victim did.
- Boys will be boys, girls will be girls.
- Harassment and bullying toughens you up.
- It's a part of life, accept it.
- Only wimps get bullied.
- Children who get harassed or bullied are passive, loners, overly sensitive.

# Changes to the Bullying Prevention Law (2013)

- Summary of changes for 2013:
- **SECTION 72.** Section 37O of chapter 71 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word “students”, in line 6, the following words:- or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional. **Summary: Amends the definition of “Bullying” so that it now reads: “Bullying”, the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that....**
- **SECTION 73.** Said section 37O of said chapter 71, as so appearing, is hereby further amended by inserting after the word “student”, in line 43, the following words:- or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional. **Summary: Amends the definition of “Perpetrator” so that it now reads: “Perpetrator”, a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.**
- **SECTION 74.** The first paragraph of subsection (d) of said section 37O of said chapter 71, as so appearing, is hereby further amended by inserting after the first sentence the following sentence:- The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. **Summary: Adds the following sentence to subsection (d) of MGL 71:37O: § (d) Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. The consultation shall include, but not be limited to, notice and a public comment period; provided, however, that a non-public school shall only be required to give notice to and provide a comment period for families that have a child attending the school. The plan shall be updated at least biennially.**



# Reasons to be concerned about bullying:

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1. Many children are involved in bullying, and most are extremely concerned about it.
2. Bullying can seriously affect the mental health, academic work, and physical health of children who are targeted.
3. Children who bully are more likely than other children to be engaged in other antisocial, violent, or troubling behavior.
4. Bullying can negatively affect children who observe bullying going on around them-even if they aren't targeted themselves.
5. Bullying is a form of victimization or abuse, and it is wrong. Children should be able to attend school or take part in community activities without fear of being harassed, assaulted, belittled, or excluded.

# Reporting Requirements

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

# Responsibilities of School Personnel 1

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- Know our district's discrimination/harassment/bullying policy
- Promote a socially inclusive school environment for all.
- Actively ensure school safety, report and respond to all violations.
- Who is responsible? All of us!!!
- Who is all of us? *Each and Every one of us without exception!*

# Responsibilities of School Personnel 2

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- Be familiar with basic facts about harassment and hate crimes.
- Recognize and identify bias indicators.
- Report all harassment to appropriate authorities.
- Don't tolerate harassment and bullying.
- Challenge bias or disrespectful attitudes by students and staff including sarcasm in any form.
- Be alert to signs of student harassment and bullying.
- Support victims and hold offenders accountable.
- If a student or staff member mocks another's appearance, mannerisms or mobility, call the offender's attention to the fundamental issue of respect.

# Tips for addressing Discrimination and Harassment

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- Follow district policy and procedure.
- Post the District's Discrimination/Harassment Policy in all classrooms and offices.
- Foster connectedness among members of the school community.
- Recognize signs of bullying, harassment and bias.
- Be sensitive to religious holidays and diverse cultures.

# Signs of Possible Harassment or Bullying 1

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- Child is fearful of walking in the hallways unsupervised.
- Child shows signs of being intimidated when interacting with certain students in class, the cafeteria or on the playground.
- Child does not want to ride the school bus.
- Child seems withdrawn, disengaged in class; has noticeable drop in classroom participation, makes frequent trips to the bathroom and/or nurse.
- Child no longer participates in school-related activities.
- Child is suddenly doing poorly in school.

## Signs of Possible Harassment or Bullying 2

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- Child often arrives late for school.
- Child's absences dramatically increase.
- Child often "loses" his or her money or other possessions.
- Child is the victim of repeated thefts.
- Child is the focus of jokes or graffiti.
- Child is the target of abuse or insults in chat rooms, websites or social networking sites.
- Explanations for above do not make sense.

## BOXFORD, MIDLETON AND TOPSFIELD PUBLIC SCHOOLS SEXUAL HARASSMENT GRIEVANCE PROCEDURE FOR STUDENTS

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- Any student who believes that she or he has been sexually harassed by another student or adult, or has knowledge or belief of conduct which occurred that might be sexual harassment, should speak to or send a note to any school personnel she/he trusts, (i.e. teacher, nurse, counselor, principal), or she/he should tell her/his parents who then should notify school personnel. The procedure begins when school personnel have been notified.
- School personnel must document the incident in a written form and give it to the principal within one working day of the time of receipt. The principal is responsible for reporting complaints of sexual harassment to the Title IX Coordinator.

