

HPS Annual Training 2023-2024

Rights & Responsibilities





HINGHAM PUBLIC SCHOOLS



ANNUAL EMPLOYEE TRAINING PACKET

Click [here](#) for the full training packet.

Objective:



Hingham Public Schools is required to inform all staff of specific state and federal regulations that protect the Civil Rights of both employees and students.

This training is intended to inform you of your rights and responsibilities and ensure a safe and supportive learning and work environment.



Civil Rights Overview:

Hingham Public Schools does not exclude from participation, deny the benefits of HPS from or otherwise discriminate against, individuals on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, foster care status, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.



Civil Rights Violations

DISCRIMINATION

Actions taken against another which **treats them unequally** because of race, religion, national origin, disability, sexual orientation, gender, gender identity, or marital status.

What it looks like: unequal access to benefits; disproportionate disciplinary action; favoritism

HARASSMENT

Unwelcome verbal, written or physical conduct targeting specific person(s) which creates an intimidating, hostile, humiliating, or offensive environment.

What it looks like: insulting and/or intimidating words; graffiti, slogans; unwelcome physical or sexual advances

FEDERAL CIVIL RIGHTS LAWS



TITLE VI

*Race, color or
national origin*



TITLE IX

*Sexual
discrimination
or harassment*



Americans with Disabilities Act (TITLE I & II)

Disability



Section 504 (REHABILITATION ACT OF 1973)

**See MGL RE: Gender Identity*

Massachusetts Laws RE: Gender Identity

Chapter 199 of the Acts of 2011 amended Massachusetts statutes to include prohibition of discrimination on the basis of gender identity. Massachusetts became the 16th state to add non-discrimination laws for gender identity.



Massachusetts Law RE: Gender Identity

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, gender identity, religion, national origin or sexual orientation.



Recent Case Studies



Office of Civil Rights (OCR)

TITLE VI



Arizona: anti-Semitic harassment of a student by other students.

Arizona: Harassment of student by employees involving repeated touching of and comments about a Black student's hair.

Iowa: Black middle school student subjected to racial harassment and racial slurs by fellow students.

TITLE IX



Title IX
50th anniversary stamp

California: District failed to address the effects of the sexual harassment on targeted students.

California: District failed to address ongoing sex-based harassment of a transgender student by another student

Alabama: Student's complaint of discrimination due to pregnancy.

ADA



Colorado: school district failed to provide appropriate auxiliary aids and services for meetings between school personnel and a deaf parent of a student in the school district that were initiated by the school district.

Illinois: School District failed to ensure that its playground areas at a school were readily accessible to and usable by a student with disabilities.

Maine: Town Hall not accessible.



**WHAT
SHOULD I DO
IF...**

...I feel that I have been a victim of discrimination?

...I feel that I have been a victim of harassment?

...I feel that someone else has been the victim of discrimination or harassment?

STAFF Responsibilities

Put your complaint in writing
and contact:

CONCERN	COORDINATOR
Title VI (race, color, origin)	Kathryn Roberts Assistant Superintendent
Title XI (sexual harassment)	Dr. Barbara Cataldo Director of Student Services
Americans with Disabilities (ADA)	Aisha Oppong Director of Business
Section 504	Dr. Barbara Cataldo Director of Student Services Heather Rodriguez Director of School Counselling



Bullying

(M.G.L. c.71, §370)

Click [here](#) for HPS bullying intervention plan.



Bullying Definition

The **repeated use** by one or more students or staff of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at a student victim that:

- Causes **physical or emotional harm** to the victim or damages to the victim's property
- Places the victim in **reasonable fear of harm** to themselves of damage to their property
- Creates a **hostile school environment** or infringes on the rights of the victim at school
- Materially and substantially **disrupts the education process** or orderly operation of a school



Bullying is Prohibited:



On school grounds, property adjacent to the school grounds, school-sponsored or school related activity, function or program, at a school bus stop or other vehicle owned, leased, or used by a school district or school, or through the use of technology or an electronic device.

Bullying is Also Prohibited:



At a location, activity, function or program that is not school-related or through the use of technology or an electronic device, **IF the bullying 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.

Cyberbullying:

Cyberbullying refers to the repeated use of a digital platform, whether social media, text messages, or other online platform, in which a student is embarrassed, humiliated, harassed, threatened, or otherwise targeted online.



Vulnerability of Certain Populations

M.G.L. c71, §37O specifically identifies the following groups as being more vulnerable to bullying based on **actual or perceived** differentiating characteristics:

Race	Socioeconomic status	Sexual orientation
Color	Homelessness	Mental disability
Religion,	Academic status	Physical disability
Ancestry,	Gender identity or expression	Developmental disability
National origin,	Physical appearance	Sensory disability
Sex	Pregnant or parenting status	By association

*Association with person with actual or perceived characteristics

NOTE: Frequently overlap of bullying and Title VI or Title IX violations.

