



**PARENT AND STUDENT HANDBOOK
2023-2024**

**Northshore Education Consortium
112 Sohier Road
Beverly, MA 01915
978-232-9755**

NOTIFICATION: This student handbook contains summaries of our most critical policies. The full NEC Policy Manual is available on our website at NSEDU.org under the “resources” section. You may request a printed copy or a translated copy by contacting Heather Wolsey at hwolsey@nsedu.org or 978-232-9755 ext. 1355.

You will receive school-specific policies separately.

Contacts

Central Administration:

Executive Director: Francine Rosenberg frosenberg@nsedu.org

Director of Finance and Operations: Larry Fleming lfleming@nsedu.org

Director of Human Resources/ Title IX Coordinator: Nancy Celli ncelli@nsedu.org

School Main Office Contact Information:

Kevin O’Grady School, Beverly: 978-232-9755

Northshore Academy Upper School, Beverly: 978-338-1450

Northshore Academy Lower School, Peabody: 978-536-5151

Topsfield Vocational Academy, Topsfield: 978-887-8881

Soar and Embark Programs, Salem: 978-740-5913

Recovery High School, Beverly: 978-922-3305

General Policies and Procedures

Parent/Guardian Participation: Parents/Guardians are valuable members of our team and full partners in everything we do. We encourage frequent communication. Please be sure to contact us if you have any concerns or to share information about your child. Please be sure to inform us of any medication changes, changes in your family situation, or contact information. Parents/guardians are also encouraged to be in contact with their student’s team to get updates, address concerns or simply discuss their progress. We believe ongoing communication is vital to the success of students.

Notice of Non-Discrimination: Northshore Education consortium does not discriminate on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation or disability, pregnancy or pregnancy related condition.

If someone has a complaint or feels that they have been discriminated against they may file a complaint with the Executive Director or the Title IX compliance officer/Human Resource Coordinator at 978-232-9755.

Attendance: Massachusetts General Laws Ch. 76, Sec 1, mandates a student's daily attendance at school.

Regular school attendance is a critical component in every student's academic success. If your child is going to be absent or late, please follow school specific procedures and leave a detailed message regarding the reason for the absence. If we do not receive a call, we will attempt to reach you to verify your child's absence.

Students can expect absences and tardiness to directly impact their progress as well as potentially jeopardize credits/grades.

Any absence or tardy without a parent/guardian communication or a note will be considered a truancy issue and may lead to disciplinary action. School staff will reach out to parents/guardians to obtain information about absences and offer support if needed.

Please inform the school of any planned absence. This will eliminate any unnecessary telephone calls, and will help your child work with his/her teachers to stay up to date with class work and/or homework. Please note our school does not condone or encourage family vacations or trips during designated school time. If such a trip is arranged, all work missed during the time will be completed at the discretion of and according to the schedule arranged by the classroom teacher. If your child needs to be absent due to a religious observance, please let us know and we will make necessary accommodations.

Extended absences and habitual tardiness is reported to the Principal as well as to the student's sending district and, as needed, to other community collaterals.

We recognize that our school community is comprised of individuals with diverse religious, ethnic, cultural, and social backgrounds. It is our intent to be respectful of the beliefs and practices of the entire school community. If your child needs to miss school, or needs a modification in order to complete an assignment due to religious observance, please let us know. Such absences will be considered excused.

Transportation: Student transportation needs are arranged through the special education department of your sending school district.

If your student will be absent and does not need to be picked up by their bus/van, please call the number provided to you by your school district or transportation

company. This courtesy call will prevent other students from unnecessary time on the bus/van.

Please communicate with the transportation company if your student will not travel home on the bus/van if dismissed early or sent home sick or has another form of transportation for the day.

Students who exhibit problematic/unsafe behaviors on their bus/van may be subject to consequences such as short or long term loss of bus privileges.

Student Records and Parental Rights (see Appendix 2 for full policy): In accordance with Massachusetts Law 603 CMR 230.07 (4), The Northshore Education Consortium does not issue the names, addresses and personal information about students to any outside agencies without the consent of the student and parents

Parents/Guardians have the right to access their child's records and any school curriculum materials.

Parents have the right to request that their child not participate in certain aspects of the curriculum. The school will inform you when certain topics (i.e. reproductive health, human sexuality) are to be addressed in class, and you will have the right to request in writing that your child not participate.

Inclement Weather/School Closings:

1. NEC Schools will be closed if the TOWN IN WHICH THEY ARE LOCATED closes school due to a weather emergency.
2. NEC may choose to close ALL NEC SCHOOLS even if not all host towns are closed.
3. If an NEC School is open, but some towns are closed, those towns may choose not transport students. This is the town's decision and is considered an excused absence. Parents can choose to bring their child in if the school is open.
4. Given the fact that our schools are in multiple locations and students come from multiple towns, we generally DO NOT do late starts or early releases due to weather even if districts do so. Please be aware that this may affect your child's transportation.
5. Communication regarding school closures will take place primarily via Automated email, text and voicemail alerts, so it is essential that we have correct information on file. In addition, we will post closings on WBZ and on our website.

Dress Code: Students are expected to dress in a manner appropriate to a school environment. Students should dress in clothing that is clean and safe.

Clothing that is provocative and/or detracts from the learning environment will not be permitted.

School Safety, Civil Rights, and Behavioral Expectations

General Safety: After students have arrived at school, all school exterior doors are locked. Entrance to the school will require use of the buzzer system located at the front door. Notification prior to any visitation is recommended.

Visitors to the building: All visitors, including parents and relatives, must report to the main office upon arrival to the building. Every visitor needs to sign in and the identified person with whom they will be meeting will come to greet you at the office. Parents are not to go directly to their child's classroom without checking in at the office.

Fire and Emergency Drills: Fire drills and other emergency drills are routinely held as a safety measure and to keep everyone alert to proper procedures. Drills are to be taken seriously. When the alarm is sounded, students and staff, remaining together in the class in which they are in, will exit the building quietly and in an orderly manner, according to fire drill procedures posted in each room of the school. Teachers will take attendance once all students have exited the building to ensure all students are accounted for. Returning to the building will commence upon notification by the Director or his designee.

Lockdown Drills may also take place.

NEC has partnered with the Local Police Departments to develop crisis response drills to help prepare students and staff for emergency situations.

Drugs, Alcohol, and Tobacco Policies: Students will not be under the influence, use, possess, distribute and/or receive any drugs, alcohol or other related paraphernalia on school property. If a student is suspected of the above, he/she will be removed from class for further assessment by the appropriate staff. When appropriate, guardians will be notified of the situation and dismissal may be planned. If deemed necessary, the student will be sent for medical evaluation and /or treatment at the local hospital. The Director or his designee will respond to the situation and begin a student search if warranted. Depending upon the situation, the Director may also inform local authorities. In addition, termination proceedings may be initiated at the discretion of the Director. Due to the seriousness of such an incident, an emergency TEAM meeting may be arranged prior to the student's return to school.

The use, possession or distribution or sale of drugs or alcohol on school property may result in suspension, expulsion and police notification.

Smoking: In compliance with the Board of Health, we will be enforcing the Health Tobacco Control Regulation, Section 111, A6, which prohibits smoking of tobacco products on school property.

There is no smoking allowed on Northshore Education Consortium property or during any school activity, field trip or event. This includes “vaping” and the use of “e-cigarettes.”

Weapons: The Northshore Education Consortium aims to provide a safe environment for students and staff at all times. Weapons such as guns, knives, martial arts equipment, chemical sprays, or any item that can be used to hurt, threaten and/or intimidate others are not permitted in our school community. Any student discovered or suspected of bringing a weapon to school, or concealing a weapon at school will immediately be referred to the Director. Any/all weapons will be confiscated by staff and will not be returned to the student. Students suspected of being in possession of a weapon will be subject to a search, which will include any bags or personal items that students may have. If a student refuses to cooperate, he/she may be suspended and police may be called for a safety assessment.

The Northshore Education Consortium reserves the right to report the incident to the local authorities, including the specifics of the offense and the name of the offender.

NEC’s full suspension/expulsion policy can be found in the appendix.

Violence and Aggressive Behaviors: Most student behaviors will be addressed as clinical issues in accordance with the student’s IEP or behavioral support plan. However, any student who is presenting with threatening or intimidating behaviors, or who is a danger to others may be subject to school discipline. Police and other appropriate providers may be notified in emergency situations.

Destruction of Property and Vandalism: Northshore Education Consortium expects all students to refrain from destructive behaviors. If any school or personal properties are destroyed as a result of student actions, the student will be subject to school discipline, and police and other appropriate providers may be notified.

Discrimination/Harassment Policy. (see Appendix 1 for full policy): Northshore Education Consortium will not tolerate any behavior (speech or action) which results in the harassment or discrimination of any student or staff based upon race, color, national origin, religion, age, sex, gender identity, sexual orientation, disability, or appearance.

All students and staff at Northshore Education Consortium are expected to conduct themselves respectfully at all times so as to provide an environment free of discrimination and harassment.

