



Melrose School District

Mandated Policies & Procedures



Purpose of the Presentation

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



Mandatory Policies/Procedures

- Nondiscrimination/Equal Educational Access
- Sexual Harassment Policy
- Bullying
- Confidentiality of Student Records
- Restraint of Students
- Education of Homeless Students
- Mandated Reporting
- Section 504
- MPS Electronic/Social Media Policy

Nondiscrimination/ Equal Educational Access





MPS Policy

- MPS pursuant to federal and state law does not discriminate against:
 - Any adult on the basis of race, color, sex, religion, age, national origin, sexual orientation, disability, marital status or veteran status in any employment decisions or access to programs available to such adults; and
 - Any student on the basis of race, color, sex, religion, national origin, sexual orientation, or disability, be denied equal access or admission to school programs, courses, and/or extra-curricular activities

Massachusetts Transgender Equal Rights Law

- In November of 2011, Massachusetts became the 16th state to add non-discrimination laws for gender identity in the areas of employment, housing, K-12 public education, and credit.
- Additionally, Massachusetts Hate Crimes laws were also updated to include gender identity.
- This law is known as [An Act Relative to Gender Identity](#).

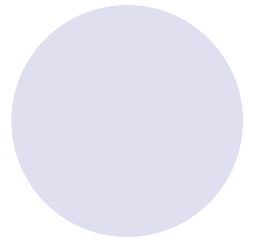
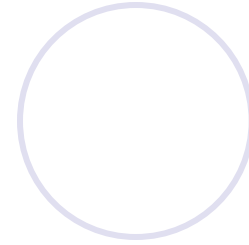
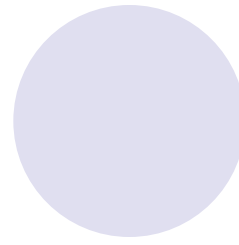
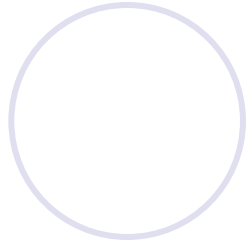
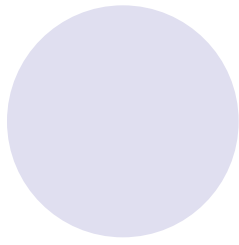
Massachusetts Transgender Equal Rights Law

- *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, gender-related identity shall not be asserted for any improper purpose.*

District Coordinators



- Title VI-Patti White- Lambright, Assistant Superintendent
- Title IX-Pat Ruggiero, Director of Health, PE, Athletics, and Family Consumer Services



Sexual Harassment Policy

Sexual Harassment Policy



- Sexual harassment violates state and federal law.
- Violation of the policy and of the law will result in disciplinary action.
- A grievance may be filed at any time by a student, employee, administrator and/or applicant who believes that his or her rights have been violated.