Bullying Prevention

Districts must have a **bullying prevention plan** and implement associated anti-bullying curriculum.

ALL STAFF must be trained annually in bullying prevention.

ALL STAFF who witness bullying must report the incident to the principal.





MANDATED REPORTING

MANDATED REPORTING (51A)

Suspensions of abuse or neglect should be brought to the principal or assistant principal's attention.

The principal will follow-up with the family/caregivers and/or file with the Department of Children & families.

Mandated reporting includes inappropriate conduct between students.



<https://www.mass.gov/eohhs/docs/dcf/can-mandated-reporters-guide.pdf>

Signs of Neglect

- Lack of medical or dental care
- Chronically dirty or unbathed
- Poor school attendance
- Lack of supervision; left unattended
- Lack of proper nutrition
- Lack of adequate shelter
- Self-destructive feelings or behavior
- Alcohol or drug abuse





Signs of Physical/Sexual Abuse

- Non-accidental injury
- Bruising, burn, fracture
- Feeling threatened by physical contact
- Change in behavior (frequent headaches, stomach aches, withdrawn)
- Pain or itching in genital area
- Inappropriate sex play or premature understanding of sex
- Avoidance of being alone with a specific individual

USE OF RESTRAINT



DEFINITION

Physical Restraint **IS:**

Direct physical contact that prevents or significantly restricts a student's freedom of movement.

Physical Restraint **IS NOT:**

Brief physical contact to promote safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Restraint is an
emergency procedure.

Restraint is to be used
only as a last resort
when a student's behavior
poses a threat of assault,
or imminent, serious,
physical harm to self or
others.



When Can Physical Restraint be Used?

RESTRAINT SHOULD ONLY 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 **IMMINENT, SERIOUS, PHYSICAL HARM** to self and/or others.



If a student needs to be restrained..

Notify the main office to contact individuals in your building who are trained in crisis prevention and restraint. That individual **must fill out a report** immediately with the school principal or administrator in charge.

The restraint regulation does not deter employees from using reasonable force to protect students, other persons or themselves from assault or other imminent serious harm.





Educational Opportunities for:

Homeless Students

Foster Students

**Students of
Military Families**

Liaison:

Dr. Barbara Cataldo
Interim Director of Student Services
bcataldo@hinghamschools.org

McKinney Vento Homeless Education Act



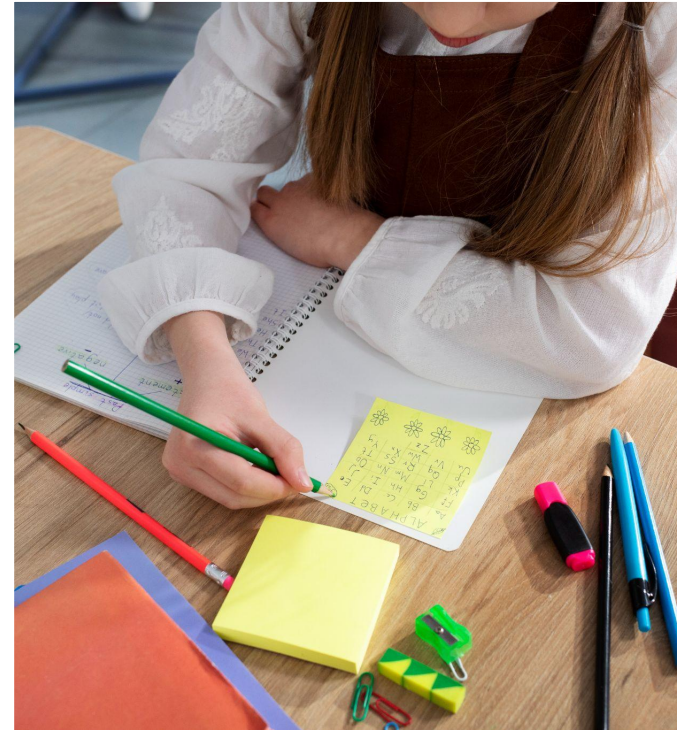
Homeless students have the right:

- To attend school in our community if they are temporarily living here
- To go to the school they previously attended
- To attend without giving a permanent or previous address
- To attend while the school resolved disputes regarding enrollment
- To participate in schools programs
- To receive the same support and services as other students

Foster students have the right:

- To continue to attend their school of origin unless after a collaborative decision-making process it is determined to be in a student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different)
- When it is not in the student's best interest to remain in the school of origin, the student may be immediately enrolled (and attend) the new school district, even if records normally required for enrollment cannot be quickly produced.

Foster Students



Students of Military Families



Students with parents on active duty in the US Armed Services:

An eligible student living with a non-custodial parent or *loco parentis* shall be permitted to attend the school in which they previously attended.

Students of military families may have additional excused absences at the discretion of the building principals for visitations relative to leave or deployment.