Harassment and conduct of a sexual nature may consist of:

- Unwelcoming sexual advances
- Requests for sexual favors
- Sexually motivated physical conduct
- Use of sexually explicit or sexually suggestive language or gestures

Examples of prohibited behaviors include but are not limited to the following:

- Use of negative or offensive slurs or epithets
- Name calling, teasing, jokes or other dehumanizing remarks
- Unwelcoming physical contact in sexual or suggestive manner
- Any act of physical intimidation or bullying
- Use of symbols, notes, cartoons, graffiti, pictures, drawings or computer generated messages, or clothing intended to offend.
- Suggestive or intimidating looks, leering or gestures.
- Retaliation with the intention to do harm to an individual for opposing acts of discrimination or participating in an investigation.

Reporting and Investigation of Discrimination and Harassment: Any student or staff member who believes that he/she has been subjected to or that some other person has been subjected to any conduct prohibited by this policy, should, as soon as possible, report the conduct to the Director, Principal, school counselor or a teacher.

Discipline: Any student who is found to be in violation of this harassment policy is subject to appropriate disciplinary action up to and including suspension. An incident report to the Juvenile Police Officer of the Local Police Department may be filed and if appropriate contact with the student's Probation office may be made. Disciplinary action will be consistent with the requirement of applicable Massachusetts and Federal Laws.

Bullying and Cyberbullying Policy (see Appendix 4 for full policy): NEC is invested in providing an educational environment that is safe from harassment and bullying. All acts of bullying as defined by Massachusetts law are prohibited as described below:

Acts of bullying, cyberbullying, and retaliation are prohibited:

- on school grounds, 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

- at a location, activity, function or program that is not school -related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the target, infringes on their rights at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

Bullying is defined by Massachusetts law to include the following: the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture, or any combination thereof, directed at a target that:

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

Cyberbullying, 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, § 370 for the legal definition of cyberbullying.

- Hostile environment, as defined in M.G. L. c. 71, § 370, 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.
- 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, cyberbullying, or retaliation has been perpetrated.
- All forms of harassment in cyberspace, often referred to Cyberbullying, are unacceptable. As defined by Massachusetts law, 'Cyberbullying through

the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or Facsimile communications.

- Cyberbullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions described above that falls under the definition of bullying the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions described above that falls under the definition of bullying.
- Cyberbullying includes online actions as a means to harass, tease, intimate or terrorize another person via inappropriate or hurtful use of technology, including text messages, digital pictures or images and web site posting. All reports of cyberbullying will be investigated fully.

If we become aware that any type of bullying or cyberbullying has taken place, whether in school or out of school, between or amongst any Northshore Education Consortium students, we will take appropriate and necessary action which can include, but is not limited to, disciplinary action, police notification, parent/guardian meetings and expulsion.

Hazing Policy: The Northshore Education Consortium policy on hazing uses the following state regulation (Chapter 269, Section 17 and 18)

Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment in a house of correction for not more than one hundred (100) days or by both such fine and imprisonment.

The term “hazing” as used in this section and in sections mean any conduct or method of initiation into any student organization whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to weather, forced consumption of any food, liquor beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Whoever knows that another person is the victim of hazing as defined in Section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcing official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than five hundred dollars (\$500.00)

Student Search Policy: Search procedures are established to ensure that each student has a reasonable right to privacy during school hours. This policy ensures a safe learning environment that is free of all contraband, including but not limited to drugs, alcohol, weapons and stolen property.

Any student who is suspected of having a weapon, illegal substance, alcohol, stolen objects or other contraband will be subject to a search. Students who threaten a staff person or student may be subject to a search upon the discretion of the Director. The student will be brought to an office or other private area with his/her belongings. The student will be asked to empty out all pockets and all personal items will be given to a staff person for inspection. Bags, coats, pockets, etc. will be inspected with the student present.

Any student who refuses a search may be suspended. The student and a parent/guardian may be required to attend a meeting to discuss the search policy. A student may be asked to sign an agreement indicating his/her understanding of the search policy and waiving the right to refuse searches in the future. In order to protect our school, we reserve the right to involve the local authorities in such situations.

Suspension Policy (see Appendix 5 for full policy): Suspension is rarely used in NEC programs. Administrators will exercise discretion in deciding the consequences for disciplinary offenses and will seek alternatives to suspension whenever possible. All NEC programs conform to all pertinent regulations and laws concerning the suspension of students, particularly students with special needs. In addition, NEC programs conform to M.G.L. c.71, §§ 37H, 37H1/2 and 37H3/4, M.G.L. c. 76 § 21, and 603 CMR 53 regarding the authority of the principal/program director related to students in possession of weapons, controlled substances, assaults, felony charges and other disciplinary violations.

Termination of Enrollment: The NEC Collaborative reserves the right to terminate a student's enrollment in any NEC program in accordance with the procedures set forth in 603 CMR18.00 and 603 CMR 28.09.

Physical Intervention and Restraint Policy (see Appendix 5 for full policy): Staff in all NEC programs are trained in the use of physical restraint. Physical intervention is used as a last resort and only in the event that a student behaves in a manner that may be harmful to him or herself or others and is not responsive to less restrictive interventions.

Parents must be verbally notified within 24 hours, and receive a written report within three days of any incident of physical intervention. Parents and students must be given an opportunity to comment on the restraint and on the report. Any restraint that results in an injury must also be reported to DESE and the LEA.

Internet Acceptable Use Policy (See Appendix 3 for full policy): Students are expected to adhere to school policies on use of technology and the internet. Access to school networks is contingent upon compliance with these policies.

Medical Policies

NOTE: A complete set of medical policies is available upon request.

A registered nurse is on duty at Northshore Consortium each day school is in session.

Medications: We are obligated to adhere to the policy of the Massachusetts Department of Education, and Department of Public Health which states that no prescription medication is to be administered unless accompanied by written authorization from the student's physician and parents. Forms are available from the school nurse.

Information required must include the name of the medication, dosage and time to be administered. Medications administered at school must be in a prescription bottle (you can request a duplicate or extra bottle for school from the pharmacy) or if not a prescription medication, in the original container. No medications will be accepted in plastic bags or plastic containers. Only a 30 day supply of medication may be accepted.

Non-prescription medications need to be accompanied by written authorization from the student's parent or legal guardian and given to the school nurse. The medication must be in the original container.

Medications must be brought to the school by a parent/guardian and given to the school nurse. Please do not send medication to school with your child. The medication will be counted and locked in the medication cabinet.

Please contact the school nurse if you need to make other arrangements in order to get necessary medications to school.

A student, regardless of age or prescription, should never be in possession of medication while on school property. The only exception to this policy is for an Inhaler, and when appropriate this will be approved by the school nurse.

Students found in possession of any type of medication, prescription or non-prescription will be subject to the Drugs and Alcohol Policy. Bringing medication to school can lead to very serious consequences.

It is critical that nurses and appropriate staff be informed about ALL medications that our students are taking, not just the ones given at school. Please be sure to fill out the medication form in the intake packet, and call the school nurse with ANY and ALL changes in medications.

Inhalers: In the case of inhaled medications for Asthma, with required documentation (letter from physician), a student may be allowed to self-administer prescribed inhaled medication with adult staff supervision. Students must show competency in self-administration. Inhalers must be kept in the nurse's office and an adult supervising must log in usage or as otherwise directed.

Allergies & Epi-Pens: If your child has a known allergy, please identify this allergy to staff prior to admission so that safety measures can be communicated to all staff. If an Epi-Pen is prescribed by your child's physician, please provide one to the school nurse for use in case of an allergic reaction.

Illness: Students who are vomiting, have a fever over 100, have diarrhea or present with other indications of an illness should stay at home. Please call the school if your student will be absent due to illness.

Should a student become ill in school, the nurse shall determine if the student is able to remain in school for the day. When a student is deemed too ill to remain in school, the parents or those delegated by the parents/guardian should be notified and asked to pick the student up. If that is not possible, parents or the school, after discussion, may call transportation to have the student transported home. In no case shall the student be released without proper delegate notification.

Students who are seen by the nurse and do not have an elevated temperature or obvious signs of illness will be returned to class at the discretion of the nursing staff.

Communicable Disease/ Contagious Illness: If your child has *symptoms* of an illness known to be contagious (i.e. conjunctivitis, chicken pox, strep throat, etc.), please keep your student home and have him/her seen by a physician. Sending a contagious student to school compromises the health and safety of your child as well as other students and staff.

No student shall be admitted to the school while ill with a communicable disease, and students are only to be readmitted after such an illness with a note from a physician.

If a reportable communicable disease has been introduced into the school and others have been exposed, parents and guardians will be notified immediately.

Special Note on COVID-19:

We are continuing to follow MA DPH guidelines on COVID-19. Current guidelines are:

Children and staff who test positive must isolate for at least 5 days. If they are asymptomatic or symptoms are resolving and they have been fever free without the use of fever-reducing medicine for 24 hours, they may return to programming after Day 5 and should wear a mask through Day 10. If the individual has a negative covid test on Day 5 or later, they do not need to mask.

