



**Annual State and Federal Mandated Training
North Attleborough Public School District**

Civil Rights

Sexual Harassment, Bullying and Hazing Policy

Physical Restraint

Universal Precautions

Student Confidentiality

Section 504 & Individuals with Disabilities Education Act (IDEA)

Title II – Americans with Disabilities Act(ADA)

Family Educational Rights & Privacy Act (FERPA)

Title IX



Purpose of Training

- Having informed employees helps foster a healthy work and learning environment.
- This PowerPoint presentation is designed to provide annually mandated State and Federal training for all staff.
- Please make sure to take your time reading each and every slide to completion.



Civil Rights Training

- Non-Discrimination:
- The North Attleborough Public School District is committed to ensuring that all programs and facilities are accessible to everyone.
- *The North Attleborough Public School System does not discriminate on the basis of race, color, religion or religious creed, ancestry, national or ethnic origin, age, gender, gender-identity, sexual orientation, military or veteran status, disability, genetic information, or any other characteristic protected under applicable federal, state or local law in admission to, access to, employment in, or treatment in its programs and activities.*



School Responsibility

- **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, color, sex, religion, national origin or sexual orientation.



Federal Law Mandates

- **Federal Civil Rights Laws Require Schools to:**
 - Remedy discrimination and/or harassment
 - Regularly notify students, parents and employees that the District schools do not discriminate on the basis of race, color, religion or religious creed, ancestry, national or ethnic origin, age, gender, gender-identity, sexual orientation, military or veteran status, disability, genetic information, or any other characteristic protected under applicable federal, state or local law in admission to, access to, employment in, or treatment in its programs and activities.
 - Implement and disseminate prompt and equitable complaint procedures for handling allegations of discrimination and/or harassment.
 - Designate an employee responsible for coordinating compliance with these Federal Civil Rights Laws.



Student Confidentiality

The Family Educational Rights to Privacy Act (**FERPA**) guarantees our students' rights to privacy. No matters regarding any individual student in this school district may be legally discussed with anyone who does not have the legal right to know of the student's educational performance, behavior, handicapping condition, etc.

Your respect for student privacy is appreciated!!

Family Educational Rights to Privacy Act,
1974 20 U.S.C.A. Section 1232G



Student Confidentiality

- Personally Identifiable Information
- The term includes, but is not limited to:
 - The student's name
 - The name of the student's parents or other family members
 - The address of the student or student's family
 - A personal identifier, such as the student's Social Security number, student number, or biometric record
 - Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
 - Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty;



Student Confidentiality

- Some Important Issues about Electronic Information & email
 - Generally, electronic records that directly relate to a student and are officially maintained are considered to be educational records.
 - Do not assume there is no disclosure of a student name if an identification number is used or an abbreviation, such as student initials are used. A student number or student initials can be considered as a personal identifier.
 - Information that is not an educational record may still be subject to being produced through a subpoena.
 - IDEA – Individuals with Disabilities Education Act requires that student’s confidentiality be protected at “collection, storage, disclosure and destruction stages.”



Student Confidentiality

Some Practical Issues Regarding Electronic Records

- Check the status of computer policies within a school district as electronic records generally are not exempt from review by the employer.
- Be careful about the content of email. Assume that all emails may be published in the newspaper or may be reviewable by parents.
- Be professional in all communications.
- Limit the use of email in order to minimize time, expense and exposure of having to produce copies of the communications if determined to be educational records. A phone call can help limit this.
- Always assume that an email will be viewed by the individual or the parent of the individual who is the subject of the email. View the content of the email from the perspective that it may be disclosed.



Federal Law: Section 504

- Protected Under IDEA
- 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 to programs and facilities.



Federal Law: Section 504

- Discrimination against a person with a disability is not permitted in the North Attleborough Public School District.
- Questions about eligibility and/or enforcement should be directed to your Building Principal or the Assistant Superintendent of Schools.



Federal Law: Title II(Americans with DisabilitiesAct) ADA

- 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 IEPs and to student disciplinary measures



Federal Law: Title VI

- Protects against discrimination based on race, color and national origin.
- Applies to students, parents and employees.
- Prohibits discrimination in student class assignments or ability tracking and protects English Language Learner (ELL) students and English as a Second Language (ESL) students.
- The Assistant Superintendent, Title VI (Civil Rights) Coordinator, handles inquiries regarding Non-Discrimination Policies.



