



NORTHSHORE
EDUCATION
CONSORTIUM

**NORTHSHORE EDUCATION
CONSORTIUM
POLICY MANUAL**

2016

Table of Contents

Board Policies	3
Board Of Directors Policy Development (BGA)	3
Policy Adoption (BGB)	3
Policies for Public Day School Approval	4
Coordination & Collaboration With Public School Districts	4
Reporting Policy and Procedure for Child Abuse/Neglect to Department of Children and Families & to the Disabled Persons Protection Commission	7
Evacuation And Emergency Procedures	9
Notification of Substantial Changes.....	9
State/District Wide Assessment.....	11
Program Modifications and Support Services for Limited English Proficient Students (LEP)	12
IEP Process.....	13
Progress Reports	13
IEP – Less Restrictive Placement.....	13
IEP – Revisions & Changes (Amendments)	13
Transition Planning.....	14
Transition Services	14
Student Involvement in IEP Process	14
Student Participation & Consent At Age Of Majority	15
Behavioral Support Policies.....	16
Policy And Procedure For Behavior Management	16
Unacceptable Discipline	16
Student Separation Resulting From Behavior Management.....	16
Physical Restraint.....	17
Suspension Policy	21
Runaway Student.....	24
Planned Termination	24
Emergency Termination Of Enrollment.....	25
Supervision of Students.....	26
Bullying Prevention Policy	27
Other Policies.....	37
In-Service Training	37
Parent Involvement.....	37
Change Of Legal Status	38
Parent Consent And Required Notification.....	38
Policy and Procedure for Interns and Volunteers at NEC	39
Research, Experimentation, Fund Raising, Publicity & Observation.....	39
Complaints And Grievances Involving Education And Care.....	40
Transportation Policy.....	41
Service Animals and Animal Assisted Therapy	43
Security Camera Policy	46

Board Policies

Board Of Directors Policy Development (BGA)

Adoption of new policies, review and/or changing existing policies, is solely the responsibility of the Board of Directors. The formulation and adoption of these written policies shall constitute the basic method by which the Board shall exercise its leadership in the operation of the District school system.

Proposals for new policies, or changes to existing policies, must be initiated in writing or verbally at an official meeting of the Board by any member, by any employee of the Consortium, or by any parent or guardian of a student enrolled in the Consortium's programs.. The policy proposals must be referred to the policy subcommittee of the Board for detailed study prior to full Board discussion of the proposal. The procedure stated in this paragraph may be waived by majority vote of the Board.

The formal adoption of policies shall be recorded in the minutes of the Board. Only those written statements so adopted and so recorded shall be regarded as official Board policy.

Policy Adoption (BGB)

New policies will be presented as information at a Board of Directors meeting and *will* not be acted upon until a later meeting. Thus, time shall be given to permit further study and also to give opportunity for interested parties to react. However, temporary approval may be granted by the Board in lieu of formal policy regarding emergency matters or special events which will take place before a formal policy, if necessary, is enacted.

Policies of the Board may be adopted, amended or deleted by a majority vote of the members present at two successive regular meetings, or by a unanimous vote of the entire Board at any meeting. Amendments to policies may be voted at the same meeting at which they are introduced.

The Board may dispense with the above sequence to meet emergency conditions.

Policies for Public Day School Approval

Coordination & Collaboration With Public School Districts

DESE Criterion 5.2 & 5.3

603 CMR 28.06(2-3)

603 CMR 28.07(5)

603 CMR 28.09(9)(c)&(d)

603 CMR 28.09(2)(b)(7)

34 CFR 300.349

34 CFR 300.400-.401

Student Referral and Admissions

Prior to student placement in an NEC program, the LEA will forward a comprehensive referral packet to the program. Upon receipt, the Program Principal or Intake Coordinator will work with the district and parent/guardian to schedule a site visit and intake meeting. The Intake Coordinator will provide detailed information about the program as well as conduct a detailed student history interview. The Intake Coordinator will also conduct a tour of the program to include the classroom(s) in which the student may be placed. Prior to enrollment, the sending district and parents must provide: a current, signed IEP, health and immunization records, and all required program forms.

Written Contracts

It is the responsibility of the LEA to enter into written contracts with NEC. In each such contract, NEC will provide the following assurances:

Assurances on the part of NEC that its program(s) will comply with all elements of the IEP for the student and shall provide, in writing, to the LEA detailed documentation of such compliance through completion of required student progress reports. (See Policy and Procedures Manual – Progress Reports).

NEC will allow the placing school district to monitor and evaluate the education of the student and will make available, upon request, any records pertaining to the student to authorized school personnel from the LEA and the Department of Elementary and Secondary Education in accordance with the Massachusetts Student Record Regulations.

NEC shall allow the placing school district and/or the Department of Elementary and Secondary Education to conduct announced and unannounced site visits and to review all documents relating to the provision of special education services to Massachusetts' students at public expense. Access to documents for the placing school district shall include general documents available to the public, documents specifically related to the student placed by such district, and other documents only to the extent they are necessary to verify and evaluate education services provided at public expense.

NEC shall afford publicly funded students all the substantive and procedural rights held by eligible students, to be educated in the least restrictive environment, and shall comply with all other applicable requirements of the regulations and applicable policy statements and directives issued by the Department of Elementary and Secondary Education.

NEC assures the LEA that it does not deny a student access to its' programs or services on the grounds of race, color, religion, sexual orientation, or national origin, or qualified persons with disabilities.

Program Oversight

NEC is responsive to the LEA, in ensuring that the student's IEP is being appropriately implemented and that the service delivery is aimed at assisting the student meet the goals identified on the student's IEP. NEC welcomes site visits by the LEA for program monitoring. Program visits by the LEA are documented in applicable student records.

Team Meetings

It is the responsibility of the LEA to schedule Team meetings. Team participants will include: parents/guardians, LEA designee, program Principal or designee, classroom teacher, clinical and support services staff working with the student, and any other persons determined appropriate by members of the Team or invited by the parent/guardian.