# BEHAVIORS WHICH MAY CONSTITUTE SEXUAL HARASSMENT

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- Examples of sexual harassment can include:
  - 1) verbal behaviors such as unwanted sexual or lewd comments, suggestions, jokes, innuendoes, offensive name calling, pressure for sexual favors or dates, offensive sounds such as whistling or making kissing sounds or talking about or calling attention to another's gender or sexuality in a negative or embarrassing way, spreading sexual rumors verbally or in writing, including use of the Internet.
  - 2) unwanted non-verbal behaviors such as suggestive looks or leering, staring, facial expressions and gestures, blocking a person's path, following a person, laughing at a person who is being harassed or displaying nude or sexual pictures, cartoons or calendars;
  - 3) unwelcoming physical behavior such as pats, squeezes, touching a person's clothing, hair or body, pinching, brushing against another's body, forced physical contact of any kind and attempted rape.
- Sexual harassment can occur staff to staff, staff to student, student to staff, or student to student.

# PROCEDURES FOR DEALING WITH SEXUAL HARASSMENT #1

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- The Boxford, Middleton and Topsfield Elementary Schools will take an assertive and active role in protecting its staff and its students from sexual harassment. A person who believes that he or she is being sexually harassed may identify the behavior as offensive to the harasser and request that it stop. If this is not possible, and/or the behavior has not stopped, then staff and students should immediately report such instances. Staff should bring concerns immediately to a supervisor or an administrator. Students should bring their concerns to a staff member. This could be a Teacher, the Principal, a Guidance Counselor, the School Psychologist, the Nurse, or any other adult with whom the student has a relationship and feels comfortable. All reports will be taken seriously and an appropriate investigative action will be initiated with appropriate follow-up to include the verification of parent/guardian notification. It is never appropriate to tell the person who complains of sexual harassment to ignore it or to make light of their concern. All student complaints against adults will be handled by the Title IX Coordinator at the central administration office.

## RETALIATION

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- It is unlawful to retaliate in any form against any person who has filed a complaint for sexual harassment or who has cooperated in an investigation of a complaint for sexual harassment. If retaliation occurs, it can be considered grounds for dismissal of staff and/or removal from school of a student.

# CONFIDENTIALITY

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- Reports of sexual harassment will be kept confidential to the extent permitted by law, involving as few people as possible, with the goal of protecting both parties and stopping the behavior.

## School Committee Response to Harassment

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- Because the Boxford, Middleton and Topsfield School Committees take allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

## Appeal Process

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- Either party also has the right to contact: U.S. Department of Education, Office for Civil Rights, John W. McCormack Post Office and Courthouse, Room 222, Post Office Square, Boston, MA 02109; Massachusetts Commission Against Discrimination, 1 Ashburton Place, Boston, MA 02108; or Equal Employment Opportunity Commission, One Congress Street, Room 1001, Boston, MA 02144 for resolution of the complaint.

# SPECIAL EDUCATION

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## Section 6

71



## IDEA 2004: *the Individuals with Disabilities Education Act of 2004*

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- **IDEA 2004: *the Individuals with Disabilities Education Act of 2004*** (available at <http://thomas.loc.gov/cgi-bin/query/z?c108:h.1350.enr:>)
- Governs special education. Most of IDEA 2004 is codified at 20 U.S.C. 1400 *et seq.*; regulations have been promulgated under it at 34 CFR 300 (available at <http://www.ed.gov/legislation/FedRegister/finrule/2006-3/081406a.html>), effective October 13, 2006.

# FAPE: FREE, APPROPRIATE, PUBLIC EDUCATION

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- Under federal law, students who are eligible for special education are entitled to a **FREE, APPROPRIATE, PUBLIC EDUCATION** - This concept is known as “FAPE.” The FAPE standard for special education services requires the school district to provide instruction tailored to the individual student’s needs, with sufficient support services to assist the student to make meaningful educational progress. Any special education services identified for the student are required to be provided at public expense with no cost to the parent. All students in the Commonwealth’s public education system, including students with disabilities, are entitled to the opportunity to learn the material that is covered by the academic standards in the Massachusetts curriculum frameworks.