Other Isolation Requirements:

The following are the additional isolation requirements of the Massachusetts Department of Public Health:

- Chicken Pox –until all lesions are dried or crusted over and no new lesions have appeared
- Measles - 4 days from appearance of rash (onset of rash is day 0)
- German Measles -7 days from date of rash (onset of rash is day 0)
- Mumps - 5 days after onset of swelling
- Scarlet Fever or Streptococcal (Strep) Throat – Twenty-four hours after start of treatment, students may return to school
- Flu- 24 hours of being fever free without the use of a fever reducing medication such as Tylenol or Motrin.

****Please see link for more information:** [Exclusion Guidelines 01-02 - Mass.Gov](#)

Injuries: If a student is injured at school, the school nurse will complete an assessment of him/her. Every attempt will be made to contact the parent or guardian when a student obtains a serious injury. If the student needs to be taken to the hospital, then if possible a staff person will accompany the student to the hospital and wait with the student until the parent/guardian arrives. It is our expectation that the parent/guardian will make every effort to arrive and meet their child as soon as possible.

Psychiatric Emergencies: If a student is assessed by our clinical team to be in psychiatric distress requiring an emergency response, we will immediately attempt to notify the parent or guardian to discuss the appropriate options given the student's current support network. If there is imminent risk with regard to

safety concerns police and ambulance services will be requested. Access to a mobile crisis team is also an option. If a student needs to be taken by ambulance to the hospital emergency department for further assessment, a staff person will accompany the student to the hospital and wait with the student until the parent/guardian arrives. It is our expectation that the parent/guardian will make every effort to arrive and meet their child as soon as possible.

Proper Hygiene: Parents/guardians are encouraged to be sure that students maintain proper hygiene while attending school. This includes wearing clean clothing, bathing or showering on a regular, age-appropriate basis, and maintaining proper oral hygiene. Depending upon the individual needs of a student, specific plans to address hygiene issues may be developed with the support of the school nurse, the student's counselor and the parent or guardian. A student arriving with exceptionally poor hygiene can be disruptive to the learning environment, and if necessary, guardians will be contacted to discuss an appropriate manner to respond to such situations.

Wellness Policy: The Northshore Education Consortium promotes healthy programs supporting wellness, good nutrition, regular physical activity appropriate to each student's strengths and challenges, and positive dietary and lifestyle practices as part of the total learning environment. Our school contributes to the basic health status of students by facilitating learning through the support and promotion of good nutrition and physical activity. Improved health optimizes the student's performance potential and ensures the students' need to be healthy to learn.

Occasionally students may be supported by individualized plans that address their wellness needs.

We are encouraging students who bring beverages to school that they are caffeine free and of some nutritional value such as drinks with at least 50% fruit juice or vegetable juice. Bottled water is always welcome. Low fat and low salt snacks are encouraged as well.

Immunization Required by State Law: Chapter 76, Section 15. No student shall be admitted to school except upon presentation of a physician's certificate that the student has been successfully immunized against Diphtheria, Pertussis, Tetanus, Measles, Mumps, Rubella, Varicella and Poliomyelitis unless they are exempt - see below:

1. Medical Exemption: A written statement from a physician indicating the reasons why one or more of the immunizations should not be given is required before admission to school. Such certification is required for each year thereafter.

2. Religious Exemption: A written statement from a student or parent/guardian, if the student is <18 years of age, stating that a vaccine is against sincerely held religious beliefs should be renewed annually at the start of the school year.

Current Physical Required by State Law: Any new student has to have a recent physical on file before entering the school building. Returning students need a physical every 3 years unless participating in sports, then a physical exam is needed every year. Other school policies may differ please see individual school programs.

Suspected Child Abuse and Neglect (see appendix): If it is suspected that a student has been a victim of child abuse or neglect, the staff will make the determination if immediate medical attention is needed. All staff at NEC are mandated reporters and all suspected cases of abuse or neglect must, by law, be reported to the Department of Children and Families. Suspected abuse of a disabled person over the age of 18 must be reported to the Disabled Persons Protection Commission (MGL C. 19C.)

Complaints: In the event that a student or a parent/guardian has a complaint about an aspect of our school program, the first step would be to discuss the issue with the student's teacher or clinician and attempt to reach a resolution. If the problem is not resolved during this initial discussion, the Principal or designee may be involved to assist in finding a solution.

Appendix 1: Harassment and Title IX Policy; Nondiscrimination Policy

The Northshore Education Consortium (“the Consortium”) is committed to maintaining a school environment that values civil discourse and diversity where all individuals are treated with dignity and respect. Therefore, the Consortium will take appropriate action to:

- Prevent and/or otherwise respond to demeaning behavior and unlawful discrimination or harassment of its employees or students, and,
- Define processes by which individuals can bring concerns about unlawful discrimination or harassment to the Consortium’s attention.

The Consortium will not tolerate harassment of their employees or students.

Harassment of staff or students based on race, color, sex, sexual orientation, gender identity, religion, disability, age, active military/veteran status, ancestry, or national or ethnic origin in the administration of its educational policies, employment policies, and other administered programs and activities is prohibited. In addition, students who are homeless or of limited English-speaking ability are protected from discrimination in accessing the course of study and other opportunities available through the schools.

It should be noted that while this policy sets forth the goal of promoting a work and educational environment that are free of harassment, the policy is not designed or intended to limit the authority of school officials to discipline or take remedial action for conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of unlawful harassment.

Definition of Harassment: Harassment includes verbal or physical conduct which may offend, denigrate, or belittle any person because of, or due to, any of the characteristics described above. Harassment may include pictures, jokes, comments, innuendoes, slurs, derogatory remarks based on a protected characteristic or any other behavior which creates an environment that is intimidating, hostile, or offensive to anyone.

While all types of Harassment are prohibited, Sexual Harassment requires particular attention. In Massachusetts, Sexual Harassment is defined as any unwelcome sexual conduct, including sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

- Submission to, acceptance of, or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of

employment or education or a basis for employment decisions affecting an employee or for educational, disciplinary, or other decisions affecting a student; or

- Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's work performance, education or participation in extracurricular activities by creating an intimidating, hostile, humiliating, or offensive work or school environment.

Pursuant to Title IX of the Education Amendments of 1972, the Consortium has Grievance Procedures for responding to allegations of Sexual Harassment. Those procedures shall be published to the school community. Title IX requires that schools use a separate, but similar definition of Sexual Harassment. According to Title IX, Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

- A Consortium employee conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Consortium's education programs or activities; or
- Sexual assault, dating violence, domestic violence, or stalking (all as defined by federal laws.)

Title IX also requires that the incident occurred in the United States, at the Consortium or during its programming, and the complainant must have been actively participating in or attempting to participate in the Consortium's educational programming or activities during the alleged incident.

While it is not possible to list all circumstances that may constitute Sexual Harassment, the following are examples of prohibited conduct:

- Unwelcome sexual advances -- whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comments about an individual's body, sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, touching, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences, and
- Discussion of one's sexual activities
- Taking or posting of photographs, videos or images of a sexual nature without consent

The Title IX Coordinator is responsible for ensuring compliance with the Consortium's policy on Sexual Harassment, its procedures, and compliance with federal regulations. Any Consortium employee with knowledge of an allegation of sexual harassment must report it to the Title IX Coordinator. The Consortium will promptly respond to all reports alleging Sexual Harassment to ensure a fair and equitable resolution to the report, provide support to the victim, eliminate harassment, and impose discipline if necessary. Discipline may range from verbal reprimand to suspension and termination in the case of an employee.

Title IX Coordinator: Nancy Celli ncelli@nsedu.org or 978-232-9755 ext 1255

Contact Information for State & Federal Agencies: The Consortium urges all individuals in the school community to bring any concerns or complaints of harassment to the attention of school personnel so that they can be addressed. If either party to the complaint is dissatisfied with the results or progress of the Consortium's investigation, they may discuss this directly with the Superintendent of Schools.

The state agency responsible for enforcing laws that prohibit harassment in the workplace is the Massachusetts Commission Against Discrimination (MCAD), One Ashburton Place, Suite 601, Boston, MA 02108-1518; telephone (617) 994-6000; TTY Users (617) 994-6196. The time frame for filing a complaint with the MCAD is within 300 days from the date of the most recent incident of alleged harassment. Complaints can also be submitted to the Massachusetts Department of Elementary and Secondary Education (DESE), 75 Pleasant Street, Malden, MA 02148-4906; telephone (781) 338-3300; TTY Users (800) 439-2370. The MA DESE's Problem Resolution System accepts complaints when the alleged violation occurred no more than one year before Problem Resolution System received the written complaint.

The Equal Employment Opportunity Commission (EEOC) is the federal agency that enforces federal laws prohibiting employment discrimination. The deadline for filing a complaint with the EEOC is within 300 days from the day of the alleged discrimination. The EEOC is located at JFK Federal Bldg., 475 Government Center, Boston, MA 02203; (617) 565-3200 or (800) 669-4000; TTY Users (800) 669-6820. The US Department of Education's Office for Civil Rights (OCR) is a federal agency that enforces five federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age in programs or activities that receive federal financial assistance from the US Department of Education. In most cases, a complaint must be filed with OCR within 180 calendar days of the date of the alleged discrimination. OCR is located

on the 8th Floor, 5 Post Office Square, Boston, MA 02109-3921; telephone (617) 289-0111, fax (617) 289-0150.