Federal Law: Title IX

- Prohibits discrimination and/or exclusion from participation and denial of benefits based on sex.
- Refer to the District's Discrimination/Harassment Policy for specifics regarding steps taken to investigate and remediate.
- Refer all discrimination and/or harassment issues to Cory Cox, Assistant Principal, North Attleborough Middle School or Catherine Calicchia, Director of Human Resources.



Sexual Harassment, Bullying and Hazing Policy

- A digital copy of the District's updated policy is on the web-site in the same section as this presentation.
- The Town of North Attleborough School Department expects that each and every employee will respect the rights of his/her co-workers in a comfortable and harassment-free, hazing-free, environment and reflect the CORE Values of the North Attleborough School District.
- All public schools shall strive to prevent harassment or discrimination and all public schools shall respond promptly to such discrimination and/or harassment, and/or hazing, when they have knowledge of its occurrence.



Agencies to Contact if Needed

- Massachusetts Commission Against Discrimination (MCAD)

484 Main Street Worcester, MA 01608
(508) 453-9630

<http://www.mass.gov/mcad/>

- U.S. Equal Employment Opportunity Commission

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800)669-6820

<http://www.eeoc.gov/>



Cyber-Bullying

- Cyber-bullying or online bullying is a term used to refer to bullying and harassment by use of electronic devices through means of email, instant messaging, text messages, blogs, mobile phones, online games, etc.
- Other terms for cyber-bullying and electronic bullying are electronic harassment, e-bullying, SMS bullying, mobile bullying, online bullying, digital bullying or Internet bullying.
- Cyber-bullying is willful and involves recurring harm inflicted through the medium of electronics.



Reporting Requirements

- Any employee or student who believes he/she has been the victim of discrimination and/or harassment should report it to your building Principal or the Assistant Superintendent of Schools.
- Any employee who becomes aware of an incident of discrimination or harassment must promptly report the incident to his/her building Principal or the Assistant Superintendent of Schools.
- Active investigations will result from the report, as applicable, and may result in sanctions up to suspension or dismissal.
- If the conduct violates the law, the appropriate authorities will be notified.



Responsibilities of School Personnel

- Know your District's Discrimination/Harassment & Hazing Policy
- Promote a socially inclusive school environment for all.
- Actively ensure school safety & report/respond to all violations
- Who is responsible? Everyone!!



Responsibilities of School Personnel

- Any school employee that has reliable information that would lead a reasonable person to suspect that a person is an instigator/participant or a target of harassment, hazing, bullying, or intimidation shall immediately report it to the administration.
- In all instances of harassment, bullying, and/or hazing reported to a staff member other than an administrator, the staff member must inform the Assistant Principal, the Building Principal or the Assistant Superintendent.

General Overview of Physical Restraint Requirements for Public Education Programs

**Prepared by the Massachusetts Department of
Education for use by Public Education Programs in
Annual Staff Training.**

Caution

- This presentation provides an overview of the regulatory requirements for the use of physical restraint, but does not iterate all of the detail in the regulations.
- All school staff should read and be familiar with the regulations.
- Viewing this presentation does not substitute for a careful reading of the full regulatory requirements.

Training is IMPORTANT Because

- A safe school environment is better able to promote effective teaching and learning.
- Preparing appropriate responses to potentially dangerous circumstances helps to eliminate or minimize negative consequences.



Read the Regulations

- 603 CMR 46.00 -- 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.

