



Dennis-Yarmouth Regional School District

Laws & Regulations You Need to Know

2016-2017

Important Information...

Please read carefully

- **Before October 26, 2016 please read through this entire presentation.**
- **Viewing this presentation replaces attendance at the October 26, 2016 District Meeting.**
- **All employees are required to participate.**
- **Before September 30, or within the first 30 days of your hiring, please sign the affidavit at the end of this presentation to acknowledge viewing and return to your principal.**
- **Thank you, in advance for your compliance with these legal requirements.**





Civil Rights Act of 1964

PART ONE: INTRODUCTION

Why provide training?

- **Annual training is mandated by the Department of Elementary and Secondary Education (DESE).**
- **This training protects individuals and the district and ensures that all employees know their rights and responsibilities.**
- **The mission of the Dennis-Yarmouth Regional School District is to provide a nurturing and safe environment for our students and staff. Having informed employees will help foster a healthy work and learning environment.**
- **If you have questions about any information contained herein, please contact your building principal.**

MA DESE Regulations Active Efforts

CMR 26.07 Purpose of Presentation

- **All public schools shall strive to prevent harassment or discrimination and all public schools shall respond promptly to such discrimination or harassment when they have knowledge of its occurrence.**
- **The school community and the Superintendent shall provide in-service training for all school personnel at least annually regarding the prevention of discrimination and harassment and the appropriate methods for responding to such discrimination in a school setting.**
- **The Superintendent shall promote and direct effective procedures for the full implementation of 603 CMR 26.00.**



***PART TWO:
FEDERAL & STATE
LAWS & REGULATIONS
OVERVIEW***

Educational Laws and Regulations: Overview



Title VI of the Civil Rights Act of 1964

- ❑ Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, sexual orientation, gender identity, or national origin in programs or activities receiving federal financial assistance

Title IX of the Education Amendments of 1972

- ❑ Prohibits discrimination, exclusion from participation, and denial of benefits based on sex, sexual orientation, or gender identity, in educational programs and activities receiving federal financial assistance

Laws and Regulations Overview



Section 504 of the Rehabilitation Act of 1973

- ❑ Prohibits discrimination, exclusion from participation, and denial of benefits based on disability in programs of activities receiving federal financial assistance

Equal Educational Opportunities Act of 1974

- ❑ Prohibits the denial of equal educational opportunity in public schools on the basis of race, color, sex, gender identity, or national origin

Laws and Regulations Overview



FERPA: Family Educational Rights and Privacy Act of 1974

- Protects the privacy of student education records and gives parents certain rights with respect to those records**

Age Discrimination Act of 1974

- Prohibits discrimination based on age in programs or activities that receive federal financial assistance**

Laws and Regulations Overview



Title II of the Americans with Disabilities Act of 1990

- Prohibits discrimination, exclusion from participation and denial of benefits on the basis of disability or gender identity, in public entities
- NCLB: The No Child Left Behind Act of 2001
- Governs elementary and secondary education

Title X, Part C

- The McKinney-Vento Homeless Education Assistance Improvement Act of 2001
- IDEA: Individuals with Disabilities Education Act of 2004
- Governs special education

Laws and Regulations Overview



Confidentiality of Student Records (603 CMR 23.00)

- ❑ 603CMR 23.00 is promulgated to insure parents' and students' rights of confidentiality, inspection, amendment, and destruction of student records and to assist local school systems in adhering to the law

Mandated Reporting (MGL Chapter 110, Section 51A)

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

Laws and Regulations Overview



Mandated Reporting of School Fires (MGL c. 71 §37L)

- Principals are mandated to report the unauthorized ignition of any fire within the school building or on school grounds to the local fire department within 24 hours

Chapter 199 of the Acts of 2011

- Made changes to many of the Massachusetts General Laws related to discrimination, including a number of education statutes, by prohibiting discrimination on the basis of gender identity law

MGL Chapter 69, Section 8A

- Requires that each school have a written medical emergency response plan and requires that certain elements be included as part of the plan



***PART THREE:
FEDERAL & STATE
LAWS & REGULATIONS
DETAILS***

...of the Civil Rights Act of 1964...



- Prohibits discrimination of adults and students based on race, color, sex, religion, age, national origin, sexual orientation, disability, marital status, or veteran status to access programs and services that receive federal funds.**

- Services include but are not limited to: education, public schools, public accommodations, transportation, state and local government services, housing employment, and telecommunications.**

What is non-discrimination?