Student Records

Click [here](#) to learn more about **Family Educational Rights and Privacy Act (FERPA)**.

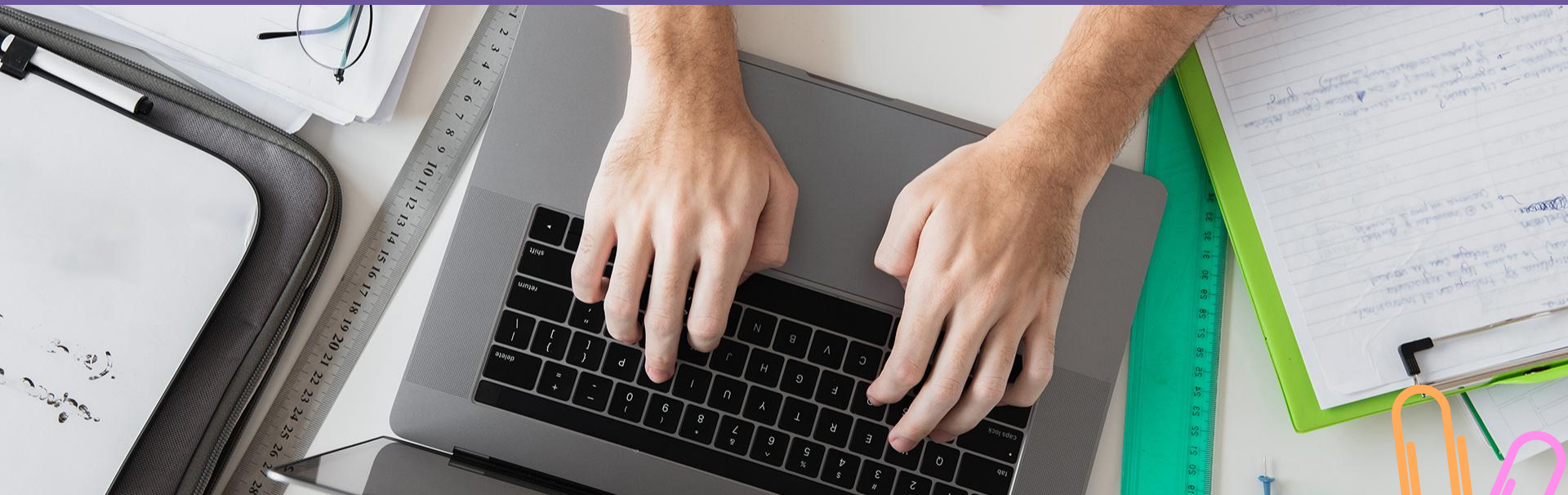
Family Educational Rights and Privacy Act (FERPA)

Except where the regulations specifically authorize access by third parties, no individuals or organizations other than parent, eligible student and school personnel working directly with the student are allowed to have access to information in the student record without specific, informed, written consent of the parent or eligible student.



Technology Acceptable Use Policy

Appropriate language & information; protection of system & data; use for educational/work purposes only; cyberbullying prohibited



Conflict of Interest

ALL Staff must complete Massachusetts State Ethics Commission training w/in 30 days and review summary.



<https://massethicstraining.skillburst.com>



Employee Conduct

(HPS SC Policy GBEB)

Staff will conduct themselves in a manner that not only reflects credit to the HPS District but also sets forth a model worthy of emulation by students. All employees are expected to treat students and colleagues with respect and dignity and carry out their assigned duties with the physical, emotional and intellectual well-being of students in mind.



Links to HPS Policies

[HPS Policy: Non-Discrimination Policy
Including Harassment and Retaliation](#)

[HPS Policy: Sexual Harassment](#)

[HPS Policy: Non-Discrimination on the
Basis of Disability](#)

[HPS Policy: Non-Discrimination on the
Basis of Sex](#)

[HPS Policy: Harassment of Students](#)





Links to HPS Policies

[HPS Policy Bullying Prevention](#)

[HPS Policy on Physical Restraint](#)

[HPS Policy Homeless Students](#)

[HPS Policy Military Students](#)

[HPS Policy for Foster Care Students](#)

Links to HPS Policies

[HPS Policy Student Records](#)

[HPS Acceptable Use Policy-Technology](#)

[Internet Publications](#)
[Policy on Social Media](#)

[HPS Policy State Ethics/Conflict of Interest](#)

[HPS Policy Gifts to and Solicitations by](#)
[Staff](#)

[Massachusetts' Public School Teacher](#)
[FAQs on the Conflict of Interest Law](#)



Annual Training Sign Off

Please sign off on the [attached](https://forms.gle/Mqz3VCxTU9KvvG7U9) Google form to certify that you have read and understand the Civil Rights Training packet, the policies contained in the packet, and the Annual Training presentation materials.

<https://forms.gle/Mqz3VCxTU9KvvG7U9>

