



PARENT AND STUDENT HANDBOOK

2026-2027

Northshore Education Consortium

112 Sohler Road

Beverly, MA 01915

978-232-9755

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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 Kathy Mahoney kmahoney@nsedu.org or 978-232-9755 ext. 1258

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: 978-921-8303

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.

Curriculum

All NEC Programs follow the MA Curriculum Frameworks, adapted as appropriate for our student needs. Consistent with Massachusetts regulations, 603 CMR 26.05(1), Northshore Education Consortium, through its curricula and materials, encourages respect for the human and civil rights of all individuals, regardless of race, color, sex, gender identity, religion, national origin or sexual orientation. In accordance with district guidelines, families may request information from the building principal on available accommodations related to curriculum content.

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 composed 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.

NEC Transportation Policy: effective November 2024

Transportation to and from School

School Districts transport students to and from school at NEC programs. The following rules apply:

- a) Students are required to take the transportation provided by their local school department, unless other arrangements have been agreed to by a student's family and team.
- b) Transportation is to and from the student's home address and the school unless other arrangements have been made and agreed to by the local school department and the transportation vendor.
- c) If a student will not be using district-provided transportation for any reason, the student's parent/guardian needs to inform the district and the program.
- d) Students are not permitted to change or alter plans for transportation (i.e., walking home, transporting with someone other than the provided transportation vehicle, etc.) without express consent from the student's parent/guardian.
- e) Any deviation from approved transportation requires prior arrangement by the parent/guardian, the sending school's special education department, and the transportation provider.
- f) Students abusing transportation in any manner will receive consequences from NEC staff as appropriate, and parents or guardians will be notified.
- g) For RHS students without IEP-specified transportation, guardians may authorize alternative arrangements if district transportation is unavailable.

Transportation in NEC Vehicles for Community Activities

NEC maintains a fleet of vehicles that meet a high standard for safety. NEC vehicles are an essential component of our community-based programming and are driven by NEC staff to transport students throughout the community for pre-vocational activities or other activities designed to foster independence, develop skills for independent living, enhance social-emotional development, or supplement the curriculum.

Staff who drive NEC vehicles with students must be endorsed annually and meet a high standard.

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 to 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, Restraint, and Seclusion 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.

Seclusion is defined as involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion is used only rarely and only in situations where there is imminent risk of serious harm, and no other interventions are effective. Specific conditions, including advance notification, must be met.

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 100.3, 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.

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

Northshore Education Consortium (NEC) is committed to the healthy development of every student. We believe that for students to achieve personal, academic, developmental and social success, we need to create positive, safe, inclusive, and health-promoting environments at every level throughout the school year. We understand that good nutrition, physical activity, and social-emotional learning are critical components of any school and are strongly correlated with positive outcomes for all students with or without disabilities.

NEC has a wellness committee that includes the Executive Director, School Nutrition Program Coordinator, Director of Nursing, Clinical Director, representatives from each NEC School, as and representative.

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 6)

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

Northshore Education Consortium Acceptable Use of Digital Technology

MASC 2023

Legal Reference: 47 USC254

Northshore Education Consortium recognizes that the use of technology is an important part of any work environment and of preparing students for adult life.

The Executive Director and Director of Educational Technology shall develop and annually review appropriate procedures for the acceptable use of digital resources.

Procedures shall address:

- adult supervision of digital resources
- ethical use of such resources
- issues of online privacy
- Cyber security

Procedures shall prohibit utilization of digital resources for dangerous or illegal activities.

Procedures must effectively address the following:

- Controlling access by minors to inappropriate matter as defined by the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA)
- Safety and security of minors in use of digital resources.
- Preventing unauthorized access, including hacking, viruses, and other unlawful activities by minors online.

In addition, the Director of Technology will develop and annually review procedures for the use of social media and AI.

All students and their guardians must agree to and sign an appropriate digital use form annually.

All employees must agree to and sign an appropriate digital use form annually.

Failure to comply with these agreements will result in appropriate consequences.

Northshore Education Consortium Digital Resources Access Policy

The Northshore Education Consortium upholds the right of students, employees, and community members to access various information formats responsibly. It is essential

that users utilize this privilege in a manner that aligns with educational objectives and maintains a safe digital environment.

Safety Procedures and Guidelines

The Executive Director, in collaboration with the Director of Technology, will establish and implement procedures to guide access to digital resources. These guidelines will address:

- Teacher supervision of student computer or tablet use
- Ethical use of digital resources
- Issues of privacy versus administrative review of electronic files and communications
- Prohibition of digital resources for illegal or prohibited activities
- Prevention of activities that could damage or destroy programs or data

Internet Safety Measures

The Consortium will implement internet safety measures compliant with the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA), including:

- Controlling minors' access to inappropriate internet content
- Ensuring safety and security of minors during electronic communications
- Preventing unauthorized access and unlawful online activities by minors
- Safeguarding personal information of minors from unauthorized disclosure

Reasonable public notice will be provided to communicate the Consortium's internet safety measures effectively.