LEGAL REF.: M.G.L. [151B:3A](#)

Title IX of the Education Amendments of 1972

BESE 603 CMR 26:00

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7)

Nondiscrimination Policy: NEC has the responsibility to overcome, insofar as possible, any barriers that prevent children, parents, or employees from achieving their potential. To create such an environment, NEC will:

Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.

1. Encourage positive experiences in human values for children, youth and adults, affirming the diversity of familial backgrounds, socioeconomic statuses, and ethnicities represented in our community.
2. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
3. Use all appropriate communication and action techniques to hear and reduce the grievances of individuals and groups.
4. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relationships within the schools and the community.
5. Initiate procedures and practices that will actively promote the objectives of this policy.

The policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business. No person shall be excluded from or discriminated against in admission to an NEC program or in obtaining the advantages, privileges, and courses of study of such program or school on account of race, color, sex, gender identity, religion, national origin, sexual orientation or disability. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation or disability, pregnancy and pregnancy related

condition, their complaint should be registered with the Title IX compliance officer/Human Resource Coordinator at 978-232-9755 ext. 1255.

LEGAL REFS.:

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)

M.G.L. [76:5](#); Amended 2011 M.G.L.[76:16](#)

BESE regulations 603CMR [26.00](#) Amended 2012

BESE regulations 603CMR [28.00](#)

Appendix 2: Student Record Policy

In order to provide students with appropriate instruction and educational services, it is necessary for NEC to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian and/or the student in accordance with law, and yet be guarded as confidential information.

NEC maintains a temporary copy of the student's records while the student is enrolled. The sending school district is responsible for maintaining the child's permanent record.

When a child transfers, graduates or leaves an NEC program, NEC will assure that the sending district has all appropriate documents and will provide written notice to the eligible student and their parent/guardian of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part. The student's transcript is maintained by the sending district for 60 years following their graduation, transfer, or withdrawal from the school district.

NEC shall comply with all MA state regulations related to student records.

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,
P.L. 93-380, Amended
P.L. 103-382, 1994
M.G.L. [66:10](#) [71:34A](#), [B](#), [D](#), [E](#), [H](#)
603 CMR [23.00](#)

Student Record Procedures

Access to Record: The rights outlined below may be exercised by the custodial parent(s)/guardian(s) for a student under the age of 14 years, or jointly by the student and custodial parent(s)/guardian(s) of a child over the age of 14 years. A student over the age of 14 is called "an eligible student". A student 18 years or older may, in writing, deny his custodial parent(s)/non-custodial parent(s) access to his/her student record, with the exception of transcripts, report cards and/or progress reports.

Each eligible student and custodial parent/guardian, has the right to see the student record for that student within ten (10) days of submitting a written request to see the records. Copies of any records may be obtained upon request and

shall be provided within ten (10) days of the request. The Collaborative may charge for the cost of reproducing copies.

The student's record is available to authorized school personnel who work directly with the student, or administrative/clerical personnel who need to have access to records in order to carry out their responsibilities. The term "authorized school personnel" includes, but is not limited to, Directors, teachers, counselors, therapists, paraprofessionals, administrative office staff and clerical personnel. Authorized school personnel include those employed by the District or under contract with the District or Consortium as an independent contractor. Authorized school personnel do not need permission to see student records.

No information in the student's record is available to anyone outside the Consortium without written permission from the eligible student and/or parent and/or guardian, unless the requesting party is listed as an exception as provided by applicable regulations. Exceptions to the requirement of written permission include, but are not limited to, a probation officer, court order, subpoena, where health or safety requires the disclosure of student information/records or upon transfer to another school district. However, eligible students and/or their parents/guardians will generally be notified before these records are released. A written release must be signed to have any part of the school record sent outside the school. This includes, but is not limited to prospective employers, other technical schools, and colleges.

An eligible student and parent/guardian have the right to request to add relevant information to the student's record as well as the right to request removal of information believed to be untrue or incorrect.

Rights of Certain Divorced or Separated Parents: It is necessary for divorced parents to submit a copy of the custody agreement or order, and any subsequent changes made thereto, to the school so that school personnel may identify which of the parents has physical custody of the child. The non-custodial parent may access his/her child's record unless:

- The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student, and the threat is specifically noted in the order pertaining to custody or supervised visitation, or the parent has been denied visitation, or
- The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or

- There is an order of a probate and family court judge who prohibits the distribution of student records to the parent.

The school shall place in the student's record any documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).

Non-Custodial Parent Access: In the case of a non-custodial parent who is eligible to access the student record, i.e. s/he does not fit any of the four (4) categories under 1-4 above, the non-custodial parent must submit a written request for the student record to the school Program Director. Upon receipt of the request, the Program Director and/or his/her designee shall immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the Program Director with documentation that the non-custodial parent is not eligible to obtain access as set forth under 1-4 above.

When the student record is released to the non-custodial parent, the school will 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. In addition, such records will be marked to indicate that they shall not be used to enroll the student in another school.

Amending the Student Record: A parent has the right to add information, comments, data, or any other relevant written material to the student's record. The parent should submit the additional information in writing to the Program Director with a written request that the information be added to the student record.

A parent has the right to request in writing deletion or correction of any information contained in the student's record, except for information that was inserted into that record by the special education Team. Such information inserted by the Team shall not be subject to such a request until after the acceptance of the Individualized Education Program (IEP), or if the IEP is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:

If a parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student's record, the parent shall

present the objection in writing and/or have the right to have a conference with the Program Director or his/her designee to make the objections known.

The Program Director or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the parent, the Program Director or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

If the Program Director's decision is not satisfactory to the parent, the parent may file an appeal to the Executive Director. Such appeal shall be in writing and submitted to the Executive Director within five (5) business days of receipt of the Program Director's decision. The Executive Director shall render a written decision on the appeal within two (2) weeks of receipt of the written appeal.

If the Executive Director's decision is not satisfactory to the parent, the parent may appeal to the NEC Board of Directors by filing a written appeal within five (5) business days of receipt of the Executive Director's decision. The NEC Board of Directors shall conduct a hearing as required on the appeal as required by 603 CMR §23.09(4).

Notice On Transfer To Other Schools: NEC maintains a temporary copy of the student's records. The sending school district is responsible for all requests for access, changes, additions or subtractions and for sharing of certain information. Northshore Academy personnel will direct all persons making requests or inquiries related to a child's record to the sending school district.

However, pursuant to 603 CMR 23.07(g), notice is hereby given to parents and eligible students that NEC may forward a portion or the complete school record of a transferring student to schools in which the student seeks or intends to enroll. Such transfer of records takes place without consent of the parent or eligible student.

Destruction of Records: Notice is hereby given that the NEC's temporary record or portions thereof not already in the possession of the sending school district will be returned to the district when that student transfers, graduates, or withdraws from the school. No additional notice, other than this notice in the handbook, will be provided to the student or his parent/guardian.

In addition, each year, the Program Director and/or teachers and/or other service providers may destroy the following documents that are considered part of the student's temporary record: disciplinary records (other than documentation of

suspensions/expulsions/exclusions), any notes from the parent/guardian or other documents concerning absences, early dismissals, late arrivals, as well as examples of student work. If the eligible student or the parent/guardian want those records, they must request in writing prior to the last day of enrollment that the documents be provided to them, rather than be destroyed. No additional notice, other than this notice in the handbook, will be provided to the student or his parent/guardian of such destruction.

Appendix 3: Acceptable Usage of Technology

The Northshore Education Consortium technology network, which includes access to the World Wide Web and electronic mail capability, exists solely for educational purposes, which are defined as classroom activities, career and professional development and high quality self-discovery activities of an educational nature. The Northshore Education Consortium intends to utilize this computer network, along with all of its other educational resources, to fulfill its ultimate goal of preparing students for success in life and work. To this end, the computer network will be used to facilitate communication between and among students, staff and parents, enhance productivity, assist staff members in upgrading and acquiring skills through a broader exchange of information, and to provide information to the community including parents, government agencies and businesses.

The computer network is not to be considered a resource intended for use as a public forum or for any purpose that is not directly related to the delivery of educational services.

The following rules apply to the use of the Northshore Education Consortium computer network.