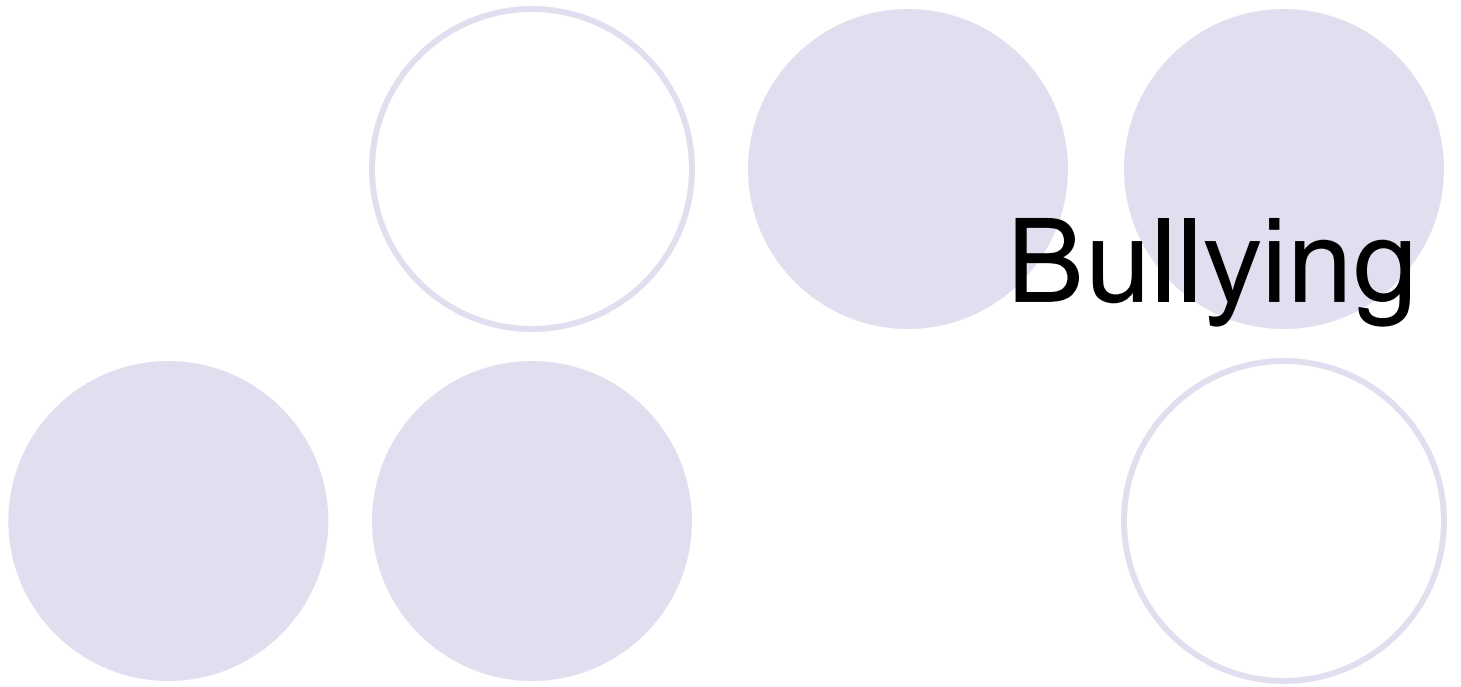
Definition of Sexual Harassment

Sexual harassment is defined as:

- Unwelcome advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
 1. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or success as a student.
 2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
 3. Such conduct has the purpose or effect of substantially interfering with an individual's work or educational performance, or creating an intimidating, hostile or offensive working or educational environment.

Definition of Sexual Harassment

- Men and women can be victims or harassers.
- Harasser does not have to be a victim's supervisor.
- Victim may be same or opposite sex.
- Sexual Harassment does not depend on the victim's having suffered a concrete economic injury as a result of the harasser's conduct.



Bullying

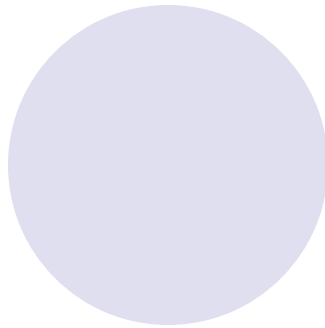
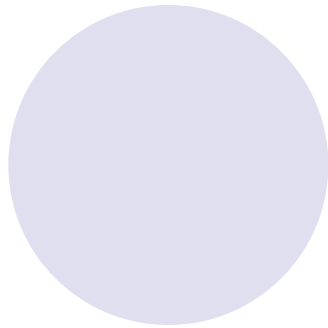
What is Bullying?

- Any written or verbal expression or physical act or gesture to intimidate, frighten, ridicule, humiliate, or cause harm to another person (based on, for example, physical appearance, lack of athletic ability, clothing, neighborhood).
- A bully has actual or perceived physical, social and/or psychological power over his/her target.
- Bullying usually involves a pattern or behavior including:
 - Physical (hitting, kicking, pushing, intimidation, damaging, defacing or taking personal property);
 - Verbal (verbal intimidation, name-calling, taunting, ridicule, jokes, insults, threats);
 - Emotional (stalking, spreading rumors, exclusion)

Bullying and Federal Law

- Although no federal law directly addresses bullying, in some cases, bullying overlaps with discriminatory harassment when it is based on race, national origin, color, sex, age, disability, or religion.
- Thus, bullying can be considered a civil rights issue with federal prosecution if the target is a "protected class."

