



Hull Public Schools

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To: Substitute Teacher Applicant
From: Deborah Bennett
Re: Civil Rights Training

Hull Public Schools is mandated to provide all staff with an annual civil rights training that focuses on the following topics:

- Food Allergies in schools
- Anaphylaxis
- 51A Mandated Reporter
- Physical Restraint
- Sexual Harassment and Prevention
- Prevention of discrimination and harassment
- Prevention of physical restraint and requirements if used
- Requirements of 504 and special education
- Student records
- Rights of homeless students
- Rights of students in foster care
- Rights of military children

Attached are the subjects that pertain to your position as substitute teacher. Please review this information carefully and retain the packet.

If you have any questions about this material, please contact Kristen Ryan, Director of Student Services, at kyryan@town.hull.ma.us.

Once you have reviewed this information, please sign below indicating you have read and understand the information provided.

Printed Name

Signature

Date

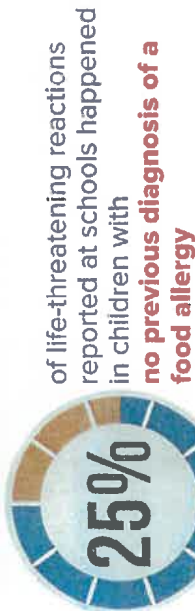
Arxed | FOOD ALLERGIES IN SCHOOLS

THE INCIDENCE OF FOOD ALLERGIES IS ON THE RISE



MOST COMMON ALLERGENS

The most common allergens, **Milk, Eggs, and Peanuts**, are staple ingredients in many snack foods and school lunches.



THE ROLE OF EDUCATORS

Stay up-to-date on the daily management of food allergies for individual students



Prepare for and respond to food allergy emergencies



Promote a safe physical environment



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Food Allergies

The incidence of food allergies is rising for reasons that aren't entirely understood. According to the CDC, one in 13 children has a food allergy.

As an educator, you need to be aware of the prevalence of this danger and know how to mitigate risks and keep all of your students safe.

The most common allergens, **Milk, Eggs, and Peanuts**, are staple ingredients in many snack foods and school lunches.

And it is essential to note that **25%** of all potentially life-threatening reactions reported at schools happen in children with **no previous diagnosis of food allergy**.

What can educators do?

Stay up-to-date on the daily management of food allergies for individual students.

- With the help of school administration and the School Nurse, ensure student safety plans are accessible and up-to-date.
- Be aware of school-specific protocols and policies related to classroom food consumption, field trips, or extra-curriculars.
- Participate in any required trainings related to supporting students during allergic reactions.

Prepare for and respond to food allergy emergencies.

- Keep student safety plans secure and accessible.
- Do not hesitate to activate the plan in an emergency. If indicated, those trained to use an epinephrine auto-injector should do so in the event of a suspected reaction.
- Support students who have permission to carry and use their epinephrine in cases of an allergic reaction.
- Immediately call 911 and contact the school administrator and school nurse in the event of an allergic reaction.

Promote a safe physical environment through the following actions:

- Create classroom rules and practices for keeping all students safe, including those with food allergies. Share these guidelines with parents.
- Avoid using known allergens in classroom activities and use nonfood items for rewards or incentives.
- Enforce hand washing before and after eating, particularly for younger students.

By following these simple recommendations you can help keep students safe.

ANAPHYLAXIS

EPINEPHRINE AUTO-INJECTOR EPIPEN®

Anaphylaxis is a life-threatening allergic reaction that can occur within minutes or even seconds of exposure to an allergen. Anaphylaxis treatment requires an epinephrine injection followed by an immediate phone call to 911 for an emergency room visit. Symptoms often occur within minutes of exposure to an allergen but they can occur 30 minutes or longer after exposure.

WHAT ARE THE SIGNS AND SYMPTOMS OF ANAPHYLAXIS?

- The most dangerous symptoms: low blood pressure, difficulty breathing, and loss of consciousness.
- Skin reactions are common, including hives, itching, and pale or flushed skin.
- Constriction of the airway, difficulty swallowing, a swollen tongue or throat, wheezing, and trouble breathing can occur.
- Severe allergic reactions may cause dizziness, fainting, a weak or rapid pulse, nausea, vomiting, or diarrhea.

EXAMPLES OF ALLERGIC REACTION TRIGGERS

-  Food, insect stings & bites, latex, prescription, and nonprescription medications.
-  Allergic reactions to foods can also cause an allergic reaction. Lipo is common in spinach, globe, bell pepper, and other vegetables to name a few.
-  Anaphylaxis may also result from different causes, so understanding the symptoms and knowing those with severe allergies always carry their EpiPen® Auto-Injector (EpiPen®) is a life-saving ally.

ADMINISTERING AN EPIPEN®

To administer an EpiPen® Auto-Injector, follow these simple steps.

STEP #1

Grasp The EpiPen® with the blue cap facing the sky and the orange tip pointing downward. Do not bend or twist the cap; remove it by pulling it straight up.

STEP #2

Place the orange tip against the middle of the outer thigh. Swing your arm and push the auto-injector firmly into the thigh until it "clicks." Hold firmly in place for a minimum of three seconds—count slowly, "1, 2, 3."

STEP #3

Immediately **CALL 911**

LEGAL DISCLAIMER

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Anaphylaxis

Anaphylaxis is a life-threatening allergic reaction that can occur within minutes or even seconds of exposure to an allergen. Anaphylaxis treatment requires an epinephrine injection followed by an immediate phone call to 911 for an emergency room visit. Anaphylaxis, if not treated immediately, can be fatal.

Typically, symptoms occur within minutes of exposure to an allergen; however, they can occur 30 minutes or longer after exposure.

Those with an **EpiPen® prescription** should use it at first sign or symptom of a severe allergic response to a known or suspected allergen or in accordance with an individualized medication administration plan completed by the individual's doctor. Severe allergic reactions are not always predictable. Obvious warning signs are not always present before severe reactions occur.

What are the signs and symptoms of Anaphylaxis?

- The most dangerous symptoms are low blood pressure, difficulty breathing, and loss of consciousness, all of which can be fatal.
- Skin reactions are common, including hives, itching, and pale or flushed skin.
- Constriction of the airway, difficulty swallowing, a swollen tongue or throat, wheezing, and trouble breathing can occur.
- Severe allergic reactions may cause dizziness, fainting, a weak or rapid pulse, nausea, vomiting, or diarrhea.



If you are unsure if you are experiencing a severe allergic reaction, it is generally better to use an EpiPen®.

Examples of Allergic Reaction Triggers include but are not limited to Food, insect stings and bites, and prescription and non-prescription medications can cause a severe allergic reaction.

Allergic sensitivity to Latex can also cause an allergic reaction. Latex is common in spandex, gloves, balloons, and adhesives, to name a few.

Anaphylaxis may also occur from unknown causes, so understanding the symptoms and ensuring those with severe allergies always carry their EpiPen® is critical to safety.

Administering an EpiPen®

When administering an EpiPen® in a public or private school or a recreational camp, employees must be properly trained and adhere to school or camp policy.

In the school setting, in consultation with a school physician, school nurses may train and test authorized personnel to administer an EpiPen® if the nurse is not immediately available. There are specific training requirements for authorized individuals. A student may self-administer after proper training and documentation are completed. Schools must have an individualized medication administration plan for each student requiring an EpiPen® and update the plan each year.

In a recreational camp setting, a camper, health care supervisor, or other trained employee may administer an EpiPen® in accordance with camp policy. Authorized employees must complete training developed by the camp's health care consultant and with the written approval of the camper's parent/guardian. Campers may also self-administer as long as the required documentation is completed in accordance with camp policy.

Part II

When to use EpiPen®

EpiPen® is an auto-injector that contains epinephrine, a medication that can help decrease your body's allergic reaction. EpiPen® is for emergency treatment use only. Using epinephrine immediately after exposure to an allergy trigger can help reverse the symptoms of a severe allergic reaction until you can get medical help; using an EpiPen®



could help save a life. After using an EpiPen, always seek appropriate emergency medical care by calling 911, as an EpiPen is not meant to replace medical treatment.

Those prescribed an EpiPen® should carry it with them at all times and use it immediately at the first signs and symptoms of a severe allergic reaction or in accordance with an individualized medication administration plan completed by the individual's doctor.

Quick symptom recognition and immediate treatment are vital in a severe allergic emergency.

Don't hesitate: Any delay in responding to a severe allergic reaction can be life-threatening.

The EpiPen® Auto-Injector is a disposable, pre-filled automatic injection device that administers epinephrine in the event of a severe allergic reaction.

To administer an EpiPen® Auto-Injector, follow these simple steps.

Step # 1: Grasp The EpiPen® with the blue cap facing the sky and the orange tip pointing downward. Do not bend or twist the cap; remove it by pulling it straight up.

Step # 2 - Place the orange tip against the middle of the outer thigh. Swing your arm and push the auto-injector firmly into the thigh until it "clicks." Hold firmly in place for a minimum of three seconds—count slowly, "1, 2, 3."

Step # 3: Immediately call 911.

If the victim does not feel better or symptoms worsen, you can inject another dose 5 to 15 minutes after the first injection. Do not inject more than two injections consecutively. Too much epinephrine can cause high blood pressure, stroke, or death.