Empowered Digital Use Agreement

All students and faculty must sign a digital use sign off form before gaining independent access to digital resources and district networks. This form specifies guidelines for responsible digital resource use and district network access. Parental or legal guardian consent is required for students under 18 years old. This agreement is legally binding and will remain on file. Modifications or rescissions require written requests from parents/guardians or students who are 18 years or older.

Employee Use

Employees must use district email, devices, and networks solely for educational and instructional purposes.

Community Use

The Consortium, guided by the Executive Director and Director of Technology, will determine the availability of computer equipment, software, and information access systems to the community. All community members accessing the district network must accept the Access to Digital Resources Policy.

Violation of Rules and Responsibility for Damages

Individuals who refuse to sign the Empowered Digital Use agreement or violate district technology rules may lose or have restricted privileges to use equipment, software, information access systems, and network.

Individuals are liable for reimbursing the Consortium for repair or replacement of district property lost, stolen, damaged, or vandalized while under their care.

This policy underscores the Northshore Education Consortium's commitment to fostering responsible digital citizenship among its members while ensuring the safety and security of its digital resources and networks.

Student Chromebook and Device Usage Policy

Responsible Use Policy

At Northshore Education Consortium (NEC), technology is an essential tool for learning and communication. We value responsible use of technology to represent our school community positively and respectfully. By signing this policy, I agree to abide by the following guidelines:

1. Responsible Use of NEC Technology Resources

- I will use NEC technology resources solely for assigned school purposes and seek teacher approval if unsure.

2. Email Use

- If provided with a school email account, I will use it only for school-related assignments and communications.

3. Password Security

- I will keep my passwords confidential and not share them with others.

4. Account and File Access

- I will only access my assigned computer, account, and files. Impersonation or unauthorized access will result in disciplinary consequences.

5. Internet Usage

- I will download items from the internet only under teacher direction.

6. Hardware Care

- The Chromebook assigned to me is the property of Northshore Education Consortium. I will take care of it and avoid eating or drinking near it. I am responsible for any damage to my Chromebook.

7. Preparedness

- I will come to class with a fully charged Chromebook and all necessary materials.

8. Respectful Conduct

- I will not damage NEC hardware or software, delete files not belonging to me, use unauthorized software, attempt to bypass school filters, send viruses, or modify system files.

9. Online Behavior

- I will respect others online, refrain from bullying or harassing behavior, and report any concerning content to a teacher or administrator.

10. Ethical Publishing

- I will not plagiarize or cheat using technology and will obey copyright and software licensing laws.

Artificial Intelligence (AI) Assistance Policy

Northshore Education Consortium Students AI Usage Policy

Intent

Students at the Northshore Education Consortium should learn how to use AI text generators and other AI-based assistive resources (collectively, AI tools) to enhance rather than damage their developing abilities as writers, coders, communicators and thinkers

Students Shall

- Give credit to AI tools whenever used, even if only to generate ideas rather than usable text or illustrations.
- Not use AI tools during in-class examinations unless explicitly permitted and instructed.
- Use AI tools wisely and intelligently aiming to deepen understanding of subject matter and support learning in accordance with the above approved AUP.

Northshore Education Consortium Educator AI Usage Policy

Intent

Educators at the Northshore Education Consortium are expected to familiarize themselves with how AI tools operate in classroom settings and to use them responsibly. When utilizing AI technologies, educators must ensure that these tools are used in ways that enhance student learning and do not negatively impact students. Educators should prioritize student data privacy and adhere to existing student data rights and privacy acts, refraining from sharing sensitive student data inappropriately or unlawfully. By implementing AI tools thoughtfully and ethically, educators contribute to a positive and secure learning environment for all students.

Instructors shall

- Seek to understand how AI tools work, including strengths and weaknesses, to optimize their value for student learning.
- Treat work by students who declare no use of AI tools as the baseline for grading.
- Impose a significant penalty for low energy or unreflective reuse of material generated by AI tools and assign zero points for merely reproducing the output from AI tools.

This policy recognizes that

- This policy depends on goodwill and honorable character.
- Some instructors may prefer stronger restrictions on the use of AI tools and they are free to impose them so long as care is taken to maintain transparency and fairness in grading.
- This policy may be revisited in light of other policies and novel technological developments in AI tools.

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.

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, § 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 a 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 cyber safety, 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 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 (2026)

Policy And Procedure For Behavior Support

DESE Criterion 9.1

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

Physical Restraint and Time Out (updated August 2026)

603 CMR 46

Northshore Education Consortium complies with all DESE regulations governing the use of time-out and restraint.

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. School personnel shall use physical restraint only when needed to protect a student and/or member of the school community from assault or imminent, serious physical harm. In addition, the goal should always be to prevent or minimize any harm to the student as a result of the physical restraint.

This policy shall be reviewed annually and provided to all NEC staff, parents and guardians.

Nothing in this policy shall preclude a teacher or other employee from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm. Nothing in this policy prohibits law enforcement from exercising their responsibilities, including physical detainment of an individual alleged to have committed a crime or posing a security risk.

