

Mandated Staff Training

Needham Public Schools
2017

Instructions

- All Needham Public School Employees must complete the Mandated Staff Training within 30 days of the school year or the start date of their employment.
- Please carefully read all sections of the staff training
- There is a link to the signature form at the end of the training documenting that you have completed the training.
- The Mandated Staff Training is estimated to take 30-40 minutes to review.
- If you have any questions, please see your principal or supervisor.

Purpose of Mandated Training

- Annual training is mandated by the Department of Elementary and Secondary Education (DESE)
- All employees are required to participate
- Ensures all employees know their rights and responsibilities

Mandated Training

- Section 504 Rehabilitation Act
- Special Education Laws & Principles
- Americans with Disabilities Act (ADA)
- Non-discrimination & Harassment
- Bullying Prevention & Intervention
- Child Abuse & Neglect
- Prevention of Physical Restraint & Requirements
- Student Record Regulations
- Staff Responsible Use of Digital Resources

Section 504 of the Rehabilitation Act

- Section 504 is a Civil Rights Law which prohibits discrimination based upon impairments
- Requires schools and other organizations that receive federal funds to provide reasonable accommodations to ensure equal participation by disabled individuals
- Intent is to remove barriers to employment, education and communication

Section 504 of the Rehabilitation Act

- Qualifying for a 504 requires a diagnosis that the student has a disability
- Disability substantially limits a major life function
- Guidance counselor or school nurse writes the 504 plan in consultation with school personnel who are knowledgeable about the student and disability
- Parents are provided a copy of the 504 plan
- Staff are required by law to provide accommodations included in the 504 plan.

Special Education Laws & Principles

- Federal law (IDEA) and state law (MGL 71B) are the basis for special education services
- Entitles eligible students with disabilities to a free and appropriate public education (FAPE) in the Least Restrictive Environment (LRE)
- The laws protect students with disabilities who are eligible and guarantee them an Individual Education Program (IEP)
- Special Education involves specially designed instruction and related services (e.g. speech therapy, physical therapy, counseling) delivered by properly trained and licensed educators that meet the individual needs of a student with a disability

Special Education Laws & Principles

Employees are obligated to:

- Become familiar with the IEP and his/her responsibilities
- Respect confidentiality of the student and parents
- Attend Team meetings as requested
- Work collaboratively with members of the student's Team
- Be aware of parents' rights to participate in the development of their student's IEP and support a strong partnership
- Talk to guidance or a building administrator if he/she suspect a student may have a disability

District Curriculum Accommodation Plan (DCAP)

Massachusetts General Laws, Chapter 71, Section 38Q1/2

- “A school district shall adopt and implement a curriculum accommodation plan to assist principals in ensuring that all efforts have been made to meet the students’ needs in regular education. The plan shall be designed to assist the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the regular education programming, including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning, or who do not qualify for special education services under chapter 71B. The curriculum accommodation plan shall include provisions encouraging teacher mentoring and collaboration and parental involvement.”
- The District Curriculum Accommodation Plan (DCAP) provides information to principals and faculty members on general education requirements and available supports and services designed to meet the needs of ALL learners

Americans with Disabilities Act

Americans with Disabilities Act (ADA)

ADA gives civil rights protection to individuals with disabilities in terms of barriers to employment, education, transportation, public accommodations, and public services.

ADA applies to all individuals: students, staff, and community members accessing services in our schools.

Non-Discrimination & Harassment

Non-Discrimination

- All students, regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness, have equal access to the general education program and the full range of occupational/vocational programs and extracurricular activities or clubs offered by the district
- Language assistance including oral interpretation and document translation is available to parents with limited English skills
- The District Curriculum Accommodation Plan (DCAP) provides information to principals and faculty members on general education requirements and available supports and services designed to meet the needs of ALL learners

Non-Discrimination & Harassment

- The Needham Public Schools expects all adults to treat one another with dignity and respect.
- The Needham Public Schools is committed to maintaining a work and educational environment free of discrimination and harassment and, therefore, requires all employees to conduct themselves in an appropriate manner toward their fellow employees, students, and all members of the Needham school community.
- The Needham Public Schools fully recognizes that state and federal laws require all employment practices to be non-discriminatory and that educational excellence requires students to be exposed to a broad range of ideas, individuals, and backgrounds

Discrimination & Harassment

Prohibiting Harassment

- The Needham Public Schools is committed to maintaining a work and educational environment free of harassment based on age, gender, disability, gender identity, religion, national origin, race, color, sexual orientation, or homelessness.
- Consistent with our policy addressing bullying, Needham Public Schools specifically prohibits all conduct that creates an intimidating, hostile environment for others.