Key Aspect: Training and Awareness

Regulation
46.03(1 & 2)

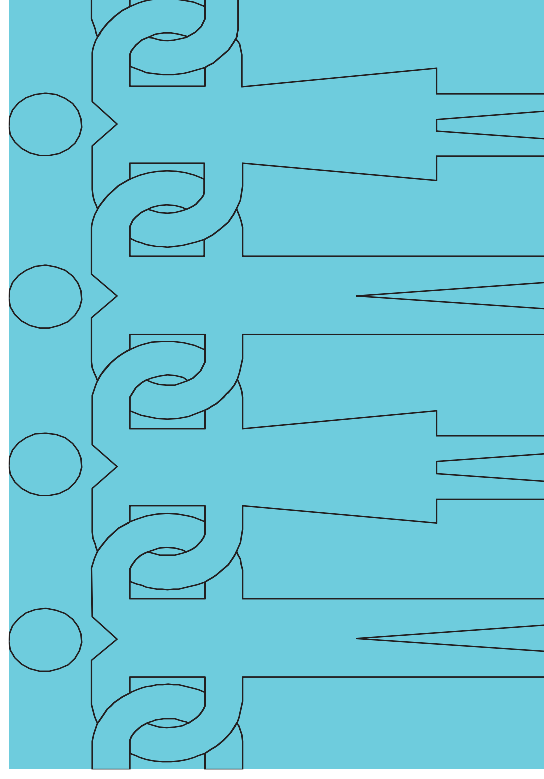
- Annually, For ALL staff - Review:
 - School restraint policy
 - Methods of prevention of need for physical restraint
 - Types of restraint and related safety considerations
 - Administering restraint in accordance with student's needs/ limitations
- Required reporting & documentation
- Identification of selected staff to serve as information resource to school



For Selected Staff: In-Depth Training - Contents

Regulation
46.03(4)

- Prevention techniques
- Identifying dangerous behaviors
- Experience in restraining and being restrained
- Demonstration of learned skills
- Recommended 16 hours



Knowing the terminology:

Physical restraint :

"The use of bodily force to limit a student's freedom of movement."

Not physical restraint:

"Touching or holding a student without the use of force" --- includes physical escort, touching to provide instructional assistance, and other forms of physical contact that do not include the use of force.

Regulation
46.02(3)

Other terminology:

Regulation
46.02(5)

- chemical restraint - do not use without physician's order and parental consent.
- mechanical restraint - do not use without physician's order and parental consent.
- seclusion restraint - "physically confining a student alone in a room or limited space without access to school staff." Don't do it.
- time-out - staff remains accessible.

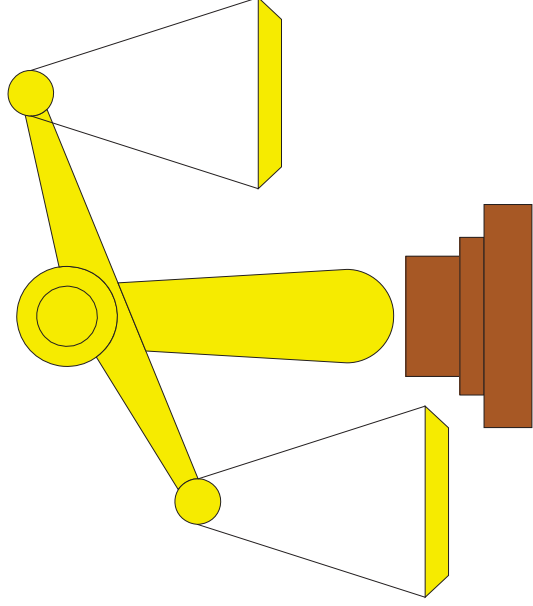
Extended Restraint

Regulation
46.02(1)

- Longer than 20 minutes.
- Increases the risk of injury.
- Requires additional written documentation and report to the Department of Education.



Is restraint good or bad?



- It depends on how it is used.
- The definition of physical restraint does not identify negative or positive motives nor does it recognize negative or positive consequences.

When may physical restraint be necessary?

Regulation
46.04(1 & 2)

- When other, non-physical, interventions have been tried and failed or are judged to be inadequate to the circumstances.