Definitions (603 CMR 46.02)

Mechanical Restraint: the use of any physical device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include devices implemented by trained school personnel, or utilized by a student, that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Medication Restraint: the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

Physical Escort: a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

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

The following are not physical restraints:

- Brief physical contact to promote student safety (such as guiding a student or re-directing a student);
- Providing physical guidance or prompting when teaching a skill;
- Redirecting attention or providing comfort by touch (such as to a shoulder, face or torso);
- Physical escort (as defined above)

Prone Restraint: a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

Seclusion: involuntary confinement of a student alone in a room or area, with or without adult supervision, from which the student is physically prevented from leaving. .

The following are not seclusion:

- A classroom or school environment where, as a general rule, all students need permission to leave the room or area, such as to use the restroom;

- Placing a student in a separate location within a classroom with others or with an instructor, so long as the student has the same opportunity to receive and engage in instruction;
- Time-out (as defined below)

Time-Out: a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member in an unlocked setting from which the student is permitted to leave. Staff shall be with the student or immediately available to the student at all times. Time-out shall cease as soon as the student has calmed.

Requirements For The Use Of Physical Restraint (603 CMR 46.03)

Physical restraint is an emergency procedure of last resort. It may be used only when the student's behavior poses a threat of assault or imminent, serious, physical harm to self and/or others, and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm. The staff member administering physical restraint shall use the safest method available and appropriate to the situation, subject to the safety requirements set forth in 603 CMR 46.05.

Prohibitions

Mechanical restraint, medication restraint, prone restraint (unless permitted under the conditions described below), seclusion (unless permitted under the conditions described below) and the use of physical restraint in a manner inconsistent with 603 CMR 46.00 are strictly prohibited in all NEC programs.

Physical restraint, of any kind, shall not be used:

- As a means of discipline or punishment;
- When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk ;
- As a response to property destruction, disruption of school order, refusal to comply with a policy or directive, or verbal threats when those actions do not constitute a threat of assault or imminent, serious physical harm;
- As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical

restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

Prone restraints are prohibited, except on an individual basis and when all of the following conditions, which require specific, advance documentation, are met:

- The student has a documented history of repeatedly causing serious self- injuries 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 others;
- There are no medical contraindications, as documented by a licensed physician;
- There is psychological or behavioral justification for the use of prone restraint and no psychological or behavioral contraindications, as documented by a licensed mental health professional;
- The program has obtained consent to use prone restraint in an emergency and the use of prone restraint is approved in writing by the Principal; and
- The program has documented all of the above before using prone restraint and maintains the documentation.

The only staff authorized to administer a prone restraint are staff who have received in-depth restraint training in accordance with the regulations at 603 C.M.R. 46.00.

Seclusion is prohibited, except on an individual basis and when all of the following conditions, which require specific, advance documentation, are met:

- The student has a documented history of repeatedly causing serious self injuries and/or injuries to other students or staff;
- The student is not responsive to directives or other less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances;
- Other forms of intervention have failed to ensure the safety of the student and/or others;
- There are no medical contraindications, as documented by a licensed physician;
- There is psychological or behavioral justification for the use of seclusion and no psychological or behavioral contraindications, as documented by a licensed mental health professional;
- The program has obtained consent from the student's parent and, if appropriate, the student, to use seclusion in an emergency and the use has been approved in writing by the Principal;
- Any individual using seclusion has received training about alternative behavior interventions and management techniques; and
- The program has documented all of the above before using seclusion and maintains the documentation.

No written individual behavior plan or individualized education program (IEP) may include use of seclusion as a standard response to any behavior.

At all times during the use of seclusion, a staff member will continuously monitor and observe the student, be immediately available to the student, and continue to use calming and de-escalation strategies with the student, unless it is unsafe or counterproductive to do so.

The emergency use of seclusion will cease as soon as the student's behavior no longer poses a threat of assault or imminent serious physical harm or if the student is observed to be in severe distress. The Principal's approval must be obtained if seclusion is used for a period longer than 30 minutes.

Any program which uses seclusion, consistent with the requirements above, must examine alternatives and strategies for reducing and eliminating its use no later than 3 years from the effective date of the Regulations.

Proper Administration And Safety Requirements (603 CMR 46.05)

Only personnel who have received training (Safety Care or a comparable training) pursuant to the Regulations shall administer physical restraint on

students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. When administering a physical restraint, trained staff shall comply with the requirements regarding the use of force, method, duration of the restraint, and safety, as set forth in the Regulations.

- No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
- Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
- If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the Principal. The approval shall be based upon the students continued agitation during the restraint justifying the need for continued restraint.
- Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- After the release of a student from a restraint, program staff shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint; reviewing the

incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and consideration of whether any follow-up is appropriate for students who witnessed the incident.