Confidentiality of Student Records



Family Educational Rights and Privacy Act (FERPA)

- FERPA governs confidentiality of student record.

Parents have the right:

- To inspect their child's file as soon as possible, but within ten days of the 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 if it violates the student's rights.

All student records maintained in the school must be private and secure. Computerized systems should be electronically secure.

What is 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, pages, online games, and websites.
- Cyber bullying is willful and involves recurring harm inflicted through the medium of electronic text.



Why should we be concerned?

1. Bullying can seriously affect the mental health, academic work, and physical health of children who are targeted.
2. Children who bully are more likely than other children to be engaged in other antisocial, violent, or troubling behavior.
3. Bullying can negatively affect children who observe bullying going on around them-even if they aren't targeted themselves.
4. 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 or being harassed, assaulted, belittled, or excluded.

Some “Harassment and Bullying” Myths

- 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.

Signs of Possible Harassment or Bullying

- Often arrives late for school or certain classes.
- School absences dramatically increase.
- Often “loses” his or her money.
- Possessions are consistently “missing.”
- Is the victim or repeated thefts.
- Is the focus of jokes or graffiti.
- Is the target of abuse or insults in chat room websites or social networking sites.
- Explanations for above do not make sense.



Restraint of Students

Read the regulation, 603 CMR 46.00

Restraint of Students



- Students of the district are protected by law from the unreasonable use of physical restraint.
- Physical restraint- "The use of bodily force to limit a student's freedom of movement."
- The Regulations apply at school and at school-sponsored events on and off school grounds.
- **Only school personnel who have received training on proper administration of restraints shall administer physical restraint.**