# Massachusetts Requirements

- This review is based solely on the federal *Guidelines*. The expectations of the Massachusetts Department of Education are that school districts and the one collaborative will also adhere to those requirements set forth in the Massachusetts Constitution, law, regulations and guidelines concerning civil rights including, but not limited to the following:
  - Massachusetts Constitution, Amendment CXIV (No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subject to discrimination under any program or activity within the commonwealth)
  - M.G.L. c.76 Sec. 5 (No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation)
  - M.G.L.c.149 Sec 105D (the state maternity leave law)
  - M.G.L.c.151B (the state primary civil rights law regarding discrimination in employment, housing, credit and mortgage lending; covers race, color, religious creed, national origin, sex, sexual orientation, genetic information and ancestry)
  - M.G.L.c.151B Sec. 3A (the state sexual harassment law)
  - M.G.L.c.151C (the state law regarding civil rights and education; covers race, religion, creed, color, national origin and age)
  - M.G.L.c.272, [Section 92A](#), [Section 98](#) and [Section 98A](#) (the state public accommodations civil rights law; covers religious sect, creed, class, race, color, denomination, sex, sexual orientation, nationality, deafness, blindness, and any physical or mental disability)

# PRIVACY AND CONFIDENTIALITY

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## Section 7

75



## FERPA: the Family Educational Rights and Privacy Act of 1974

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- Protects the privacy of student education records and gives parents certain rights with respect to those records. FERPA is codified at 20 U.S.C. § 1232g; regulations have been promulgated under it at 34 CFR Part 99 (available at [http://www.access.gpo.gov/nara/cfr/waisidx\\_04/34cfr99\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/34cfr99_04.html))



## FERPA: Family Educational Rights and Privacy Act

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- The federal Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records and gives the parent, guardian, graduate, or student the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and (6) a hearing on the issue if the school refuses to make the amendment. If there are questions please contact, Sharon Stewart, Title IX Coordinator for the Boxford, Middleton and Topsfield Public Schools at 978-887-4119.

## Family Educational Rights and Privacy Act (FERPA)

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- This act specifies rights related to educational records and gives the parent, guardian, graduate, or student the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of the individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and (6) a hearing on the issue if the school refuses to make the amendment.

# Confidentiality

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- **Essence of the laws:**
- - Protection of personally identifying information that is collected, used or maintained §
- **Governance:** - Family Educational Rights and Privacy Act - MGL c. 71 Sec. 34H - 603 CMR 23.00 - FERPA: 20 USC §
- **Helpful Hints** -
- **DO:** Think about the dignity and privacy of each student with whom you work. Think about your surroundings when having a professional discussion regarding a student. Support your peers in this effort. Safeguard email ... it is a public document. -
- **DON'T:** Discuss students in front of other students or in public areas: Grocery store, theater, restaurant, cook-out, or picnic, church, teachers' lounge office area, athletic fields, etc.
- Use full names of students
- Leave records unsecured



## Staff training on confidentiality of student records

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- The district trains school personnel on the provisions of the Family Educational Rights and Privacy Act, M.G.L. c. 71, s. 34H, and 603 CMR 23.00 and on the importance of information privacy and confidentiality.
- FERPA: 20 U.S.C. § 1232g; 34 CFR Part 99; M.G.L. c. 71, s. 34H; 603 CMR 23.00, esp. 23.05(3)

## Confidentiality and student records

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- In accordance with federal and state requirements, the district protects the confidentiality of any personally identifiable information that it collects, uses or maintains.
- The district maintains and provides access to student records in accordance with federal and state requirements.
- FERPA: 20 U.S.C. § 1232g; 34 CFR Part 99; M.G.L. c. 71, s. 34H; 603 CMR 23.05, 23.07

OTHER DESE REGULATIONS  
AND REQUIREMENTS  
REQUIRED AS PART OF THE  

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COORDINATED PROGRAM  
REVIEW (CPR) PROCESS

Section 8



St. 1965, c. 741: *Chapter 741 of the Massachusetts Acts of 1965*

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- Established the maximum age for compulsory school attendance as sixteen.