Staff Training

All school staff will receive training with respect to NEC's prevention and behavior support policy and requirements when restraint is used. Staff

training will occur at the beginning of each school year, and, for new hires, within one month of being hired. Training shall include:

- Information on the role of various individuals in preventing restraint;
- The Physical Restraint and Time-Out Policy and procedures;
- Interventions that may preclude the need for restraint, including de-escalation techniques;
- Types of permitted physical restraints and related safety considerations;
- Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
- Identification of program staff who have received in-depth training in the use of physical restraint, who may serve as school-wide resources to assist in ensuring proper administration of physical restraint.

In addition, the Principal will identify program staff who will participate in additional, in-depth training on the use of physical restraint, consistent with the requirements of 603CMR 46.04(3),(4).

Reporting

Any and all physical restraints (including emergency seclusion, if used), regardless of duration, will be reported to the Principal, the Parents, and the Department of Elementary and Secondary Education (DESE) as indicated below.

Reporting to Principal

The staff member who administered the restraint/seclusion

shall notify the Principal or designee verbally as soon as possible and in writing no later than the next school working day. If the Principal administered the restraint, the Principal shall prepare the report and submit it to the Superintendent.

The Principal or designee shall maintain an on-going record of all reported instances of physical restraint and emergency seclusion, if any (the "Physical Restraint Log" and "Seclusion Log").

The Principal shall conduct a weekly review of the Physical Restraint Log and Seclusion Log to identify student(s) who have been restrained/secluded multiple times during the week and convene teams to review the student's needs, as appropriate. The review team will review the written physical restraint reports; analyze the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved; consider factors that may have contributed to escalation of behaviors and alternatives to restraint, with the goal of reducing or eliminating the use of restraint in the future; and create a written plan of action, if appropriate.

The Principal shall ensure that a record of any such individual student review team is maintained and made available to DESE or the Parents upon request.

The Principal shall also conduct a monthly review of the Physical Restraint Log and Seclusion Log in order to consider patterns in the time of day, day of week, or individuals involved; the number and duration of

restraints/seclusions school-wide and for individual students; the number and type of injuries, if any, resulting from use of restraint; and the need for additional staff training, policy modifications, or other action to reduce or eliminate restraints.

The Physical Restraint Log and Seclusion Log, if any, shall be made available for review by a parent (in accordance with student records regulations) or the DESE upon request.

Reporting to Parents

The Principal or designee shall make reasonable efforts to inform the student's Parent(s) of the restraint within 24 hours of the event and shall notify the student's Parent(s) by written report within three school working days of the restraint. The information in the report shall comply with 603 CMR 46.06(4).

The restraint report must be provided to the student's parent(s) in the language in which report cards and other necessary school-related information are customarily provided. The Principal shall provide the student and the parent(s) an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

Reporting to DESE

If a physical restraint or emergency seclusion results in injury

to either a student or a staff member, NEC will send a copy of the written report of that restraint to the DESE within three (3) school working days, along with a copy of Physical Restraint Log and Seclusion Log, if any, for the 30-day

period prior to that restraint. Additionally, NEC will annually

report physical restraint data to DESE in a manner and form directed by DESE.

Safeguards (603 CMR 46.07)

See also Policy SE 55 Special Education Facilities and Classrooms

Any room or area used for Time-Out will be clean, safe, and sanitary. It will be appropriate for the purpose of calming students, including being of appropriate size for the students served. It will be appropriately lighted, ventilated, and heated and cooled, consistent with the remainder of the building. The space will be free of objects or fixtures that are inherently dangerous and in compliance with local fire and building code requirements.

Any room used for seclusion, if permitted under the conditions enumerated in 603 CMR 46.07(2), will meet the same physical requirements as a Time-Out space, described above. Any room used for seclusion will be inspected by the program for compliance with such requirements at least weekly.

Preventing Student Violence And Self-Injurious Behavior

As set forth in the Regulations, NEC shall develop methods for preventing student violence, self-injurious behavior, and suicide, including individual

crisis planning, behavior intervention plans, and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.

Parent Engagement

In accordance with the Regulations, NEC shall engage parent(s) in discussions about restraint prevention and the use of restraint solely in an

emergency situation of last resort. This Physical Restraint and Time-Out Policy will be posted on the NEC's website and within school handbooks. Parents are also welcome to request a meeting with the Principal or Team Chair to discuss any

individual restraint or to discuss restraint and time-out procedures in general use.

Grievance Procedure

NEC will consider and investigate any complaints that it receives regarding the use of physical restraint or time-out in school. Any individual who believes that the physical restraint of a student may have been unwarranted or inappropriately conducted may submit a written complaint to the Principal. The written complaint should include the time, date, and location of the incident; the names of all students and staff involved; and references to which aspects of this policy or the Regulations that the complainant believes have not been followed. The Principal or designee will conduct a thorough investigation which may include interviewing the complainant, witnesses, staff, and/or the student; reviewing all written documentation leading up to and pertaining to the incident; and reviewing available data on physical restraint and/or time-outs within the

building. The Principal or designee will provide a written response to the complainant summarizing the investigation, conclusions, and corrective action, if any.

Prevention And Alternatives To Physical Restraint

Students, families, and school staff each play a role in preventing restraint and ensuring the safety of the school community.