Prevention is vital, so avoiding allergy triggers is critical. Carry the EpiPen® at all times. As a reminder, when an EpiPen® is administered, there should be an immediate phone call to 911 for an emergency room visit.

When administering an EpiPen® in a public or private school or recreational camp, employees must be properly trained and adhere to school or camp policy.



Schools and camps must also have a plan for field trips and other short-term special events, before and after school programs offered or provided by a school or camp, such as athletic programs, special school events, and school-sponsored programs on weekends.

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Sources:

<https://www.epipen.ca/when-to-use-epipen>

<https://www.mayoclinic.org/diseases-conditions/anaphylaxis/symptoms-causes/syc-20351468>

105 CMR 210.000: The Administration of Prescription Medications in Public and Private Schools

105 CMR 430.000: MINIMUM STANDARDS FOR RECREATIONAL CAMPS FOR CHILDREN (STATE SANITARY CODE, CHAPTER IV)



Injuries in the workplace happen all the time, with slips, trips, and falls being the most common. Schools provide a safe environment for teachers and students, but they are not without risk, particularly when students are running and playing.

Accidents and injuries in a school setting do occur. They can expose students and staff to blood and body fluids. To ensure a safe learning environment we must practice Universal Precautions.

In this course, you will learn:

- The dangers of bloodborne diseases
- How bloodborne diseases can be transmitted
- Universal Precautions to prevent exposure and transmission of diseases

Injuries can expose students and staff to blood and other potentially infectious body fluids. These can lead to bloodborne pathogens and potentially contagious diseases entering our bloodstream.

The pathogens of primary concern are,

- Hepatitis B (Liver infection caused by hepatitis B virus)
- Hepatitis C (Liver infection caused by the hepatitis C virus)
- (HIV) (Human immunodeficiency virus)

Bloodborne pathogens are microorganisms carried by human blood and other body fluids. These viruses are transmitted when an infected person's body fluids get inside another person's body. They are not transmitted through casual contacts, such as shaking hands, high fiving, or using the same restroom facilities.

Of course, there is a chance of indirect transmission if you touch an object or surface contaminated with blood or infectious materials and transfer them to your eyes, mouth, nose, or an opening in your skin. If you have an open wound, make sure it is covered and be careful when handling sharp objects.

To protect yourself the most important thing to do is avoid contact with potentially infectious blood and bodily fluids. How can you tell if the blood and bodily fluids are infectious? Unless you are a pathologist with a microscope handy YOU CAN'T, so assume that all body fluids or substances are potentially infectious

If there is a likelihood of coming into contact with body fluids, you do not have to wear a hazmat suit to protect yourself.



Wearing gloves is the best way to protect yourself. It is important to make sure there are no holes in the gloves. If you feel that there is even a slim chance of potentially infectious materials spraying or splattering, wear goggles, a face mask, and an apron!

Use extreme caution when removing the gloves. Also, do not "pop" the gloves when removing because that can cause the fluids to splatter or become airborne. Once removed, discard the gloves into the trash or dispose of them safely, and wash your hands immediately with soap and water.

Make sure you can access gloves when the likelihood of coming into contact with body fluids increases. For example, recess, field trips, or sporting events. Always notify appropriate school personnel after an incident.

Following these universal precautions and procedures will keep all of us SAFE.

MANDATED REPORTER



WHO IS MANDATED REPORTER?



Mandated reporters include, but are not limited to, physicians, teachers, administrators, school staff, & childcare or afterschool program staff.



You must notify the Department of Children and Families (DCF) whenever there is reasonable cause to suspect abuse or neglect by a caretaker.

WHO IS CONSIDERED A CARETAKER?



A "caretaker" can be a parent, step-parent, guardian, or any household member.



Anyone responsible for the health and welfare of a child can be considered a caretaker—for example, school staff, a relative, or a babysitter.

RIGHTS & RESPONSIBILITIES OF MANDATED REPORTERS



Failure to file could result in a child suffering additional harm.



When there is a reasonable cause to believe a child under 18 is suffering from abuse or neglect, the law requires mandated reporters immediately make an oral report to DCF and file a written report within 48 hours.

FILING A 51A REPORT

- Do not investigate or attempt to determine whether or not abuse or neglect by a caretaker occurred—DCF determines if further investigation is needed.
- Immediately call DCF and ask for the Screening Unit.
- Submit a written report to DCF within 48 hours.



Mandated Reporter

Child abuse is a multifaceted problem, and no single agency is solely responsible for protecting abused children. As educators, we are **mandated reporters and must notify** the Department of Children and Families, commonly referred to as DCF, whenever we have reasonable cause to suspect abuse or neglect by a caretaker.

Mandated reporters are protected from liability in any civil or criminal action, and DCF maintains the reporter's confidentiality. It is important to note that it is not within the purview of school personnel to investigate or make determinations around whether or not abuse or neglect by a caretaker occurred—DCF determines if the 51A report requires further investigation.

When we have reasonable cause to believe a child under 18 is suffering from abuse or neglect, the law requires mandated reporters **immediately** make an oral report to DCF and file a written report within 48 hours. We also reserve the right to notify local law enforcement.

Abuse is a non-accidental act by a caretaker that causes or creates a substantial risk of physical or emotional injury. Neglect is the failure of a caretaker to take necessary action to provide a child with minimal and essential care, "provided that the inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition." Minimal, essential care includes, but is not limited to, adequate food, clothing, supervision, or other essential care.

Who Is Considered a Caretaker?

A "caretaker" can be a parent, step-parent, guardian, or any household member; however, anyone responsible for the health and welfare of a child can be considered a caretaker—for example, school staff, a relative, or a babysitter.

When there is a reasonable cause for concern, failure to file a 51A report can result in a fine and legal action; more importantly, a child could suffer additional harm if a report is not made when there is reasonable suspicion of abuse or neglect.



To file, you should immediately call DCF and ask for the Screening Unit. As a mandated reporter, you are also required by law to submit a written report to DCF within 48 hours.

Mandated Reporter & Domestic Violence Issues

Domestic violence may require a 51A. Domestic violence is a pattern of coercive controlling behaviors one person exercises over another in an intimate relationship. Not every situation involving domestic violence merits intervention by DCF. Mandated reporters are encouraged to review each family's situation and identify the impact of filing a report. A report may create additional risks for the caretaker and the children. If possible, discuss the filing of a report with the victim and address the potential need for safety planning.

A report is necessary for higher-risk domestic violence circumstances such as when the alleged perpetrator:

- threatens to kill the caretaker, children, or self
- physically injures the child in an incident where the caretaker was the target
- coerced the child to participate in or witness the abuse of a caretaker
- used or threatened to use a weapon

When a 51A report is filed, DCF is required to evaluate the allegations and determine the safety of the children. During their response process, all mandated reporters must answer questions and provide information to determine whether a child is being abused or neglected.

We all want children to remain safe, and mandated reporters are critical in protecting the children under their care.

Seclusion

Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include the use of time-out as defined in 803 CMR 46.02.

Seclusion vs. Exclusionary Time-out

Exclusionary time-out and seclusion are both used to remove a student from the classroom or school setting. The student is placed in a room or area from which the student is physically prevented from leaving.

In the classroom, staff members should provide support and assistance to the student before using seclusion or exclusionary time-out.



Exclusionary time-out

Exclusionary time-out is a behavior support strategy that should only be used when the student is displaying behaviors that are potentially dangerous or disruptive to the classroom.



Seclusion

Seclusion is a behavior support strategy that should only be used when the student is displaying behaviors that are potentially dangerous or disruptive to the classroom.



Time-out

Time-out is a behavior support strategy that should only be used when the student is displaying behaviors that are potentially dangerous or disruptive to the classroom.



Inclusionary time-out

Inclusionary time-out is a behavior support strategy that should only be used when the student is displaying behaviors that are potentially dangerous or disruptive to the classroom.

vs.

Time-Out

Time-out is a behavioral support strategy. During a time-out, a student must be continuously observed by a staff member.

Inclusionary time-out is when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom. The use of inclusionary time-out functions as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom.

Exclusionary time-out as a staff-directed behavioral support should only be used when the student is displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom.



Exclusionary time-out should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring.

The space used for exclusionary time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Exclusionary time-out must cease as soon as the student has calmed.

Prohibited Restraints

Mechanical restraint does not include devices implemented by trained school personnel or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved positioning or protective for which such devices were designed.



Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.



Prone restraint is a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student in the face down position.



The use of prone constraint is prohibited unless all of the following conditions are met:



Parental consent has been obtained



All other forms of physical restraint have failed



No medical contraindications



Repeated serious self-harm and/or disruptive behavior



No psychological contraindications

Parental Consent



Parental Consent

Restraint is to be used as a last resort in emergency situations. As such, a general consent for the use of restraint should not be obtained.

Only the use of prone restraint requires parental consent.

Programs may ask that parents sign acknowledging receipt of its behavior support policy, but cannot require the parent to consent to all aspects of the policy as a condition of admission or continued enrollment.



NO approved private special education program is required to admit an applicant or maintain a student in its program if it believes that the program will not be able to keep that student or others in the program safe due to the student's behaviors.

Parents Should be notified about the restraint as soon as possible but no later than 24 hours.

It is important to try to notify parents before the child returns home from school.

Parents **MUST** be notified within 24 hours.