## Legal Requirement Summary

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- These laws make it clear that all aspects of public school education must be fully open and available to members of both sexes, minority groups, and to qualified handicapped individuals. No school may exclude a child from any course activity, service or resource available in that public school on account of race, color, sex, religion, national origin, or handicap.

## Where can I find these laws and regulations?

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- Copies of the State Law and the regulations can be obtained from the Bureau of Equal Education Opportunity, 350 Main St., Malden, Massachusetts. Copies of the Federal Law and the regulations can be obtained from the Office of Civil Rights, H.E.W., R.K.O. Building, Government Center, Bulfinch Plaza, Boston, Massachusetts 02114.

## Access to a full range of education programs

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- All students, regardless of race, color, sex, religion, national origin, sexual orientation, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03

## **Placement of female students, male students, homeless students, students with disabilities, and students from linguistic and racial/ethnic groups**

- Patterns of placement in district programs and services for female students, male students, homeless students, students with disabilities, and students from various linguistic and racial/ethnic groups are consistent with patterns of placement for other students. If these patterns of placement are not consistent, the district is able to demonstrate that placements have been made for valid educational reasons.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 71B, s. 6; c. 76, s. 5; 603 CMR 26.03

## Availability of in-school programs for pregnant students

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- Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.
- The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school unless it requires such certification for all students for other physical or emotional conditions requiring the attention of a physician.
- Title IX: 20 U.S.C. 1681; 34 CFR 106.40(b)

## Information to be translated into languages other than English

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- Important information and documents, e.g. handbooks and codes of conduct, being distributed to parents are translated into the major languages spoken by parents or guardians with limited English skills; the district has established a system of oral interpretation to assist parents/guardians with limited English skills, including those who speak low-incidence languages.
- School or program recruitment and promotional materials being disseminated to residents in the area served by the school or program are translated into the major languages spoken by residents with limited English skills.
- Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)

## School Year Schedules

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- Before the beginning of each school year, the school district sets a school year schedule for each school. The school year includes at least 185 school days for students in grades 1-12 at each elementary, middle, and secondary school in the district, and these schools are in operation for at least 180 days a year for these students.
- The school district ensures that unless his or her IEP or Section 504 Accommodation Plan provides otherwise, each elementary school student is scheduled for at least 900 hours of structured learning time a year and each secondary school student is scheduled for at least 990 hours of structured learning time a year, within the required school year schedule. Where the school district operates separate middle schools, it designates each one as either elementary or secondary.
- Where the school district sets a separate school year and school day schedule for kindergarten programs, it provides at least 425 hours of structured learning time a year. If the district schedules two sessions of kindergarten a day, it ensures equal instructional time for all kindergarten students.
- M.G.L. c. 69, s. 1G; 603 CMR 27.03, 27.04

## Structured Learning Time

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- The school district ensures that its structured learning time is time during which students are engaged in regularly scheduled instruction, learning, or assessments within the curriculum of core subjects and other subjects as defined in 603 CMR 27.02 (including physical education, required by M.G.L. c. 71, s. 3). The district's structured learning time may include directed study (activities directly related to a program of studies, with a teacher available to assist students), independent study (a rigorous, individually designed program under the direction of a teacher, assigned a grade and credit), technology-assisted learning, presentations by persons other than teachers, school-to-work programs, and statewide student performance assessments.
- The district ensures that its structured learning time does not include time at breakfast or lunch, passing between classes, in homeroom, at recess, in non-directed study periods (study halls), participating in optional school programs, or receiving school services such as health screening, speech, or physical and occupational therapy, except where those services are prescribed by a student's IEP or Section 504 Accommodation Plan.
- The hours spent in any type of structured learning time are verified by the school district. Where the school district counts independent study or a school-to-work program as structured learning time, it has guidelines that explain clearly how hours spent by students are verified.
- M.G.L. c. 69, s. 1G; 603 CMR 27.02, 27.04

## Curriculum Accommodation Plan

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1. The principal implements a curriculum accommodation plan developed by the district's general education program to ensure that all efforts have been made to meet the needs of diverse learners in the general education program. The plan assists the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the general education program including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning. The plan includes provisions encouraging teacher mentoring and collaboration and parental involvement. *(The plan may be part of a multi-year strategic plan.)*