1. Network access is a privilege, not a right. The use of the network must be consistent with, and directly related to, the educational objectives of the Northshore Education Consortium. A violation of the terms of this Acceptable Use Policy may result in suspension or termination of network access privileges and may also result in other disciplinary action consistent with the disciplinary policies of the Northshore Education Consortium and the applicable provisions of any governing collective bargaining agreement. Users should also be aware that violation of these rules that constitutes a crime may also result in criminal prosecution.
2. Violations of this Acceptable Use Policy include, but are not limited to, the following conduct:
 - a. Placing unlawful and/or inappropriate information on a system
 - b. Using profane, vulgar, threatening, defamatory, abusive, discriminatory, harassing or otherwise objectionable or criminal language in a public or private message
 - c. Sending messages or posting information that would likely result in the loss of a recipient's work or system
 - d. Sending "chain letters" or "broadcast" messages to lists or individuals, subscribing to "list servers" or "newsgroups" without prior

permission, or using the Internet access for any other personal use, without prior permission

- e. Participating in other types of use which would cause congestion of the network or interfere with the work of others
 - f. Using the network in a manner that would violate any U.S. or state law. This includes, but is not limited to, copyrighted material, threatening material and spreading of computer viruses
 - g. Accessing or transmitting materials that are obscene, sexually explicit, and accessing any prohibited sites on the Internet
 - h. Revealing one's own personal address or telephone number
 - i. Revealing one's password to anyone else, using anyone else's password, or pretending to be someone else when sending information over the computer network
 - j. Attempting to gain unauthorized access to system programs or computer equipment, including attempts to override, or to encourage others to override, any firewalls established on the network
 - k. Attempting to harm, modify or destroy data of another user
 - l. Exhibiting any other action, whatsoever, which would in any way subject the user or the Northshore Education Consortium to any civil or criminal action
 - m. Discussing highly sensitive or confidential school department information in e-mail communications
 - n. Using the Northshore Education Consortium technology network to buy, sell or advertise anything
 - o. Accessing discussion groups or "chat rooms," or engaging in any other form of online conversation or communication whose purpose is not primarily educational
 - p. Using the Northshore Education Consortium technology network for gambling
 - q. Using the Northshore Education Consortium technology network for political campaigning purposes, including attempts to influence ballot questions or to promote or oppose a candidate for public office
 - r. Failing to log off the computer network at the conclusion of a work session or at the re-quest of system administrators
 - s. Using the computer network for recreational purposes or activities relating to personal hobbies
 - t. Installing software or data on the computer network except where permission has been given by the Technology Consultant.
- 1.
3. Except as otherwise provided in the applicable collective bargaining agreement, the Northshore Education Consortium assumes no responsibility for:

- a. Any unauthorized charges or fees, including telephone charges, long distance charges, per minute surcharges and/or equipment or line costs
 - b. Any financial obligations arising out of unauthorized use of the system for the purchase of products or services
 - c. Any cost, liability or damages caused by a user's violation of these guidelines
 - d. Any information or materials that are transferred through the network
 - e. Any other inappropriate use of electronic resources of the Northshore Education Consortium
4. The Northshore Education Consortium makes no guarantee, implied or otherwise, regarding the reliability of the data connection. The Northshore Education Consortium shall not be liable for any loss or corruption of data resulting while using the network.
5. All messages and information created, sent or retrieved on the network are the property of Northshore Education Consortium. Electronic mail messages and other use of electronic resources by students and staff, including accessing web pages, should not be considered confidential. Copies of all information created, sent or retrieved are stored on the computer network's back-up files. While the Northshore Education Consortium does not plan to review cache files or back-up files on a regular basis, it reserves the right to access and monitor all messages and files on the computer system, including web pages accessed, as it deems necessary and appropriate in the ordinary course of its business for purposes including, but not limited to, ensuring proper use of resources and conducting routine network maintenance. By participating in the school district's computer network, users are indicating their consent to such monitoring and access. Where appropriate, communications including text and images may be disclosed to law enforcement in response to proper requests, or to other third parties in the context of proper requests in the course of litigation without prior consent of the sender or receiver.
6. The Northshore Education Consortium strongly condemns the illegal distribution (otherwise known as pirating) of software. Any users caught transferring such files through the network, and any whose accounts are found to contain such illegal files, shall immediately have their accounts permanently revoked. In addition, all users should be aware that software piracy is a federal offense and is punishable by a fine or imprisonment.

7. The Northshore Education Consortium reserves its right to seek restitution from any user for costs incurred by the district, including legal fees, due to such user's inappropriate use of electronic resources.

Technology Support: Telephone support is available by emailing NEC's Director of Educational Technology for issues such areas as the following:

- Hardware failure
- Operating systems (WIN or MAC) and Microsoft software products
- Network use
- Internet or email use
- Educational software
- Assistive Technology devices
- Any other area an individual may need technical support

Appendix 4: Bullying Prevention Policy

I. LEADERSHIP

Priority Statements: Northshore Education Consortium (NEC”) expects that all members of the Collaborative and school community will treat each other in a civil manner and with respect for differences.

NEC is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. 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.

NEC understands that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. NEC will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

NEC will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school programs, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, 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, extracurricular activities, and parent or guardian involvement.

The Bullying Prevention and Intervention Plan (“Plan”) is a comprehensive approach to addressing bullying and cyberbullying, and NEC 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. Each Principal or Program Director is responsible for the implementation and oversight of the Plan in their respective programs, with support from the Executive Director and the Senior Management Team.

Public involvement in developing the Plan (“Plan”): As required by M.G.L. c. 71, § 37O, the Plan must be developed with various stakeholders and

constituencies. This involvement will include NEC Collaborative administrators, faculty and staff, students, parents, and guardians.

Assessing needs and resources: Program Directors, with input from faculty and families, will continually assess the adequacies of current programs, policies, and procedures. Areas and resources assessed will include:

- review of current policies and procedures;
- review available data on bullying and behavioral incidents;
- assessment of available resources including curricula, training programs, and behavioral health services;
- reading of current and relevant articles and research on best methodology to prevent and intervene to address bullying and cyberbullying;
- research and review of 'field-tested' and research-based anti-bullying curricula and instructional guides;
- development of a resource bank of relevant materials for both parents and students;
- review of the Massachusetts comprehensive Health and Wellness curriculum Frameworks to provide a working curriculum context for anti-bullying curriculum; and
- conduct assessments of initial and periodic needs, by surveying students, faculty, staff, parents, and guardians on school climate and program safety needs.

Planning and oversight: Program Directors, will be responsible for the following under the Plan:

- receiving reports on bullying;
- collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes;
- creating a process for recording and tracking incident reports, and for accessing information related to targets and perpetrators;
- implementing the ongoing professional development that is required by the law;
- identifying supports that respond to the needs of targets and perpetrators;
- choosing and implementing the curricula that the program will use;
- developing new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them;
- amending student and staff handbooks and codes of conduct;
- leading the parent or family engagement efforts and drafting parent information materials; and
- participating in reviewing and updating the Plan biennially.

II. PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyberbullying, 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.

III. DEFINITIONS

In order to ensure a common understanding of language to be used and understood by all stakeholders, the following definitions are provided as copied directly from M.G.L. c. 71, § 37O.

Bullying is the repeated use by one or more students or by 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 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 of damage to his 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.

Perpetrator is a student or 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 who engages in bullying or retaliation.

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 cyberbullying.

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.

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, cyberbullying, or retaliation has been perpetrated.

IV. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the Collaborative, no person shall be discriminated against in admission to a public collaborative or in obtaining the advantages, privilege and courses of study of such public collaborative on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the Collaborative 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 Collaborative to take disciplinary action or other action under M.G.L. c. 71, § 37H or 37H½, other applicable laws, or collaborative policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

V. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Annual staff training on the Plan:

The annual orientation for all teaching staff, which occurs before the opening of school each year, will include training on the staff duties related to the compliance with M.G.L. c. 71, § 37O. In addition, the training will include the procedures for reporting an incident of bullying or retaliation, and an overview of the bullying prevention curriculum. Staff members hired after the beginning of the year will participate in an individual training within the first twelve weeks of employment.

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 professional development for the Collaborative 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 perpetrator, 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 cyberbullying; and
- (vi) Internet safety issues as they relate to cyberbullying.

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 school or district for professional development 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; and
- maintaining a safe and caring classroom for all students.

NEC teaching staff participate in required professional development for full days before and during the school year. In addition, teams working in specific programs have scheduled time weekly for staff meetings and ongoing professional development. Bullying prevention and pro-social skill training will be incorporated into these schedules. Because all students in NEC programs are either at risk or have been identified as eligible for special education, particular attention will be paid to the relationship between the specific risk factors and/or disabilities of students and the potential for a student to be a target or an perpetrator. Ongoing professional development will be provided by a combination of consultation from known experts, attendance at targeted workshops, and staff led trainings at faculty meetings.

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, in the school or district employee handbook and the code of conduct.

VI. ACCESS TO RESOURCES AND SERVICES

A. Identifying Resources:

All NEC programs have clinically trained counseling staff included in the faculty of the programs. These staff are licensed clinical social workers or school adjustment counselor, with a specialty in supporting students with the risk profile or disability profile associated with the program. These clinical staff members serve as the individual counselors for students and as consultants to teaching staff regarding the behavioral and emotional needs of the students. They are separate from the administrators of each program and would be the first responders for clinical intervention in the case of a bullying incident. Their role would be to better understand the causes of the behavior and to work with all students – targets, perpetrators, and bystanders – to help them understand and change their behaviors. If further assistance beyond the in-school support is needed, the clinical staff will access existing outside resources and notify the liaison from the students Local Educational Agency (LEA) about the potential need for more support.

B. Counseling and Other Services:

All students in NEC special education programs are closely monitored by liaisons identified by the LEA. In addition, as part of the design of each NEC program, a staff person is designated to coordinate services with outside providers and to maintain ongoing communication with parents. In the event of a bullying incident, the liaison from the LEA will be informed and asked to identify community based resources, if necessary, to support the student. As part of the ongoing case management for all students, parents and outside providers are informed regularly of student progress and needs. Any needs related to a bullying incident will be included in this ongoing communication so that outside resources already in place can provide appropriate and timely support.