Written report completed or sent within the time working day of the restraint



Parents must be given an opportunity to provide feedback about the incident



Physical Restraint Prevention & Requirements if Used

Physical restraint is direct physical contact that prevents or significantly restricts a student's freedom of movement. The goal is to avoid and prevent physical restraint; it shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate. When they are used, school personnel must exercise extreme caution.

School personnel shall use physical restraint with two goals in mind:

#1 To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm.

#2 To prevent or minimize any harm to the student as a result of the use of physical restraint.

And it should never be used:

- As discipline or punishment
- Or due to noncompliance, property destruction, or verbal threats
- Or as a standard response for any student

The following **are not** considered physical restraints

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

A **physical escort** is temporary touching or holding, without force, to help induce a student to walk to a safe location. Once the student begins to struggle or resist, it is no longer considered an escort, and staff members must determine if there is immediate danger to the student or others.

If physical restraint is required, it is imperative to monitor the student's well-being. Staff members should monitor students for noticeable changes, and if the student experiences physical distress, release the restraint and immediately seek medical attention. Examples of distress include:

- Labored breathing
- Wheezing
- Or the skin becomes hot or cold to the touch



- Or there is a noticeable change in skin color.

You must release the restraint if the student says they cannot breathe.

The following restraints are strictly prohibited.

- Mechanical
- Chemical
- And Seclusion

Seclusion vs. Time-Out

Seclusion - is the involuntary confinement in a room or area from which the student is physically prevented from leaving. **Seclusion does not include the use of time out as defined by DESE.**

Time-Out - is a behavioral support strategy where a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During a time-out, a staff member must continuously observe the student.

Inclusionary and Exclusionary Time-Outs

The definition of time-out includes the practice of **Inclusionary time-out**, which is a behavioral support strategy that allows the student to remain fully aware of classroom learning activities.

Exclusionary time-out is a behavior support strategy that includes the removal of a student from the learning environment. This should only be used when the student is displaying behaviors that present, or potentially present, an unsafe or overly disruptive situation in the classroom.

Proper Administration of Physical Restraint

Only trained school personnel shall administer a restraint, and they should only use the amount of force necessary to protect the students or others. When using physical restraint, always use the safest method possible. Only those who completed in-depth floor restraint training can use this method.



If possible, the person administering the restraint should have a witness present.

Physical restraint must end after 20 minutes unless the principal is aware of the situation and approves of continuing the restraint.

Restraints are the last resort, but when required, they must end as soon as possible or if the student shows any signs of distress.

#SaveYourVI

KNOW YOUR RIGHTS AT SCHOOL

What to do if a student is harassed* (bullied) at school

Educators

HARASSMENT IS NOT THE STUDENT'S FAULT and school staff is responsible for securing the student's rights and well-being.

Every student has a protected right to feel safe at school.

It is the right of all students to be free from discrimination from others—other students or adults—at school. School employees are responsible for reporting and acting on (according to your school policy and procedure) any commonly known or witnessed harassment incidents.

Safety first & write it down

1

Make sure the student is feeling safe.

Ask the student to explain what happened and write it down. Make a copy for yourself, the administration, and student/parent/caregiver.



Tell an administrator

2

Speak to your administrator & follow up in writing.

to document incidents of harassment and ask that your administration look into the incident and STOP the harassment.



Contact the student's parent/caregiver

3

Inform the student's parent/caregiver of the incident.

Let them know you took a written report of the student's account and invite them to contact you to discuss.



*What is harassment?

It's when someone or some people keep saying or doing something to a student even if the student doesn't want them to and has tried to stop it. It's illegal under federal law. Students at any age level have the right not to be harassed.

Title VI states that:

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance"



Gender is protected under Title IX and is also under the jurisdiction of the Office for Civil Rights

<http://www2.ed.gov/about/offices/list/oeo/oeo/faq1001.html>

Designated Title VI Officer:

- DOCUMENT** After making sure the student is safe, create a written report and make copies.
- INVESTIGATE** Immediate, appropriate action. Prompt, thorough, and impartial investigation.
- REMEDY** Remedy through disciplinary measures required by your **district policy** (like suspension, expulsion, counseling, behavior contract, or restorative justice). Follow up with strategies to eliminate the hostile environment that led to the harassment.

SonomaCountyRacialJustice.org | SaveYourVI.org | info@saveyourvi.org



Title VII

Protections against Discrimination & Other Prohibited Practices
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION



Title VII of the Civil Rights Act protects employees and job applicants from employment discrimination based on race, color, religion, sex and national origin.

Title VII protection covers the full spectrum of employment decisions, including recruitment, selections, terminations, and other decisions concerning terms and conditions of employment.



Sexual harassment is a form of sex discrimination that violates Title VII, and it prohibits all forms of harassment based on membership in a protected class.

The Equal Employment Opportunity Commission (EEOC) was established by Title VII to enforce the federal statutes related to discrimination and harassment.



If you believe you have been discriminated against as an employee, you have 180 days to file a complaint with the Equal Employment Opportunity Commission. Unlike claims brought under Title IX or Title VI, you must start with the EEOC.

Source: www.eeoc.gov



TITLE IX PROTECTING ALL STUDENTS & STAFF

Title IX is a federal civil rights law passed as part of the Education Amendments of 1972.

Title IX of Education Amendments Act of 1972 - federal gender equity law:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Title IX protects people from discrimination based on gender in many areas including education equality and LGBTQ rights. Title IX provides gender equality in:

- ▶ Educational Programming
- ▶ Athletics
- ▶ Extracurricular Activities



DID YOU KNOW?

Title IX includes - sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

Title IX also prohibits retaliation for filing a complaint or for advocating for a right protected by Title IX.



TAKE ACTION!

Refer all Title IX issues to your building principal and the Title IX Coordinator.

Anyone who believes there has been an act of discrimination on the basis of sex against any person or group in a program or activity that receives federal financial assistance may file a complaint with OCR under Title IX.

Access for girls & women is on the rise but gap still persists.
High School Athletics participation Survey totals 1971-72 to 2018-19



Source: <https://www.ed.gov/>
 <https://www.womenssportsfoundation.org/>



State and Federal anti-discrimination laws, including **Title VI, VII, & IX**, address discrimination in education and employment. These anti-discrimination laws apply to all students and employees.

All schools must strive to prevent harassment or discrimination in their educational policies, athletic programs, and other school-administered programs based on race, color, national and ethnic origin, sex, gender identity, sexual orientation, marital status, disability, and age. Discrimination is **unlawful, and violations are subject to legal consequences, including potential lawsuits.**

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities that receive federal financial assistance. Title IX states, "No person based on sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program."

In 2020, The U.S Department of Education formally amended the Title IX regulations for the first time in over 40 years. **"The proposed regulations will advance Title IX's goal of ensuring that no person experiences sex discrimination, sex-based harassment, or sexual violence in education."**

Strengthening anti-discrimination laws demonstrates a continued commitment to secure equal opportunity, combat sexual harassment and sexual violence, and provide transparent and fair procedures for students and educators to address sex discrimination in schools.

If you think you have been discriminated against or witnessed discrimination, immediately notify the appropriate personnel in your human resources department or an administrator.

You can also,

- refer to the procedures outlined in your school district's anti-discrimination and harassment policies
- file a complaint at the state level through the Massachusetts Commission Against Discrimination
- or file a federal complaint with the Office of Civil Rights and the Equal Employment Opportunity Commission

It is imperative that all members of the educational community take steps to prevent discrimination, and school districts must respond fairly and promptly to allegations of discrimination.



Sexual Harassment

Sexual Harassment is Strictly Prohibited Under



Massachusetts General Law

MGL - Part I, Title XXI,
Chapter 151B, Section 3A



Federal Laws

Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972

Sexual harassment includes

Unwelcome sexual advances

Requests for sexual favors

Verbal or physical conduct
of a sexual nature



Sexual harassment under Title IX means verbal, physical, or other conduct that targets a person based on their sex and that satisfies one or more of the following:

- Quid pro quo harassment, which is conditional benefits for participating in unwelcome sexual conduct.
- Unwelcome conduct that effectively denies or limits a person's ability to participate in, or benefit from, the school's education program or activity.
- Any instance of sexual assault, dating violence, or "stalking."



Reporting

Whether a victim of, witness to, or a person with knowledge of sexual harassment, notify the appropriate personnel in your human resources department or an administrator.

You can also



Follow the process outlined
in the employee handbook or
School Committee policy



File a complaint at the
state level through the
Massachusetts Commission
Against Discrimination



Or, file a federal complaint with
the Office of Civil Rights and the
Equal Employment Opportunity
Commission



Sexual Harassment

Like all employers, school districts must promote a workplace free of sexual harassment.

Sexual harassment is strictly prohibited under Massachusetts, and federal law, including Title VII and Title IX.

Sexual harassment includes

- Unwelcome sexual advances
- Requests for sexual favors
- And, other verbal or physical conduct of a sexual nature

Persistent and unwelcome sexual behavior is offensive and can create an intimidating and hostile learning environment for students and staff.

Sexual harassment under Title IX means verbal, physical, or other conduct that targets a person based on their sex and that satisfies one or more of the following:

- Quid pro quo harassment, which is conditional benefits for participating in unwelcome sexual conduct.
- Unwelcome conduct that effectively denies or limits a person's ability to participate in, or benefit from, the school's education program or activity.
- Or, any instance of sexual assault, dating violence, or "stalking."