## Curriculum Review

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- The district ensures that individual teachers in the district review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.
- M.G.L. c. 76, s. 5; 603 CMR 26.05(2)

# Instructional Support

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1. The principal in each of the district's schools promotes instructional practices responsive to student needs and ensures that adequate instructional support is available for students and teachers. Instructional support includes remedial instruction for students, consultative services for teachers, availability of reading instruction at the elementary level, appropriate services for linguistic minority students, and other services consistent with effective educational practices and the requirements of M.G.L. c. 71B, §2. The principal consults with the Administrator of Special Education regarding accommodations and interventions for students. Such efforts and their results are documented and placed in the student record. Additionally, when an individual student is referred for an evaluation to determine eligibility for special education, the principal ensures that documentation on the use of instructional support services for the student is provided as part of the evaluation information reviewed by the Team when determining eligibility.

## Coordination with special education

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1. The principal with the assistance of the Administrator of Special Education coordinates the delivery and supervision of special education services within each school building.

## Accessibility of Extracurricular Activities

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- Extracurricular activities sponsored by the district are nondiscriminatory in that:
- the school provides equal opportunity for all students to participate in intramural and interscholastic sports;
- extracurricular activities or clubs sponsored by the school do not exclude students on the basis of race, sex, color, religion, national origin, sexual orientation, gender identity, disability, or homelessness.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.41; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37(a), (c); Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title X, Part C, Sec. 721; Mass. Const. amend. art 114; M.G.L. c. 76, s. 5; 603 CMR 26.06

# Student Handbooks and Codes of Conduct

- a) The district has a code of conduct for students and one for teachers.
- b) The principal of every school containing grades 9-12 prepares, in consultation with the school council, a student handbook containing the student code of conduct and distributes it to each student annually, as well as to parents and school personnel; the school council reviews and revises the student code of conduct every year.
- c) The principal of every school containing other grades distributes the district's student code of conduct to students, parents, and personnel annually.
- d) At the request of a parent or student whose primary language is not English, a student handbook or student code of conduct is translated into that language.
- Student codes of conduct contain:
  - procedures assuring due process in disciplinary proceedings and
  - appropriate procedures for the discipline of students with special needs and students with Section 504 Accommodation Plans.
- Student handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain:
  - a nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5, and affirms the school's non-tolerance for harassment based on race, color, national origin, sex, religion, or sexual orientation, or discrimination on those same bases;
  - the school's procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and
  - the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred.
- Section 504; M.G.L. c. 71, s. 37H; 603 CMR 26.08

## Designation of Coordinator(s); grievance procedures

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- The district has designated one or more staff persons to serve as coordinator(s) for compliance with its responsibilities under Title IX, Section 504, and (if it employs 50 or more persons) Title II.
- The district has adopted and published grievance procedures for students and for employees providing for prompt and equitable resolution of complaints alleging discrimination based on sex or disability.
- Title IX: 20 U.S.C. 1681; 34 CFR 106.8; Section 504: 29 U.S.C. 794; 34 CFR 104.7; Title II: 42 U.S.C. 12132; 28 CFR 35.107

# Counseling and Counseling Materials Free From Bias and Stereotypes

- To ensure that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, religion, national origin, sexual orientation, disability, and homelessness, all counselors:
  - encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills;
  - examine testing materials for bias and counteract any found bias when administering tests and interpreting test results;
  - communicate effectively with limited-English-proficient and disabled students and facilitate their access to all programs and services offered by the district;
  - provide limited-English-proficient students with the opportunity to receive guidance and counseling in a language they understand;
  - support students in educational and occupational pursuits that are nontraditional for their gender.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.36; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37; Title II: 42 U.S.C. 12132; 28 CFR 35.130, 35.160; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 721; Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.04, 26.07(8)

## Educational Services in Home or hospital

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1. Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal arranges for provision of educational services in the home or hospital. Such services are provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal coordinates such services with the Administrator for Special Education for eligible students. Such educational services are not considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.