- The Dennis-Yarmouth Regional School District is committed to ensuring that all programs and facilities are accessible to all.
- We actively seek to prevent discrimination or harassment on the basis of age, color, homelessness, disability, national origin, religion, race, or sexual orientation.
- See the DYRSD Employee Handbook for more detailed information on the DYRSD Policies on Non-Discrimination.

Federal Law: Title VI

Race & National Origin Discrimination



- Protects against discrimination based on race, color, and national origin.**
- Applies to students, parents, and employees.**
- Prohibits discrimination in student class assignments, ability tracking, or any other school segregation, and protects English Language Learner (ELL) students.**

Federal Law: Title IX



- Prohibits discrimination or harassment related to gender, including sexual harassment.
- Refer all Title IX issues to your building Principal or the Superintendent. (Refer to the Employee Handbook for specifics regarding the DYRSD Harassment policy).
- DYRSD will respond promptly to all complaints.

Federal Law: Title IX

Understanding Sexual Harassment



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

Federal Law: Title IX

Examples of Sexual Harassment



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

Federal Law: Title IX

Discrimination



- Examples of the types of discrimination that are covered under Title IX include:
 - Sexual harassment
 - Failure to provide equal opportunity in athletics
 - Discrimination based on pregnancy
- The Title IX regulation is enforced by Office for Civil Rights (OCR) and is in the code of federal regulations at 34 CFR Part 106

Chapter 199 of the Acts of 2011

Gender Identity Anti-Discrimination Statute



- Massachusetts General Laws relating to discrimination prohibit discrimination on the basis of gender identity.
- The law defines gender identity as:
 - “a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity, or any other evidence that the gender-related identity is sincerely held as part of a person’s core identity; provided, however, that gender-related identity shall not be asserted for any improper purpose.”

How to Address Harassment & Discrimination



- Enlist parents, students, and community groups in the effort
- Monitor the school climate
- Foster respect and appreciation for diversity
- Be sensitive to religious holidays
- Implement measures to address harassment immediately and effectively
- Collaborate with law enforcement
- Review crisis intervention plans
- Document and report all harassment incidents

Reporting incidences of harassment or discrimination...



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

Federal Law: Section 504 of the Rehabilitation Act of 1973



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

Federal Law: Section 504



- ❑ No discrimination against a person with a disability will be permitted in any of the programs of the Dennis-Yarmouth Regional School District.
- ❑ §504 is a civil rights statute and *not a special education statute*. Therefore, it is the responsibility of regular education staff and administration to implement those practices and procedures necessary for a school to fulfill this law's requirements. It is also important to understand that Dennis-Yarmouth Regional School District receives no additional funding to implement §504 accommodations. The responsibility for insuring §504 compliance rests with the District's §504 Coordinator. Please note that when working with disabled students, §504 serves the same purpose as ADA (Americans with Disabilities Act).
- ❑ Questions about eligibility and enforcement should be directed to the 504 Coordinator in your building.

Federal Law: Section 504



- The 504 Coordinator disseminates 504 plans to the student's instructional team and/or other staff who must provide accommodations.
- Staff must provide accommodations as specified. Failure to comply could result in court action.
- A 504 Team meeting must be held to make any changes to an existing 504 plan.
- ADA Amendment Act of 2008 (ADAAA)
On September 25, 2008, the President signed the *Americans with Disabilities Act Amendments Act of 2008 (ADAAA)* . This Act, effective January 1, 2009, emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA.
- The Office of Civil Rights (OCR), a component of the U.S. Department of Education, enforces §504 of the Rehabilitation Act of 1973, as amended.

Federal Law: Title II Americans with Disability Act (ADA)



- Prohibits discrimination against:**
 - Access to programs and facilities**
 - Free appropriate public education for elementary and secondary students (FERPA)**
 - Employment**

- The Dennis-Yarmouth Regional School District is committed to ensuring that all programs and facilities are accessible to all.**

- We actively seek to prevent discrimination or harassment on the basis of age, color, disability, national origin, religion, race, or sexual orientation.**

Federal Law: Title II Disability Discrimination



- Examples of the types of discrimination:**
 - Access to educational programs**
 - Denial of the free appropriate public education for elementary and secondary students**
 - Section 504 and Title II also prohibit employment discrimination**

