Mandated Civil Rights Training

HOLBROOK PUBLIC SCHOOLS

2025-2026

Purpose Of Training

This PowerPoint presentation is designed to provide the annual mandated Civil Rights training for all Holbrook Public Schools staff.



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

Learning Objectives

- Participants Will Gain an Understanding of:
- Confidentiality / FERPA
- Key Civil Rights Laws
- 504 Accommodation Plans
- Behavior Restraint Procedures
- McKinney Vento Act "Homelessness"
- Anti-Bullying Procedures
- Mandatory Reporting
- Internet Acceptable Use
- Special Education and Diverse Learners

MGL CMR 23.00 Confidentiality Of Student Records

FERPA Family Education Rights and Privacy Act of 1974

http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html

Parents have the right:

- To inspect their child's file within two weekdays of a request.
- To inspect their child's file prior to any meeting regarding an IEP.
- To obtain copies of their child's record at no charge.
- To request that the information in their child's file be changed if they believe it to be inaccurate or it violates the student's rights.

MGL CMR 23.00 Confidentiality of Student Records

- All student records maintained in the school must be private and secure.
- It is important that information contained in the student records is ***private and confidential.***

Discrimination

- In every Civil Rights Act!
  - Title I (ADA)
  - Title II (ADA)
  - Title VI (ADA)
  - Section 504 (Rehabilitation Act 1972)
  - Title IX

What Is Non-Discrimination?

- Holbrook Public Schools 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, race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness in accordance with applicable laws and regulations.

Federal Law: Title VI of the Civil Rights Act

- Protects against discrimination based on age, race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness.
- Applies to students, parents, and employees.
- Prohibits discrimination in student class assignments or ability tracking and protects English Language Learner (ELL) students.

Massachusetts General Law 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, color, sex, religion, national origin, 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 – (603 CMR 26:07)

- All public schools shall strive to prevent harassment or discrimination based upon students' race, color, sex, gender identity, religion, national origin or sexual orientation, and all public schools shall respond promptly to such discrimination or harassment when they have knowledge of its occurrence.
- The school committee and the superintendent shall provide in-service training for all school personnel at least annually regarding the prevention of discrimination and harassment based upon race, color, sex, gender identity, religion, national origin and sexual orientation, and the appropriate methods for responding to such discrimination and harassment in a school setting.
- The Superintendent shall promote and direct effective procedures for the full implementation of 603 CMR 26.00

Federal Law Mandates

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 responsible for coordinating compliance with these federal civil rights laws.

TITLE IX-Education Amendments of 1972 REGARDING Sexual Harassment

- Prohibits discrimination, exclusion from participation, and denial of benefits based on sex in educational programs and activities receiving federal financial assistance.
- Refer to the district sexual harassment policy for specifics regarding steps taken to investigate complaints.
- Refer all Title IX complaints to your building principal or the Director of Pupil Personnel Services.
- Visit this following link to view the policy:

http://www.holbrook.k12.ma.us/docs/district/districtpolicy

Major Changes to Title IX

- Expansion of definition of sexual assault and sex harassment.
- LBGTQ+ student have greater protections
- Pregnant and parenting students have greater protections
- Expanded geographical scope – harassment that occurs outside of school
- Changes in investigative processes
- Inclusion of sexual orientation, gender identify and pregnancy/lactation protections
- Allows a return to single investigator model
- Sex based harassment is a form of sex discrimination and includes sex harassment (conduct of a sexual nature) and other forms of harassment not necessarily "sexual" but based on a person's sex such as pregnancy harassment, gender identity or sex-based stereotypes.

Title IX
Types of discrimination covered

- Sexual harassment
- The failure to provide equal opportunities in athletics
- Discrimination based on pregnancy.
- The Title IX regulation is enforced by OCR and is in the code of federal regulations at 24 CFR Part 106

Harassment

- Any unwelcome verbal, written or physical contact in a school or school-related activity relating to a student's race, color, religion, ethnicity, national origin, ancestry, gender, sexual orientation, transgender or disability that is sufficiently severe, persistent, or pervasive to create a hostile, humiliating, intimidating or offensive educational environment.
- Conduct, if it persists, that will likely create such a hostile, humiliating, intimidating or offensive educational or work environment.
- A single incident, depending on its severity, may create a hostile environment.
- A victim may also be someone reasonably affected by conduct directed toward another individual.