Students: To the extent that they are able, students are responsible for knowing and following the school rules and code of conduct, as outlined in the Student/Family Handbooks. Students are also encouraged to report to staff whenever another student evinces violent or dangerous behavior towards themselves or others. Given the unique special needs of NEC students, this will vary widely from program to program.

Families: Families should be aware of and encourage adherence to the school rules and code of conduct, as outlined in the Student/Family Handbooks. Regular communication between Parent(s) and school is important to facilitate support for any student experiencing difficulty.

School Staff: Staff are responsible for reviewing, attending training, and implementing the school policies and procedures, including those related to physical restraint and time-out. Staff are also responsible for discussing and explaining these policies and procedures to families and students to prevent Misunderstanding.

Administration: NEC will annually review its Physical Restraint and Time-Out Policy and related procedures, provide it to school staff, provide annual training to school staff, and make the policy and procedures available to families of enrolled students.

De-escalation Techniques and Alternatives to Restraint

NEC staff are responsible for providing classroom environments with appropriate accommodations to meet students' special needs, as well as for following student IEPs and any individual behavioral support plans. Staff may utilize a variety of behavioral interventions in order to de-escalate a student, including but not limited to:

- Offering choices of activities
- Positive behavioral interventions
- Verbal redirection
- Verbal directive to cease behavior
- Opportunity for a movement break
- Opportunity for a sensory break
- Breathing exercises
- Access to a calming or redirecting tangible item or activity
- Reducing the demands/amount of work expected
- Reminding student of reinforcers available for engaging in appropriate behaviors (e.g. first work, then you can read)

- Prompting the student to use functional language to communicate their feelings or needs (e.g. if you are frustrated you can tell me “I need a break”)
- Offering opportunities to speak with professionals (e.g. teacher, administrator, nurse, or guidance counselor)
- Working in small groups outside the classroom on academic related work
- Time-out for the purpose of calming.

Whenever there is a behavior support plan in place for a student, staff should defer to the specific interventions outlined in the behavior plan.

Procedure For Use Of Time-Out

Time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or direction from staff, for the purpose of calming. During a time-out, the student will be continuously observed by staff in an unlocked setting from which the student is permitted to leave. It is the expectation of NEC that a staff member will be

physically present with the student during time-out; however, if it is not safe for the staff member to remain in the room with the student, staff will remain immediately available to the student and will continuously observe the student during time-out. The time-out will cease as soon as the student has calmed, based on staff observation of the student’s physical cues, tone of voice, and demeanor.

If a time-out may last longer than 30 minutes, staff will obtain approval from the Principal or designee to continue the time-out. Any such approval will be based on careful consideration of the individual student’s presentation and level of agitation. If, in the opinion of the Principal or designee, the student has calmed, then the time-out will cease. For any time-out approaching or exceeding 30 minutes duration, staff will also consider the need to follow-up and debrief the incident with the student at a later time and/or whether the student’s behavior warrants convening a Team meeting; modifying an existing behavior plan; or creating a new behavior plan. Staff will attempt to contact the student’s parent(s) within 24 hours and offer an opportunity to discuss the circumstances of the extended time-out.

Time-out does not include time spent meeting with administrators; visits to nurse; performing an errand in another part of the school building; or working in small groups outside the classroom. Students may also take space for calming while remaining fully aware of the learning activities in the classroom.

Suspension Policy

*DESE Criterion 9.5 & 9.6 603 CMR 18.05(6)
34 CFR 300*

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 53.00 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: the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) consecutive school days. Expulsion is prohibited for M.G.L. c. 71, § 37H 3/4 offenses.

In-School Suspension: the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (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 school days.

Short-Term Suspension: the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. A principal may, in their discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

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. Except for students who are charged with a disciplinary offense set forth in M.G.L. c. 71, § 37H(a) or (b), or M.G.L. c. 71, § 37H ½ no student may be placed on long-term suspension for one or more disciplinary offenses for more than 90 school days in a school year beginning with the first day that the student is removed from school. No long-term

suspension shall extend beyond the end of the school year in which such suspension is imposed.

Principal: the primary administrator of the school or the principal's designee for disciplinary purposes. At NEC, the terms Principal and Program Director are used interchangeably. .

Superintendent – the superintendent or designee for disciplinary purposes. At NEC, the Executive Director is considered the Superintendent under the law.

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

Due Process

Most of the students at NEC are students with disabilities, please note that our students may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from their program for more than ten (10) consecutive days in a given school year, or is subjected to a series of short-term removals that constitute a pattern of removal that exceeds ten (10) school days, and are considered to constitute a disciplinary change in placement, program administrators, staff from the sending district, and relevant members of the Student's IEP or 504 Team, and the parent(s)/guardian(s) will meet to conduct a Manifestation Determination Review. At the Manifestation Determination Review, the Team will consider whether the violation for which the student is subject to discipline is directly and substantially related to the student's disability or was the direct result of a failure to implement the student's IEP or Section 504 Plan.