AND

- a student's behavior poses a threat of **IMMINENT, SERIOUS, PHYSICAL HARM** to self and/or others



Do not use physical restraint



Regulation 46.04(3)

- When non-physical interventions could be used.
- As a means of punishment.
- As a response to property destruction, school disruption, refusal to comply, or verbal threats.
- Regulation 46.05

Proper Administration of Physical Restrain

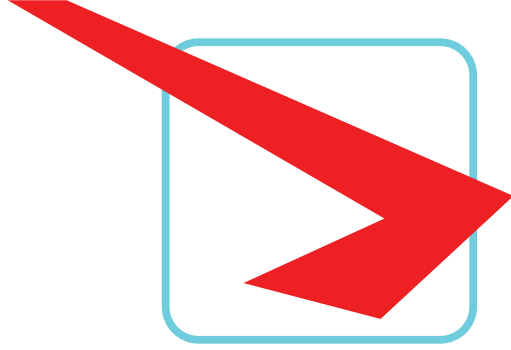
Regulation 46.05

- Remember training considerations.
- Have an adult witness if possible.
- Use only the amount of force necessary to protect the student or others.
- Use the safest method. Do not use floor or prone restraints unless you have received in-depth training.
- Discontinue restraint ASAP.

Regulation
46.05(5)

Safety Requirements

- Make sure student is able to breathe and speak.
- Monitor physical well-being, monitor respiration.
- If student experiences physical distress -- release restraint and seek medical assistance immediately.
- Know students' medical and psychological limitations and behavior intervention plans.



Regulations do not prohibit or limit:

- The right to report a crime.
- Law enforcement, judicial authorities, or school security personnel from completing their responsibilities.
- Mandated reporting of neglect or abuse.
- The use of reasonable force to protect oneself, a student, or others.

Regulation 46.04(4)

Follow-Up Procedure: Prevention/ Learning from the Experience

- Following every restraint action taken, the circumstances should be discussed with the student, and with others, as appropriate.
- Ask: “How can we avoid this happening again?”

Regulation
46.05(5)(d)



Key Reporting Requirements

Regulation Section 46.06

- When to Report: Report only restraints over 5 minutes or in any case of an injury (to student or staff).
- Notify School Administration: Notify school administration as soon as possible, & provide written report by the next school working day.
- Notify Parents: The principal or director of the program notifies the parent, verbally as soon as possible, and by written report within 3 school working days.

Content of Written Report

Regulation4
6.06(4)

- Who participated in the restraint? Observers? Who was informed and when?
- When did the restraint occur? (date/time)
- What was happening before, during, and after the restraint? Describe alternative efforts attempted and the outcomes of those efforts. What behavior prompted the restraint? Describe the restraint.
- Documentation of any injury to students or staff.
- Has the school taken, or will it take, any further actions, including disciplinary consequences?

Key Data Keeping Aspect: Ongoing Log

Regulation
46.06(2)

- School district maintains a log of all reported instances of physical restraint in the school.
- Use the log for review of incidences and consideration of school safety policies and procedures.



Reporting to the Department of Education

- Extended restraints (restraints over 20 minutes).
- Any time there is a serious injury.
- Send report within 5 school working days of restraint. Include log for 30 day period prior to restraint.
- Department may determine additional required action.

Regulation
46.06(5)

Special Circumstances

Regulation
Section 46.07

For students with disabilities (w/ IEPs or 504 plans), physical restraint can be used for different reasons (other than danger) if reasons are detailed and part of the IEP or 504 Plan. Certain limits and requirements will still apply.

Parents may agree to a waiver of reporting requirements in individual circumstances (not for serious injury and not for extended restraints), but

- School cannot require parental consent to waiver
- School must detail alternate reporting mechanism.



Universal Precautions

Prevention of blood borne diseases transmission for school staff or staff not directly responsible for providing care or cleaning up blood



BLOODBORNE: DEFINITION

- Bloodborne diseases:
- potentially transmitted when an infected person's body fluids somehow get inside another person's body
- not transmitted through casual contact - won't get them by shaking an infected person's hand or by using the same bathroom or kitchen facilities



BLOODBORNE DISEASES: EXAMPLES

- Hepatitis B
 - Hep B: inflammation of the liver caused by the Hepatitis B virus
 - Disease is not always evident - can go misdiagnosed or undiagnosed - may have flu-like symptoms
 - Preventive vaccine available





Additional Bloodborne Disease

- Hepatitis C
 - Currently, most common type of viral hepatitis in the United States
 - Leading cause for need for liver transplants in the U.S.
 - No cure. No vaccine available
- HIV INFECTION
 - HIV (Human immunodeficiency virus) or AIDS virus may lead to disease AIDS
 - HIV attacks the immune system - a person becomes unable to fight off other infections
 - No vaccine available, treatment is available