Sexual Harassment

- Creates a hostile environment due to inappropriate speech, materials or actions.
- 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.
- Interferes with school or work performance and creates and intimidating or offensive environment.

Reporting Incidences of Harassment

- Any employee or student who believes he/she has been the victim of harassment or discrimination should report it to the school principal, teacher or directly to Rob Compton, Director of Special Education and Pupil Personnel Services, at 781-767-1226.

Federal Law: Title VI (1964)
Race and National Origin Discrimination

- 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 Students (ELL).
- School principals and the Director of Special Education and Pupil Personnel Services respond to inquiries regarding non-discrimination policies.

Age Discrimination Act of 1975

- Prohibits discrimination based on age in programs or activities that receive financial assistance.

Nondiscrimination on the Basis of Gender Identity

- In November 2011, the Massachusetts legislature enacted a law, *An Act Relative to Gender Identity*, that was signed by the Governor and went into effect on July 1, 2012. This law prohibits discrimination in several key areas and defines gender identity as "*a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth*."
- 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, gender identity, religion, natural origin or sexual orientation.
- The law requires schools to establish policies and procedures, provide training, and implement and monitor practices to ensure that obstacles to equal access to school programs are removed for all students, including transgender and gender nonconforming students.

Nondiscrimination on the Basis of Gender Identity

- "Gender identity" shall mean a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, 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; provided, however, that gender-related identity shall not be asserted for any improper purpose.
- The responsibility for determining a student's gender rests with the student or, in the case of young students not yet able to advocate for themselves, with the parent.
- Please follow the following link to view the Guidance for Massachusetts Public Schools for Creating a Safe and Supportive School Environment.
- http://www.doe.mass.edu/sfs/lgbtq/GenderIdentity.html

An Act Relative to Bullying in Schools
Chapter 92 of the Acts of 2010

- On May 3, 2010, governor Patrick signed Chapter 92 of the Acts of 2010 into law which addresses bullying in public and non-public schools.
- The law requires all school systems to create and implement a Bullying Prevention and Intervention Plan.
- In 2013 and again in 2014, the anti-bullying law was amended by the state legislature. It updated definitions and imposed additional reporting and notification requirements for school districts.

Holbrook Public Schools Anti-Bullying Policy

- The Holbrook Public Schools is committed to creating a safe, caring, respectful learning environment for all students. We will treat all members of our community with civility and respect in an inclusive environment. Our schools strictly enforce a prohibition against bullying of any students and staff.
- The Holbrook Public Schools recognizes that students may be more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, sexual orientation, mental, physical development or sensory disability or by associations with other people who have one or more of these characteristics. We will provide support to students whose vulnerability is brought to the attention of a teacher, guidance counselor, or administrator through observation or direct report of a student, staff member or parent/guardian. This support may be in the form of counseling, education to support both the student's ability to report bullying and his/her skills, knowledge and strategies to respond to bullying or harassment.

Definitions From An Act Relative To Bullying In Schools

- **Bullying**: the repeated use by one or more students **or by a staff member** 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 of damage to his 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 educational process or the orderly operation of a school.

Definitions From An Act Relative To Bullying In Schools

- **Cyberbullying:** bullying through the use of technology or electronic communication which shall include, but not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

- In addition, it includes the creation of web page or blog in which the creator assumes the identity of another person or the knowing impersonation of another as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying shall also include 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 these conditions enumerated in the definition of bullying.

Bullying Is Prohibited

- On school grounds
- On property immediately adjacent to school grounds
- At school sponsored or school related activities, functions or programs whether on or off school grounds
- At school bus stops
- On school buses or other vehicles owned, leased or used by the school district
- Or through the use of technology or an electronic device owned, leased or used by the school district.

The Bullying Prevention & Intervention Plan

Requires ongoing professional development relative to:

- Developmentally appropriate strategies to prevent bullying and for immediate, effective interventions to stop bullying incidents;
- Information on the complex interactions and power differential that can take place between and among aggressor, target, and witnesses to bullying;
- Information on research findings on bullying and specific categories of students who have been shown to be at particular risk for bullying in the school environment and how to support those students;
- Information on the incidence and nature of cyberbullying; Internet Safety Issues as the relate to cyberbullying; and
- Information on how to provide all students with skills, knowledge and strategies to prevent or respond to bullying.