Examples of Sexual Harassment

Sexual harassment can happen to anyone, regardless of gender, sexual orientation, or age. Whether supervisor-to-employee, colleague-to-colleague, student-to-student, or adult-to-student, sexual harassment is unlawful, and it **does not** have to be intentional to be considered harassment.

Some examples of sexual harassment include:

- Touching a person's body
- Discussing sexual activities or fantasies
- Repeated requests for a date or sexual intimacy
- Sexual jokes
- And, displaying or sending sexually explicit material

Reporting

Prevention and a zero-tolerance policy are the best tools to eliminate sexual harassment. Whether a victim of, witness to, or a person with knowledge of sexual harassment, the first step is to immediately notify the appropriate personnel in your human resources department or an administrator.



You can also,

- follow the process outlined in the employee handbook or School Committee policy.
- file a complaint at the state level through the Massachusetts Commission Against Discrimination
- or, file a federal complaint with the Office of Civil Rights and the Equal Employment Opportunity Commission.

Consequences

To ensure a safe learning and work environment, school districts must promptly and fairly respond and investigate all reports and complaints of sexual harassment.

Retaliation against a person who files a harassment complaint or cooperates in investigating a harassment complaint is unlawful regardless of whether the claim of harassment is substantiated.

If there is a finding of sexual harassment, school districts must take appropriate corrective action that can include discipline up to and including termination.

All students and staff deserve an educational and work environment free from discrimination, including sexual harassment and retaliation. It is incumbent upon all school community members to help make schools harassment-free.

504



IEP

Section 504 of the Rehabilitation Act of 1973



Governing Law

Individuals with Disabilities Education Act

U.S. Department of Education; Office of Civil Rights



Overseeing Agency

U.S. Department of Education; Office of Special Education and Rehabilitation Services

Entire life



Ages Covered

Birth through age 21

Law does not specify evaluation procedures. Simply states "periodic" evaluation.



Re-evaluation

Initial evaluation using standard assessment tools. Student must be re-evaluated every three years.

Students on a 504 Plan do not require specialized instruction to make progress.



Customized Curriculum

The IEP requires an individualized curriculum.

No requirement to review annually



Annual Review

IDEA requires an annual review of the student's progress toward their IEP goals.

A student's 504 Plan will provide accommodations that allow a student with a disability to have the same level of access to the instruction, school activities, and school facilities as students without disabilities.



Accommodations

Students may have accommodations to access their curriculum.

While some 504 plans can provide modifications.



Modifications

A modification changes what students are taught or are expected to learn.

Section 504 of the Rehabilitation Act of 1973 (Section 794 of Title 29 of the United States Code)

What is the 504 Process?

Under Section 504, school districts are responsible for identifying, locating, and evaluating students qualified for special education and related services and notifying them of their rights to receive services and protections under Section 504.

Referral

After school personnel review the referral information, which may include medical evaluations and recommendations, it is common to propose specific evaluations.

Eligibility

- An adult reading test questions out loud
- Extra time to complete a test or assignments



Child Find

When a parent, guardian, or school staff member suspects a student may have a disability requiring accommodations or related services, a referral for evaluation is necessary.

Evaluation

When an impairment does NOT substantially limit one or more major life activities, a student does not qualify for educational accommodations under Section 504.

Examples of Accommodations



Section 504 of the Rehabilitation Act of 1973 (Section 794 of Title 29 of the United States Code)

Video 1

Section 504 is a nondiscrimination statute that prohibits the exclusion of disabled individuals from participation in programs receiving federal funds when the exclusion is based on disability. Section 504 also requires equal access to educational opportunities, whether academic or non-academic, for persons with disabilities.

The U.S. Department of Education regulations under Section 504 prohibits discriminatory activities. It requires school districts to ensure students with disabilities receive the same benefits from school programs and school services available to students without disabilities.

Section 504 ensures that a student with a disability has equal access to education by requiring schools to provide accommodations for the student. Students who qualify for a 504 plan must be allowed to receive any help, benefit, and/or service to participate in activities that are available for students without disabilities, such as school-sponsored events and extracurricular activities.

Who is eligible for a 504 Plan?

Students of all ages with a physical or mental disability **that substantially limits a major life activity are eligible for a 504 plan**. Those major life activities can include but are not limited to, reading, learning, and concentrating.

Additionally, an individual's disability must have a material impact on functioning in the education setting to qualify under Section 504.

What are the differences between IDEA and Section 504?

IDEA is a federal special education law for children with disabilities.

To be eligible for special education services and an IEP, a student must be diagnosed with a disability and, as a result of that disability, must require specialized instruction or related services to make effective progress.

Students on a 504 Plan do not require specialized instruction to make progress but, due to their disability, need additional support and accommodations for equal access to an education. A student's 504 Plan will provide accommodations that allow a student with a disability to have the same level of access to the instruction, school activities, and school facilities, as students without disabilities.



In general, an individual who meets the eligibility requirements of Section 504 is entitled to equal access to publicly funded activities, including education. This is a different standard from the state and federal special education standards.

For example, a student making good academic progress may well be entitled under Section 504 to "accommodations" such as assistive equipment, modification to academic requirements such as test-taking, or other forms of assistance that enable the student to access the full range of activities, both academic and non-academic.

Video 2

What is the 504 Process?

There are several steps in the 504 process.

#1 Child Find

Under Section 504, school districts are responsible for identifying, locating, and evaluating students qualified for special education and related services and notifying them of their rights to receive services and protections under Section 504.

#2 Referral

When a parent, guardian, or school staff member suspects a student may have a disability requiring accommodations or related services, a referral for evaluation is necessary.

#3 Evaluation

After school personnel review the referral information, which may include medical evaluations and recommendations, it is common to propose specific evaluations. Additional information may be considered as part of the evaluation, such as teacher reports, grades, attendance, health data, and classroom participation and performance.

#4 Eligibility

When an impairment does NOT substantially limit one or more major life activities, a student does not qualify for educational accommodations under Section 504; however, students could be eligible for a 504 Plan if a temporary disability limits a major life activity, even if for a limited time.

Development & Implementation of the 504 Plan

The 504 Team collaborates to determine reasonable and appropriate accommodations for the student to receive equal access.



The 504 Coordinator, or a designated educator, ensures all appropriate staff members have access to the student's 504 Plan. This may include teachers, bus drivers, cafeteria workers, specialists, and other school staff.

All staff members are responsible for implementing the accommodations in their role and in relation to the student. Additionally, the 504 Team may deem it appropriate to provide coaches and extracurricular programs with information regarding a student's 504 Plan.

School districts must establish procedures for periodic evaluations of students with 504 Plans. The Office for Civil Rights suggests evaluating students every three years or sooner if requested by the parents or teachers. Other reasons for review may include:

- the student is not accessing the education
- there is new information to consider
- Or, a student moves to a new school

Video 3

What is in a 504 plan?

A 504 plan should include reasonable accommodations that do not change the content or the curriculum. The goal is to remove barriers and provide equal access to school and activities.

Examples of accommodations include:

- an adult reading test questions out loud
- extra time to complete a test or assignments
- Preferential seating
- Physical accommodations, such as elevator access
- And use of an audiobook or calculator

The 504 plan should include the nature of the child's disability and the major life activity it limits.

The 504 plan may also include:

- The basis for determining the disability
- The educational impact of the disability
- And the student's educational placement

Who is on a 504 Team?

Each school must have a 504 Coordinator who assists students, members of the school, and parents. The 504 Team should involve people with knowledge of the student who can provide important information about the student, including appropriate

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accommodations. A parent or guardian is not a required team member; however, they must receive notice of the proposed 504 Plan.

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DESE EDUCATION LAWS & REGULATIONS

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)



These laws ensure parents' and students' rights of:

- Confidentiality
- Inspection
- Amendment
- Destruction
- Control over the disclosure of personally identifiable information



COLLECTION OF DATA

Information and data contained in the record are limited to information relevant to the student's educational needs.



APPLICATION OF RIGHTS

Upon reaching 14 years of age or upon entering the ninth grade, whichever comes first, both the student and parents shall exercise their rights.

If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student's parents.



PERSONAL FILES OF SCHOOL EMPLOYEES

The student record does not include notes, memory aids, or similar information maintained in a school employee's personal files. However, if the personal files are shared with authorized school personnel, they become part of the student record subject to all the provisions under the law.



ACCESS TO STUDENT RECORDS

Authorized school personnel can access the student record without consent when access is required to perform their official duties.

Upon request, the eligible student and parent have access to the student record; access shall be provided as soon as practicable and within ten days after the initial request.



Third-Party Access & Non-Custodial Parents

Third Parties

Anyone other than the eligible student, their parents, or authorized school personnel is considered a third party. Only rarely should a third party have access to records without the student or parent's permission.

A few exceptions where a school can release records to a third party include:

- Court subpoenas
- Requests from the Department of Social Services
- A probation officer
- The Department of Youth Service
- The local police department
- School, local, and state health personnel can also access immunization records to perform official duties.

Non Custodial Parents

Any parent who by court order does not have physical custody of the student is considered a non-custodial parent.

Access Procedures for Non-Custodial Parents

A non-custodial parent is eligible to obtain access to the student record unless:

1. The parent has been denied legal custody or has been ordered to supervised visitation
2. The parent has been denied visitation
3. The parent's access to the student has been restricted by a temporary or permanent protective order
4. Prohibited by a judge

The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted.