- The DYRSD has designated the Director of Pupil Services as the person to coordinate its efforts to comply with ADA.**

- Inquiries, requests, and/or complaints should be directed to: Director of Pupil Services, Jaime Curley, DYRSD, 296 Station Avenue, South Yarmouth, MA 02664-1898, (508) 398-7600.**

IDEA:

the Individuals with Disabilities Act



- In Massachusetts, the special education system is based on federal special education law and the Individuals with Disabilities Education Improvement Act (IDEA, 2004 CFR 300) in concert with the state special education law (MGL c. 71B 603 CMR 28.00).
- These laws protect students with disabilities who are eligible for special education and guarantees them an Individual Education Program (IEP) to meet their unique needs.
- Students must be provided a Free and Appropriate Education (FAPE) that prepares them for further education, employment and independent living.
- The Dennis-Yarmouth Regional School District provides a full continuum of special education services for students with disabilities ages 3-22 who have been found eligible for special education.

IDEA:

the Individuals with Disabilities Act



- The following are the types of disabilities that qualify a child for special education services:
 - Autism
 - Developmental Delay
 - Physical
 - Sensory Impairment (hearing, vision, deaf-blind)
 - Neurological
 - Emotional
 - Communication
 - Intellectual
 - Specific Learning
 - Health

IDEA:

the Individuals with Disabilities Act



- “Child Find” is ongoing throughout the school year.
- Once a child is identified as possibly needing special education and related services, a referral is made to begin the special education evaluation process.
- Parental consent is required for all evaluations.
- The team, which consists of parents, special educators, regular educators, the Special Education Team Chair, related service providers, an individual who can interpret the instructional implications of the evaluation results, and the student (when appropriate), meets to decide eligibility, IEP services, and placement.
- For further information relative to special education procedures, contact your building administrator or the Special Education office at (508) 398-7600.

Federal Law: Title X Part C

McKinney-Vento Homeless Education Program



Definition of Homeless

- The federal government's legal definition of homelessness based on the McKinney-Vento Homeless Education Assistance Act is anyone who...
 - Lacks a regular, fixed, and adequate nighttime residence (sub-standard housing)
 - Is sharing housing due to economic struggles (doubled-up)
 - Is living in a shelter, hotel or motel
 - Is living in a public place not designed for sleeping (cars, parks)
 - Is an unaccompanied youth
 - Is a child or youth awaiting foster care placement
 - Is a child or youth abandoned in a hospital
 - Is a migrant child who qualified under any of the above

Federal Law: Title X Part C



- If you suspect that a student is homeless, notify the principal, school counselor, or school nurse so that an appropriate referral can be initiated.

- The district's liaison for homeless students carrying out duties as described in NCLB Title X, Part C, Sec. 722 (g) (6) is the Director of Pupil Services, Jaime Curley, DYRSD, 296 Station Avenue, South Yarmouth, MA, 02664-1898, (508) 398-7600.

Confidentiality of Student Records MGL 603 CMR 23.00



- FERPA Family Education Rights and Privacy Act of 1974
 - Parents have the right:
 - To inspect and review their child's file
 - To inspect and review their child's file prior to any meeting regarding an IEP
 - A reasonable fee may be charged for copies of records
 - To request that the information in their child's file be changed if they believe it to be inaccurate or if it violates the student's rights

Confidentiality of Student Records MGL 603 CMR 23.00



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

School personnel should be informed of the provisions of 603 CMR 23.00 and MGL c. 71, § 34H. These documents can be reviewed online.

www.doe.mass.edu/lawsregs/603cmr23.html?section=01

www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/Section34H

It is important that the information contained in student records is private and confidential.

Care and Protection of Children Under 18 (51A Report)



- School personnel are mandated reporters legally obligated to contact the Massachusetts Department of Children and Families (DCF.)
- It is important that educators understand their obligation under § 51A and the penalties for failure to comply. Please refer to the law in its entirety for complete information.
<http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section51A>
- If school personnel have reasonable cause to suspect physical or emotional abuse or substantial risk of harm/neglect they must follow DCF 51A reporting requirements and are legally obligated to contact Massachusetts DCF at 800-792-5200 or 508-760-0200.
- Consult with your Principal, social worker, school nurse, or the district's Director of Pupil Services for assistance if abuse or neglect is suspected. A team approach to these difficult decisions is recommended
- All reports are confidential.