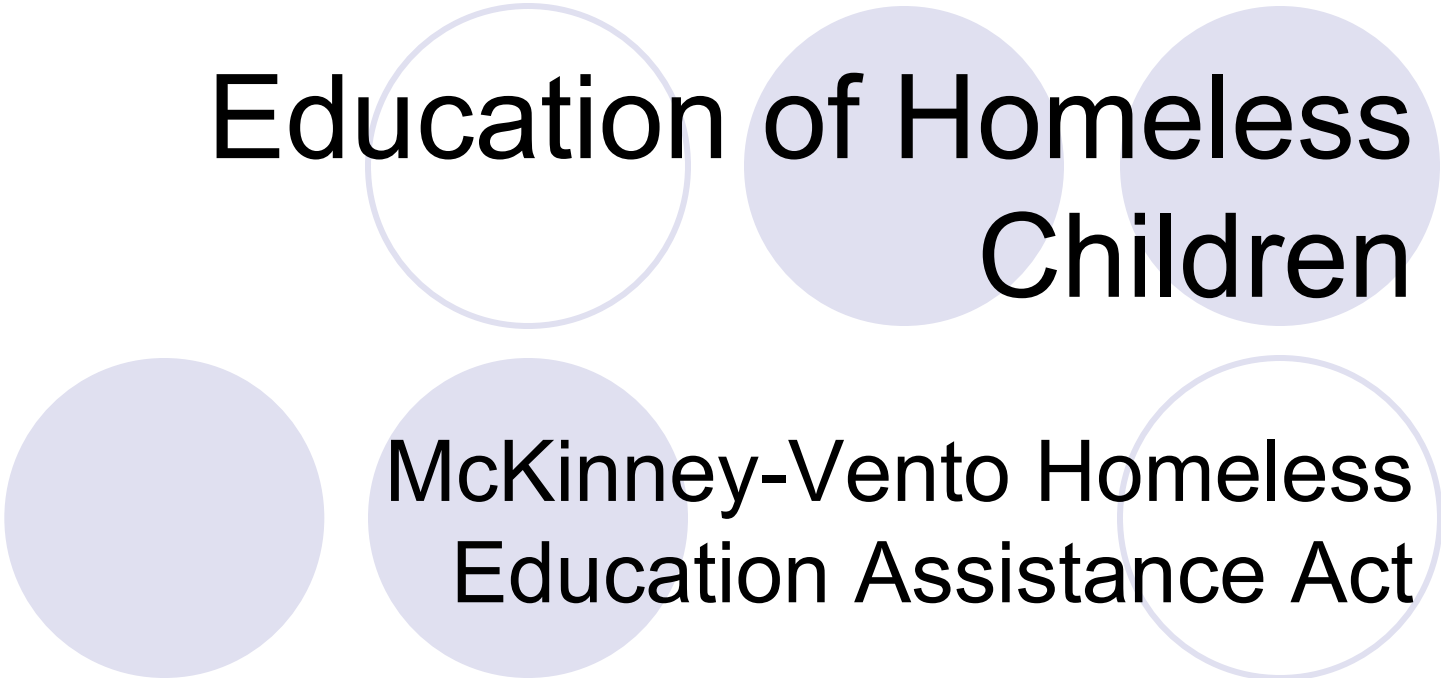
Restraint of Students

- When may physical restraint be necessary?
 - 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.
- When is physical restraint not appropriate?
 - 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.



Restraint of Students

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.

The slide features several light purple circles of varying sizes and styles. One circle is a simple outline, while others are solid. They are arranged in a way that frames the text. The main title is centered at the top, and the subtitle is positioned below it and to the left.

Education of Homeless Children

McKinney-Vento Homeless Education Assistance Act

Definition of Homeless

- The federal government's legal definition of homelessness based on the McKinney-Vento Homeless Education Assistance Act is anyone who...
 - Lacks a regular, fixed, and adequate nighttime residence (sub-standard housing)
 - Is sharing housing due to economic struggles (double-up)
 - Is living in a shelter, hotel, or motel
 - Is living in a public place not designed 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

Responsibilities



- If you suspect that a student is homeless, notify the principal, counselor, or school nurse so that an appropriate referral be initiated
- The district liaison for homeless students:
 - Jay Picone, Business Manager
360 Lynn Fells Parkway
Melrose, MA 02176
jpicone@melrose.mec.edu
Phone - 781-979-2290



Mandated Reporting

Mandated Reporting



- **State law requires educators** and others who are paid to care for or work with children to make a report immediately to the Department of Children and Families or to the person in charge of the school or institution **if there is reasonable cause** to believe that a child under 18 is suffering physical or emotional injury as a result of abuse, including sexual abuse, or neglect.

Mandated Reporting



- School personnel are **mandated reporters**.
- Consult with school principal for assistance if abuse or neglect is suspected.
- If school personnel have reasonable cause to suspect physical or emotional abuse or substantial risk of harm/neglect, they **must** following reporting requirements and are legally obligated to contact the Massachusetts Department of Children and Families.

The image features a decorative arrangement of six circles. Two circles are filled with a light purple color, while the other four are hollow with a thin purple outline. The circles are positioned around the text: one hollow circle is above the word 'Rehabilitation', one filled circle is above 'Act', one filled circle is above 'of', one hollow circle is above '1973', one filled circle is below 'Rehabilitation', and one hollow circle is below '1973'.

**Section 504
Rehabilitation Act of 1973**

Section 504



- Section 504 of the Rehabilitation Act of 1973 is a federal civil rights statute that extends protections to individuals with disabilities in most aspects of their lives.
- It addresses the many disabilities not covered under IDEA (Individuals with Disability Education Act), which governs “Special Education” as schools know it today.
- IDEA while comprehensive only provides protection for children with one of thirteen disabilities.
- If a student has a mental or physical impairment which substantially limits a major life activity, a plan is developed and reviewed annually by a 504 team, so that reasonable accommodations are provided. Section 504 requires full implementation.

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.
- **Staff is required to provide accommodations as specified in a Section 504 plan.**

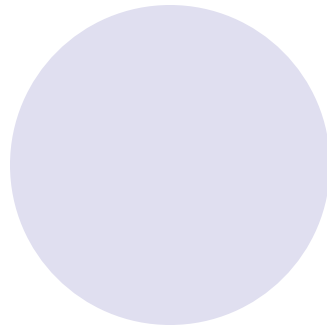
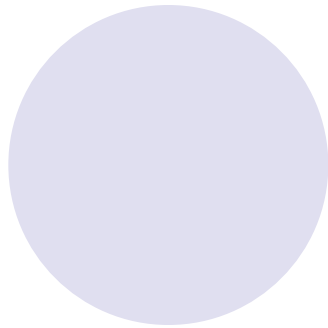


Section 504 Coordinators

Early Childhood and Elementary Schools:
Principals

Middle and High School: John Buxton

MPS Electronic Communication/ Social Media Policy



Scope of Policy

- All online, electronic or computerized means of communication are subject to this policy.
- Given the rapid pace of technological change, it is impossible to name all means of communication.