NEC staff will cooperate fully with LEAs in implementing the LEA plan regarding identifying existing or needed resources. If culturally or linguistically appropriate resources are required, NEC will support the LEA in implementing access to those resources. In addition, NEC will help the LEA, when appropriate, in identifying service providers who assist schools in supporting students who have been targets or perpetrators.

C. Students with Disabilities:

Most students in NEC programs have been identified by their LEAs as eligible for special education services. For all students in NEC Programs with IEPs, in accordance with M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the Team determines that 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 or her disability, the Team will consider what should be included in the IEP to develop a student's skills and proficiencies to avoid and respond to bullying, harassment and teasing.

D. Referral to Outside Services:

The NEC Collaborative will work with each LEA to follow the identified referral protocol for that district, in accordance with the guidelines of the LEA anti-bullying plan. The referral process will comply with relevant laws and policies. In order to support LEAs in evaluating their referral protocols, Program Directors will ask the liaison for the LEA annually about whether NEC's role in the process of referring a student for additional services is effective.

VII. ACADEMIC AND NON-ACADEMIC ACTIVITIES

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 when they witness incidents of bullying;
- helping students understand the dynamics of bullying;
- emphasizing cybersafety, including safe and appropriate use of electronic communication technologies;
- enhancing student skills for engaging in healthy relationships and respectful communication; and
- engaging students in a safe supportive environment that is respectful of diversity

Students will also be taught about the procedures related to reporting bullying. The plan will be included in the Student Handbook and will be reviewed with all students within the first week of school or enrollment in the program.

B. General Teaching Approaches That Support Bullying Prevention Efforts:

The following approaches 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 students who are homeless, lesbian, gay, bisexual, transgender and/or have specific disabilities;
- using appropriate and positive responses and reinforcements, even when students require discipline;
- using appropriate and positive behavioral support systems;
- developing positive relationships between the students and adults in the program;
- modeling, teaching and rewarding pro-social behaviors;
- using positive approaches to supporting a healthy school climate and the individual social and emotional health of each student, including collaborative problem-solving, mediation and conflict resolution skills, and positive behavioral supports;
- using the internet safely; and
- supporting students' interest and participation in appropriate non-academic and extra-curricular activities.

VIII. REPORTING AND RESPONDING TO BULLYING AND RETALIATION

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. An NEC staff member is required to

report immediately to the Program Director or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not Collaborative staff members, may be made anonymously. NEC will make a variety of reporting resources available to the school community including an anonymous electronic option.

Use of an Incident Reporting Form is not required as a condition of making a report. NEC will: 1) take all reported incidents whether verbal or written and will record information necessary to document the information as reported; 2) will provide information on how to report incidents in the handbook, as well as post on the website; and 3) the Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the Executive Director will provide the Collaborative programs, including administrators, staff, 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 Program Director or designee, will be incorporated in student and staff handbooks, on the NEC Collaborative website, and in information about the Plan that is made available to parents or guardians.

1. **Reporting by Staff:** A staff member will report immediately to the Program Director or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the Program Director or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with program policies and procedures for behavior management and discipline.
2. **Reporting by Students, Parents or Guardians, and Others:** NEC 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 Program Director or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged perpetrator solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written 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 Program Director or designee.

B. Responding to a Report of Bullying or Retaliation:

1. **Safety:** Before fully investigating the allegations of bullying or retaliation, the Program Director 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 perpetrator 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 perpetrator’s schedule and access to the target. The Program Director or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. The Program Director 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.

2. **Obligations to Notify Others**

a) Notice to parents or guardians: Upon determining that bullying or retaliation has occurred, the Program Director or designee will promptly notify the parents or guardians of the target and the perpetrator of this, and of the procedures for responding to it. There may be circumstances in which the Program Director or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b) 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 Program Director 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.

The Program Director or designee will notify the administrator (principal, headmaster) of the school in which the NEC Collaborative program is housed. The Program Director or designee will notify the student’s LEA that a student from the district has been involved in an incident of bullying or retaliation.

- c) Notice to Law Enforcement: At any point after receiving a report of bullying or retaliation, including after an investigation, if the Executive Director or Program Director has a reasonable basis to believe that criminal charges may be pursued against the perpetrator, the Executive Director 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 Executive Director 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 perpetrator.

In making this determination, the Executive Director will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and the Executive Director or designee.

C. Investigation:

The Program Director 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 Program Director or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The Program Director or designee (or whoever is conducting the investigation) will remind the alleged perpetrator, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

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

Procedures for investigating reports of bullying and retaliation will be consistent with program policies and procedures for investigations. If necessary, the Associate Executive Director or designee will consult with legal counsel about the investigation.

D. Determinations:

The Program Director or designee, in conjunction with the Executive Director, will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Program Director 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 Program Director 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 Program Director or designee may choose to consult with the student's teacher(s) and/or school counselor, and the target's or perpetrator'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 Program Director or designee will promptly notify the parents or guardians of the target and the perpetrator 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 Program Director 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:

1. Teaching Appropriate Behavior Through Skills-building

Upon the Program Director or designee determining that bullying or retaliation has occurred, the law requires that the Collaborative 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 Program Director or designee may consider include:

- offering individualized skill-building sessions based on the program's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with 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; and
- making a referral for evaluation.

2. Taking Disciplinary Action

If the Program Director or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Program Director 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. Discipline will be consistent with the Plan and with the NEC program'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 Program Director or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The Program Director or designee will 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. One strategy that the Program Director or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the Program Director 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 Program Director or designee will work with appropriate school and/or Collaborative's program staff to implement them immediately.

IX. COLLABORATION WITH FAMILIES

A. Parent Education and Resources:

The NEC Collaborative will work closely with LEAs to ensure that parents are informed and invited to all district activities related to helping parents understand and respond to bullying. These district-based programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar local organizations. In addition, at the annual “Back to School” evening in each NEC program, parents will be informed of the approach, curriculum and expectations for students regarding pro-social and anti-bullying behavior for that program.

B. Notification Requirements:

Each year the NEC Collaborative 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 cyberbullying and online safety. The Collaborative will send parents written notice each year about the student-related sections of the Plan and the Collaborative’s Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, will be available in the language(s) most prevalent among parents or guardians, and the Plan and related documents will be posted on the NEC Collaborative website.

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Reporter/Person Filing Report:

(NOTE: Reports may be made anonymously but no disciplinary action will be taken against an alleged perpetrator solely on the basis of an anonymous report.)

2. Check whether you are the:

- Target of the behavior
- Reporter (not the target)

3. Check whether you are a:

- Student (specify school/program and grade)
- Staff member (specify role and work site)
- Parent
- Administrator
- Other (specify)

Your contact information/telephone number:

4. Information about the Incident

Name of Target (of behavior):

Name of Perpetrator (Person who engaged in the behavior):

Date(s) of Incident(s):

Time When Incident(s) Occurred:

Location of Incident(s) (Be as specific as possible):

5. Witnesses (List people who saw the incident or have information about it. Please note name and role of individuals):

6. Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). (Please use additional paper and attach to this document as needed)

Signature of Person Filing this Report:

Date:

(Note: Reports may be filed anonymously.)

Signature of Person Receiving Report:

Position:

Date Received:

Appendix 5: Behavioral Support Policies (Updated 2019)

All NEC programs have developed and implemented a comprehensive set of policies and procedures addressing discipline and behavior support needs that meet all federal and state special education requirements. The policies and procedures for individual programs are detailed in each programs parent/student handbook, and vary based on the developmental levels, abilities and disabilities of students in each program.

Unacceptable Discipline: The following practices are explicitly prohibited in all NEC programs:

- Corporal punishment
- Withholding food
- Denial of toileting or basic care
- Isolation or seclusion
- Ridicule or humiliation [L]
[SEP]

Student Separation Resulting From Behavior Support: When used appropriately, time-out can be an effective behavioral support strategy. The purpose of a time out is to temporarily remove a child from positive reinforcement or full participation in the classroom for the purpose of calming. Exclusionary time-out (i.e. removing a child from the classroom) should only be used when the student is displaying behaviors that present or potentially present an unsafe or overly disruptive situation in the classroom. During an exclusionary timeout the student must be continuously observed by a staff member and a staff member must be with the student or immediately available at all times. The space used for 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. For any exclusionary time-out that may last longer than 30 minutes, staff must consult with a counselor or behavior specialist and seek approval from the principal.

Seclusion restraint is defined (by the Department of Elementary and Secondary Education and for the purposes of NEC's behavioral support guidelines), as "the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving." The use of seclusion restraint is prohibited in all NEC programs.

In each program, the Director is responsible for assuring that any time a student is removed from his/her classroom appropriate documentation and notifications take place.

Physical Restraint: Physical restraint is defined as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical

restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. Physical restraint shall only be used when needed to protect a student and/or a member of the NEC school community from assault or imminent, serious, physical harm. Furthermore, any such physical restraint shall be administered so as to prevent or minimize harm to the student.

This policy shall be reviewed annually and provided to all NEC staff. It shall be made available to all parents/guardians of NEC students. Nothing in this policy precludes any teacher, employee or agent of NEC from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm.