Mandated Reporting of any School Fires



- This law, effective on August 10, 2006, provides greater protection for our children and will enable local authorities to identify possible juvenile fire setters and provide appropriate early intervention.
- If you see a fire on school property, activate the fire alarm system, and when safe to do so inform your building principal.
- Please limit the amount of paper hanging on walls to 10% of the surface area and do not hang paper items from ceilings.
- Carpets and furniture must be fire-rated.

PART FOUR: BULLYING

**Bullying
Hurts...**

↳ **inside
and
out!**



Bullying



What is a Hate Crime?

A crime motivated in whole or in part by hatred or bias, or where the victim is targeted or selected based on his/her actual or perceived:

Race, color, religion, gender, sexual orientation, disability, national origin, ethnicity, or ancestry

Bullying



What are Bias Indicators?

- Bias-related oral comments or slurs
- Bias-related markings, drawings, graffiti, hate symbols
- Victim and witness perception of bias
- Victim's group differs from that of offender
- Location and date of incident
- Victim's group is overwhelmingly outnumbered
- Offender's history of crimes against victims of the same group
- Hate group involvement

What is Bullying?



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

What is Cyber-Bullying?



- ❑ Cyber-bullying (or online bullying) is a term used to refer to bullying and harassment by use of electronic devices through means of e-mail, instant messaging, text messages, blogs, mobile phones, pages, online games, websites, etc.
- ❑ Other terms for cyber-bullying are *electronic bullying, electronic harassment, e-bullying, SMS bullying, mobile bullying, online bullying, digital bullying or Internet bullying.*
- ❑ Cyber-bullying is willful and involves recurring harm inflicted through the medium of electronic text.

Why should we be concerned?



- Many children are involved in bullying, and most are extremely concerned about it.
- Bullying can seriously affect the mental health, academic work and physical health of children who are targeted.
- Children who bully are more likely than other children to be engaged in other antisocial, violent, or troubling behavior.
- Bullying can negatively affect children who observe bullying going on around them – even if they aren't targeted themselves.
- Bullying is a form of victimization or abuse, and it is wrong. Children should be able to attend school or take part in community activities without fear of being harassed, assaulted, belittled, or excluded.

It is **EVERYONE'S** Responsibility



- Be familiar with basic facts about harassment and hate crimes
- Recognize and identify bias indicators
- Report all harassment to appropriate authorities
- Don't tolerate harassment and bullying
- Challenge biased or disrespectful attitudes of and behavior by students and staff
- Be alert to signs of student harassment and bullying
- Support victims and hold offenders accountable
- Call the offender's attention to the fundamental issue of respect, if a student mocks another's appearance, mannerisms or mobility
- Encourage student involvement

Some Harassment & Bullying Myths



- Ignore it and it will go away
- “If you only stood up for yourself...”
- It’s something the victim did
- Boys will be boys, girls will be girls
- Harassment and bullying toughens you up
- It’s a part of life, accept it
- Only wimps get bullied
- Children who get harassed or bullied are passive, loners, or overly sensitive

Signs of Possible Harassment or Bullying



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

Other Signs of Possible Harassment or Bullying



- Indicates fear of walking in the halls unsupervised.
- Shows signs of being intimidated when interacting with certain students in class, cafeteria, or halls.
- Appears fearful of walking to or from school.
- Does not want to go on the school bus.
- Seems withdrawn, disengaged in class; has noticeable drop in classroom participation.
- No longer participates in school-related activities.
- Is suddenly doing poorly in school.

Some Suggestions for Addressing Discrimination or Harassment



- Follow District Policy and Procedures (See Employee Handbook).
- Monitor the school climate.
- Foster respect and appreciation for diversity.
- Recognize the signs of possible bullying, harassment, and bias.
- Be sensitive to diverse cultures – their practices and perspectives.