Annually, and at the 3-year eligibility re-determination, the Team will evaluate the appropriateness of the student's placement in the program as it relates to the student's needs as outlined in the IEP. Full consideration will be placed on transitioning the student to a less restrictive environment and, if determined appropriate, a transition plan will be implemented.

IEP Development and Implementation

The Program Principal is responsible for overseeing the development and implementation of all components of the student's IEPs. The Educational Team, including special education teacher, clinicians, and therapists re-evaluate the student's progress and current performance, determine if goals and benchmarks have been achieved and present recommendations to the Team at the IEP meeting. The Team will then prepare a new IEP.

Testing for 3 year re-evaluations are the responsibility of the sending district. NEC program staff can be available to complete educational assessments, and other specialist assessments, which can be arranged with prior notification from the LEA. A minimum of 30 school days prior notification is required for testing completion.

Written Notification and Communication

The Program Principal, as the Coordinator of Coordination and Collaboration with Pubic School Districts, has the responsibility of notification and communication with school districts. The Program Principal may delegate other program staff in fulfilling the programs obligation to collaborate with the school districts.

Communication will take place regarding at least all of the following:

- Distribution of reports and attendance records
- Scheduling meetings
- Alignment with district curriculum, education and graduation requirements (if applicable)
- IEP implementation/revision, development/implementation of move to less restrictive environment or planned termination, and team meetings
- Written progress reports to be written by service providers and sent to parents and LEA in a timely manner.
- Ensure participation in state assessment programs in accordance with the student's IEPs

NEC staff will assure the following notifications:

- Notification of medical emergency, injury, hospitalization, or death.
- Notification of significant student and family related issues
- Notification of new behavior plans/functional behavioral assessments
- Instances requiring disciplinary action
- Runaway student
- Filing of a 51A against a staff person (applicable sending district)

Transitioning to a Less Restrictive Environment

NEC will work closely with parents and LEA's to maximize student opportunities for community involvement, inclusion, and timely transition to a less restrictive placement when appropriate.

Student Participation and Consent at the Age of Majority

When the student reaches age eighteen, he or she will have the right to make all decisions in relation to their special education programs and services. The LEA has the obligation to obtain consent from the student. To continue the student's special education program, NEC will work with the LEA consistent with 603 CMR 28.07(5)

The parent will continue to receive written notices and information but will no longer have decision-making authority, except as provided below. If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority.

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

DESE Criterion 3.1(c)
MGL 119, 51A-B; MGL 19C

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).

Procedures:

If any NEC employee has reasonable cause to believe that a child is suffering physical or emotional injury resulting from: (i) abuse inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse; (ii) neglect, including malnutrition; (iii) physical dependence upon an addictive drug at birth, he must immediately notify his Program Director immediately of the concern. If the Program Director is unavailable, the employee should consult with the Executive Director. The Program Director has the responsibility of notifying the Department of Children and Families immediately and filing a mandated report within 48 hours.

If any employee has reason to be concerned about another employee mistreating a child, this must be reported to a Program Director immediately.

If a report is filed against an employee, the Executive Director will place the employee on paid administrative leave pending an internal investigation, and an internal investigation will be conducted.

The Program Director or designee will immediately notify the Executive Director of any 51A that has been filed.

If an employee disagrees with the decision of the Program Director, he has the right to file as a mandated reported with no fear of reprisal.

In most cases, the Program Director will notify the parent or guardian if a 51A is being filed. The timing of the notification of the caretakers should take into account that the essence of the Chapter 199, Section 51A 51G law is that the child's welfare is the top priority. If there is concern about the child's safety, the Program Director will decide, in consultation with DCF when and if the caretaker should be informed.

The Program Director will be responsible for all proper paperwork and notifications including to the LEA and to DESE. If the suspected abuse and/or neglect is the result of an action of a staff member or another student, DESE Form 2 will be completed.

Unless specifically mandated, no reference to a report of abuse or neglect should appear in the child's Student Record.

If the child has an on-going case with DCF, the Team will attempt to contact the on-going DCF case worker, or that worker's supervisor if the worker is unavailable, as a part of the information-

gathering and decision-making process. If there is reasonable cause to believe that abuse and/or neglect has occurred, the Team is required to file a report according to the outlined procedure **even if the child has an on-going DCF case.**

If the student is 18 years of age and older, the Team should follow the process as outlined. The report should be made to the **Disabled Persons Protection Commission 24-Hour Hotline at 1-800-426-4009.**

No employer or manager may discharge, demote, transfer, reduce pay, benefits, or work privileges, prepare a negative work performance evaluation, or take any action to an employee who files in good faith.

Evacuation And Emergency Procedures

DESE Criterion 3.1d & 12.2a
603 CMR 18.05(10)

The Program Director is responsible for the development and implementation of a Crisis Protocol Manual for their respective buildings and programs. The manual will be developed in cooperation with program staff as well as local safety officials of the town/city in which the program is housed. The Crisis Protocol Manual is to contain:

1. The assignment of personnel to specific tasks and responsibilities in emergency situations
2. Systems for notification of appropriate persons
3. Specification of evacuation routes and procedures

The program will implement **Emergency and Evacuation Drills** that include situations such as lock down of a building, flood preparedness, use of firefighting equipment, gas leaks, etc. The program in-service training will be conducted before the start of each school year in a manner to:

- Assure that all staff is trained to perform assigned tasks.
- Assure that all staff is familiar with the use of the firefighting equipment in the facility.
- Assure that all staff is familiar with how to use alarm systems and signals
- Assure that all staff is familiar with evacuation procedures and routes.
- Assure that all staff is familiar with the Runaway Student procedures (see applicable policy).
- Assure that all staff is familiar with Immediate Notification Policy and with systems in place for the notification of appropriate persons.

The program staff will take special care to help all students to understand the nature of such drills.

The program staff will make special provisions for the evacuation of any mobility-impaired student in the facility.

The Program Principal will keep a written log of each evacuation drill.

