

Pembroke Public Schools Annual Mandated Training



2023-2024

Why do we provide training?

- Annual training is mandated by DESE
- All employees are required to participate
- This training protects individuals and the district; and ensures that all employees know their rights and responsibilities as well as state and federal laws and regulations



Equal Educational Opportunities



Pembroke Public Schools strives to provide a safe, respectful and supportive learning environment in which all students can thrive and succeed.

Pembroke Public Schools prohibits discrimination, exclusion or harassment on the basis of race, color, sex, gender, gender identity, religion, national origin or sexual orientation or disability; and ensures that all students have equal rights of access and equal enjoyment of the opportunities, advantages, privileges and course of study.

Federal Civil Rights Laws and Regulations

Title VI: Title VI of the Civil Rights Act of 1964: Prohibits discrimination, exclusion from participation or denial of benefits based on race, color or national origin

Title II-Americans with Disabilities Act: Prohibits discrimination against those with disabilities regarding access to programs and facilities, a free appropriate public education for elementary and secondary students, and prohibits employment discrimination

Title IX: Title IX of the Educational Amendments: Prohibits discrimination and exclusion from participation and denial of benefits based on sex

Civil Rights Coordinators: Jessica DeLorenzo and Michael Murphy
Civil Rights Information and Title IX Grievance Procedures

Title IX Final Amendment

In the employment context, sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment under Title IX and Massachusetts law when such conduct is either explicitly or implicitly a term or condition of an individual's advancement, submission to or rejection of such conduct by an individual is used as a the basis for employment decisions, such conduct interferes with an individual's job duties or the conduct creates an intimidating, hostile or offensive work environment.

Unwelcome sexual conduct (verbal, written or physical), advances, requests for sexual favors, or other conduct of a sexual nature that occurs in school and creates an intimidating, hostile environment and/or denies a person equal access to one's education program or activity constitutes sexual harassment.

Complainants, or those that have actual knowledge, should immediately report incident (s) to the building principal who will contact Jessica DeLorenzo and/or Michael Murphy.

Section 504 of the Rehabilitation Act

Prohibits discrimination and/or exclusion from participation and denial of benefits based on disability

An individual with a disability under Section 504 is anyone with a mental or physical impairment that substantially limits one or more of these major life activities: self-care, walking, seeing, learning, breathing, speaking, working.

Reasonable accommodations must be made to provide access to programs and/or facilities when someone's disability substantially limits their life functioning. These accommodations are outlined in a 504 Plan, which is a legally binding document. 504 Plans must be implemented by teaching staff. Any refusal of implementation is considered a violation of a student's civil rights.

The district 504 Coordinator is Jessica DeLorenzo, Director of Student Services.

IDEA– Individuals w/Disabilities Education Act



This federal law ensures students with a disability are provided with a Free Appropriate Public Education that is tailored to a student’s individual needs.

This law governs special education and related services programming for children on an Individualized Education Program (IEP).

IEPs are legally binding documents and must be implemented accordingly.

The Director of Special Education (Director of Student Services) is Jessica DeLorenzo.

Anti-Bullying Law

This law prohibits bullying by students or staff at school and school facilities, school sponsored events and functions, on buses and at bus stops, through the use of technology or electronic devices licensed by the school, and at non-school-related locations and through personal technology devices if the bullying affects the school environment.

Bullying, the repeated use by one or more students or staff of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that:

- causes physical or emotional harm to the victim or damage to the victim's property
- places the victim in reasonable fear of harm to himself or of damage to his property
- creates a hostile environment at school for the victim
- infringes on the rights of the victim at school
- materially and substantially disrupts the education process or the orderly operation of a school.

Upon receipt of any report of bullying, the building principal or designee shall promptly conduct and investigation and follow the process outlined in the District's plan.

PPS Bullying Prevention and Intervention Plan

Prevention of Physical Restraint Regulations

Physical Restraint Regulations are in place to reduce the use of restraints in public schools due to risks associated with injuries and emotional toll that restraints have on children as well as on staff (prevention). The use of physical restraint shall be considered an “emergency procedure of last resort”

Emphasis on identifying and using behavior support alternatives and de-escalation strategies; Emphasis on the emergency circumstances surrounding the use of restraint.

