

Palmer Public Schools  
Serving the Town of Palmer, Massachusetts



# Civil Rights Training Palmer Public Schools

2009 - 2010

# Why provide ON-LINE Training?

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

# What is non-discrimination?

- The Palmer 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, color, disability, national origin, religion, race, or sexual orientation.

# Federal Law: Title IX

- Prohibits discrimination or harassment related to gender, including sexual harassment.
- Refer to the district sexual harassment policy for specifics regarding steps taken to investigate. School personnel must contact administrator or appropriate personnel if a complaint is made.
- ***Neil Metcalf*** (Director of Special Services, 24 Converse St, Palmer, MA phone # 283-2651) and ***Bonny Rathbone*** (Principal of Palmer High School, 4105 Main St, Palmer, MA phone # 283-6511) are the Title IX Coordinators.

# 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 ELL students.

# Title IX: Understanding Sexual Harassment

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

# Title IX: Understanding Sexual Harassment

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

# Reporting Requirements

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

# Federal Law: Section 504

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

# Federal Law: Section 504

- No discrimination against a person with a disability will be permitted in any of the programs of the Palmer Public Schools.
- Questions about eligibility and enforcement should be directed to the Building Principals, who are the building-based 504 coordinators, ***Mrs. Bonny Rathbone at PHS, Mr. David Stetkiewicz at CMS and Mrs. Mary Lou Callahan at OMP.***
- District 504 Coordinator is ***Mr. David Stetkiewicz, 24 Converse St, Palmer , MA phone # 283-8109 .***

# Federal Law: Title II (ADA)

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

# Tips for Addressing Harassment/discrimination

- Enlist parents, students, and community groups in the effort.
- Monitor the school climate.
- Foster respect and appreciation for diversity.
- Be sensitive to religious holidays (see list of dates).
- Implement measures to address harassment immediately and effectively.

# More Tips for Addressing Harassment/discrimination

- Collaborate with law enforcement and outside agencies.
- Review crisis intervention plans.
- Document and report all harassment incidents.

# Care and Protection of Children Under 18

- School personnel are mandated reporters.
- If school personnel have reasonable cause to suspect physical or emotional abuse or substantial risk of harm/neglect they must follow DSS reporting requirements.
- Please consult with school principals or the district Special Education Director for assistance if abuse or neglect is suspected.

# Overview of Physical Restraint Guidelines

# Who should receive training?

- All school staff should read and be familiar with the regulations. The policy is located in the principal's offices.
- Lack of knowledge of the law will not protect you or your students from the consequences of inappropriate actions.

# What is physical restraint?

- 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.

# Understanding the terms

- Physical escort: “touching or holding a student without the use of force for the purpose of directing the student.”
- Extended restraint: “A physical restraint the duration of which is more than 20 minutes. Risk of injury is increased, requirement of additional written documentation.”
- Non - seclusionary time-out - staff remains accessible.

# When can physical restraint be used?

- 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 IMMEDIATE, SERIOUS, PHYSICAL HARM to self and/or others.

# Limitations on use of restraint

- When non-physical interventions could be used to de-escalate the situation or problem solving strategies implemented.
- As a means of punishment.
- As a response to property destruction, school disruption, refusal to comply, or verbal threats.

# Use of Physical Restraint

- Only staff trained in physical intervention should use physical restraints.
- Whenever possible, have a witness who does not participate in the hold.
- Training requirements in 603 CMR 46.00 do not preclude a teacher, employee or agent of a school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

# Use of Physical Restraint

- Use only the amount of force necessary to protect student or others from physical harm or injury.
- Use the safest method available and appropriate to the situation and the individual for the hold. Floor or prone hold are prohibited unless staff administering the hold has received in –depth training (16 hours minimum) in procedures.
- End the hold as soon as possible. Over 20 minutes is an “extended restraint”.

# Safety requirements

- Always monitor the student's color and respiration during a hold. If any change in student's pallor, respiration, speech or other signs of physiological distress, release the hold immediately.
- Physical holding should be implemented to prevent or minimize physical harm.

# Safety requirements

- KNOW YOUR STUDENT:
- Be aware of medical or psychological limitations and behavior intervention before utilizing physical restraint.

# Follow-up procedures after a physical restraint

- Review the incident with student to address behavior.
- Reviewing the incident with the staff person (s) who administered the restraint to discuss if proper procedures were followed.
- Considerations of other follow-up necessary with other students who may have witnessed the hold.

# Communicate with Other Staff

- **Communicate** during the crisis. State what type of assistance you need.
- **Protocols have been developed** about who to call and how to contact them quickly, *posted in the principal's office.*
- Try to **ensure a witness** is present during any crisis.
- **Document** the occurrence of each instance of aggression and use of physical restraint.

# Reviewing the Incident

- Review to see if established procedures were followed.
- Look for patterns in responding.
- Discuss difficulties, develop strategies to address these difficulties.
- Get consensus on any recommendations -- consistency is necessary for any procedure to work effectively.

# Document the Incident

- **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.

# Reporting to the Department of Education Regulation 46.06(5)

- 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.

# Thank You

Click on the picture below and answer a few questions acknowledging completion of this annual training requirement.