Notification of Substantial Changes

DESE Criterion 4.4
603 CMR 28.09 (5) c

Prior to any substantial change in program or physical plant, NEC shall give written notification of intent to change to the Department. Notice shall be given with sufficient time to allow the Department to assess the need for the proposed change and the effects of such change on the educational program. Written notification will occur under the following circumstances:

- Permanent or temporary reduction or increase of services or qualified/certified staffing that result in a change in the required student/teacher or student/childcare ratio.
- Changes that impact the ability to deliver services to students by appropriately licensed staff
- Building changes that affect the care of the students
- Relocation or expansion of the program to a new site

- Change in the legal, organizational, or financial status of the program that impacts the health and safety and/or service delivery to students.
- Closure of a program

Immediate Notification

DESE Criterion 4.5

603 CMR 18.05(10)

603 CMR 18.05(7)

603 CMR 28.09(12)

In the event that a serious or unusual incident is to occur, immediate notification, by telephone and by letter, to the parents, to the sending school district(s), to any state agency involved in student care or program placement, and by mail to the Department of Elementary and Secondary Education is mandated.

Serious and unusual circumstances are defined as the following:

- Any restraint exceeding 20 minutes in length (see Physical Restraint Policy)
- Any restraint resulting in an injury to the student (see Physical Restraint Policy) requiring serious medical intervention
- Runaway student (see Runaway Student Policy)
- Hospitalization for physical injury, including out-patient emergency room visits, due to physical injury at school or previously unidentified illness, accident or disorder which occurs while the student is in the program
- Hospitalization for mental health concerns, including out-patient emergency room visits.
- Motor vehicle accident injury (see Transportation Policy)
- Abuse/neglect concern on the part of a staff member(s) or another student(s) – filing of a 51A (see Reporting of Abuse/Neglect Concern Policy)
- Emergency termination (see Emergency Termination Policy)
- Death of a student
- Any action taken by federal, state, or local agency that might jeopardize the school's approval with ESE
- Any legal proceeding brought against the school or its employee(s) arising out of circumstances related to the care of education of any its students regardless of state of residency
- Any other incident of a serious nature

Staff will follow program policy for reporting and documentation immediately upon the event of any of the above-mentioned circumstances, which will include the completion of Behavioral Incident Report forms or Unusual Circumstance Report forms or any other documentation requested of them by the Site Administrators.

Program Principals/Program Directors are responsible for notification to:

- Parents
- Sending districts
- Any other agency responsible for the placement
- Department of Education (Form 2 and Physical Restraint Report)
- Executive Director - a copy of all supporting documentation will accompany notification to the Executive Director.

State/District Wide Assessment

*DESE Criterion 7.3; SE 5
603 CMR 28.09 (9)(d)*

The Massachusetts Education Reform Law of 1993, No Child Left Behind and the Individuals with Disabilities Education Act—2004 (IDEA-9) require the full participation of students with disabilities in state and district wide testing programs. The Massachusetts Education Reform Law requires all students in publicly supported programs, including students with disabilities, to participate in MCAS, including students in educational collaboratives. The federal special education law, IDEA-2004, requires that all children with disabilities, including LEP students with disabilities, participate in state and district-wide assessment programs, either:

- Routinely, as do non-disabled students; or
- With appropriate accommodations and modifications in administration where necessary; or
- Through alternate assessments for students who cannot participate in state and district wide assessments as determined by their IEP Team.

IDEA-2004 also requires that students with disabilities be given the opportunity to participate in and make progress in the general education curriculum, with emphasis on being provided the supports and services necessary to ensure their success in this regard. This means that all students, even those with significant disabilities, must receive instruction that addresses, at minimum, the skills, concepts, and information supported by the learning standards in the Massachusetts Curriculum Frameworks that are taught to all students.

It is the responsibility of the Program Principal to ensure that all enrolled students have access to the general curriculum and are assessed via the MCAS in the following manner:

- Ensure that all students with disabilities in the tested grades participate in MCAS in the manner prescribed by their IEP Team, and in accordance with student participation requirements described in the MCAS Alternate Assessment Educators Manual, and other MCAS publications.
- Allocate and coordinate building resources, including personnel to assist the child's primary teacher, in order to ensure timely and appropriate participation by designated students with disabilities in MCAS Alternate Assessments.
- Provide assurances that complete and accurate information on each student participating in MCAS Alternate Assessments is indicated on the Student Identification Form, student answer booklets, and other forms as appropriate, including proper identification and labeling of student portfolios.
- For students participating in MCAS Alternate Assessments, ensure that student portfolios are completed and submitted no later than the due date as assigned by ESE.
- For students participating in MCAS Alternate Assessments, monitor the alternate assessment process to ensure that student work is neither altered nor fabricated in a way that provides information that is false or portrays the student inaccurately.

Determining student participation in Standard MCAS, Access to Standard and/or Non-Standard Accommodations and Alternate Assessment

The students' IEP Team is responsible for determining how each student will participate in MCAS, what accommodations, if any, will be necessary. Furthermore, when a student has a significant disability and/or who has previously failed the MCAS test the team will discuss and consider the Alternate Assessment portfolio as an option for student participation in the MCAS. It will also discuss the format and evidences if MCAS Alt is decided as to be the selected option. This information, including any accommodations that a student will use, is documented in the student's IEP. The IEP uses the following guidelines at annual team meetings to determine how each student with a disability will participate in MCAS for each subject area; this is done by asking the following questions:

- Can the student take the standard MCAS test under routine conditions?
- Can the student take the standard MCAS test with accommodations? If so, which accommodations are absolutely necessary in order for the student to participate?
- Does the student require an alternate assessment? (Alternate assessments are intended for a very small number of students with significant disabilities who are unable to take standard MCAS tests, even with accommodations.)

Program Modifications and Support Services for Limited English Proficient Students (LEP)

DESE Criterion 8.4

In accordance with M.G.L. c. 71A and Federal Law (Title V1), NEC works with the public school districts in order to implement the appropriate program modifications and support services that are necessary to efficiently meet the educational needs of Limited English Proficient (LEP) students. Special language assistance is provided through modifications to the educational program and/or support services that are based on sound education theory and the principles of English-language development.