Regulations prohibit the use of restraint in a student’s IEP or behavior plan; must have school wide behavior support plan and behavior support team that includes a plan for managing all students’ behavior including de-escalation strategies and positive behavior supports and physical restraint as a last resort.

Prevention of Physical Restraint Information

Prevention of Physical Restraint Regulations

Assures administration of physical restraint is only done by trained personnel. Building Based Behavioral Support Team will consist of staff that will have additional specific training (those allowed to implement physical restraint; training in Sept-PMT)

Assures use of minimum amount of force necessary in the safest manner possible

Assures a non-participating adult witness when possible

Assures a nurse is present to assess student

Any restraint requires documentation other than if it is brief in nature (10/15 seconds) or if providing physical guidance or prompting when teaching a skill or redirecting attention (such as shoulder tap).

Prevention of Physical Restraint Regulations

May not be used as punishment/discipline; in response to property destruction, disruption of school order, refusal to comply with rules/directions; or verbal threats unless harm standard is also met

Must consider student's health (asthma, seizures, cardiac condition, obesity, bronchitis, communication-related disability, risk of vomiting)

May not be used as a standard response to a student

Right to use reasonable force to protect oneself, a student, or others from assault or imminent, serious, physical harm

Right of law enforcement/school security/judicial authorities to exercise responsibilities such as detaining student alleged to have committed a crime or posing a security risk

Importance of Prevention

Prevention includes using positive steps taken before a behavioral crisis occurs.

- Interrupting

Interrupting is the first thing to do when trying to break a chain of behaviors, distracting the individual to another topic or something in the environment.

- Ignoring

Ignoring is used during the early stages of negative behavior in which the behavior is not visibly responded to, in order to avoid inadvertently reinforcing it. It does not mean that early danger signs are truly ignored and does not mean that dangerous behaviors are ever ignored.

- Redirecting

Redirecting is used to manage a potentially dangerous behavior by deflecting or redirecting the behavior, and then reinforcing a more appropriate behavior by rewarding the individual for displaying the more appropriate behavior, providing a break or using verbal prompting/reminders.

Time Outs

- Defines the difference, and use of, time-outs versus seclusion
- Time outs are clearly defined as a behavioral support strategy in which a student is temporarily separated from the learning activity or classroom, either by choice or by direction from staff, for the purpose of calming
- Staff must be with student at all times (no leaving student in hallway/conference room alone for purpose of calming)
- Space used must be clean, safe, sanitary and appropriate for calming
- Must terminate as soon as student has calmed
- Students may not be secluded. A student may not be left alone in a room/hallway until they calm down without a staff member present.

Reporting

- **Staff must verbally report physical restraint to principal**
- **Parents must receive a verbal report immediately and written report within 3 school days of restraint (email okay).**
- **Principals must review reports on a weekly basis and monthly review school wide restraint data.**
- **Reports regarding any injury must be sent to DESE within 3 school days of incident.**
- **Reports regarding any injury should be reported the school nurse and forms are filed by the nurse to central office**
- **Copy of Restraint form should be sent to the Director of Student Services**

FERPA and Records



The Family Educational Rights and Privacy Act-FERPA is a federal law that protects the privacy of students' educational records.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students." Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record.

Student records requests include access and/or copying and may be requested by guardians/parents and any eligible student. This includes access to cumulative information and special education records. This may also include access to emails pertaining to the student.

Public record requests include inspection and/or furnishing of any public records including books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency. This may also include the furnishing of emails.

Any requests for records should be directed to the building principal.

Safe and Supportive Schools

- **The responsibility for determining a student's gender identity rests with the student, or in the case of a young student not yet able to advocate for him/herself, with the parent**
- **A school should accept a student's assertion of his or her gender when there is consistent and uniform assertion of the gender-related identity, or any other evidence that the gender-related identity is sincerely held as part of a person's core identity**
- **Decisions regarding whether and how to undergo gender transition is personal and depends on the unique circumstances of each individual**
- **There is no threshold or health diagnosis required for a student to begin gender transition in school**
- **Best course of action is engage student in conversations (pronoun change; name change; school records-SIMS) and develop a plan**

Questions?



Additional information related to these topics is available:

- **Pembroke School Committee Policies**
- **Student Handbooks**
- **Student Services section of the website**
- **MA Department of Elementary and Secondary Education**
- **Office for Civil Rights**
- **U.S. Department of Education**