## School District Employment Practices

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- District employment practices in general are free from discrimination on the basis of race, color, national origin, sex, or disability. In particular, the district's faculty salary scales are based on the conditions and responsibilities of employment without regard to race, color, national origin, sex, or disability, and the district's employee recruitment is aimed at reaching all groups, including members of linguistic, ethnic, and racial minorities, females and males, and persons with disabilities.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(c); EEOA: 20 U.S.C. 1703(d); Title IX: 20 U.S.C. 1681; 34 CFR 106.51-106.61; Section 504: 29 U.S.C. 794; 34 CFR 104.11-104.14; Title II: 42 U.S.C. 12132; 28 CFR 35.140; Mass. Const. amend. art 114

## Staff Training Regarding Civil Rights Responsibilities

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- The district provides in-service training for all school personnel at least annually regarding civil rights responsibilities, including the prevention of discrimination and harassment on the basis of students' race, color, sex, religion, national origin and sexual orientation and the appropriate methods for responding to it in the school setting.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3; EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31-106.42; M.G.L. c. 76, s. 5; 603 CMR 26.00, esp. 26.07(2), (3)

## Accessibility of district programs and services for students with disabilities

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- In at least one facility within the district, the district makes available and entirely accessible to students with disabilities all educational and vocational programs and services offered at each level (preschool, elementary and secondary).
- Section 504: 29 U.S.C. 794; 34 CFR 104.21,104.22; Title II: 42 U.S.C. 12132; 28 CFR 35.149, 35.150; Mass. Const. amend. art. 114; 603 CMR 28.03(1)(b)(1)

# Comparability of Facilities

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- Where the district provides separate facilities for members of a specific group, those facilities are comparable to those offered other students in the district, including:
  - separate facilities for disabled, limited-English-proficient or pregnant students that are comparable to the facilities for other students in the district;
  - separate toilet, locker room, and shower facilities for students of one gender that are comparable in size, condition, number and location to those provided students of the other gender.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.33, 106.40(b)(3); Section 504: 29 U.S.C. 794; 34 CFR 104.34(c); Mass. Const. amend. art. 114; 603 CMR 28.03(1)(b)

# Institutional Self-Evaluation

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- The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation.
- Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.07(1),(4)

# SCHOOL AND PUBLIC HEALTH INFORMATION AND COORDINATION

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## Section 9

106



## Screening for Vision, Hearing, Posture and Body Mass Index

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- Provision is made for ongoing and periodic screening of all students as required by the Department of Public Health (vision, hearing, posture and body mass index).M.G.L. c. 71, s. 57

# Body Mass Index (BMI) Reporting

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- In the 2010-2011 school year we began reporting BMI information to the parents or guardians of children in Grade 1 and Grade 4. During the 2013-2014 school year the requirements to report the results of BMI data collection were changed.

# Universal Precautions 1

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- The usual and ordinary steps that all school staff should take in order to reduce their risk of infection with HIV, the virus that causes AIDS as well as all other blood-borne pathogens (such as the Hepatitis B virus).
- Frequent washing of hands throughout the day by staff and students

# Universal Precautions 2

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- Appropriate equipment ( mops, buckets, bleach, hot water, hand soap, disposable towels and latex gloves) must be readily available to staff members who are responsible for the clean-up of body fluid spills.
1. Treat human blood spills with caution.
  2. Clean up blood spills promptly.
  3. Latex-free gloves are recommended. Gloves contribute an added measure of protection but are not essential if skin is intact.
  4. Clean up blood spills, urine, vomit, and feces with fresh hot water and appropriate solution of one part bleach to ten parts water. Disinfect mops, buckets, and other cleaning equipment with fresh bleach solution.
  5. Always wash hands after any contact with body fluids.

# Seasonal Flu Planning

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- Flu viruses spread through direct (cough, sneeze, close contact) and indirect means of transmission (surfaces available to the touch)
- We take steps to “Stop the Spread” through coordinated planning with our public health officials.

# Hand Washing

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- Hand washing is the first line of defense against the spread of infection. We should all practice healthy hand washing techniques.
- Hands should be washed under running water with soap, using friction for 15-30 seconds. Hands should be dried with a disposable towel or other towel not used by anyone else.