The Bullying Prevention & Intervention Plan

- Requires annual training for all school staff on the plan including:
- Staff intervention, investigation, procedure, notification and reporting duties upon receipt of an allegation or knowledge of bullying or retaliation;
- An overview of the bullying prevention curricula to be offered at all grades throughout the district.

Written notice of the Bullying Plan is located on the Holbrook District webpage in District Policy Manual- Section J

Reporting

- All staff members are required to report any bullying or harassment they see or learn about. The district will promptly and reasonably investigate all allegations of harassment including bullying. The principal of each building will be responsible for handling all complaints alleging harassment or bullying. Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying is prohibited.
- Reporting to other agencies: In certain cases, bullying of a student may constitute child abuse under Massachusetts law. The Holbrook Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse.
- Please refer to the Holbrook Public Schools Anti-Bullying Policy Reporting Procedures

Federal Law: Title II American with Disabilities Act (ADA)

A disability is defined as:

- A person who has a physical or mental impairment that substantially limits one or more major life activities, or:
- Has a record of such impairment; or
- Is regarded as having such impairment.
- Private employers, state and local governments, and labor unions from discriminating against students and qualified individuals with disabilities.

For more information go to:

- https://www.eeoc.gov/laws/types/disability.cfm
- https://www.ada.gov/

Federal Law: Title II (ADA) American with Disabilities Act

- Prohibits discrimination against: access to programs and facilities; a free and appropriate education for elementary and secondary students; employment discrimination.

- Applies to special education services, evaluations, Individual Education Plans (IEPs), and student discipline.

- When an IEP exists for a student, it is the responsibility of all educators who work with that student to provide accommodations and/or modifications. **This is a legal requirement.**

The Rehabilitation Act of 1973 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.

For Students:

- For benefits or services provided to be "equally effective," they must afford students with disabilities an equal opportunity to obtains the same results, gain the same benefit, or reach the same level of achievement as other students.

For Employees:

- A reasonable accommodation is one that would allow the person to perform the "essential functions" of their position with the accommodation.

Federal Law: Section 504

- The Section 504 regulations require a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability.
- Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met.
- When a 504 Accommodation Plan exists for a student, it is the responsibility of all educators who work with that student to provide the accommodations –**this is a legal requirement.**
- Recent case law indicates that educators who do not provide accommodations listed in 504 plans may be personally liable for failing to do so.
- No discrimination against a person with a disability will be permitted.
- Questions about eligibility and enforcement should be directed to the building 504 coordinators or Director of Pupil Personnel Services.

603 CMR 46.00 Prevention Of Physical Restraints And Requirements If Used

- 603 CMR 46.00 – Regulations developed in April 2001 pursuant to M.G. L. c. 69 1B and c. 71 37G.
- Governs the use of physical restraint on students in publicly funded elementary and secondary education programs, including all Massachusetts public school districts, charter schools, collaborative education programs and special education schools
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- The purpose of 603 CMR 46.00 is to ensure that every student participating in a Massachusetts public education program is free from the unreasonable use of physical restraint.
- Regulations updated and implemented in January 2016.
- Regulations apply to all public education programs including school events and school sponsored activities.
- Intent – to provide appropriate responses to potentially dangerous circumstances and to eliminate or minimize negative consequences.

Student Physical Restraint

- Only school personnel who have received in-depth training shall administer physical restraint.
- Administration of physical restraint should always be witnessed by at least one person.
- The regulations do not prevent a teacher, employee, or agent of the District from using reasonable force to protect students, other persons, or themselves from assault or imminent serious harm or from restraining students as otherwise provided in the regulations.

Physical Restraint: Proper Administration

Administration of restraint shall discontinue as soon as possible:

--Use of physical restraint *must* be reported by staff:

- If restraint lasts more than 5 minutes

  and/or

- When there is an injury to student or staff.
- **Following any restraint, a report must be made by staff:**

  Verbally to principal immediately/within 24 hours:

  Written report no later than three working school days.
- Parents must be provided an opportunity to comment.
- The Principal must maintain a record of all instances of physical restraint which shall be made available to DESE upon request and reported annually.

Reporting Requirements For Extended Restraints

- An extended restraint is one that lasts longer than 20 minutes.