Obtaining Access

In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.

Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access.

The school must

- 1) Delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents.
- 2) Records must be marked to indicate that they shall not be used to enroll the student in another school.
- 3) Upon receipt of a court order that prohibits the distribution of information, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

Regulatory Authority:

603 CMR 23.00: M.G.L. c. 71, 34D, 34E.

Disclaimer:

For an official copy of these regulations, please contact the Department of Secondary and Elementary Education.
<https://www.doe.mass.edu/lawsregs/603cmr23.html>



Data privacy is the right to determine when, how, and to what extent your personal information is shared. Parents and students entrust schools to safeguard sensitive personal data like their name, address, and contact information.

In this training session, you will learn how the laws and regulations from The Department of Elementary and Secondary Education, or DESE, and the Family Educational Rights and Privacy Act, or FERPA, establish the requirements regarding handling student records and privacy.

The student record consists of the transcript and the temporary record, including all information concerning a student where they may be individually identified. The student record may include standardized test results, class rank, extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Student records are critically important, and they are also considered highly sensitive. Schools must protect every student's private information, including student records.

These laws and regulations protect student and parent rights of confidentiality, inspection, amendment, destruction of student records, and some control of the disclosure of personally identifiable information.

Let's take a closer look at how these laws and regulations affect the treatment of student records, starting with:

Collection of Data

Data collected in a student record is limited to information relevant to the student's educational needs.

Employee Personal Files

The student record does not include personal notes from a school employee unless a teacher or staff member shares it with authorized personnel like the principal. Once shared, it becomes a part of the student record subject to all provisions under the law.

Privacy and Security

The principal or designee is responsible for the privacy and security of all student records. If using computerized systems, they must be completely secure.

Student and Parent Access

According to the law, students can access their records upon reaching age 14 or grade 9 – whichever comes first. "When a student reaches 18, they are considered a legal adult, but parents may inspect the student record in Massachusetts regardless of the student's age."

Non-custodial parents have access unless certain legal restrictions have been put into place. To obtain access, the non-custodial parent must submit a written request to the principal.

Log of Access

A log shall be kept as part of each student's record indicating who obtained access to the student record and the purpose of such access. Authorized School personnel are exempt from this requirement and can access student records at any time without consent.

If a student seeks to transfer schools, the receiving school shall have full access without consent.

Third Party Access

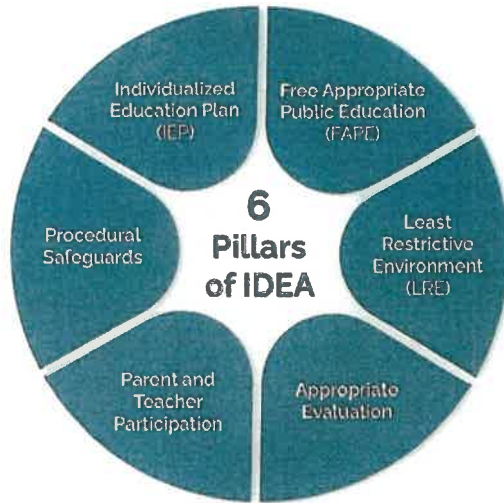
Anyone other than the eligible student, their parents, or authorized school personnel is considered a third party. Only rarely should a third party have access to records without the student or parent's permission.

A few exceptions where a school can release records to a third party include:

- court subpoenas
- requests from the Department of Social Services
- a probation officer
- the Department of Youth Service
- the local police department
- School, local, and state health personnel can also access immunization records to perform official duties.

As teachers, educators, and administrators, we must protect student privacy. When we understand and adhere to these laws and regulations, we can assure students and parents their information is safe.

Individuals with Disabilities Education Act (IDEA)



Three Fundamental Legal Principles



Students with disabilities must receive an education, with services and support as necessary, in the same classes and schools as their non-disabled peers.

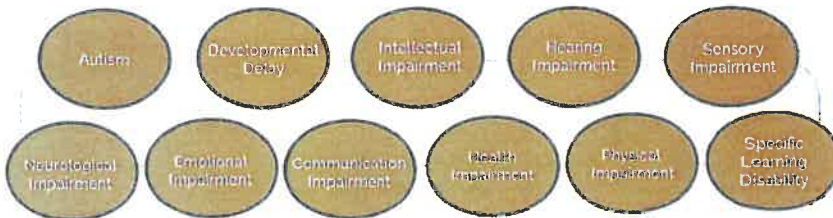


Students with disabilities must receive the same curriculum as their non-disabled peers, with the necessary modifications, accommodations, and support to meet their special education needs.



Students with disabilities must have the same opportunities as their non-disabled peers to engage in sports, extracurriculars, and all school-related and school-sponsored activities.

Disability Categories Recognized Under IDEA and Massachusetts Law



Individuals with Disabilities Education Act (IDEA)

IEP - Individualized Education Plan developed to ensure that a child with an identified disability receives specialized instruction and related services. A signed IEP is a legal document that all teachers and related service providers must follow.

IEP Team must include



Accommodation vs. Modification

An accommodation changes how students access and learn the same material as their peers.

Examples include

- ▶ sign language interpreters for students who are deaf
- ▶ computer-based systems for students with visual impairments or dyslexia
- ▶ extended time for students with fine motor limitations, visual impairments, or learning disabilities
- ▶ large print books and worksheets for students with visual impairments

A modification changes what students are taught or are expected to learn.

- Examples
- ▶ reduced assignments
 - ▶ significantly modified assignments
 - ▶ different classwork or homework problems
 - ▶ fewer or different questions on an assessment





Individuals with Disabilities Education Act (IDEA)
Individualized Education Plan (IEP)
Free and Appropriate Public Education (FAPE)

IDEA outlines a robust framework for providing support and services to students with disabilities in K-12 public schools. It aims to ensure all students, regardless of disability status, have the same access and opportunity to receive a **free and appropriate public education**, commonly referred to as (FAPE).

To qualify for IDEA services, a child must have a documented disability that requires special education to make effective progress in school. IDEA ensures that all students with a disability, who have yet to earn a high school diploma, have access to a Free and Appropriate Public Education.

What is FAPE?

FAPE provides special education, related services, and supports to students with disabilities. One way to ensure that programs meet individual needs is through the development and implementation of an Individualized Education Plan, or IEP for short.

FAPE requires that a student's IEP is tailored to address their unique needs in a way that is **reasonably calculated** to enable the child to make meaningful and effective educational progress in the Least Restrictive Environment.

What is LRE?

LRE stands for Least Restrictive Environment. Under federal law, LRE requires, to the maximum extent appropriate, students with disabilities to receive their education with their nondisabled peers. Further, the law states that **special classes, separate schooling, or the removal** of students with disabilities from the regular educational environment **OCCUR ONLY when the nature or severity** of the disability is such that education in general education classes, even with the use of supplementary aids and services **CAN NOT** be achieved satisfactorily.

For example, some students may be included in the general education setting and “**pulled out**” for specific special education services, such as speech, counseling, or



reading. Other students with disabilities may require a **substantially separate classroom**- which is a classroom outside the general education setting with other students with disabilities. Only when these services in the general education setting and public school are insufficient can more restrictive options such as private special education schools be considered.

Video 2 IDEA Equal Access

In addition to providing a Free and Appropriate Public Education, commonly referred to as (FAPE), students with disabilities must have **equal access** to school programs and school-sponsored activities, such as field trips, dances, and assemblies.

There are 3 essential and fundamental legal principles to keep in mind for students with disabilities.

#1 They must receive an education, with services and support as necessary, in the same classes and schools as their non-disabled peers.

#2 They must receive the same curriculum as their non-disabled peers, with the necessary modifications, accommodations, and support to meet their special education needs.

And # 3 They must have the same opportunities as their non-disabled peers to engage in sports, extracurriculars, and all school-related and school-sponsored activities.

Denying students with disabilities the opportunity to participate in extracurriculars is unlawful, and school districts must provide accommodations. An example might include utilizing a Paraprofessional to enable students to access extracurriculars.

What is an Individualized Education Plan, and what is the IEP Process?

An Individualized Education Plan, also known as an IEP, is a plan developed to ensure a student with an identified disability receives specialized instruction and related services.



A **team** develops the IEP, and the IEP serves as a roadmap outlining a student's special education supports, services, and the type of instruction they need to navigate school within their general and special education classes.

An IEP has many components, but they typically include the following:

- Disability classification
- Student and team vision
- Educational strengths, interests, and personal accomplishments or attributes
- Parental or student concerns
- The student's present level of performance
- Testing data, such as achievement, psychological, academic, or social-emotional
- Involvement and progress in the general curriculum
- The student's annual goals
- Related services
- And the appropriate accommodations necessary for them to succeed

Who qualifies for an IEP?

Students aged 3 through 21 who, because of their disability, require additional support and services to make effective progress in the general curriculum may be eligible for an IEP.

Under IDEA, eligible students are entitled to an individualized program of specially designed instruction and related services **reasonably designed** to provide educational benefits to the student in the **least restrictive setting**.

The categories of disabilities recognized by the IDEA and Massachusetts law include:

- Autism
- Developmental delay (this category can only be identified up to the age of 9)
- Specific Learning Disability

And any of the following impairments

- Intellectual
- Sensory
- Neurological
- Emotional

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- Communication
- Physical
- And Health

Who is on the IEP Team?