Through collaborative work with the public school district the modifications and support services that are in place to serve LEP students ensure that the students engage in meaningful participation in the Collaborative education programs.

The Collaborative programs are evaluated and revised, if necessary, on an on-going basis. Student performance data and program evaluation procedures are subject to annual review with adjustment provided when needed.

IEP Process

Progress Reports

DESE Criterion 8.8
603 CMR 28.07(3)
34 CFR 300.347(a)(7)

Written progress reports are submitted by mail to parents and the appropriate local education authorities (LEA) 4 times annually. Copies of the progress reports are maintained in the Student Record along with a log of persons or agencies receiving the reports. Progress Reports describe the student's progress toward each annual goal.

IEP – Less Restrictive Placement

DESE Criterion 8.10
603 CMR 28.09(9)(c)

For each student enrolled in an NEC program, the IEP Team will annually review (and implement if determined appropriate) opportunities for the student to gain the capacity to return to a less restrictive educational program. Such mechanisms that will be considered, but are not limited to, a capacity for part-time attendance at a neighborhood public school or other community program or a period of transition from one program option to a less restrictive program option, an opportunity to be included with typically developing peers.

IEP – Revisions & Changes (Amendments)

DESE Criterion 8.8
34 CFR 300

The Program Principal, or designee, will notify the sending district and parents when there is a need to reconvene the Team. In conducting a meeting to review, and, if appropriate, revise a child's IEP, the IEP team shall consider the following factors:

- The strengths of the child and the concerns of the parents for enhancing the education of their child.
- The results of the most recent evaluation(s) of the child.
- As appropriate, the results of the child's performance on any state or district-wide assessment.

Teams will consider special factors including, but not be limited to:

- In the case of child whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior.
- In the case of a student with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP.
- In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.

- Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.
- Consider whether the child requires assistive technology devices and services.

Transition Planning

*DESE Criterion 8.11
34 CFR 300.320(b)(b2)(c)*

As required by IDEA 2004, transition planning occurs for all students age 14 and older enrolled in an NEC program. The program director and identified staff work with the LEA to discuss each student's transition needs annually at the IEP meeting beginning no later than when the student is 15. Students are invited and encouraged to attend part or the entire Team meeting at which transition services are discussed.

When developing the transition plan, the Team discusses the student's and family's Post-Secondary Vision; Disability Related Needs and whether or not specially designed, measurable goals based on age appropriate transition assessments related to training, postsecondary education, employment, and where appropriate to independent living skills. The Team next develops an action plan outlining how the student can develop self-determination skills and be prepared both academically and functionally to transition to post-school activities in order to achieve his/her post-secondary vision.

The Team uses the Department of Elementary and Secondary Education's Transition Planning form to document its discussion and maintains a copy of this form in the student record.

Transition Services

*DESE Criterion 8.11
603 CMR 28.05(4)(c)*

For any student approaching graduation or the age of twenty-two, the Team shall determine whether the student is likely to require continuing services from adult human service agencies. If it is the determination of the Team that the student will require continued services, two years prior to the student turning the age of twenty-two, the Administrator of Special Education of the student's local education authority (LEA) or his/her delegate will be responsible for making a referral to the Bureau of Transitional Planning in the Executive Office of Health and Human Services in accordance with the requirements of M.G.L. c.71, §12A-§12C (known as Chapter 688).

Student Involvement in IEP Process

*DESE Criterion 15.5
34 CFR 300.344*

Upon reaching 14 years of age or upon entering the ninth grade, whichever comes first, the student will be invited to participate as a member of the Team and participate in the development of his/her own Individualized Education Plan (IEP).

The staff of the program and the parents may choose extend these rights to students under the age of 14 or to students who have not yet entered the ninth grade.

If for any reason, the student has not participated as a member of the Team, written documentation as to the circumstances for non-participation will be included in the IEP under Additional Information.

Student Participation & Consent At Age Of Majority

DESE Criterion 15.6

603 CMR 28.07(5)

When the student reaches age eighteen, he or she will have the right to make all decisions in relation to their special education programs and services. The LEA has the obligation to obtain consent from the student. To continue the student's special education program, NEC will work together with the LEA under the following conditions:

1. The parent will continue to receive written notices and information but will no longer have decision-making authority, except as provided below.
 - a) If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority.
 - b) The parent shall not have authority to override any decision or lack of decision made by the student who has reached the age of majority unless the parent has sought or received guardianship or other legal authority from a court of competent jurisdiction.
2. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP.
 - a) Such choice shall be made in the presence of the Team and shall be documented in written form.
 - b) The student's choice shall prevail at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making.
3. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent, or other willing adult. Such choice shall be made in the presence of at least one representative of the school district and one other witness and shall be documented in written form and maintained in the student record.

Behavioral Support Policies

Policy And Procedure For Behavior Management

DESE Criterion 9.1

All NEC programs have developed and implemented a comprehensive set of policies and procedures addressing discipline and behavior management 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

Student Separation Resulting From Behavior Management

DESE Criteria 9.1(a)

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

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

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

Physical Restraint

DESE Criterion 9.4

603 CMR 18.05(5)

603 CMR 46.01

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

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

1. Staff Training on De-Escalation Techniques:

Given the special needs of NEC students, all staff are trained in the use of positive behavioral supports and specialized de-escalation techniques. All staff involved with behavioral support and/or performing physical restraints are required to participate in at least 16-hours of initial training in one of two models of de-escalation and physical restraint - NAPPI or Safety Care. Additionally, staff is required to participate in annual refreshers to maintain certification.

Both NAPPI and Safety Care emphasize early intervention and the use of a wide range of verbal and non-verbal prevention and de-escalation techniques. When a student is presenting with escalating behaviors, staff are expected to utilize these techniques and call for additional support from clinical or behavioral support staff.

2. Methods of Physical Restraint:

Physical restraint is prohibited as a means of discipline or punishment; if the student cannot be safely physically restrained due to medical contraindications which have been documented by a licensed physician and provided to NEC; as a response to property destruction, disruption, refusal to comply with rules or staff directives, or verbal threats when those actions do not constitute a threat of assault or imminent, serious, physical harm. Physical restraint shall not be used as a standard response for any individual student. Physical restraint is an emergency procedure of last resort.