- When injury or extended restraint:
  - Report to DESE within 5 school days
  - (DESE provides forms to use—see principal)
  - Copy of the record of all restraints administered within the

    30 day period prior to reported restraint is sent to DESE.

Overview of Physical Restraint

- All school staff should read and be familiar with physical restraint regulations, which can be viewed at

http://www.doe.mass.edu/lawsregs/603cmr46.html?section=01

- These regulations apply to all public education programs including school events and school sponsored activities

- Lack of knowledge of the law will not protect you or your students from the consequences of inappropriate actions

Mandated Reporting
MGL Chapter 119, Section 51A

- Mandated reporters include public and private school teachers and administrators, guidance counselors, attendance officers, psychologists, nurses and other medical practitioners, social workers, day care workers, foster parents, police and court officers, firefighters and others.
- DCF defines *abuse* to mean the non-accidental commission of any act by a caretaker upon a child that causes, or creates a substantial risk of, physical or emotional injury, or an act by a caretaker involving a child that constitutes a sexual offense under the laws of the Commonwealth or any sexual contact between a caretaker and a child under the care of that individual.
- *Neglect* is the failure by a caretaker either deliberately, through negligence or inability, to take actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or the existence of a handicapping condition.
- Reasonable cause to believe means known or suspected instances of child abuse or neglect. A *suspicion of child abuse* is sufficient to trigger the requirements of §51A.
- **Child:** A child is a person under the age of 18.
- School personnel are mandated reporters.

Please consult with school principals for assistance if abuse or neglect is suspected.

Mandated Reporting

- For students 18- 22 the report would go through Disabled Persons Protection Commission
- It is important that educators understand their obligation under 51A and the penalties for failure to comply. Please refer to the law in its entirety for complete information.
- http://www.doe.mass.edu/educators/51A.html

MCKINNEY-VENTO HOMELESS EDUCATION ASSISTANCE ACT

Every Child Without A Permanent Home Has A Right To An Education

Students who live in shelters, motels, vehicles, campgrounds, on the streets, in abandoned buildings, trailers, or other inadequate accommodations; or with friends or relatives because they cannot find or afford housing, have certain rights and protections under the McKinney-Vento Homeless Education Assistance Act.

Legal definition of homelessness:

- Lacks a regular, fixed, and adequate nighttime residence
- Is sharing housing due to economic struggles
- Is living in a shelter, hotel or motel
- Is living in a public place not designated for sleeping (cars, parks)
- Is an unaccompanied youth
- Is a child or youth awaiting foster care placement.
- Is a child or youth abandoned in a hospital
- Is a migrant child who qualified under any of the above

MCKINNEY-VENTO HOMELESS EDUCATION ASSISTANCE ACT

Homeless children have the right to:

- Access the same free and appropriate public education, including a public preschool education, as provided to all other children
- Remain in the school he/she attended before becoming homeless
- Receive transportation to the school he/she attended before becoming homeless or the school he/she last attended if you or a guardian requests such transportation
- Enroll in school without giving a permanent address. Schools 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
- Enroll and attend classes in the school of your choice even while the school and you seek to resolve disputes over enrolling your child
- Receive the same special programs and services, if needed, as provided to all other children
- For additional information, please contact

The Department of Education State Coordinator
(781) 338-6294

The Massachusetts Coalition for the Homeless
(866) 205-1700 x100 Toll Free
mahomeless.org

Responsibilities

- If you suspect that a student is homeless, notify the principal, counselor or school nurse so that the appropriate referral can be initiated

- The Homeless Education Liaison for Holbrook Public Schools is Rob Compton(781) 767-1226 ext. 21531 rcompton@holbrook.k12.ma.us

Complaints Procedure

Any student, employee, parent, or guardian who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any district program or activity on the basis of age, race, color, sex, religion, national origin, sexual orientation, or disability in violation of this policy may file a written grievance with the

Director of Special Education and Pupil Personnel Services
Rob Compton
245 South Franklin Street
Holbrook, Ma
781-767-1226

District Coordinators

Section 504/ADA District Coordinator	**Rob Compton**
Homeless Student Coordinator	Director of Special Education and Pupil Personnel Services
Title VI District Coordinator	781-767-1226
Civil Rights Coordinator	
Title IX Coordinator	**Rob Compton**
	Director of Special Education and Pupil Personnel Services

Building 504 Coordinators:

John F. Kennedy Casey McMahon and Alicia Roundtree School Adjustment Counselor

Holbrook Middle-High School Marybeth Moriarty and Karin McDonough Guidance Counselors

Internet Acceptable Use Policy

- Users are subject to all state and federal laws related to the use of Internet and computer systems
- Users will not attempt to gain unauthorized access to the district computing systems through the network or any other method.
- Users will not attempt to log on to another person's account.
- Users will not transmit viruses.
- Users will not deface or intentionally destroy computers.
- Users will not engage in cyberbullying or issuing threats via the internet or school computers.