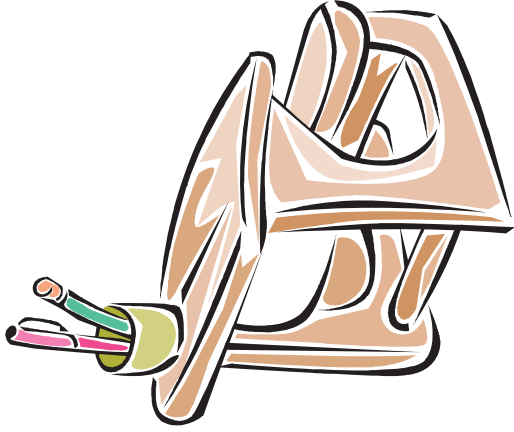
BODY FLUIDS THAT POTENTIALLY TRANSMIT THESE DISEASES

- Blood
- Semen
- Vaginal secretions
- Breast milk
- Fluids that surround our internal organs
- Body fluids or substances that, only if contaminated with **blood**, would be considered potentially infectious



SURVIVAL OUTSIDE THE BODY

- These diseases may be transmitted indirectly
- This can happen when you touch an object or surface contaminated with blood or infectious materials and transfer them to your mouth, eyes, nose or opening in your skin.
- Hepatitis B virus may be able to survive even in dried blood on environmental surfaces
- HIV begins to die off almost immediately once it is outside of the body (exposed to air)
- Hepatitis C virus - limited information exists





MODES OF TRANSMISSION (OCCUPATIONAL)

- What are ways you can be exposed at work?
- For workers, there are generally three ways that transmission can occur:
 - opening in the skin
 - through the mucous membranes (eyes, nose, mouth)
 - needlestick





MODES OF TRANSMISSION (CONT'D)

- **The skin, if intact, is a good barrier**
- But, if infected body fluids get into **broken skin**, there is a slight possibility of transmission
- If infected body fluids get in the eyes, mouth, or nose, there's a slight possibility of transmission
- **Sharps injuries** (for ex., needlesticks) are the riskiest. Other sharps include broken glass, knives, orthodontic wires)
- There is evidence that Hep. B (not Hep. C nor AIDS) can be transmitted through a bite



UNIVERSAL PRECAUTIONS / BODY SUBSTANCE ISOLATION



- To protect yourself & your families, consider all persons to be potentially infectious & take precaution.
- Body substance isolation is when all body fluids or substances are considered potentially infectious.



PERSONAL PROTECTIVE EQUIPMENT (PPE)

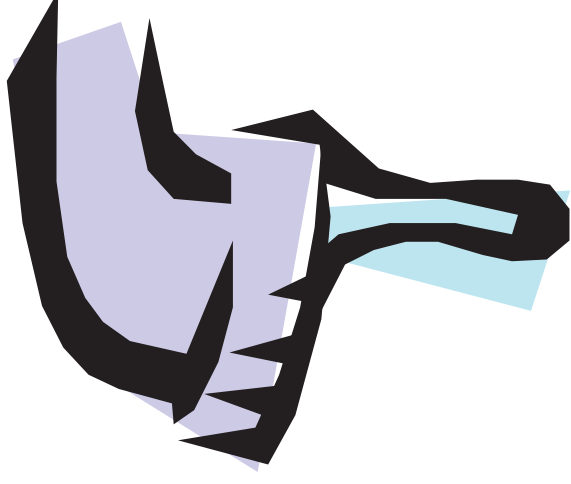
- Gloves prevent skin contact with blood or other body fluids. Available in different sizes, readily available
- Due to potential latex allergies all gloves are non-latex
- Gloves are removed inside out: don't touch outside of gloves with bare hands
- Wash hands after removing gloves
- They should be kept in a universal location- for example, in the upper right hand drawer of the teacher's desk





PERSONAL HYGIENE

- Wash hands with soap (liquid, if possible) and running water. Do for at least 20 seconds.
- Use waterless hand cleanser if soap and running water not immediately available. Then, wash with soap and running water as soon as possible.