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

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

Prohibited Forms of Restraint:

- Medication restraint, mechanical restraint, and seclusion restraint, as defined in 603 CMR 46.02 are prohibited in all NEC programs.
- Any form of physical restraint used in a manner inconsistent with 603 CMR 46 is prohibited.

- Prone restraint, as defined in 603 CMR 46. 02 shall only be permitted under the following, limited, circumstances:
- The student has a documented history of serious self-injury and/or injuries to other students or staff;
 - All other forms of physical restraint have failed to ensure the safety of the student and/or the safety of others.
 - There are no medical contraindications documented by a licensed physician;
 - There are no psychological or behavioral contraindications documented by a licensed mental health professional;
 - The student's Parent has provided voluntary, informed, written consent to the use of prone restraint; and
 - The building Principal, or designee, has provided written approval.

3. Staff Training, Reporting, and Follow Up

All staff/faculty will receive training regarding NEC's physical restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.

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

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

At the beginning of the school year, the building Principal will identify those designated staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.

Designated staff members shall participate in at least sixteen (16) hours of in-depth training in the use of physical restraint, with at least one refresher training annually.

In-depth training will include:

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

4. Physical Restraint Reporting

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

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

The written report of any physical restraint shall include:

- Name of the student; name(s) and job title(s) of staff who administered the physical restraint, and observers, if any; the date, time restraint began, and the time that restraint ended; the name of the Principal or designee who was verbally informed following the restraint, and who approved continuation of the restraint beyond twenty (20) minutes, if applicable.
- A description of the activity in which the restrained student and other students and staff in the vicinity were engaged immediately preceding the use of the physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, and any medical care provided.
- Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
- Information regarding opportunities for the student's Parent(s) to discuss the administration of the restraint and any consequences with school officials.

5. Follow-Up Procedures

After a student is released from a physical restraint, staff shall implement follow-up procedures, including:

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

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

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

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

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

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

6. Grievance Procedures.

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

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

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

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

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

Suspension Policy

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 regarding the authority of the principal/program director related to students in possession of weapons, controlled substances, assaults, felony charges and other disciplinary violations.

Definitions:

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

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

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

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

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

Due Process

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

Out-of School Suspension: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension. Written notice of the date and time for the hearing will be provided in English and in the primary language of the Student's home and will identify the disciplinary offense with which the student has been charged, the basis for the charge, the potential length of the student's suspension, and shall inform the parent and student of the right to interpreter services if necessary to participate in the hearing. Where a student may be subject to a Long-Term Suspension, the Program Director will also notify the student and parent of the student's right to legal representation (at private expense), the right to present and examine witnesses, the right to review the student record and documents that may be relied upon by the Program Director, and the right to request that the hearing be audiotaped.

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

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

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

Program Director's Hearing:

Short-Term Suspension:

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

Long-Term Suspension/Expulsion:

In addition to the rights afforded a student in a short-term suspension hearing, the student will have the following rights:

- The right of the student and the student's parent to interpreter services at the hearing if needed to participate;

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

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

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

Program Director's Decision:

Based on the evidence presented at the hearing, the Program Director will determine whether the student committed the disciplinary offense and the remedy or consequences to be imposed. The Program Director shall exercise discretion in deciding the consequence for the offense and, in cases not involving possession of a controlled substance, a weapon, an assault on staff or felony charges, shall avoid using long-term suspension from school as a consequence until alternatives have been tried. If the Program Director decides to suspend or expel the student, written notice of the Program Director's decision will be sent to the student and parents in English and the primary language of the home identifying the disciplinary offense, the factual basis for the Program Director's decision, the beginning and end dates of the suspension or expulsion, and the process for appeal. The Program Director will also notify the student and parent of the student's opportunity to make academic progress during the period of removal from school in accordance with M.G.L. c. 76, §21.

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

Appeals:

Where the student is excluded in accordance with M.G.L. c.71 §37H, the student shall have ten (10) calendar days from the effective date of the exclusion to file a written appeal with the Executive Director. For exclusions imposed pursuant to M.G.L. c.71 §37H1/2, the student shall have five (5) school days from the effective date of the exclusion to file a written appeal with the Executive Director. And for exclusions imposed pursuant to M.G.L. c.71, §37H3/4, the Student shall have five (5)

calendar days from the effective date of the suspension imposed by the Program Director but shall be granted an extension of seven (7) calendar days upon request.

Academic Progress:

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

Termination of Enrollment:

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

Runaway Student

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)

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.

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

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

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

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

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

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

Supervision of Students

DESE Criterion 11.11

18.03 (1) (a)

NEC programs are responsible for providing appropriate supervision of students at all times while they are engaged in any school-related activity on or off school grounds.

Supervision of students during the school day varies from program to program based upon the needs of the students enrolled in the program. Each program develops and implements a staffing plan for the supervision of students. This plan includes but is not limited to:

- Description of the duties and responsibilities of such staff;
- A plan describing how the school will provide services in the absence of assigned staff due to illness, position vacancy, emergencies, or other unexpected circumstances
- A justification of the staff to student ratio requested by the school, including the ages, capabilities, behavioral and educational needs of the students, and other information as may be required due to the respective goals of individual students and/or programs.

The following general procedures apply to all NEC programs, with other guidelines specific to each program.

- Students are met at the start of the school day by school staff and monitored as they enter the building.
- While in their classrooms, students are supervised by teachers and classroom assistants and ratios of staff to students is determined by educational needs as detailed in the student's IEP.
- When a student leaves the classroom, staff insures that an available staff member monitors, receives, and/or supervises the student while outside the classroom.
- Students are accompanied or monitored by staff when moving throughout the building.
- During lunch, student to staff ratio is maintained in accordance with that determined appropriate for instruction in the classroom.
- While off-grounds all students are accompanied by NEC staff at all times with a student-to-staff ratio that is consistent with the needs of the students for managing safety.
- Students are dismissed from school upon the arrival of their approved transportation and students are monitored in the hallway, and outside by staff until they enter their approved transportation vehicles.