All members of the IEP Team are vital stakeholders and equally important in developing a student's IEP.

The team must include:

- The student
- A parent or guardian
- At least one general education teacher
- The special education teacher and related service providers
- An administrator may also be present

A signed IEP is a legal document that all teachers and related service providers must follow.

So, why do we need to follow a student's IEP? Because it's the law! The school district is responsible for ensuring the IEP is followed, and services are provided as planned.

Video 3 Students with Disabilities

The general education teacher's role in the IEP process and student success.

General education teachers are essential members of the IEP team. They are the subject matter experts who understand the curriculum and standards, and they plan a critical role in setting academic and behavioral expectations for their class.

The general education teacher can offer invaluable input on how the student's accommodations and modifications are working. Their input helps the team determine what is working well, what may need to be tweaked, and what services or supports the students may need to access and meet the standards.

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At every IEP meeting, the general education teacher provides an update on the student's progress in class. The teacher can highlight what accommodations the student utilizes in class.

When possible, start the meeting by highlighting areas of student growth before discussing challenges. An honest assessment of the student's progress will benefit the team and the student. The teacher can highlight behavioral interventions used with the student in their classroom and how they have worked.

The IEP meeting provides an opportunity for the general education teacher to communicate with the student and the team on student progress and provide valuable input through a general education lens.

After the meeting. How is the IEP implemented?

Once accepted, teachers and relevant staff will receive the new IEP. Until then, they should continue to follow the last accepted IEP.

All educators should read the IEP and understand the different accommodations and modifications. Educators must ensure that the student receives all of the accommodations included in the IEP.

Collaboration with the student's special education teacher is vital in ensuring students' success. If there is any confusion, the special education teacher can help clarify and offer support.

A student IEP review must occur at least once a year unless a parent or the school requests additional IEP reviews. Also, students are **re-evaluated** for eligibility every **three years**.

Accommodations vs. Modifications

All students on IEPs have accommodations, modifications, or a combination of both. The teacher must ensure students receive accommodations and modifications in their class.

What is an accommodation?

An accommodation changes **how** students access and learn the same material as their peers. Accommodations allow students to learn the same material but in a different way



without lowering academic expectations. For example, a student with a reading disability can benefit from an audiobook. In this instance, all students in the class are accessing the same book, and the audiobook accommodation supports their way of learning.

What is a modification?

A modification changes **what** students are taught or are expected to learn. A student far below grade level may need modifications to help them access the material.

For example, a student on an IEP may learn different material (such as continuing to work on sentence or paragraph structure while their peers move on to essay writing). They may have different classwork or homework problems or answer fewer or different questions on an assessment. Differentiated instruction can make a big difference in a student's classroom experience.

Many students simply need to have the material presented differently. If the classroom teacher can find ways to meet and engage the needs of the diverse learners in their classroom, the overall classroom experience will likely be better for both the teacher and students.

Arxed | SUICIDE PREVENTION TRAINING

20% of high school students report serious thoughts of suicide according to the National Alliance on Mental Illness.

8% have made an attempt to take their lives

SUICIDE AMONG TEENAGERS IS A GROWING PROBLEM

According to the CDC, suicide is now the second leading cause of death among youths aged 10-24.

WHAT TO LOOK FOR

RISK FACTORS

- Diagnosed mental health disorders
- Alcohol or other substance use disorders
- History of trauma or abuse
- Previous suicide attempt
- Loss of relationship
- Local clusters of suicide
- Lack of social support and sense of isolation

WARNING SIGNS

- Talking about wanting to die or to kill themselves
- Talking about being a burden to others
- Acting anxious or agitated, behaving recklessly
- Withdrawing or isolating themselves
- Extreme mood swings

Not all people who are considering suicide appear outwardly upset or depressed.

EDUCATORS CAN HELP

By building safe and inclusive classrooms, teachers can promote a feeling of connectedness and belonging for all students.

HELP IS AVAILABLE

LOCAL AND NATIONAL CRISIS COUNSELING IS AVAILABLE AND EFFECTIVE WHEN KIDS ARE IN CRISIS

REFER STUDENTS IN CRISIS TO THE APPROPRIATE SCHOOL PERSONNEL

MASSACHUSETTS COALITION FOR SUICIDE PREVENTION

CRISIS CENTERS ARE CRITICAL
Local crisis centers provide invaluable support at critical times and connect individuals to local services.

The Lifeline's toll-free number, 988, connects the caller to a certified crisis center near where the call is placed.

988



Suicide Prevention

According to the CDC, suicide is now the second leading cause of death among kids aged 10-24, with the fastest-growing rates among youth ages 10-14.

Suicide is not inevitable for anyone. By creating a safe and inclusive space for conversations, providing support, and directing help to those who need it, schools play an essential role in preventing suicides and saving lives.

Although they should not diagnose and treat adolescents who may be suicidal, school staff act as day-to-day observers of students' behavior, mood, and overall mental well-being. School staff should be taught how to recognize and refer students who may be at risk for engaging in suicidal thoughts or behaviors.

Not only are teachers in a unique position to notice what students say, do, and write, and take action when they suspect a student may be at risk of self-harm, but educators can also play an active role in suicide prevention by fostering the emotional well-being of all students, not just those at high risk. Educators are well positioned to promote a feeling of connectedness and belonging in the school community, which research shows is a factor in suicide prevention.

By cultivating a safe and inclusive classroom, teachers can help prevent suicide not just for students already in crisis but for every member of your school community.

Know the Risk Factors

Risk factors make it more likely someone will consider, attempt, or die by suicide. While risk factors are not direct causes or predictors of suicide, understanding the issues concerning suicide and mental health is an important way to participate in suicide prevention, help those in crisis, and change the conversation around suicide.

Risk factors include, but are not limited to:

- Mental disorders
- History of trauma or abuse
- Loss of relationships
- Stigma associated with asking for help
- And Exposure to others who have died by suicide (in real life or via the media and Internet)



Federal, state, and community-based agencies are available to provide resources and support to students and families in crisis. If you suspect someone is at risk, reach out to a school counselor or administrator immediately and they can assess the situation and refer students to the appropriate organization.

Know the warning signs

Sometimes there are warning signs that someone is at risk, especially if the behavior is new, has increased, or seems related to a painful event, loss, or change.

Some warning signs include, but are not limited to:

- Talking about wanting to die or to kill themselves
- Talking about feeling hopeless or having no reason to live
- Increasing the use of alcohol or drugs
- Acting anxious, agitated, or behaving recklessly
- And withdrawing or isolating themselves

It is important to note that not everyone considering suicide exhibits changes in behavior or seems outwardly depressed.

Students should be provided a list of adults in the school that they may contact if they feel unsafe or if they have knowledge about a potentially dangerous situation involving another student.

Remember, schools are part of a larger community of support for students.

Talk with your school administration to learn about the community-based partnerships available to work with schools in supporting student mental health, both on a day-to-day basis and during times of crisis.

Helping someone at risk create a network of individuals and resources for support can help them take positive action and reduce feelings of hopelessness.

First responders, local social services staff, and youth development professionals often work collaboratively with schools to educate and support staff and students around issues of mental health.

By learning the warning signs working together, we can help keep our students safe.



Created by the 988 Suicide and Crisis Lifeline, which is funded by the Substance Abuse and Mental Health Services Administration & administered by Vibrant Emotional Health.

- Call or text 988 (Veterans: Press 1, Spanish Line: Press 2)
- Chat available on 988lifeline.org/chat
- Visit 988lifeline.org for additional information.

Massachusetts coalition for suicide prevention

Crisis Centers are critical

By offering immediate counseling to everyone that may need it, local crisis centers provide invaluable support at critical times and connect individuals to local services.



BULLYING

WHAT IS BULLYING?

Bullying is repeated behavior directed at a victim that either causes physical or emotional harm, damage to their property, or places a victim in reasonable fear of harm.
All states have either laws or policies prohibiting bullying.

BULLYING VS. HAZING

Bullying is repeated behavior that typically excludes a person from a group.



Hazing is often temporary and involves actions to gain access to a specific group.



BULLYING STATISTICS

- Of bullying victims suffer verbal harassment
- Of bullying victims do not report it
- Of bullying victims experience social harassment
- Of bullying victims experience physical bullying
- Of kids ages 12-18 experienced bullying nationwide

IMPACT OF BULLYING

Kids who experience bullying are at increased risk of depression, anxiety, lower academic achievement, isolation, rejection, exclusion, despair, and self-harm.

HOW TO PREVENT BULLYING

Model how to treat others with kindness and respect.



When an adult or peer intervenes, bullying often stops immediately.



Close supervision, particularly in locker rooms, pool areas, and athletic fields.



Describe behavioral expectations and reinforce that bullying will not be tolerated.



Educate kids using age-appropriate language; explain what it is, why it is harmful, and how to respond.