If the Team determines that the behavior is NOT a manifestation of the student's disability, the student may be disciplined in accordance with the policies and procedures applicable to all students, except that students shall be entitled to a free appropriate public education as of the eleventh (11th) day of disciplinary exclusion in the school year. The student's IEP Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, and may, as appropriate, review any existing behavior intervention plan, or, where appropriate, conduct a functional behavioral assessment.

If the Team determines that the behavior giving rise to disciplinary action IS a manifestation of the student's disability, then the district/NEC will conduct a functional behavior assessment or review any existing behavior intervention plan and takes steps (with the consent of the parent(s)/guardian(s)) to modify the IEP, the placement, or the

behavior intervention plan as appropriate and the student will not be suspended for more than 10 days (either consecutive or constituting a pattern of removal) for the violation found to be a manifestation of their disability.

Regardless of the result of the Manifestation Determination, if a student possesses, uses, sells or solicits illegal drugs or a controlled substance on school grounds or at a school-sponsored event; possesses a weapon on school grounds or at a school-sponsored event; or inflicts serious bodily injury upon another person at school or a school-sponsored event, the school district may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. The interim alternative setting must enable the student to participate in the general curriculum and progress toward the goals in the IEP. The interim alternative educational setting must also provide services and modifications designed to address the behavior giving rise to the removal and to prevent the behavior from reoccurring. If a student has been placed in an interim alternative education setting because of disciplinary action, the student may remain in the interim setting for a period not to exceed forty-five (45) school days. Thereafter, the student will return to the previously agreed-upon educational placement unless the parent(s)/guardian(s) (or student if 18+) consents to an extension of the IAES, or the parent(s)/guardian(s) and the school agree to another placement, or the parent(s)/guardian(s) or the district has initiated a hearing on the disciplinary action that the district took and a hearing officer orders another placement.

The parent(s)/guardian(s) shall have the right to appeal the Team's manifestation determination, the imposition of a disciplinary change in placement, and the student's placement in an interim alternative educational setting to the Bureau of Special Education Appeals. The student will remain in the disciplinary placement imposed by school authorities pending a decision on the appeal or until the expiration of the disciplinary sanction, whichever comes first.

Due Process Under M.G.L. c. 71, § 37H ³/₄

For ALL offenses except for possession of a dangerous weapon, possession of a controlled substance, assault on staff, and felony offenses. For due process for offenses under M.G.L. c. 71, §§ 37H, 37H1/2, see the appropriate section below.

Please note: these due process procedures apply to M.G.L. c. 71, § 37H ³/₄ only. For due process procedures for offenses under M.G.L. c. 71, §§ 37H and 37H 1/2 please see the appropriate sections below.

In every case of student misconduct under M.G.L. c. 71, § 37H ³/₄ for which suspension may be imposed, a Program Director shall exercise discretion in deciding the consequence for the offense; consider ways to re-engage the student in learning; and shall not use long-term suspension from school as a consequence until alternatives have been tried shall not suspend or expel a student until alternative remedies have

been employed and their use and results documented and, following and in direct response to a specific incident or incidents, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports. The Program Director and Executive Director acting as a decision-maker shall also implement school- or district-wide models to re-engage students in the learning process which shall include but not be limited to: (i) positive behavioral interventions and supports models and (ii) trauma sensitive learning models; provided, however, that school- or district-wide models shall not be considered a direct response to a specific incident.

Emergency Removals: M.G.L c. 71, § 37H ¾: A Program Director may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Program Director's judgment, there is no alternative available to alleviate the danger or disruption. In such a case, the Program Director shall immediately notify the Executive Director in writing of the removal, the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Program Director shall make immediate and reasonable efforts to orally notify the student and the student's parent of: (1) the emergency removal; (2) the reason for the need for emergency removal; (3) the disciplinary offense; (4) the basis for the charge; (5) the potential consequences, including the potential length of the student's suspension; (6) the opportunity for the student to have a hearing with the Program Director concerning the proposed suspension, including the opportunity to dispute the charges, present the student's explanation of the alleged incident, and for the parent to attend the hearing; (7) the date, time, and location of the hearing; and (8) the right of the student and the student's parent/guardian to interpreter services at the hearing if needed to participate. Before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Program Director, student, and parent, the Program Director must provide the student an opportunity for a hearing with the Program Director that complies with either the short-term due process or long-term due process set forth below, as applicable, and the parent an opportunity to attend the hearing. Additionally, the Program Director is required to render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of notice of the decision for short-term suspension or long-term suspension as set forth below, whichever is applicable. A Program Director may not

remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

Due Process for In-School Suspension; M.G.L c. 71, § 37H 3/4: In-school suspension for ten (10) days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension. If a student is placed in in-school suspension for more than ten (10) days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes under 603 C.M.R. 53.00.

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 principal determines that the student committed the disciplinary offense, the principal 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.