Discrimination & Harassment

Definitions:

- Harassment includes verbal, written, physical conduct, or abuse of power which would denigrate, intimidate, or humiliate a reasonable person. What one person may consider acceptable behavior may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals.
- Sexual harassment includes sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature
 - All contact should have a valid reason

Discrimination & Harassment

Harassment and Retaliation are Prohibited

- Harassment in the school environment is unlawful and is prohibited. This includes harassment by administrators, certified and support personnel, students, vendors, and other individuals in school or at school related events.
- Retaliation against any individual who has filed a complaint of harassment or who cooperates in an investigation of possible harassment is unlawful and is prohibited.
- Persons who engage in harassment or retaliation may be subject to disciplinary action including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school administration and/or school committee

Discrimination & Harassment

Reporting and Investigating Incidents of Harassment

- Needham Public Schools has designated Title IX Grievance Coordinators responsible for accepting, investigating, and resolving complaints of discrimination (including harassment) in a timely manner.
- For Students and parents/guardians, contact Tom Denton, Director of Guidance
- For Employees, contact Tom Campbell, Director of Human Resources, or Superintendent of Schools, Dan Gutekanst
- If the investigator determines that harassment has occurred, he/she will take action to end the harassment, and take appropriate steps to make sure that it is not repeated.

Bullying Prevention & Intervention

Bullying is 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 directed at a student that:

- Causes physical or emotional harm to the student or damage to the student'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; or
- Materially and substantially disrupts the education process or the orderly operation of a school

Bullying Prevention & Intervention

Cyber-bullying is bullying through the use of technology or any electronic communication

Cyber-bullying can include but is not limited to:

- Sending derogatory, harassing, or threatening email messages, instant messages, or text messages, creating websites that ridicule, humiliate or intimidate others, and posting on websites or disseminating embarrassing or inappropriate pictures or images of others
- Creation of a web page or blog in which the creator assumes the identity of another person
- The knowing impersonation of another person as the author of posted content or messages

Bullying Prevention & Intervention

Bullying Prevention and Intervention Plan (BPIP)

Bullying and cyberbullying are prohibited:

- on school grounds, property immediately adjacent to school grounds, at school sponsored or related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle used by school district, or through the use of technology or an electronic device owned, leased or used by school district; and/or
- at a location, activity, function or program that is not school related, or through the use of technology or an electronic device that is not owned, leased or used by a school district, if the bullying creates a hostile environment at school for the victim, infringes on their rights at school or materially and substantially disrupts the education process or the orderly operation of a school

Retaliation against a person who reports bullying, or who provides information during an investigation of bullying or who witnesses or has reliable information about bullying is prohibited.

Bullying Prevention & Intervention

Reporting Obligations

- ALL employees of the Needham Public Schools are required to immediately report any instance of bullying, cyber-bullying, or retaliation s/he has witnessed or become aware of to the school principal or designee
- Students, parents/guardians, and others who witness or become aware of an instance of bullying, cyber-bullying or retaliation are expected to report the incident
- Upon receipt of a complaint of bullying the principal or designee must initiate an investigation

Bullying Prevention & Intervention

Disciplinary Action

- Students who engage in bullying or retaliation will be subject to disciplinary action
- Balance the need for accountability with the need to teach appropriate behavior
- Disciplinary action may include verbal warnings, written warnings, detentions, short-term or long-term suspensions, or expulsions.
- Staff who engage in bullying or retaliation will be subject to disciplinary action involving human resources

Bullying Prevention & Intervention

Students with disabilities

- Whenever a student's special education Team determines that his/her disability affects social skills development, or when the student's disability makes him/her vulnerable to bullying, harassment, or teasing, the Individual Education Program (IEP) must consider and address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing
- For students identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing

Child Abuse & Neglect

- All School Employees are mandated reports
- There is a TEAM in each school who deal with staff concerns regarding child welfare and safety
- The TEAM makes the call to the Department of Children and Families (DCF) if a concern is reported and needs further investigation
- All reports remain confidential

Child Abuse & Neglect

Reporting

- It is not your job to investigate; only report
- Share concerns with building guidance counselor
- Counselor reports to building principal and Director of Guidance
- Counselor reports suspected abuse to Department of Children and Families (DCF)

Prevention of Physical Restraint & Requirements

Physical restraint is an **emergency procedure of last resort** and is prohibited except when:

- A student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and
- The student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or
- Other interventions are deemed to be inappropriate under the circumstances.