HOW TO RESPOND TO BULLYING

Intervene immediately

Separate the kids involved

Remain calm and de-escalate the situation

Allow time and space before kids are expected to re-engage

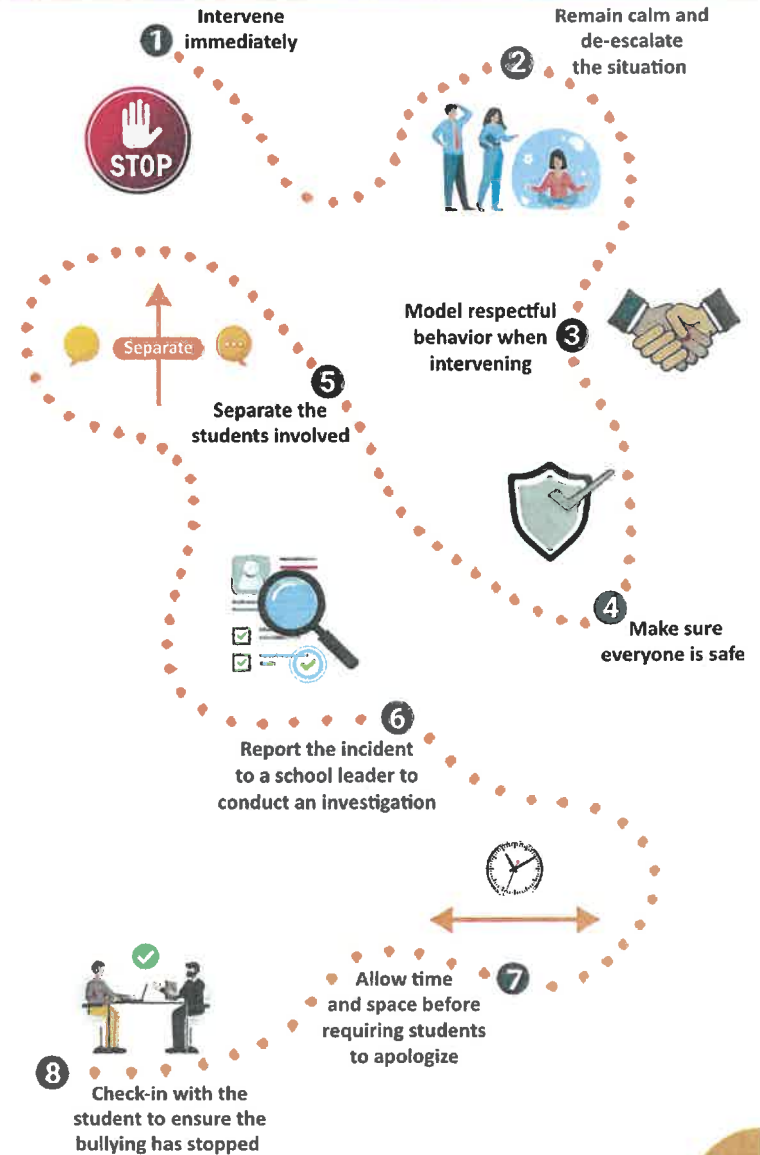
Model respectful behavior when intervening

Regularly check in with those involved to ensure the bullying has stopped

Make sure all parties involved remain safe

Report the incident to a school leader

Bullying Response



Hull Public Schools Bullying Prevention and Intervention Plan



School Committee Members

David Twombly	Chair
Kyle Conley	Vice Chair
Liliana Hedrick	Secretary
Ernest Minelli	Member
Regan Yakubian	Member

*Judith Kuehn
Superintendent*

Submitted to School Committee

December 9, 2013

Hull Public Schools' Priorities

Our school district is committed to providing all students with a safe learning environment that is free from bullying and cyber bullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, co-curricular activities, and parent or guardian involvement.

This plan applies to students and members of a school staff, including, but not limited to educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

Hull Public Schools Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying, and the district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, the district has established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

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¹ This Model Plan is updated to reflect M.G.L. c. 71, 370 as amended by Sections 72 – 74 of Chapter 38 of the Acts of 2013, which changed the definition of “perpetrator” to include “a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.” The amendment also made the plan applicable to school staff, including but not limited to, the individuals listed in the amended perpetrator definition.

I. LEADERSHIP

Leadership at all levels will play a critical role in developing and implementing Bullying Prevention and Intervention Plans (“the Plan”) in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying.

A. Public involvement in developing the Plan. As required by M.G.L. c. 71, § 370, the Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. Consultation includes notice and a public comment period before the Plan is adopted by the school committee. The district will involve representatives from various constituencies in various aspects of Plan development, including needs assessments, working groups, task forces, and public meetings.

B. Assessing needs and resources. The district will consider the following needs assessments:

1. surveying students, staff, parents, and guardians on school climate and school safety issues; and
2. collecting and analyzing building-specific data on the prevalence and characteristics of bullying (e.g., focusing on identifying vulnerable populations and “hot spots” in school buildings, on school

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grounds, or on school buses).

This information will help to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in-school support services. The Plan will describe the methods the school will use to conduct needs assessments, including timelines and leadership roles.

- C. Planning and oversight. The Plan identifies the school or district leaders responsible for the following tasks:
1. receiving reports on bullying – principals or designee;
 2. collecting and analyzing building data on bullying
 3. creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors;
 4. planning for the ongoing professional development;
 5. planning supports for targets and aggressors;
 6. developing/revising curricula;
 7. revising and implementing current policies and procedures
 8. amending student and staff handbooks and codes of conduct; to, among other things, make clear that bullying of students by school staff or other students will not be tolerated
 9. leading the parent or family engagement efforts and drafting materials for parent information; and
 10. reviewing and updating the Plan biennially.

The Bullying Prevention and Intervention Plan (“Plan”) is a comprehensive approach to addressing bullying and cyberbullying, and the school or district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

The Plan must reflect the requirements under M.G.L. c. 71, § 370 to provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals..

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- A. Annual staff training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.
- B. Ongoing professional development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school-wide and district-wide professional development will be informed by research and will include information on:
- (i) developmentally (or age-) appropriate strategies to prevent bullying;
 - (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
 - (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
 - (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
 - (v) information on the incidence and nature of cyber bullying; and
 - (vi) internet safety issues as they relate to cyber bullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by the district for professional development may include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students; and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc and bullying behaviors

- C. Written notice to staff. The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the staff handbook and an email or letter referencing the location of the plan.

III. ACCESS TO RESOURCES AND SERVICES

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families, and others are addressed. The Plan should describe the strategies for providing supports and services necessary to meet these needs. In order to enhance the district's capacity to prevent, intervene early, and respond effectively to bullying, available services should reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and student aggressors. The Plan includes a strategy for providing counseling or referral to appropriate services for student aggressors, targets, and family members of those students.

- A. Identifying resources. The Plan includes the district's process for identifying its capacity to provide counseling and other services for targets, student aggressors, and their families. This will include a review of current staffing and programs that support the creation of positive school environments by focusing on early interventions and intensive services. The district will develop recommendations and action steps to fill resource and service gaps.
- B. Counseling and other services. The Plan includes the district's process of identifying culturally and linguistically appropriate resources within the school and district. If resources need to be developed, the Plan will identify linkages with community based organizations, including Community Service Agencies (CSAs) for Medicaid eligible students. In addition, the Plan will identify a process to identify staff and service providers who assist schools in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors.
- C. Students with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. The district will establish a protocol for referring targets, aggressors, and families to outside services. Clear protocols will help students and families access appropriate and timely services. Referrals must comply with relevant laws and policies.

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

The law requires each school or district to provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curricula. Curricula must be evidence-based. Effective

instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development.

A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyber bullying, including the underlying power imbalance;
- emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan. The Plan should include specific information about how and when the school or district will review the Plan with students.

B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

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V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

To support efforts to respond promptly and effectively to bullying and retaliation, the district has put in place policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of our school community – students, parents, and school staff – know what will happen when incidents of bullying occur. This includes procedures for staff reporting of incidents, processes for communicating to students and families how reports can be made (including anonymous reports), and procedures to be followed by the principal or designee, or the superintendent or designee when the principal or assistant principal is the alleged aggressor, or the school committee or designee when the superintendent is the alleged aggressor once a report is made.

*****The Department recommends that districts and schools develop different procedures for reviewing and investigating reports of bullying by students, and of bullying by school staff. Incorporate these procedures into the local Plan.*****

A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. All Hull Public Schools' employees (employee), including contracted employees providing services to students, are mandated to report immediately to the principal or designee or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the employee becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. Use of an incident reporting form is not required as a condition of making a report

At the beginning of each school year, the school or district will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, and the superintendent or designee when the principal or the assistant principal is the alleged aggressor, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

I. Reporting by Staff

An employee will report immediately to the principal or designee, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor when s/he witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

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II. Reporting by Students, Parents or Guardians, and Others

The district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

B. Responding to a report of bullying or retaliation – Allegations of Bullying by a Student

I. Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

II. Obligations to Notify Others

Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the student aggressor. There may be circumstances in which the principal or designee contact parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the student aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the Superintendent or designee.

C. Investigation Procedures. The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the clinical staff, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

The principal or designee will follow the investigation policies and procedures that are outlined in the Hull Public Schools code of conduct.

D. Determinations. The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or clinical staff, and the target's or student aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with

applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

E. Responses to Bullying.

I. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v).

Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; or
- making a referral to the Student Intervention Team (SIT).

II. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. The range of possible disciplinary actions will be consistent with the Plan and with the school's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

III. Restoring Safety for the Target and Others

The principal or designee will assess target's needs and consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

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F. Responding to a Report of Bullying by School Staff

School staff, including, but not limited to an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engage in bullying or retaliation will be held accountable and/or disciplined. A report of bullying of a student by a staff member shall be investigated and, if substantiated, will result in discipline in accordance with the applicable personnel policies and procedures of the Hull Public Schools.

