

Students' Civil Rights

Staff Training 2016-2017

After viewing if you have questions, concerns, or you do not understand any portion of the information provided please see a building administrator for further assistance. Thank you for your attention to this important matter.

Compiled from MA DESE, DOE and Legal Coursework materials for the
Mansfield Public Schools

Important Facts

- The responsibility for keeping schools safe rests with staff, students, administrators, law-enforcement, and other community leaders.
- Every student has the right to learn in an environment that is free from violence, harassment, and discrimination based on race, color, religion, national origin, ethnic background, gender, sexual orientation, or disability.

Need More Information?

- The Attorney General's Office (AGO) website, <http://www.mass.gov/ago/> contains more information about school safety and about civil rights.
- The AGO encourages students and school staff to learn more so that they can play a role in keeping schools free from discrimination and create a climate in schools that celebrates differences and applauds diversity.

Three Categories to Report:

- **Hate Crime-** when a student is targeted for physical assault, threat of bodily harm, or intimidation, at least in part because he or she is a member of a different race, color, religion, ethnic background, national origin, gender, or sexual orientation from the offender, or because he or she has a disability.
- **Harassment-** when a student's or an adult's behavior or inappropriate language creates a hostile, offensive, or intimidating school environment.
- **Discrimination-** when a student is denied equal educational opportunities or subjected to a more severe discipline due to his or her race, color, religion, ethnic background, national origin, gender, or sexual orientation, or disability.

Law Mandates for these Requirements:

The Massachusetts Civil Rights Act, M.G.L. c. 12, s. 11, permits a victim and the Attorney General to seek a civil rights injunction on behalf of any victim of bias-motivated violence, threats, or intimidation based on an individual's actual or perceived race, color, national origin, ethnicity, gender, sexual orientation, disability, age, or religion.

The Massachusetts Student Anti -Discrimination Act (M.G.L. c. 76, s. 5), Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and Title IX of the Education Amendments Act of 1972]

Reporting Responsibilities

- In all circumstances where a student is the subject of any incident of harassment or any incident involving intimidation, threat of violence or physical attack, a school official should be notified.
- The local police should be notified in an emergency or if a student's personal safety is in danger.

Staff Action Steps

- If the target's physical safety is not in danger, he or she may want to try to speak with the person he or she feels has harassed or discriminated against him or her (for example, the teacher, coach, other student or administrator) to request that the offensive conduct stop.
- This should only be done if the target feels safe and is comfortable doing so.
- If the target does not feel safe or comfortable doing this alone, he or she should ask a trusted person (such as a parent, a good friend, a family member, the school nurse, a teacher, or guidance counselor) to accompany him or her.

Students Action Steps

- **Talk about the situation with parents, guardians, or another trusted adult. Make an appointment and meet with a guidance counselor.**

If there is still a problem a student may:

1. Make an appointment with the school principal.
2. Write a formal complaint to the school superintendent and the school committee.
3. Request an investigation by contacting the person designated to coordinate or handle harassment and discrimination complaints in each school.

Wrap Up

- Schools must take appropriate action to protect students from physical harm and to stop hate-motivated harassment or intimidation and prevent it from happening again.
- The school may want to enlist the support of the agencies listed on the next page:

Agency Help is Available

- **Massachusetts Department of Education (DOE)** www.mass.gov/doe
(781) 338-3000
- **U.S. Department of Education Office for Civil Rights** www.ed.gov/ocr
(617) 289-0111
- **Massachusetts Office of the Attorney General
Civil Rights Division**
www.mass.gov/ago
(617) 727-2200
- **Massachusetts Commission Against Discrimination (MCAD)**
www.mass.gov/mcad
(617) 994-6000

Signature

To document that you have read and understand the material provided in this Civil Rights Training please use the signature page that will be found in your school mailbox. Please sign the form as acknowledgement of completing this training presentation, and provide a copy of the signature page to your school office by Friday, September 30, 2016. Thank you.