General Concerns

- Staff should take appropriate care and planning to insure that the lines between one's professional and personal life are not blurred.
- When using school based resources, such as staff email or school sponsored web pages, such records can be retained and archived through the school's information technology department.

General Concerns

- If a staff member communicates outside of school resources, the district's ability to retain the information is limited. The burden falls on the staff member to comply with public records laws when using personal cell phones, email, or social network accounts to communicate with students and/or parents/guardians.

Expectations of Staff



- All staff members are responsible for information that they make public through the use of electronic communication.
- No matter what medium of communication a staff member selects, he/she should adhere to appropriate teacher/student boundaries.



Professional vs. Personal Life

- The line between professional and personal life must be clear at all times.
- Staff members should only use their educational social media account or educational email account to communicate with students and/or parents and guardians, and should only communicate on matters directly related to education.

The top of the slide features five circles in a horizontal row. From left to right, the first, third, and fifth circles are solid light purple. The second and fourth circles are hollow with a light purple outline. The text 'Student Privacy' is positioned over the first two circles.

Student Privacy

- At all times, and in any use of any form of communications, staff members will **adhere to student privacy rights** and the rights of employees to have their personnel and medical information kept confidential.
- **No information protected by law from disclosure to third parties will be communicated online.**

Disclosure under Public Records Law

- Any document created or received by a public employee in her or her capacity as such is subject to retention, and perhaps disclosure under the public records law.
- This includes blog entries with comments, text messages, and all other electronic correspondence.



Use of Personal Devices

- Staff members are discouraged from using home telephones, personal cell phones, personal email accounts and personal media accounts to communicate with students, or their parents/guardians.
- Such communication, even if not using school resources, are within the jurisdiction of the school district to monitor as they arise out of one's position as an educator.

Use of Personal Electronic Devices

- District recognizes that, in limited cases, use of cell phone text messages, cell phone calls or emails outside of regular scheduled may be reasonably necessary.
- These communications are subject to retention and disclosure as well.



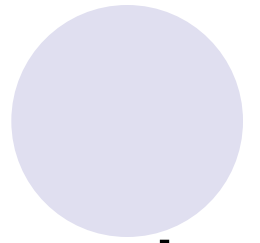
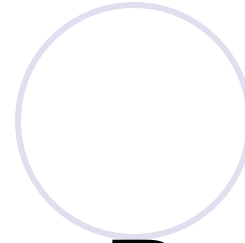
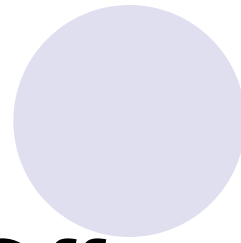
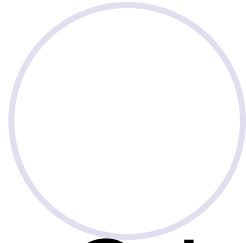
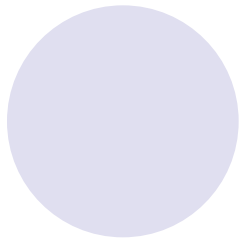
Communication as Employee

- When staff members communicate as employees of the district in their online communications, they must be aware that readers will assume they “speak for the school district.”
- All online communications must be professional reflect positively on the school district.

Use of School Logo, etc.



- No staff member may, without express permission from the Superintendent of Schools, use the school's logo, likeness or any school photographs or other property that belongs to the district.



**Criminal Offender Record
Information (CORI)
Requirements**

CORI Requirements



- The Melrose Public Schools are registered to receive CORI for the purpose of screening current and otherwise qualified prospective employees.
- MPS current employees will conduct subsequent CORI checks of employees. The MPS must provide written notice of this check.



Completion of Training

- Print “Certification of Completion of Online Training” and return to your school principal.