Program Director's Decision – In-School Suspension; M.G.L c. 71, § 37H 3/4: – On or before the day of suspension, the Program Director shall send written notice to the student and parent about the In-School Suspension, including the reason and the length of the In-School Suspension, and inviting the parent to a meeting with the Program Director for the purpose set forth in 603 CMR 53.10(4) if such meeting has not already occurred. The Program Director shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, or email to an address provided by the parent for school communications, or by other method of delivery agreed to by the Program Director and the parent. Students have the right to appeal an In-School Suspension that will result in their In-School Suspension for more than ten (10) school days in a school year.

Due Process for Short-Term Suspension; M.G.L c. 71, § 37H 3/4: 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.

Notice – Short-Term Suspension; M.G.L c. 71, § 37H 3/4: Except as provided in cases of In-School Suspension or Emergency Removal, a Program Director may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing. The Program Director shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language: the

disciplinary offense; the basis for the charge; the potential consequences, including the potential length of the student's suspension; the opportunity for the student to have a hearing with the Program Director concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing; the date, time, and location of the hearing; the right of the student and the student's parent to interpreter services at the hearing if needed to participate.

The Program Director shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the Program Director must be able to document reasonable efforts to include the parent. The Program Director is presumed to have made reasonable efforts if the Program Director has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

Program Director's Hearing - Short-Term Suspension; M.G.L c. 71, § 37H 3/4: 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.

Program Director's Decision – Short-Term Suspension; M.G.L c. 71, § 37H 3/4: The Program Director shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in M.G.L. c. 76, 21. The determination shall be in writing and may be in the form of an update to the original written notice. The Program Director's decision shall be final with no opportunity for appeal. If the student is in grades K through 3, the Program Director shall send a copy of the written determination to the Executive Director and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

Due Process for Long-Term Suspension; M.G.L c. 71, § 37H 3/4: 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.

Notice - Long-Term Suspension; M.G.L c. 71, § 37H 3/4: 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

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 following rights: (1) in advance of the hearing, the opportunity 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; (2) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; (3) the right to produce witnesses on their behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; (4) the right to cross-examine witnesses presented by the school; and (5) the right to request that the hearing be recorded by the Program Director, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Program Director shall inform all participants before the hearing that an audio record will be made, and a copy will be provided to the student and parent upon request.

Program Director's Hearing - Long-Term Suspension; M.G.L c. 71, § 37H 3/4: The student will have the rights identified in the written notice and the Program Director shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Program Director should consider in determining consequences for the student.

Program Director's Decision – Long-Term Suspension: M.G.L c. 71, § 37H 3/4: Based on the evidence, the Program Director shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a Long-Term Suspension. The Program Director shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, or 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. If the Program Director decides to suspend the student, the written determination shall: (1) identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; (2) set out the key facts and conclusions reached by the Program Director; (3) identify the length and effective date of the suspension, as well as a date of return to school; (4) include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in M.G.L. c. 76, § 21; (5) inform the student of the right to appeal the Program Director's decision to the Executive Director or designee, but only if the Program Director has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in

plain language: (a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Executive Director within five (5) calendar days of the effective date of the Long-Term Suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven (7) additional calendar days; and that (b) the Long-Term Suspension will remain in effect unless and until the Executive Director decides to reverse the Program Director's determination on appeal.

Executive Director Appeals – Long-Term Suspension; M.G.L c. 71, § 37H 3/4: A student who is placed on a Short-Term suspension under M.G.L. c. 71, § 37H ¾ following a hearing with the Program Director does not have appeal rights. The Program Director's decision is final. A student who is placed on Long-Term Suspension under M.G.L c. 71, § 37H ¾ following a hearing with the Program Director shall have the right to appeal the Program Director's decision to the Executive Director. The student or parent shall file a notice of appeal with the Executive Director within five (5) calendar days of the effective date of the Long-Term Suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Executive Director an extension of time for filing the written notice for up to seven (7) additional calendar. If the appeal is not timely filed, the Executive Director may deny the appeal, or may allow the appeal in their discretion, for good cause.

Executive Director Appeal Hearing; M.G.L c. 71, § 37H 3/4: The Executive Director shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Executive Director shall grant the extension. The Executive Director shall make a good faith effort to include the parent in the hearing. The Executive Director shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Executive Director to participate. The Executive Director shall send written notice to the parent of the date, time, and location of the hearing. The Executive Director shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Executive Director shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Executive Director shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the Program Director's hearing for long-term suspension as identified above.

Executive Director's Decision; M.G.L c. 71, § 37H 3/4: The Executive Director shall issue a written decision within five (5) calendar days of the hearing which: (1) identifies

the disciplinary offense and the date on which the hearing took place, and the participants at the hearing; (2) sets out the key facts and conclusions reached by the Executive Director; (3) identifies the length and effective date of the suspension, as well as a date of return to school; (4) includes notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in M.G.L. c. 76, § 21; and (5) notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate. If the Executive Director determines that the student committed the disciplinary offense, the Executive Director may impose the same or a lesser consequence than the Program Director but shall not impose a suspension greater than that imposed by the Program Director's decision. The decision of the Executive Director shall be the final decision of the Reading Public Schools with regard to the long-term suspension.