# What should we do to help prevent the spread of influenza like viruses?

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- Get an annual flu shot
- Carry and use tissues to cover cough and sneezes; dispose of properly
- Cough or sneeze into arm in no tissues are available
- Wash hands frequently
- Observe appropriate social distance (3 feet)
- Stay home when experiencing flu-like symptoms

# Technology and Internet Acceptable Use Guidelines

114



## Internet Use Is A Privilege

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- For all users, Internet access through the Boxford, Middleton and Topsfield Public Schools is a privilege, not a right. A student or staff member's access may be canceled by school officials if this privilege is misused. Revocation of computer access privileges may be necessary.
- Unacceptable uses as applied to Internet access will be subject to disciplinary action, as outlined in the School Handbook and Employee Handbook.
- The intent of this policy is to ensure that all uses of the Internet are consistent with the educational goals of the Boxford, Middleton and Topsfield Elementary Schools.

## Personal Safety

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- The Internet is accessible to the public. Unfortunately, this includes people who want to make contact with students for inappropriate purposes. The Boxford, Middleton and Topsfield Elementary Schools cannot screen the Internet for such inappropriate uses. Students must be cautious and prudent about supplying personal information and arranging any kind of meetings. Students should promptly inform their teacher or school administrator of any on-line communication that the student feels is threatening, harassing or otherwise inappropriate.

## Student and Staff Responsibility

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- Access of material that has been deemed inappropriate for educational use by the Boxford, Middleton and Topsfield Elementary Schools' faculty or staff is strictly prohibited. If users encounter such material by accident, they should quit the application immediately. Students should report the incident directly to a teacher. Students will not have the opportunity to simply “surf” the Internet or browse among World Wide Web pages. Students will use the Internet for a specific educational purpose during lab time or for a class assignment.

## Access to Electronic Files

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- All student and staff files, including e-mail files and other Internet files and usage may be monitored for educational and administrative purposes, including the need to ensure that these Guidelines are being followed. Also, faculty may be asked to provide access to student files and records to law enforcement authorities. Students and faculty should not assume that the uses of Boxford, Middleton or Topsfield Schools Internet access will be private.

# SCHOOL SAFETY TEAMS

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## Section 11

119



# Mandated Reporting of any School Fires

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- If you see a fire on school property inform your building principal immediately.
- As per MGL c71,s37L, principals are mandated to report the “unauthorized ignition of any fire within the school building or on school grounds to the local fire department within 24 hours.”

## *Medical Emergency Response Plans for Schools* *Updated September 2015*

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- In the Spring of 2012, the Legislature passed and Governor Patrick signed into law *An Act Relative to Medical Emergency Response Plans for Schools*, Chapter 77 of the Acts of 2012 (Medical Emergency law).

*Medical Emergency Response Plans for Schools*  
*Updated September 2015 #2*

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The law directs the Department of Elementary and Secondary Education (Department), in consultation with the Department of Public Health (DPH), to develop a cost-neutral model medical emergency response plan in order to promote best practices. The model plan is to be made available to school committees and charter school boards. In developing the model plan, the Department is to refer to research prepared by the American Heart Association, the American Academy of Pediatrics, and other relevant organizations that identify the essential components of a medical emergency response plan. The Department is to biennially update the model plan and post the plan on its website.

# CONFIRMATION OF COMPLETION

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- In order to get credit for completing the required trainings this year we all need to submit evidence confirming our participation. Separate confirmations will be needed for:
  - Civil Rights Training
  - Child Abuse and Neglect Training (51A)
  - Overview of Physical Restraint Guidelines
  - State Ethics Commission Training (Already completed by most staff during the 2016-2017 school year)

# Confirmation Requirement: Civil Rights Training

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- Now you need to confirm that you have completed this civil rights training by emailing Judy Durkee, Human Resources Officer for the Tri-Town Union at [jdurkee@tritownschoollunion.com](mailto:jdurkee@tritownschoollunion.com). Copy the text below and paste it into the email message:

***I have completed the 2016-2017 Civil Rights training. Please confirm that you have received this message and include me in your log.***

# Confirmation Requirement: 51A Child Abuse and Neglect Training

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- Please print out the Certificate of Completion and submit it to your building principal once you have finished the training.

# Confirmation Requirement: Ethics and Conflict of Interest Training

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- Please print out the Certificate of Completion and send it to Judy Durkee at [jdurkee@tritownschoolunion.com](mailto:jdurkee@tritownschoolunion.com) in the Central Office once you have finished the training, if you are required to complete the training this fall.

THANK YOU  
YOU ARE NOW DONE