Prevention of Physical Restraint & Requirements

Defining Physical Restraint

- Direct physical contact that prevents or significantly restricts a student's freedom of movement.
- Physical restraint does not include: brief physical contact to promote student safety; providing physical guidance or prompting when teaching a skill, redirecting for attention, providing comfort; or a physical escort

Defining Physical Escort

- A temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.
- Physical Escort is not physical restraint

Prevention of Physical Restraint & Requirements

Physical Restraint cannot be used:

- As punishment
- In response to property destruction
- Refusal to comply
- When medically contraindicated (consider asthma, seizures, cardiac condition obesity, bronchitis, communication-related disability, risk of vomiting, etc.)
- As a standard response for any student
 - No written IEP or behavior plan may include use of physical restraint as a standard response to any behavior

Prevention of Physical Restraint & Requirements

The emphasis is on de-escalation and prevention

- Students should follow school rules and codes of conduct
- Families should be made aware of school rules and codes of conduct, policies and procedures, and have regular communication with the school
- Staff should be aware of school-wide behavior support plans, student specific de-escalation techniques, and know who to access for help when needed

Prevention of Physical Restraint & Requirements

- If a student is showing signs of escalating behaviors, staff should consider the environment and make some quick adjustments if needed to ensure the safety of the student and others. These may include:
 - Removing potential dangerous items from the immediate area (e.g. scissors, sharp pencils, materials that could be used as a projectile)
 - Attempting to redirect the student to another safer area, if possible
 - Removing other students from the immediate area

Prevention of Physical Restraint & Requirements

Staff should also consider a variety of behavioral interventions that may be effective in de-escalating the student, such as:

- Offering choices of activities
- Reducing the demands/amount of work expected (without removing the expectations entirely)
- Reminding student of reinforcers available for engaging in appropriate behaviors (e.g. first work, then you can read)
- Prompting the student to use functional language to communicate their feelings or needs (e.g. “If you are frustrated you can tell me ‘I need a break’”)

Prevention of Physical Restraint & Requirements

Student Behavior Intervention/Support Plans

- Whenever there is a behavior support plan in place for a student, staff should defer to the specific interventions outlined in the behavior plan
- Be familiar with your student's behavior support plans and/or individual education programs and the interventions and accommodations recommended in those documents.

Prevention of Physical Restraint and Requirements

Time Out

- Defined as a **behavioral support strategy** in which a student temporarily separates from the learning activity or classroom, either by choice or by direction from staff, for the purpose of calming
- Student must be continuously observed by staff
- Staff must be with student or immediately available at all times
- Space used must be clean, safe, sanitary and appropriate for calming
- Must terminate as soon as student has calmed
- Principal must approve extension of time-out beyond 30 minutes

The use of “time-out” procedures during which a staff member remains accessible to the student at all times shall not be considered “seclusion restraint.” Seclusion Restraint is strictly prohibited.

Prevention of Physical Restraint & Requirements

If physical restraint is used as a last resort:

- Administered by trained personnel
 - SAFETY CARE TEAM: There is an in-depth trained crisis team assigned to each school equipped to assist with de-escalation and/or use of physical restraint
- Must use minimum amount of force necessary in the safest manner possible
- Have an adult non-participating witness when possible
- *All staff have the right to use reasonable force to protect oneself, a student, or others from assault or imminent, serious, physical harm if absolutely needed*

Prevention of Physical Restraint & Requirements

Types of Restraints Permitted:

- Only physical restraints, consistent with 603 CMR 46:00 are permitted to be used in schools
- Mechanical restraints, medication restraints, and seclusion are prohibited in public education programs
- Prone restraints (where student is placed laying face-down on the floor) are also prohibited, except in rare circumstances where there is explicit written consent to do so