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 Program Director is responsible for the implementation and oversight of the Plan in their respective programs, with support from the Associate Executive Director and the Senior Management Team.

Public involvement in developing the Plan. As required by M.G.L. c. 71, § 370, 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 aggressors;
- implementing the ongoing professional development that is required by the law;
- Identifying supports that respond to the needs of targets and aggressors;
- 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 each year, at a minimum.

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, § 370, 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, § 370.

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 370, is 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:

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

- v. materially and substantially disrupts the education process or the orderly operation of a school.

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.

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, § 370. 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, § 370, the content of professional development for the Collaborative will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;

- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- (v) information on the incidence and nature of 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 aggressor. 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, aggressors, 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 aggressors.

C. Students with Disabilities

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

D. Referral to Outside Services

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

VII. ACADEMIC AND NON-ACADEMIC ACTIVITIES

A. Specific bullying prevention approaches

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

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

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

B. General teaching approaches that support bullying prevention efforts

The following approaches underscore the importance of our bullying intervention and prevention initiatives:

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

VIII. REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. An NEC staff member is required to report immediately to the Program Director or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not Collaborative staff members, may be made anonymously. NEC will make a variety of reporting resources available to the school community including an anonymous electronic option.

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

At the beginning of each school year, the Associate 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 aggressor 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 aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The 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 aggressor 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 Associate Executive Director or Program Director has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Associate 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 Associate 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 aggressor.

In making this determination, the Associate 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 aggressor, 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 Associate 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 Associate 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 aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The Program Director or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the 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, § 370(d)(v). Skill-building approaches that the Program Director or designee may consider include:

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

2. Taking Disciplinary Action

If the Program Director or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Program Director or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the NEC program’s code of conduct.

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

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

3. Promoting Safety for the Target and Others

The Program Director or designee will consider what adjustments, if any, are needed in the school environment to enhance the target’s sense of safety and that of others as well. One strategy that the Program Director or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

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

IX. COLLABORATION WITH FAMILIES

A. Parent education and resources.

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

B. Notification requirements.

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

Other Policies

In-Service Training

DESE Criterion 12.2

603 CMR 28.09(7)(f)

603 CMR 18.05(11)(h)

NEC provides on-going In-Service training and professional development opportunities for its staff. Orientation programs are held each year. In-Service training includes instruction in the policies and procedures of the program as covered in the Policies and Procedures Manuals and Health Care Manuals. The training is consistent with all state and federal policies and procedures and supports safety and learning, addressing the unique needs of the NEC's student populations.

Principals work with the Executive Director in implementing training as outlined in the In-Service Training Plan. In-Service training includes and is not limited to:

- Child Abuse Reporting
- CPR & First Aid training
- Medication Administration and Emergency First Aid Procedures
- Emergency/Evacuation Procedures and Runaway Student
- Transportation Safety
- Student Records
- Behavior Management, Suspension and Emergency Termination
- Physical Restraint
- Curriculum Alignment
- Inclusion of Students in MCAS Testing and/or Alternative Assessment
- Civil Rights

New Staff

Program Principals are responsible for reviewing Staff Orientation subject matter with staff hired after orientation cycle and assuring that these staff have the opportunity to participate in required training in a timely manner.

Interns and Volunteers

Program Principals are responsible for reviewing staff orientation subject matter with interns and volunteers.

Interns and volunteers work under the direct supervision of staff who have been trained in all required areas. No intern or volunteer should be alone with students or have the sole responsibility of supervising students.

Other Professional Development Opportunities

In addition to required training, NEC provides many opportunities for Professional Development, both on-site and by supporting employees in attending outside courses or workshops.

Parent Involvement

DESE Criterion 15.1

603 CMR 18.05(4)(a)

The participation of parents/guardians in a student's academic environment is imperative to the student having a successful experience. NEC programs view parents and other family members as full partners in students' education.

In addition to involvement in the IEP process, NEC teachers, case managers, counselors and social workers maintain regular communication with parents. All programs hold at least one "parent open house" in addition to other parent education and family-centered activities.

On a Consortium-wide level, the Family Center offers a lending library with a wide range of resources for parents, as well as a variety of support groups and parent-education opportunities.

Individual Schools that are large enough have their own PTO groups, and the Consortium as a Parent Advisory Council that meets regularly with the Executive Director.

Change Of Legal Status

DESE Criterion 15.4
603 CMR 18.05(4)(b)

If there is a change in the legal status or guardianship of a student, staff will:

- Request and obtain a copy of official court documents.
- Enter official court documents into the Student Record, including restraining orders or other legal judgments.
- Notify the appropriate staff involved in the care and education of the student.

Contact with non-custodial parents:

- In the event that a non-custodial individual attempts to violate a court order and attempts access to a student, the Program Principal is to be notified immediately.
- In the event that a non-custodial individual refuses to leave school property, local law enforcement authorities are to be notified immediately.
- Following any such event, a written report will be forwarded to the Executive Director within 24 hours.

Parent Consent And Required Notification

DESE Criterion 15.5
603 CMR 28.07(1)(b) & (c)

Upon admission, and annually thereafter, each NEC program will work with the LEA to obtain the following consents from parents:

- Emergency Medical

- Medication Administration (when applicable)

When applicable, the program will work with the LEA to obtain consents to Conduct Research, Experimentation, Fundraising, Publicity and Observation.

The Program will provide proper notification to parents concerning curriculum that primarily involves human education or human sexuality issues. Parents or guardians will be afforded the flexibility to exempt their children from any portion of said curriculum through written notification to the school principal. No child so exempted shall be penalized by reason of such exemption.