When General Education is Responsive

- All students will get the education they need
- All students will get the support they need
- All teachers will understand how to work effectively with their students
- Appropriate referrals to Special Education will be made
- Students with Disabilities will get the support they need within the context of general education

Differentiated Instruction

- The practice of delivering content in a variety of ways and through multiple modalities so that students can access the curriculum in a way that matches their unique learning styles.

- Some examples are auditory, visual, and kinesthetic presentation done individually or in cooperative learning groups

Diverse Learners

- Collaboration and communication are critical components in educating all students
- Accommodations can be made in any setting to meet the needs of diverse learners
- Meeting the needs of Diverse Learners include:
  - School Counseling Services
  - Title I Services
  - Reading and Math Specialists
  - English Language Development (EL)
  - McKinney-Vento Homeless Act
  - Section 504
  - Special Education

Child Study Team(CST) Student Support Team (SST) Tiered Instruction

- Referrals to the CST/SST should be made when the student is experiencing difficulties in school, including academic, behavioral, and/or social functioning (i.e. lack of progress, attendance problems, etc.).
- •The make up of the CST/SST varies across schools but generally includes the general educator, school counselor or psychologist, the parent(s), and appropriate specialists.
- •The CST/SST develops an intervention plan to address the specific difficulties of the student, and monitors the effectiveness of this plan by reconvening to review data used for decision making.
- •The CST/SST is an intervention process that is part of general education.
- •Any staff member can make a referral to the CST/SST.

The Assessment Process

The student must be assessed in all the areas related to the suspected disability, including but not limited to:

- •Academic
- •Psychological
- •Communication
- •Motor Skills
- •Sensory
- •Health/Physical

- **Disability Categories**:
- •Autism
- •Developmental Delay
- •Intellectual
- •Sensory: Vision/Hearing
- •Neurological
- •Emotional
- •Communication
- •Physical
- •Health
- •Specific Learning

What is Special Education?

- Specially designed instruction that meets the unique needs of a student with a disability, i.e. modification of the content, methodology, and/or performance criteria.

and/or

- The related services, i.e. speech/language, OT, PT, counseling necessary to access and make progress in the general curriculum.

INCLUSION

- The practice of providing services to students with disabilities in the least restrictive setting to ensure the student has equal access to the general education curriculum.
- IDEA 2004 re-affirms the mandate to educate students with disabilities in the Least Restrictive Environment.

When is a Student Eligible for Special Education?

A student is eligible when **all three** of the following are true:

- The student has one or more educational disabilities.

AND

- The student is **NOT** making effective progress in school as a **direct result** of the disability(ies).

AND

- The student requires special education or related services in order to make effective progress

Civil Rights Training Procedures

- Thank you for reviewing the information regarding the legal obligations regarding civil rights and the protection of students.

- Should you have any questions about the material please reference the Civil Rights Handbook or contact Rob Compton, Director of Special Education and Pupil Personnel Services

- Please print and sign the following page.

Holbrook Public Schools
Confirmation of Review of Civil Rights Training and Related Documents

Please print the following form, sign it and return to The YELLOW FOLDER LABELED CIVIL RIGHTS in your main office by Friday, September 6th or 10 days after hire.

1) I have viewed and understand the Civil Rights Training Information.

1) I have viewed and understand the Federal Law: Section 504, Title II and Title VI information.

3) I have viewed and understand Federal Law: Title IX, Sexual Harassment.

4) I have viewed and understand the information on Bullying and Harassment.

5) I have viewed and understand the Physical Restraint Training Information.

6) Mandatory Reporting

6) I have viewed and understand which staff to contact regarding Section 504, ADA, Homeless Students, Title VI and Title IX, and Civil Rights.

_____ _____

Signature Print name

_____

Date