



INDEPENDENCE ACADEMY

Regain your freedom.....Discover your potential

Student Handbook

2017 – 2018

NORTH RIVER COLLABORATIVE

Independence Academy



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Brockton Massachusetts
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“Regain your freedom.....Discover your potential”

Welcome to Independence Academy!

I would like to extend my welcome to all of you who are interested in what Independence Academy has to offer. As the director of our school, I am eager and deeply committed to making a positive difference in the lives of our students. Our goal at Independence Academy is to provide an outstanding educational opportunity in a setting that is fully committed to helping young men and women on their journey of continued recovery.

At our school we believe that all students deserve a high quality education. The staff at Independence Academy consists of highly trained, licensed teachers who are prepared to meet the needs of all learners while providing an engaging and rigorous curriculum. We realize that each student that attends Independence Academy has a different academic profile and different academic goals so it is our mission to work with each student individually in order to help them meet their goals.

Additionally, we are committed to meeting the diverse social and emotional needs of each student. With a support staff of professional counselors, Independence Academy offers a safe and supportive environment for students to achieve their own personal goals. We also recognize the importance of working closely with each student's family and support network in order to maximize each student's potential for success both inside and outside of school.

It is important to note that the faculty of Independence Academy understands the journey to recovery and long-term sobriety begins and ends with the individual. Your interest in attending Independence Academy suggests that you have begun to contemplate a life free from drugs and alcohol. It also suggests that you are serious about maintaining sobriety and obtaining a quality education.

When a student makes a commitment to attend Independence Academy, they are proclaiming their commitment to sobriety, their commitment to their education and their commitment to regaining their freedom and discovering their potential.

Much Success,

Ryan Morgan
Director

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North River Collaborative Mission Statement

North River Collaborative cooperatively develops and delivers quality and cost effective programs and services for students, school districts, partner organizations, and communities.

Independence Academy Mission Statement

The mission of Independence Academy is to provide an environment that facilitates recovery by understanding and providing an integrated approach that respects substance use treatment, trauma-informed care and mental health concerns where students are empowered to exceed their academic potential, focus on their personal wellness, build confidence in their self-expression and are inspired to lead great and giving lives.

Disclaimer:

The laws, policies and school rules in this handbook are intended to ensure the safe, orderly, and educationally sound operation of Independence Academy. In addition to these written provisions, there may be times when, to further ensure the safe, orderly, and educationally sound operation of the school, Independence Academy may enforce a standard of conduct upon students that furthers this end. Furthermore, the school

administration has the right to enforce any law, ordinance or Board policy not written in this handbook. The passage of any new laws supersedes current rules.

STUDENT RESPONSIBILITIES:

Enrollment at Independence Academy is contingent on a student's continued commitment to sobriety and the pursuit of a quality education. With this in mind it is expected that each student will conduct him/her/themselves in a manner that will not impede their own or other's education. Students at Independence Academy are expected to actively participate in their education and commit to the following five core values:

FIVE CORE VALUES

Commitment to Recovery and Wellness- The students and staff at Independence Academy are focused on the principles of recovery. These principles include: honesty, hope, courage, openness, willingness, spirituality, humility, gratitude, focus on self, connection to others, and meaning. In order for an individual to be fully engaged in the recovery process it is strongly believed that the development of healthy routines, activities and lifestyle choices have to be a priority.

Commitment to Social Responsibility- Every member of Independence Academy is expected to treat themselves, others and property with respect. They are also expected to continually take responsibility for their own behavior and participate in activities that enhance the overall culture and quality of the school environment.

Commitment to Academics- The students at Independence Academy commit themselves to developing the necessary skills that allow them to exceed their academic potential, to take academic risks and to challenge themselves to understand how they can reach their full potential.

Commitment to Emotional Intelligence- Students attending Independence Academy are expected to continually work on the following five abilities that comprise emotional intelligence:

(1) Knowing Emotions- At Independence Academy, students will be given the tools necessary to learn how to identify what they are feeling and why they are feeling that way.

(2) Managing Emotions- It is expected that students will practice strategies learned at Independence Academy and will demonstrate the ability to soothe and calm themselves when upset and prevent strong emotions from dominating their judgment, problem solving and creativity.

(3) Self-Motivation and Goal Setting - At Independence Academy students will be expected to set, plan and work on their academic, recovery and life goals. Students will be actively guided in the process of setting and working toward their goals and monitoring their own progress.