When the participation or consent of the parent is required and the parent fails or refuses to participate, NEC, in conjunction with the LEA, shall make and document multiple efforts to contact the parent. Such efforts may include:

- Letters
- Written notices sent by certified mail
- Electronic mail (e-mail)
- Telephone calls or TTY communications to the home
- Home visits at such time as the parent is likely to be home.
- Efforts may include seeking assistance from a community service agency to secure parental participation. NEC and the LEA shall ensure that its efforts to involve the parent and gain parental consent meet a reasonable measured standard. All efforts attempted are to be documented in the student's record

It is the responsibility of the LEA to determine if the parent's failure or refusal to consent will result in a denial of a free appropriate public education to the student, and has the authority to seek resolution of the dispute through the procedures provided in Options for Dispute Resolution (Section 28.08) of Special Education regulations.

Policy and Procedure for Interns and Volunteers at NEC

All interns and volunteers at NEC must work under the direct supervision of staff who have been trained in all NEC policies and procedures.

It is the responsibility of the Principal or Program Director to assure that all interns and volunteers receive an appropriate orientation before working with students.

All adult interns and volunteers, including parent volunteers, must complete a CORI before working with students.

University students completing an observation, or school-age volunteers under the age of 18, may never be alone with students and must be closely supervised by a staff member at all times.

Research, Experimentation, Fund Raising, Publicity & Observation

*DESE Criterion 3.1
603 CMR 18.05(8)*

No research or experimentation will be conducted in any NEC program without the express signed approval of the Executive Director and the written consent of the parents of any student who may in any way be involved.

No student or family name, photographs, or videotapes, will be used for fund raising, publicity, or any other purposes without the written consent of the parent.

For students 14 years or older, their consent shall also be obtained unless the program has written documentation that the student is not capable of such a decision.

No person shall, without the written specific consent of the affected student's parents, be allowed to observe any student in the school by persons other than:

- Parents of current or prospective students.
- Paid staff of the school.
- Volunteers and student interns working in the school.
- Authorized staff of the public schools responsible for students in the school.
- Authorized staff of DESE or authorized state or federal monitoring personnel.

A written copy of the program's notification to parents and the parent's consent, if granted, shall be maintained in the student record and a copy will be sent to the school district responsible for the student.

Consent is not required for observation or data collection used to evaluate or document the services provided by the program when such observation or data collection is conducted by staff from the school, the Department, the public school, the parents or authorized state or federal monitoring personnel.

Complaints And Grievances Involving Education And Care

18.05(1)(b)(16)

Parents and students are encouraged to communicate any concerns or questions they may have about the student's education and care with the staff of the program in which the student is enrolled. They are welcome to communicate their concerns through the use of emails, telephone calls, site visits and meetings. They are free to express their concerns at any time to many different staff such as classroom teachers, clinical staff, support service staff, Program Principals/Directors, as well as the Executive Director. In the event that they do not feel their concerns are being addressed adequately, they are encouraged to use the following Complaint Registration process:

Request in writing a conference with the Program Principal to make their concerns known.

Within one week following the conference, the Program Principal will follow-up with a response to the student or parents concerns in writing, including any reasons for the decision made. If the decision supports the student or parents concerns, the Program Principal will promptly put the decision into effect.

The Program Principal will notify and keep the Executive Director informed of the complaint throughout the process.

In the event that the student or parent should disagree with any part of the decision made by the Program Principal, they may in writing appeal the decision to and request a meeting with the Executive Director. The Executive Director will follow-up with a response to the student or parents

concerns in writing, including any reasons for the decision made. If the decision supports the student or parents concerns, the Program Principal will promptly put the decision into effect.

If a student or parent is still unsatisfied with the decision, it is recommended that they then contact the Director of Special Education of their sending district and express their concerns in writing.

In the event of an unsatisfactory resolution, the Executive Director will also contact the Director of Special Education of the sending district and inform him/her of the impasse with the student or parent. The Executive Director will work with with the Director of Special Education to satisfactorily address the concerns in the best interest of the student.

Nothing in this policy is to prevent a parent from exercising his/her right under the Options for Dispute Resolution (Section 28.08) of Massachusetts Special Education regulations.

Transportation Policy

1. 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. Student's 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.
2. NEC maintains a fleet of 7D vehicles for transporting students on field trips, to vocational placements, or for other off-site activities. Only approved 7D drivers may drive these vehicles.
3. Certain positions may require employees to obtain 7D licenses in order to drive students. All expenses related to obtaining such license will be reimbursed by NEC. Employees will be responsible for keeping their license up to date and providing NEC with appropriate documentation.
4. The following rules will apply in all NEC vehicles:
 - a. Seatbelts must be worn whenever the students are in the vehicle.
 - b. The number of passengers cannot exceed the number of seatbelts.
 - c. Vehicle must be locked when not in use.
 - d. Students under the age of thirteen are not allowed to sit in the front seat of any vehicle.

- e. No smoking is allowed in vehicles
 - f. No eating or drinking is allowed in vehicles.
 - g. Students are not to be left in a vehicle unattended.
 - h. At least one staff member will carry a cell phone during the transport and off-site activity.
 - i. Ratio of students to staff will be consistent with that of programmatic ratio.
 - j. Student health and behavioral plans will be implemented during transportation to and from school activities.
 - k. If an emergency occurs while in transport to or from school activities, staff will locate a safe location to park the vehicle and will respond to the emergency according to emergency response protocol (including calling for emergency personnel - 911).
5. No vehicles (including school buses and personal motor vehicles driven by students, staff, visitors, or bus drivers) may idle on school grounds.
 6. In general, employees are prohibited from using their own vehicles to transport students.
 7. Students with valid drivers licenses may drive themselves to school with the permission of their guardian and Program Director., as long as they comply with all relevant school policies.
 8. On rare occasions, NEC staff may need to drive a student home. If this is an emergency situation and a 7D vehicle and driver are not available, the Program Director and/or Executive Director may give verbal consent for a staff member to transport the student in his/her own vehicle with the consent of the student's guardian.
 9. There are a small number of employees in the Transition Programs and in Vision/Mobility Services who need to drive students in their personal vehicles for regularly scheduled program activities, such as mobility practice in the community and/or community internship placements. These employees must fill out the attached form and obtain written permission from the Executive Director after verifying the following:
 - a. Appropriate MA drivers license with no felony violations.
 - b. Appropriate levels of insurance coverage and notification of insurance company.
 - c. Appropriate documentation of vehicle inspection.