1. **Staff Training on De-Escalation Techniques:** Given the special needs of NEC students, all staff are trained in the use of positive behavioral supports and specialized de-escalation techniques. All staff involved with behavioral support and/or performing physical restraints are required to participate in at least 16-hours of initial training in one of two models of de-escalation and physical restraint - NAPPI or Safety Care. Additionally, staff is required to participate in annual refreshers to maintain certification. Both NAPPI and Safety Care emphasize early intervention and the use of a wide range of verbal and non-verbal prevention and de-escalation techniques. When a student is presenting with escalating behaviors, staff are expected to utilize these techniques and call for additional support from clinical or behavioral support staff.
2. **Methods of Physical Restraint:** Physical restraint is prohibited as a means of discipline or punishment; if the student cannot be safely physically restrained due to medical contraindications which have been documented by a licensed physician and provided to NEC; as a response to property destruction, disruption, refusal to comply with rules or staff directives, or verbal threats when those actions do not constitute a threat of assault or imminent, serious, physical harm. Physical restraint shall not be used as a standard response for any individual student. Physical restraint is an emergency procedure of last resort.

Physical restraint shall be administered only by trained personnel, using only the amount of force necessary to protect the student or other members of the school community from imminent, serious, physical harm. Only restraint methods taught in the NAPPI or Safety Care training programs shall be utilized. The staff member administering the restraint shall use the safest method available and appropriate to the situation. Staff shall continuously monitor the physical status of the student during

the restraint, and the student shall be immediately released from the restraint if the student expresses or demonstrates significant physical distress.

All physical restraints must terminate as soon as the student is no longer an immediate danger, or if the student indicates that he/she cannot breathe, or if the student is observed to be in severe distress. If any physical restraint approaches 20 minutes, staff will obtain the approval of the building Principal or appropriate clinical staff to continue the restraint based upon the student's continued agitation. All physical restraints shall be administered in compliance with 603CMR 46.

Prohibited Forms of Restraint:

- Medication restraint, mechanical restraint, and seclusion restraint, as defined in 603 CMR 46.02 are prohibited in all NEC programs.
 - Any form of physical restraint used in a manner inconsistent with 603 CMR 46 is prohibited.
 - Prone restraint, as defined in 603 CMR 46. 02 shall only be permitted under the following, limited, circumstances:
 - The student has a documented history of serious self-injury and/or injuries to other students or staff;
 - All other forms of physical restraint have failed to ensure the safety of the student and/or the safety of others.
 - There are no medical contraindications documented by a licensed physician;
 - There are no psychological or behavioral contraindications documented by a licensed mental health professional;
 - The student's Parent has provided voluntary, informed, written consent to the use of prone restraint; and
 - The building Principal, or designee, has provided written approval.
3. **Staff Training, Reporting, and Follow Up:** All staff/faculty will receive training regarding NEC's physical restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.

Required training for all staff will include review of the following:

- NEC Physical Restraint and Behavior Support Policy
- School building-level physical restraint procedures, including the use of time-out as a behavior support strategy;

- The role of the student, family, and staff in preventing physical restraint;
- Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors and alternatives to restraint;
- When in an emergency, the types of permitted physical restraints and related safety consideration, including information regarding the increased risk of injury to a student when any restraint is used;
- Identification of NEC staff who have received in-depth training (as set forth below in section (a)(iii)) in the use of physical restraint.
- In-Depth Training

At the beginning of the school year, the building Principal will identify those designated staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint. Designated staff members shall participate in at least sixteen (16) hours of in-depth training in the use of physical restraint, with at least one refresher training annually. In-depth training will include:

- Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
- A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
- Demonstration by participants of proficiency in administering physical restraint; and
- Instruction regarding the impact of physical restraint on the student and family, including but not limited to psychological, physiological, and social-emotional effects.

4. Physical Restraint Reporting

- Staff shall verbally inform the Principal of any physical restraint as soon as possible, and by written report within one (1) school day.

- The Principal or designee shall maintain an ongoing record of all reported instances of physical restraint.
- The Principal or designee shall make reasonable efforts to verbally inform the student's Parent of the physical restraint within twenty-four (24) hours.
- The Principal or designee shall provide the Parent a written report of the physical restraint within three (3) school days. This written report may be provided via email, if the Parent has provided the District with an email address.
- The Parent and/or student may respond to the Principal or designee to comment on the use of the physical restraint and the information in the written report. The Parent and/or student may also pursue the Grievance Procedure described in Section 10, below.
- Whenever a physical restraint results in injury to the student or any school community member, the District shall send a copy of the written report to DESE within three (3) school days. A copy of the ongoing physical restraint log from the past thirty (30) days will also be provided to DESE.
- NEC shall also report physical restraint data annually to DESE, as directed by DESE.
- Nothing in this policy prevents any individual from reporting a crime to the appropriate authorities;
- Nothing in this policy prevents any individual from exercising their responsibilities as a mandated reporter under M.G.L, c. 119, §51A.

The written report of any physical restraint shall include:

- Name of the student; name(s) and job title(s) of staff who administered the physical restraint, and observers, if any; the date, time restraint began, and the time that restraint ended; the name of the Principal or designee who was verbally informed following the restraint, and who approved continuation of the restraint beyond twenty (20) minutes, if applicable.
- A description of the activity in which the restrained student and other students and staff in the vicinity were engaged immediately preceding the use of the physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended;

and documentation of injury to the student and/or staff, if any, and any medical care provided.

- Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
- Information regarding opportunities for the student's Parent(s) to discuss the administration of the restraint and any consequences with school officials.

5. Follow-Up Procedures: After a student is released from a physical restraint, staff shall implement follow-up procedures, including:

- Reviewing the incident with the student to address the behavior that precipitated the physical restraint;
- Reviewing the incident with the staff member(s) who administered the physical restraint to ensure proper restraint procedures were followed; and
- Consideration of whether any follow-up is appropriate for students who witnessed the physical restraint, if any.

Building Principals shall develop and implement procedures for periodic review of physical Restraint Data. These procedures shall include

- weekly review of physical restraint data to identify individual students who have been restrained multiple times during the week, and if any such student(s) is identified, to convene a review team to assess the student's needs.
- monthly, administrative review of school-wide physical restraint data.

Building Principals Shall Develop And Implement Procedures To Ensure that the Reporting Requirements of this Policy and 603 CMR 46.06 Are Met.

Building principals shall develop and implement procedures for providing timely, oral and written notice to the parents of any student who undergoes physical restraint.

Building principals shall develop and implement a procedure for the use of time-out. such procedure shall include the process by which staff will obtain the principal's approval for any time-out lasting longer than thirty (30) minutes. such approval shall be based on the student's continuing agitation.

6. **Grievance Procedures:** This grievance procedure is established to ensure procedures are in place for receiving and investigating complaints regarding physical restraint practices. Any individual who believes that a physical restraint of a student may have been unwarranted or conducted inappropriately may file a complaint by utilizing this procedure:

The complaint must be submitted in writing or on audiotape to the program director or Executive Director.

The Program Director or Executive Director will meet with the complainant within ten (10) school days of receipt of the complaint.

A thorough investigation will be conducted which may include interviewing witnesses, staff involved and/or the student; reviewing all written documentation leading up to and pertaining to the incident and all reports filed with NEC and the Department of Elementary and Secondary Education.

A written report will be developed by the Program Director or Executive Director and provided to the complainant.

Suspension Policy: Administrators will exercise discretion in deciding the consequences for disciplinary offenses and will seek alternatives to suspension whenever possible. All NEC programs conform to all pertinent regulations and laws concerning the suspension of students, particularly students with special needs. NEC staff work in conjunction with school based administrators and the liaison from the student's sending district (LEA) to ensure that all of the student's rights to due process and to special education services are enforced. These include due process rights regarding the hearing related to an infraction, special education entitlements as set forth in the IDEA regarding exclusions constituting a disciplinary change in placement and any applicable appeal rights under state and/or federal laws and regulations. Suspension is rarely used in NEC programs.

In addition, NEC programs conform to M.G.L. c.71, §§ 37H, 37H1/2 and 37H3/4, M.G.L. c. 76 § 21, and 603 CMR 53 regarding the authority of the principal/program director related to students in possession of weapons, controlled substances, assaults, felony charges and other disciplinary violations.

Definitions:

Expulsion: means the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) school days, indefinitely, or permanently

In-School Suspension: the removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. * Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating cumulative days of suspension.

Long-Term Suspension: the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Written Notice: Written correspondence sent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the Program Director and the parent.

Program Director: The primary administrator of the school or the Program Director's designee for disciplinary purposes.

Due Process: In-School Suspension: Prior to the imposition of an In-School Suspension, the student will be informed of the disciplinary offense and provided with an opportunity to respond. If the Program Director determines that the student committed the disciplinary offense, the Program Director will provide oral notice to the student and parent of the length of the In-School Suspension and will make reasonable efforts to meet with the parent. On or before the day of the In-School Suspension, the Program Director will deliver written notice to the parent of the basis for and length of the in-school suspension and inviting the parent to meet to discuss the student's behavior if such a meeting has not already occurred.