Explosive Situations

PART FIVE: PHYSICAL RESTRAINT

Physical Restraint of Students



- Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Dennis-Yarmouth Regional School District.**

- School personnel shall use physical restraint with two goals in mind:**
 - To administer a physical restraint only when needed to protect a student and/or member of the school community from immediate, serious, physical harm; and**

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

Physical Restraint of Students



- The purpose of 603 CMR 46.00 (Physical Restraint Regulations) is to ensure that every student participating in a Massachusetts public education program is free from the use of physical restraint that is inconsistent with 603 CMR 46.00.
- Physical restraint shall be used only in emergency situations, of last resort, after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

Training

- The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.**
- In addition, each staff member will be trained regarding the school's physical restraint prevention and behavior support policy including use of time-out as a behavior support strategy.**
- Interventions may preclude the need for restraint, including de-escalation of problematic behaviors.**

Physical Restraint and Time-Out



- ❑ **Inclusionary time-out** occurs when the student is removed from full participation in classroom activities but remains within the classroom.
- ❑ **Exclusionary time-out** occurs when the student is separated either in a walled-off space within the classroom or in a separate time-out space elsewhere in the building.

Exclusionary Time-Out



- Is used only when students are displaying behaviors that are potentially unsafe or overly disruptive.
- Staff members must be physically present with the student.
- Any exclusionary time-out greater than 30 minutes must be approved by the principal.
- Exclusionary time-out must end when the student is calmed.

Seclusion

- A student is involuntarily confined in a time-out room and may be physically prevented from leaving the room and may be alone with no staff member inside the room.
- Time-out will not be considered seclusion as long as there is a school counselor or other behavioral support professional continuously observing and immediately available outside of the time-out room.
- Seclusion is prohibited in Massachusetts.

Prohibitions

- Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs.**

- Prone restraint shall be prohibited except on an individual student basis and only under certain circumstances.**

Conditions on Use of Prone Restraint

- 1. A history of repeatedly causing serious self-injurious or injuries to others exists.**
- 2. All other forms of restraint have failed to ensure the safety of the student and/or the safety of others.**
- 3. There are no medical contraindications documented by a physician.**
- 4. There is psychological or behavioral justification for the use of prone restraint and no contraindications as documented by a licensed mental health professional.**
- 5. The program has obtained consent to use prone restraint in an emergency and such use has been approved in writing by the principal; and**
- 6. The program has documented 603 CMR 46.03 (1)(b) 1-5 in advance of the use of prone restraint and maintains the documentation.**

Determining When Physical Restraint May Not Be Used



- Physical restraint is prohibited in the following circumstances:
 - As a means of punishment
 - As a response to property destruction
 - Disruption of school order
 - Student's refusal to comply with a school rule or staff directive
 - Verbal threats that do not constitute a threat of imminent, serious, physical harm

Restraint Trained Teams



- ❑ Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint, which the DESE recommends be at least 16 hours in length.
- ❑ Only school personnel who have received training pursuant to 603 CMR 46.00 shall administer physical restraint on students. This does not, however, preclude a member of the School Committee or any teacher or any employees or agent of the School Committee from using such reasonable force as is necessary to protect pupils, other persons, or themselves from an assault or imminent, serious physical harm.
- ❑ Whenever possible the administration of physical restraint shall be administered in the presence of at least one adult who does not participate in the restraint. A person administering physical restraint shall only use the amount of force necessary to protect the student from injury or harm.

Restraint-Trained Teams



- Each school in the Dennis-Yarmouth Regional School District has a restraint-trained team.
- Consult your building Principal to determine who is a member of your school's team.
- ONLY** restraint-trained staff can engage in a restraint of a student, after exhausting all other efforts of de-escalation.
- Training and mandatory refresher trainings are offered annually. Consult your Principal if you are interested in becoming a member of your school's restraint-trained team.

Safety Requirements



- Restraint should not prevent the student from breathing or speaking.
- Continuously monitor the physical status of the student such as skin color and respiration.
- Release hold immediately if there are any signs of physiological distress.
- Release hold when the student is no longer at risk of causing imminent physical harm to him or herself or others.

Follow-up Procedures



- Review the incident with the student in order to address the behavior that precipitated the restraint and to teach appropriate replacement techniques.
- Review the incident with the staff to discuss restraint procedures and any changes necessary for future crisis intervention.
- Discuss if any follow-up is appropriate for students who witnessed the incident.

Reporting Requirements



Reporting to School Administration:

- Verbally inform the designated administrator of the restraint as soon as possible, and provide a written report by the next school day
- The administrator must maintain an on-going record of all reported instances of physical restraint which, upon request, shall be made available to the Department of Elementary and Secondary Education (DESE),

Reporting to Parents:

- Verbally inform the student's parents or guardians of the restraint as soon as possible
- Provide a written report postmarked no later than three school days following the use of restraint

DESE Reporting Requirements



- When a restraint has resulted in serious injury to a student or program staff member or when an extended restraint has been administered, the Principal shall provide a copy of the required report to the DESE within three (3) school days of the administration of the restraint.
- Additionally, the principal shall send a copy of the record of physical restraints maintained by the principal for the 30 day period prior to the date of the reported restraint.
- Every program shall collect and annually report data to DESE regarding the use of physical restraints.