Service Animals and Animal Assisted Therapy

Service Animals

Northshore Education Consortium (NEC) acknowledges its responsibility, within certain limitations, to permit students and/or adults with disabilities to be accompanied by a “service animal” in its school buildings, in classrooms, and at school functions, as required by the Title II of the Americans with Disabilities Act and its implementing regulations found at 28 CFR Part 35, subject to the following:

1. All requests for an individual with a disability to be accompanied by a service animal must be addressed in writing to the Executive Director and must contain required documentation of vaccinations. This written request must be delivered to the Executive Director’s Office at least 10 business days prior to bringing the service animal to school or to a school function.
2. Only a dog or a miniature horse may qualify as a service animal pursuant to Title II of the ADA. No other species of animal, whether wild or domestic, will be permitted in schools as a “service animal”.
3. Owners of a service animal must provide annual proof that the animal is up to date on all of its required vaccinations as determined by the animal’s veterinarian, or, if such proof is not available, then as determined by the school district’s veterinarian of choice. In order to provide the required proof, the animal’s veterinarian must certify in writing, signed by him/her, that all vaccinations are current¹.
4. All service animals must be spayed or neutered.²
5. All service animals must be treated for, and kept free of, fleas and ticks³.
6. All service animals must be kept clean and groomed to avoid shedding and dander.⁴
7. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property. The student’s parent or legal guardian will be required to sign a waiver of liability prior to the service animal coming to the school or to the school sponsor’s activity.
8. The animal must be “required” by the individual with a disability. The animal must be “individually trained” to do work or a task for the individual with a disability. The task performed by the service animal must address one of the following needs for the disabled individual: physical, sensory, psychiatric, intellectual and other mental disability.
9. For students on an IEP or 504 plan, if a request is made to allow the student to have a service animal at school or at a school-sponsored function, the IEP or 504 Team will

¹ If the service animal does not meet this requirement at any time, the service animal may be removed by NEC. All costs associated with such removal and boarding, if necessary, will be borne by the owner of the service animal. The service animal will not be permitted to return to school property or any school activity until all costs associated with its removal have been paid.

² See Footnote # 1.

³ See Footnote # 1.

⁴ See Footnote # 1.

consider the request, and whether it can provide services and/or accommodations that would serve the stated purpose of the service animal. If the Team determines that it can and proposes alternative accommodations and/or services, then the request to allow a service animal may be denied. This determination will be made on a case by case basis.

10. NEC is responsible for providing a safe learning environment for students, teacher and staff. If the presence of a service animal poses a health or safety risk to another member of the NEC community, as documented by a physician, NEC will weigh the needs of all parties and will put forth a plan to provide reasonable accommodations. This scenario is most likely to be raised in the context of a severe, life threatening allergies. NEC will assess each situation on a case by case basis and may exclude the service animal if the animal's presence poses a threat to the health, safety and well-being of anyone who will potentially come in contact with the service animal.
11. Special Provisions/Miniature Horses: Requests to permit a miniature horse to accompany a student or adult with a disability in collaborative buildings, in classroom, or at school functions, will be handled on a case-by-case basis, considering:
 - a. The type, size, and weight of the miniature horse and whether the facility can accommodate these features.
 - b. Whether the handler has sufficient control of the miniature horse.
 - c. Whether the miniature horse is housebroken.
 - d. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
12. Removal of a Service Animal: An administrator may ask an individual with a disability or his parents to remove a service animal from a collaborative building, a classroom, or from a NEC function if any one of the following circumstances occurs:
 - a. The animal is out of control and the animal's handler does not take effective action to control it.
 - b. The animal is not housebroken.
 - c. The animal's presence would "fundamentally alter" the nature of the service, program, or activity.
13. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.
14. NEC is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.
 - a. NEC is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
 - b. NEC with service animals are expected to care and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the program administrator.

Animal Assisted Therapy

Although “therapy animals” are not legally defined or protected, NEC recognizes the many benefits of animal assisted therapy in helping children with disabilities build self-esteem, reduce anxiety, and develop self-regulation.

NEC will allow Therapy Animals in our school programs under the following conditions:

1. The animal must be certified by a recognized organization such as Therapy Dog International.
2. The animal must be owned by an employee or volunteer who takes full responsibility for the care of that animal. This includes walking, feeding, or any expenses related to care of the animal.
3. The owner of the animal must provide annual proof that the animal is up to date on all of its required vaccinations and certifications.
4. All animals must be treated for, and kept free of, fleas and ticks⁵.
5. All animals must be kept clean and groomed to avoid shedding and dander.⁶

6. Owners of animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
7. NEC is not liable for any harm to the animal while on NEC premises.
8. The animal will not interact directly with any students unless the parent/guardian has provided written permission.
9. If the presence of the therapy animal poses a health or safety risk to another member of the NEC community, as documented by a physician, most likely to be raised in the context of a severe, life threatening allergies, NEC may need to discontinue the animal assisted therapy in that location.

⁵ See Footnote # 1.

⁶ See Footnote # 1.

Security Camera Policy

Northshore Education Consortium utilizes security cameras in certain buildings as one part of a comprehensive plan for the safety and security of students and staff. Security cameras may be used in locations as deemed appropriate by the Executive Director in consultation with Program Directors, Board Members, and local law enforcement. All cameras are visible and may not be used in any area where there is a reasonable expectation of privacy (i.e. bathrooms or locker rooms).

NEC shall notify students and staff through appropriate student/parent and staff handbooks that security cameras are in use. Students or staff identified on security cameras in violation of school policies will be subject to disciplinary action. Access to footage will be limited to school administrators and will only be used for the purpose of investigating concerns related to safety and security. Violations of the law will be referred to law enforcement agencies as appropriate.

NEC shall ensure that proper procedures are followed regarding use, viewing, disclosure, retention, disposal, and security of video recordings in accordance with applicable laws and regulations. Video recordings used for security purposes shall be the sole property of NEC. All video recordings will be stored in their original format and secured to avoid tampering. All recordings will be erased after 30 days unless there is an ongoing investigation.