TIPS TO CONSIDER

- To avoid exposures, protect yourself first
- Cover any open cuts with band aids
- Always have gloves on hand: e.g., on field trips or at sports events or on the playground





TIPS TO CONSIDER (CONT'D)

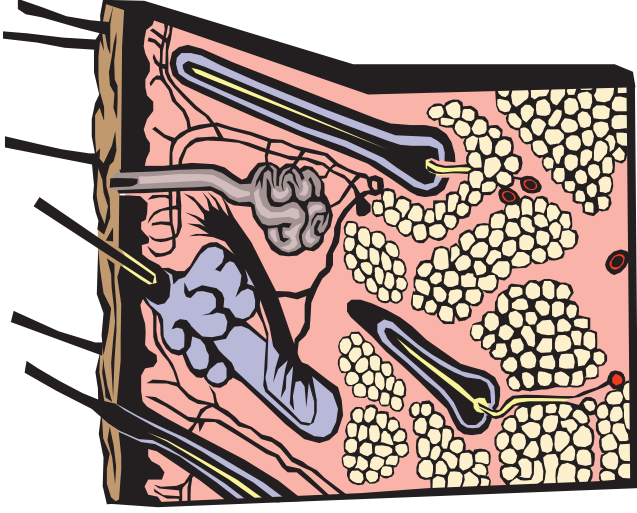
- The student or employee, if possible, should hold pressure on a wound and wash wound himself.
- Have the individual pinch her own nose if she has a nose bleed
- Remind the individual to wash his or her hands





IF AN EXPOSURE OCCURS...

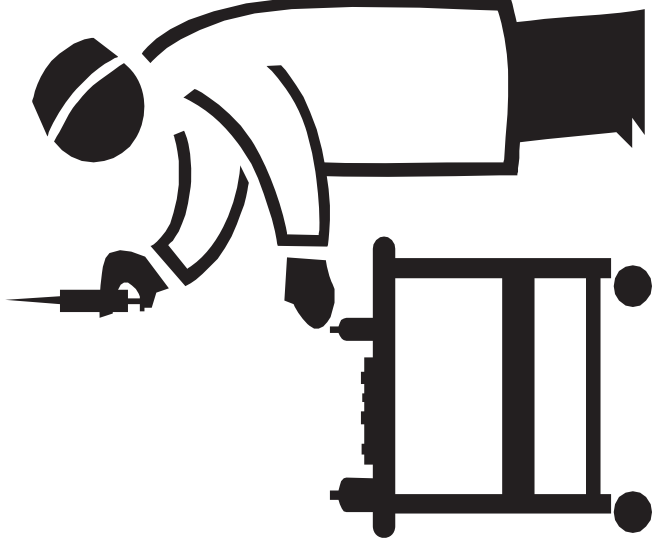
- If body fluids, particularly blood, get into an opening in the skin, wash the area with soap and running water
- If body fluids, particularly blood, get into the eyes, flush with water or a saline solution
- Report the incident to the school nurse





POST-EXPOSURE FOLLOW-UP

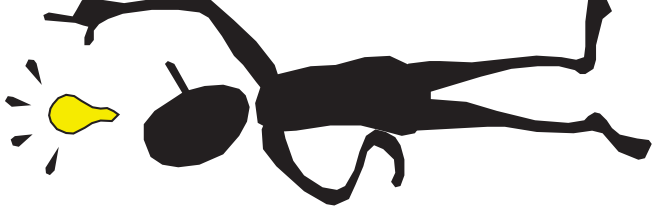
- Whether you need treatment is dependent on different factors, such as type of exposure.
- If necessary, medication is available that may decrease an individual's risk of becoming infected with at least some of the diseases.





PLEASE RECALL...

- Remember - even if you have been exposed, the odds are that you will not become infected.





Training Completion Form

- Please return to the district main webpage/Staff Resources/
Polices and print a copy of the Annual State and Federal
Mandated Training Sign Off Sheet indicating that you have
completed the four mandatory trainings. Give the form to
your supervisor who will forward to Human Resources for
your personnel file.