Legal Ref: 603 CMR 46.06(2), MGL 71:37G

Policy



- ❑ See the Dennis-Yarmouth Regional School Committee Physical Restraint Policy for specific items to be included in the written report.

A copy of the policy may be found online at:

[Physical Restraint Policy](#)

De-escalation Techniques



- Most situations can be prevented or defused if we are alert and sensitive to the situation as it begins to evolve.
- Effective verbal and non-verbal intervention skills assist potential aggressors in comprehending our message, rather than their fears.
- Share with the aggressor your awareness of their problem – to them, the problem is quite real. You want to help in any appropriate manner you can.
- Never demand things of a person. State needs and requirements as calmly, simply, and politely as you can.

De-escalation Techniques



- Give the aggressor options. Give them time to process these options. Patience is key.
- Always leave the person a “face-saving” way out of the situation they have found themselves in.
- Always empower people to seek and define their own solutions or problem-resolutions.
- Keep all verbal communications simple; complexity burdens people unfairly.

De-escalation Techniques



- Even under normal circumstances, you communicate with your expression, posture, voice, muscle-tone and touch as much or more than you do with your words. Be certain your words and body language exhibit calm.

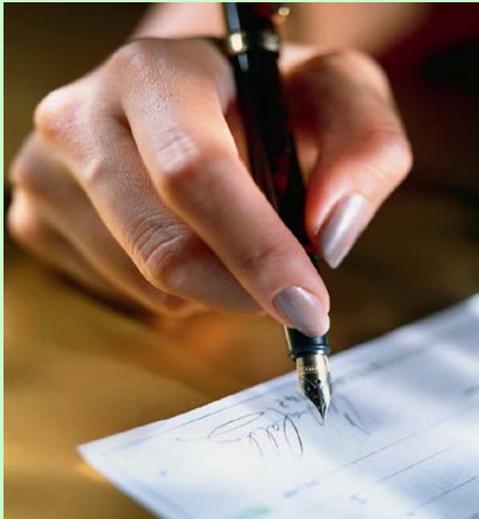
- Keep talking; silence can be intimidating.

- It may be that you will be required to restrain someone (only if you are trained!) to insure everyone's safety. However, it may be that you can broker a solution between the people involved, or, that you can remove the item causing the trouble. We do not want to do more than we need to do to get things calmed down. It is often quite effective to try to broaden the person's perspective. Remind him or her that appropriate behavior is expected of everyone.

Thank You!



Thank you for reviewing this important information. This presentation is a part of annual, mandatory trainings for the Dennis-Yarmouth Regional School District.



Please sign and print the affidavit on the next slide and return to your school's office to acknowledge viewing the entire presentation. We recommend keeping a copy for yourself.



**DENNIS-YARMOUTH REGIONAL SCHOOL DISTRICT
CONFIRMATION OF REVIEW OF CIVIL RIGHTS, BULLYING,
RESTRAINT TRAINING AND RELATED DOCUMENTS**

2016-2017

Employee Name: _____

(Please print)

***Please select your work location. If you
work in more than one location
please select each of them.***

- Central Office
- Dennis-Yarmouth Regional High School
- Mattacheese Middle School
- Nathaniel H. Wixon Innovation School
- Marguerite E. Small Elementary School
- Station Avenue Elementary School
- Ezra H. Baker Innovation School

**Please select the job classification that
most closely fits.**

- Administration
- Teacher
- Secretarial
- Paraprofessional
- Nurse
- Maintenance / Custodial
- Cafeteria
- Stipend Position (i.e., coach, class advisor, etc.)

**I have viewed the online presentation *Civil Rights: Laws and Regulations* and
understand the training information provided on the following:**

Federal Educational Laws and Legislations

Massachusetts General Laws

Massachusetts Department of Elementary & Secondary Education Regulations

Dennis-Yarmouth Regional School District Policies & Procedures

Physical Restraint Training Information

Signed: _____ Date: _____