Due Process Under M.G.L. 71, §§ 37H and 37H1/2 Offenses

(For offenses involving dangerous weapons, drugs, assaults on staff, and felony offenses)

Removal Pending Hearing M.G.L. c. 71, §§ 37H and 37H 1/2— 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 Program Director may remove the student pending a hearing scheduled within ten (10) school days, if the Program Director determines that due to the nature of the offense and information available, the student poses a continuing danger to persons or property or is an ongoing threat to disrupt the academic process. 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 any removal pending hearing. Upon imposition of a removal pending hearing of (10) consecutive days or less pending further disciplinary proceedings, the student and parents will be provided with written notice of the removal pending hearing, rationale for the interim removal pending hearing and the date and time of the formal disciplinary hearing scheduled within ten (10) school days of the removal as well as all other due process rights relative to the hearing as outlined below.

Long-Term Suspension/Expulsion: M.G.L. c. 71, §§ 37H and 37H 1/2 - Unlike M.G.L. c. 71, § 37H 3/4, for offenses that fall within M.G.L. c. 71, §§ 37H and 37H 1/2, a Program Director may long-term suspend a student for more than ninety (90) days or permanently expel a student for (1) possession of a dangerous weapon; (2) possession of a controlled substance; (3) assault on a member of the educational staff; or (4) a felony charge or felony delinquency complaint (suspension only) or conviction (suspension or expulsion), or adjudication or admission of guilt with respect to such felony, if a Program Director determines that the student's continued presence in school

would have a substantial detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½. The Program Director's Hearing and appeals process identified below apply to suspensions under M.G.L. c. 71 §§ 37H and 37H 1/2.

Dangerous Weapons, Drugs and Assaults on Staff - M.G.L. c. 71, §37H

Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from NEC by the Program Director.

Any student who assaults educational staff on school premises or at school-sponsored events may be subject to expulsion from the NEC by the Program Director.

Program Director's Hearing, Long-Term Exclusion – M.G.L. c. 71, §37H - Any student who is charged with a violation of either paragraphs 1 or 2 shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation at their own expense, along with the opportunity to present evidence and witnesses at said hearing before the Program Director. After said hearing, the Program Director may, in their discretion, decide to suspend rather than expel a student who has been determined by the Program Director to have violated either paragraphs 1 or 2 above.

Appeal to the Executive Director – Long-Term Exclusion – M.G.L. c. 71, §37H - A Program Director's decision to suspend rather than expel a student pursuant to M.G.L. c. 71, s. 37H is final and not appealable. Any student who has been expelled from NEC pursuant to these provisions shall have the right to appeal to the Executive Director. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Executive Director of their appeal. The student has the right to counsel (at their own expense) at a hearing before the Executive Director. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

Suspensions or expulsions are decisions that must consider a student's due process rights. The Program Director or their designees are required to report to the police department the presence of any weapon on school premises.

Felony Complaints - M.G.L. c. 71, § 37H ½

Issuance of a Felony Criminal Complaint

Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the Program Director of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said Program Director if said Program Director determines

that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Notice of Program Director's Hearing/Decision – Long-Term Exclusion – M.G.L. c. 71, § 37H1/2 - The student shall receive written notification of the charges and the opportunity for a hearing; provided, however, that the student may have representation (at their own expense), along with the opportunity to present evidence and witnesses at said hearing before the Program Director. After the hearing, the Program Director shall issue a written decision. The student shall also receive written notification of their right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Executive Director.

Appeal to the Executive Director- Long-Term Exclusion - M.G.L. c. 71, § 37H1/2 - The student shall have the right to appeal the suspension to the Executive Director in writing and must notify the Executive Director of their request for an appeal no later than five (5) calendar days following the effective date of the suspension. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on their behalf and shall have the right to be represented by counsel at student's own expense. The Executive Director shall have the authority to overturn or alter the decision of the Program Director, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the Reading Public Schools with regard to the suspension.

Adjudication of Delinquency, Admission of Guilt or Conviction

Upon a student being convicted of a felony or felony delinquency charge or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the Program Director of a school in which the student is enrolled may expel said student if such Program Director determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

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.

The school-wide education service plan will be provided to the parent and student at the time the student is expelled or placed on long-term suspension.

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 CMR18.05(7) and 603 CMR 28.09.

Runaway Student

DESE Criterion 9.3

603 CMR 18.03(10)

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

DESE Criterion 5.3

DESE Criterion 9.7

603 CMR 18.05(7) and 603 CMR 28.09(12)

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

DESE Criterion 9.7

603 CMR 28.09(12)

603 CMR 18.05(7)

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.

NEC will not terminate a student, even in an emergency situation, until the sending school district is informed and assumes responsibility for the student. At the request of the sending school district, NEC shall delay termination of the student for up to two calendar weeks to allow the sending school district the opportunity to convene an emergency Team meeting or to conduct other appropriate planning discussions prior to the student's termination from the special education school program. With the mutual agreement between NEC and the sending school district, termination of enrollment may be delayed for longer than two calendar 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 the Department of Children and Families and 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).