Prevention of Physical Restraint and Requirements

Reporting Requirements

- Staff must immediately verbally inform the Principal and must file a written report no later than next school day
- Content of report is specific
- Principal (or designee) must verbally inform the student's parents immediately and must send a detailed written report within 3 school days of restraint
- Principal (or designee) must conduct weekly individual student review
- Principal (or designee) must conduct monthly school wide review of restraint data
- Principal (or designee) must report restraint data annually to DESE

Student Records Regulations

Student Records

- A **student record** is any information kept by a school or school district in a manner in which the student may be individually identified
 - *Transcripts* include administrative records that constitute the minimum data necessary to reflect the student's educational progress and to operate the educational system
 - *Temporary records* include records deemed important to the educational process. May include: standardized test results, class rank, extra curricular activities, evaluations, 504 plans, and special education records
- Teacher's personal files, when not shared with others and used for purposes of memory aids, are **not** considered Student Records
- Emails and electronic communications can be considered part of the student records

Student Records Regulations

Authorized personnel who have access to a student record include:

- School administrators, teachers, counselors, and other professionals who provide services to the student; Administrative office staff and clerical personnel; or a special education evaluation team
- Parents, legal guardians
- Students 14-17 years old, or in the 9th grade, with parent permission; or Students 18 or over
- Third parties with specific written consent

Student Records Regulations

Maintaining Student Records:

- Student records must be kept in a secure location. A log is kept with each student record and is used to identify the name, position, and affiliation of the person accessing the records.
- Employees must be careful about discussing students in corridors, classrooms, or public places
- Student Records are maintained for up to 7 years after student graduates, withdraws, transfers from the school system

Staff Responsible Use of Digital Resources

Staff use of digital resources is guided by the School Committee Responsible Use of Digital Resources policy (policy IJNDB-1). All staff should become familiar with and adhere to this policy.

- Access to and use of network resources, electronic communications, the internet, database systems, computers and other information technology resources is primarily to develop, deliver, and support teaching and learning and to efficiently manage the day-to-day operations of the Needham Public Schools.
- Information technology will be used in a manner consistent with the educational mission of the Needham Public Schools. The user will exercise good and professional judgment in the use of shared resources, software, intellectual property rights, ownerships of information and system security.
- Professional behavior and communication are expected at all times.
- All home use of NPS computers and district-provided accounts and resources must adhere to the terms and conditions of the district responsible use policy.

Staff Responsible Use of Digital Resources

- The Needham Public Schools has the right to monitor, quarantine, backup, move, archive and/or delete, and access all electronic files, local or remote, on systems managed by the district.
- Communication between and among staff, students, and families should be educationally relevant, including the use of social media.
- Supervisors may choose to approve the form and content of work-related communication prior to dissemination.
- All actions performed by employees in regards to the schools' IT resources can be considered public records and can be legally discoverable or subpoenaed by a court of law.

Staff Responsible Use of Digital Resources

- Personally identifiable student data shall remain confidential. Employees are expected to use appropriate judgment and caution in communications concerning students and staff.
- If any employee suspects or believes private student data and records have been lost, stolen, or otherwise compromised, the employee should immediately notify her/his supervisor.

Staff Responsible Use of Digital Resources

Prohibited use of school instructional technology includes but is not limited to:

- Any use to harass, discriminate, threaten, defame, demean, or intimidate;
- Any use for private financial gain, advertising, online gambling or solicitation purposes;
- Conducting private business that is not incidental in nature;
- Fundraising for any non-school sponsored purpose, whether non-profit or for-profit;
- Sending mass electronic mailings or chain letters, excessive printing, spending excessive amounts of time on the Internet that interferes with the employee's official duties and responsibilities
- Gaining or attempting to gain unauthorized access to any computer or network (i.e. hacking)
- Using District resources for union business that is not incidental in nature

Employees who have a question or need further clarification about these prohibitions should seek guidance from their building principal or supervisor.

Staff Responsible Use of Digital Resources

- An employee who has been issued a laptop or other mobile device is responsible for the equipment at all times in school and outside of school.
- Upon the conclusion of an individual's employment with the Needham Public Schools, the employee will return all school issued technology and technology devices
- Violation of any portion of the Staff Responsible Use policy may result in disciplinary and/or legal action, and/or including possible suspension or dismissal.

Thank you!

Thank you for completing the Needham Public Schools Mandated Staff Training.

Remember to submit your electronic signature indicating that you have reviewed and understand the material included in the training.

Have a wonderful school year!

[Link to submit signature](#)