Out-of School Suspension: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension. Written notice of the date and time for the hearing will be provided in English and in the primary language of the Student's home and will identify the disciplinary offense with which the student has been charged, the

basis for the charge, the potential length of the student's suspension, and shall inform the parent and student of the right to interpreter services if necessary to participate in the hearing. Where a student may be subject to a Long-Term Suspension, the Program Director will also notify the student and parent of the student's right to legal representation (at private expense), the right to present and examine witnesses, the right to review the student record and documents that may be relied upon by the Program Director, and the right to request that the hearing be audiotaped.

For disciplinary offenses involving a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student will be given oral notice of the violation with which the student is charged and an opportunity to respond thereto prior to the Program Director's imposition of a short-term/interim suspension of ten (10) consecutive school days or less pending formal disciplinary proceedings. Upon imposition of a short term or interim suspension or an interim suspension of ten (10) consecutive days or less pending further disciplinary proceedings, the student and parents will be provided with written notice of the suspension and the date and time of any formal disciplinary proceedings to consider the student's long-term suspension or recommendation for termination.

In cases involving a student in preschool through grade 3, the principal must notify the superintendent, providing a copy of the written determination as well as the reasons for the suspension before the suspension takes place.

Emergency Removal: A student may be removed for not more than two school days if the student's continued presence poses a danger to persons or property, and in the principal's judgment there is no alternative available to alleviate the danger. In such cases, the principal must notify the Executive Director and the sending school district and make immediate and reasonable efforts to orally notify the student and parent of the emergency removal, the reason for the removal, and the other information required in a short term suspension notification. The opportunity for a hearing must be provided within two days of the emergency removal and the principal must render a decision orally on the date of the hearing and in writing no later than the following day. This written notice shall include all of the information required based on the type of discipline imposed. In an emergency removal, the principal must ensure adequate provisions for the student's safety and transportation.

Program Director's Hearing:

Short-Term Suspension: At the Program Director's hearing, the student and parents (if participating) may dispute the charge(s) against the student and present information, including mitigating facts, for the Program Director's consideration in determining consequences for the student.

Long-Term Suspension/Expulsion: In addition to the rights afforded a student in a short-term suspension hearing, the student will have the following rights:

- The right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
- the right to review the student's record and the documents upon which the Program Director may rely in making a determination to suspend the student or not
- the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident;
- the right to cross-examine witnesses presented by the school district;
- the right to request that the hearing be recorded by the Program Director, and to receive a copy of the audio recording upon request.

In the case of a potential long-term suspension or expulsion for a student with an IEP, an Emergency Team meeting should be convened with the following goals:

- To develop or review a functional behavioral assessment of the student's behavior and develop or modify a behavior intervention plan;
- To identify appropriate alternative educational setting (s);
- To conduct a manifestation determination (i.e. to determine the relationship between the disability and the behavior).
- If the TEAM determines that the behavior is NOT a manifestation of the disability, the school may suspend or terminate the student consistent with policies applied to any other student in the program. The responsible school district must, however, offer an appropriate education program to the student that may be in some other setting.
- If the TEAM determines that the behavior IS a manifestation of the disability, the TEAM takes steps to modify the IEP, the behavior intervention plan, and/or the placement.

Program Director's Decision: Based on the evidence presented at the hearing, the Program Director will determine whether the student committed the disciplinary offense and the remedy or consequences to be imposed. The Program Director shall exercise discretion in deciding the consequence for the offense and, in cases not involving possession of a controlled substance, a

weapon, an assault on staff or felony charges, shall avoid using long-term suspension from school as a consequence until alternatives have been tried. If the Program Director decides to suspend or expel the student, written notice of the Program Director's decision will be sent to the student and parents in English and the primary language of the home identifying the disciplinary offense, the factual basis for the Program Director's decision, the beginning and end dates of the suspension or expulsion, and the process for appeal. The Program Director will also notify the student and parent of the student's opportunity to make academic progress during the period of removal from school in accordance with M.G.L. c. 76, §21.

Students excluded from school for disciplinary reasons and their parents or guardians will be required to attend a re-entry conference prior to a student returning to school. The purpose of the conference is to develop a plan, including a revised behavior plan if appropriate, to ensure that the student has a successful re-entry to the program. After three (3) non-consecutive days of suspension within one school year, NEC staff will convene a team meeting with parents, school staff, and the student's district liaison to discuss the appropriateness of the current out of district placement.

Appeals: Where the student is excluded in accordance with M.G.L. c.71 §37H, the student shall have ten (10) calendar days from the effective date of the exclusion to file a written appeal with the Executive Director. For exclusions imposed pursuant to M.G.L. c.71 §37H1/2, the student shall have five (5) school days from the effective date of the exclusion to file a written appeal with the Executive Director. And for exclusions imposed pursuant to M.G.L c.71, §37H3/4, the Student shall have five (5) calendar days from the effective date of the suspension imposed by the Program Director but shall be granted an extension of seven (7) calendar days upon request.

Academic Progress: Any student who is serving an in school or out of school short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, in accordance with the M.G.L. c.76, §21.

Termination of Enrollment: The NEC Collaborative reserves the right to terminate a student's enrollment in any NEC program in accordance with the procedures set forth in 603 CMR18.00 and 603 CMR 28.09.

Runaway Student: A “runaway student” shall be defined as: the student has left the classroom, assigned areas with staff, or school environment without permission and is exhibiting unsafe and/or noncompliant behavior. A student who has left his/her designated space, but is within the immediate area and within the staff’s visual field is not to be considered a runaway student.

The following procedure will be implemented if a student runs away:

- Staff is able to keep student in eyesight and communicate student’s status using walkie-talkies.
- Staff will not chase and/or attempt to physically restrain the student unless the student is in imminent danger of hurting him/herself.

If a student runs off of school grounds, the above procedures will be followed, and if student is unsafe or out of eyesight, staff should immediately:

- Notify principal to call the local police department.
- Complete and file an Incident Report form as soon as possible.
- Record the incident in the Incident Report Log
- Notify the parent and school district by phone and in writing.
- Notify the DESE (Form 2).
- File all notifications and Incident Reports in Student Record.

Planned Termination: At each student’s annual team meeting, program staff, the sending district, parents and student (if applicable), through the Vision Statement process, will identify if the student will be likely to transition back to the public school setting within that academic year. If it is determined that the student is ready to return, the team will then develop a written termination plan which includes a description of the student’s specific program needs (e.g., instructional, behavioral, therapeutic, technological needs), the short and long-term educational goals of the program, and recommendations for follow-up and/or transitional services.

The school team and district may arrange a meeting at any other time for the sole purpose of developing a termination plan if all parties, including the parent and student if appropriate, are provided with notice of the meeting at least 10 days in advance of the meeting date.

A Team meeting to discuss planned termination may be requested at any time, if appropriate.

The written termination plan shall be implemented in no less than 30 days, unless all parties agree to an earlier termination date.

The school shall thoroughly explain termination procedures to the student, parents, the administrator of special education, and officials of appropriate human service agencies.

Emergency Termination Of Enrollment: Consideration of termination of enrollment is part of the Team process in determining appropriate placement for a student. Every effort is made to continue enrollment for students that may be in crisis. However, if a student presents with severe behavioral incidents requiring more support and intervention than is routinely part of our therapeutic procedures, the following processes occur:

An emergency Team Meeting is convened to discuss alternative strategies to address the student's presenting issues.

The Team develops an interim action plan which can include, but not exclusive to:

- Staff supervision and support
- Change in length of school day
- Change in daily academic and behavioral expectations
- Change in environment within the school program
- Addition of therapeutic/clinical intervention
- Or any other option as determined by the team

A follow-up Team meeting is scheduled following the interim action plan to assess the student's status.

In the event of an emergency situation, when a student presents a clear and present threat to the health and safety of himself or others, the Team may immediately terminate the enrollment of a student provided the following assurances are made.

The enrolling public school district shall receive immediate notification and assume responsibility for the student (see Immediate Notification - Policies and Procedures).

In accordance with 603 CMR 28.09(12), at the request of the district, the student's termination can be delayed for two calendar weeks to allow the district to convene an emergency Team meeting or to conduct other appropriate planning discussions.

By mutual agreement, the student's termination can be delayed for longer than two weeks.

Staff will be available at the request of the enrolling district to attend the emergency Team meeting with the parents, the public school representatives, and any other agencies responsible to the student.

If a student has been hospitalized due to an emergency situation, a re-entry after hospitalization meeting may be scheduled. The Team may determine an emergency termination is required.

Appendix 6; Reporting Policy and Procedure for Child Abuse/Neglect to Department of Children and Families & to the Disabled Persons Protection Commission

Under Massachusetts General Laws Chapter 199, Section 51A 51G, any public or private school teacher, educational administrator, guidance of family counselor, nurse, or social worker, or other professional identified as a mandated reporter, who in his/her professional capacity shall have reasonable cause to believe that a child under 18 years of age is suffering serious physical or emotional injury resulting from abuse from a caretaker, including sexual abuse, or neglect, including malnutrition, must immediately report such conditions to the Department of Children and Families. Suspected abuse of a disabled individual over the age of 18 must be reported to the Disabled Persons Protection Commission (MGL c. 19C).