The school principal and/or designee will investigate promptly a report of bullying and/or retaliation by school staff, giving consideration to all circumstances at hand including the nature of the allegation and the age(s) of the student(s) involved. Even before fully investigating allegations of bullying or retaliation the school principal or designee will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target for further incidence of concern. However, the rights of the alleged target and the alleged aggressor must be carefully considered. The investigator will seek to determine the basis of the complaint through gathering information from the complainant including such matters as what specifically happened, who committed the alleged acts, who was present or who may have information about the events and when and where the events occurred (date, time of day). It is helpful to have these facts in writing and the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations, read them to the complainant to confirm accuracy, and ask the complainant to verify accuracy. If the complainant cannot or chooses not to sign, the investigator may sign and date the document. The investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. The investigator would remind the alleged aggressor and witnesses that retaliation against persons whom they believe might have reported the incidents or cooperated with the investigation is strictly prohibited and may result in disciplinary action. The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address the matter.

The principal or designee must weigh all of the evidence objectively to determine whether the alleged events occurred, and if they did, whether the events constitute bullying or retaliation. The determination must be based upon all of the facts and circumstances and the perspective of a reasonable person. If bullying or retaliation is substantiated, the school will take steps reasonably calculated to prevent reoccurrences and ensure that the target is not restricted in participating in school or benefitting from school activities. If the complaint is substantiated, school staff will promptly provide notice to the parent/guardian of the targeted student.

VI. COLLABORATION WITH FAMILIES

Parents and guardians must also be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan, in the language(s) most prevalent among the parents or guardians. School- or district-specific approaches to collaboration should take into account age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.

- A. Parent education and resources. The district will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula, any social competency curricula used by the district, and strategies to reinforce the at home.

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- B. Notification requirements. Each year the school or district will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber bullying and online safety. The district will send parents written notice each year about the student-related sections of the Plan and the district's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The district will post the Plan and related information on its website.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyber bullying, are prohibited:

- (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

VIII. DEFINITIONS

Aggressor is a student or a member of a school staff who engages in bullying, cyber bullying, or retaliation towards a student.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyber bullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text

messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyber bullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

School Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyber bullying, or retaliation has been perpetrated.

IX. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§41 and 42, M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

EDUCATION OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education from preschool through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have equal access to high-quality, stable educational experiences.

The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the 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). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

LEGAL REFS: Every Student Succeeds Act (ESSA);

Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

*Original adoption: October 21, 2019
First reading 2021 revision: April 5, 2021
Second reading: April 5, 2021
Adoption: April 5, 2021
Proposed reconsideration: April 2026*

EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents/guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The School Committee believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents'/guardians' frequent moves and deployment.

Definitions

Children of military families means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel. Children are eligible to receive services for one year following discharge due to severe injury, retirement or death of an active military parent. Students are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing

subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.

- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of the District for visitations relative to leave or deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent/guardian without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

LEGAL REFS: M.G. L. 15E;

Interstate Compact on Educational Opportunity for Military Children

*First reading: September 16, 2019
Second reading: October 7, 2019
Adoption: October 21, 2019
Proposed reconsideration: October 2024*

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

As required by law, the district will work with homeless children and youth and unaccompanied youth¹ (collectively, "homeless students") as well as their families or legal guardians to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, school nutrition programs, summer programming and extracurricular activities.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings; and
7. Migratory children living in conditions described in the previous examples.

Students Remaining in Schools of Origin

It is presumed to be in the best interest of homeless students to remain in their schools of origin, i.e. the school that the student was attending at the time he or she became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to attend their school of origin for as long as they remain homeless or until the end of the academic year in which they obtain permanent housing. For homeless students who complete the final grade level served by the school of origin, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The district will transport students who are sheltered or temporarily residing within the district to the students' school of origin. For homeless students attending a school of origin located outside the district in which the student is sheltered or temporarily residing, the district in which the school of origin is located will coordinate with the district in which the student is sheltered or temporarily residing to provide the transportation services necessary for the student, and these districts will divide the cost equally. Formerly homeless students who find permanent housing mid-school year will continue to receive transportation services until the end of the school year.

¹ "A homeless child or youth not in the physical custody of a parent or guardian." 42 USC §11434a.

Students Enrolling in District Where Sheltered or Temporarily Residing

Parents or guardians may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin. Enrollment changes for homeless students should take place immediately.

If homeless students are unable to provide written proof of their shelter or temporary residence in the district, the homeless liaison will work with the family seeking enrollment to determine homelessness. Information regarding a homeless student's living arrangement shall be considered a student education record, and not directory information. Records containing information about the homeless student's living arrangement may not be disclosed without the consent of the parent or satisfaction of another student-privacy related exemption.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

Dispute Resolution

If the district disagrees with a parent or guardian's decision to keep a student enrolled in the school of origin and considers enrollment in the district where the student is sheltered or temporarily residing to be in the student's best interest, the district will explain to the parent, in writing and in a language the parent can understand,² the rationale for its determination and provide parent with written notice of their rights to appeal the district's determination to the Massachusetts Department of Elementary and Secondary Education³. During the pendency of any such appeal, the student should remain enrolled in the school selected by the parent or guardian, receiving transportation to school and access to other available services and programs.

The Massachusetts Department of Elementary and Secondary Education's Advisory on Homeless Education Assistance contains additional information about educating homeless students and the appeal process. This advisory is available at the following link: <http://www.doe.mass.edu/mv/haa/mckinney-vento.docx>

Homeless Liaison

The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. The district's liaison for homeless students and their

² Translation of communications of this type is required by Title I, among other laws. See, e.g. 20 USC § 6312.

³ Information about the dispute resolution process managed by the Department of Elementary and Secondary Education can be located here: <http://www.doe.mass.edu/mv/haa/03-7.html>

families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in locations such as schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students. The liaison shall ensure district staff receive professional development and other support on issues involving homeless students.

LEGAL REFS.: The McKinney-Vento Act and Title I, Part A, as Amended by the Every Student Succeeds Act of 2015

SOURCE: MASC October 2019

Adoption: March 2018
First reading 2020 revision: September 16, 2020
Second reading: September 30, 2020
Adoption: October 19, 2020
Proposed reconsideration: October 2025

Hull Public Schools

2023-2024
ABBREVIATED REFERENCE TO THE LEGISLATION AND SPECIFIC CRITERIA OF CIVIL RIGHTS, AND SCHOOL AND DISTRICT COORDINATOR INFORMATION

Law	Coordinator
<i>Title VI of the Civil Rights Act of 1964</i> – prohibits discrimination, exclusion from participation and denial of benefits based on race, color and national origin.	Ms. Kristen Ryan 781-925-4400
<i>Title I of the Americans with Disabilities Act of 1990</i> – prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of employment.	Ms. Kristen Ryan 781-925-4400
<i>Title II of the Americans with Disabilities Act of 1990</i> – prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of educational programming and activities.	Ms. Kristen Ryan 781-925-4400
<i>Section 504 of the Rehabilitation Act of 1993</i> – prohibits discrimination, exclusion from participation and denial of benefits based on disability	Ms. Kristen Ryan 781-925-4400 Ms. Rebecca MacDonald 781-925-2040 Ms. Nancy LeBlanc 781-925-3000 Mr. Daniel O'Donnell 781-925-3000 Ms. Maureen Rosenplanter 781-925-4400
<i>Massachusetts General Laws, Ch. 76, S. 5</i> – prohibits discrimination in all public schools on the basis of race, color, sex national origin, religion and sexual orientation.	Ms. Christine Cappadona 781-925-4400
<i>Title I of the Elementary and Secondary Education Act of 1965</i> – designed to help disadvantaged children meet challenging content and student performance standards.	Ms. Kristen Ryan 781-925-4400
<i>603 CMR 46.00</i> – governs the use of physical restraint on students in publicly funded schools.	Ms. Kristen Ryan 781-925-4400 Mr. Michael Knybel 781-925-3000 Mr. Anthony Hrivnak 781-925-2040 Mr. Kyle Shaw 781-925-4400
<i>Title IX of the Education Amendments of 1972</i> – prohibits discrimination, exclusion from participation, and denial of benefits in educational programs based on sex.	Ms. Kristen Ryan 781-925-4400 Ms. Lindsey Rajan Ms. Maureen Rosenplanter 781-925-4400 Ms. Rebecca MacDonald Ms. Alison Caputo 781-925-2040 Ms. Julie Burke Ms. Andrea Centerrino 781-925-3000
<i>McKinney Vento Homeless Coordinator</i>	Ms. Kristen Ryan 781-925-4400
<i>Foster Care Liaison</i>	Ms. Kristen Ryan 781-925-4400
<i>Age Discrimination</i>	Ms. Diane Saniuk 781-925-4400

Hull Public School policy, AC, "Nondiscrimination" states, "Individuals who have a complaint or feel they have been discriminated against because of race, color, gender, religion, national origin, sexual orientation and disability, should register their complaint with the Title IX compliance officer." The above referenced laws and coordinators indicate whom individuals should contact in the event they feel they have been victims of discrimination. If any individual associated with the Hull Public Schools feels discriminated against on the basis of race or national origin (Title VI), gender (Title IX) or disability (Section 504), s/he may file a complaint with the appropriate school or district coordinator. 8/10/23