(4) Recognizing Emotions - Students at Independence Academy will consistently practice skills that will promote accurate empathy.

(5) Managing Relationships - Students will actively practice skills necessary to increase their ability to handle relationships smoothly, connect with others, communicate assertively, negotiate solutions to conflict and handle difficult people and situations.

Open and Honest Communication- It is the expectation of every member of Independence Academy to communicate openly and honestly with each other, regardless of the intensity of their emotional dysregulation. In order for any student to have a beneficial experience at Independence Academy, they must commit to honesty.

School Calendar

ACADEMIC INFORMATION:

SCHOOL HOURS:

MONDAY - 9:00am – 3:30pm
TUESDAY - 9:00am – 3:30pm
WEDNESDAY - 9:00am – 2:30pm
THURSDAY - 9:00am – 3:30pm
FRIDAY - 9:00am – 3:30pm

GRADING SYSTEM:

GRADING SCALE:

Independence Academy operates on a two semester calendar year that includes four grading terms, which may include mid-year and final exams. Minimum passing grade is set by each student's sending school district.

GRADES on transcripts and report cards are literal and the numerical equivalents are:

A +	=	97-100	C+	=	77-79
A	=	94-97	C	=	74-77
A-	=	90-93	C-	=	70-73
B+	=	87-89	D+	=	67-69
B	=	84-87	D	=	64-67
B-	=	80-83	D-	=	60-63

PROGRESS REPORTS:

Independence Academy academic reports are issued to the students and the school districts at the mid-point and the end of each quarter (*see School Calendar pg. 4*).

HOMEWORK POLICY:

Homework will vary according to level and course, and is up to the discretion of the teacher. Students should expect to be assigned homework on a nightly basis.

MCAS:

Students are required by the Department of Elementary and Secondary Education to demonstrate competency in ELA, Math and Science in order to be eligible for a high school diploma. Students at Independence Academy will participate in the Massachusetts Comprehensive Assessment System (MCAS) testing. This testing may be taken with accommodations or through alternative assessment, as determined by the student's IEP team. The curricula at Independence Academy follows the

Massachusetts Curriculum Frameworks/Common Core Curriculum and the teachers strive to help students feel prepared both academically and emotionally to demonstrate competency on each aspect of the MCAS.

GRADUATION REQUIREMENTS:

Each student will be required to meet his/her/their sending school's graduation requirements. In addition each student must develop a post secondary plan upon admission that will guide his/her/their individual academic and personal goals. Students will be awarded a diploma from their sending school district.

GUIDANCE SERVICES:

The Guidance Counselor will work closely with each student's sending district to ensure that all credits and graduation requirements are being met. There will also be regular communication between the guidance counselor at Independence Academy and the student's sending district with regards to attendance and overall student behavior. The student will meet with his/her/their counselor to set up an individualized post-secondary plan. The Guidance Counselor will also continually work with student on academic, family or social emotional issues that may arise that could impede a student's academic success.

HEALTH SERVICES:

The school nurse is responsible for maintaining all up-to-date health and immunization records for all students, as well as providing first aid and minor medical care to students who require medical attention.

Students may visit the nurse at any time during day. However, students are expected to return to class promptly if the nurse determines that further time in the nurse's office is not necessary or the student's medical concern does not require immediate medical attention or require the student to be dismissed from school.

It is important to have up-to-date information regarding emergency phone numbers, addresses and names of contact persons, health insurance, allergies, medications, medical problems, immunization records, and physical exams on file at school. If there is a change in any of this information, please complete a new student enrollment form.

In the event of a medical or psychiatric emergency, every effort to contact the parent or guardian will be made first. If no contact can be made, your child will be taken to the nearest emergency room.

No student will be allowed to start classes at Independence Academy without up-to-date and completed health and immunization records.

MEDICATION POLICY:

Most medication can be given at home. However, if necessary, medication will be given in school and the following policies must be followed:

1. All over-the-counter medications require written parental permission and a written doctor's note. This must include student's name, name of medication, dosage, and time to be given, with doctor's signature and parental consent.
2. Prescribed medication will only be given with written parental permission and a doctor's order. This includes: doctor's name, address, phone number, and doctor's signature, student's name, reason for medication, name of medication, dosage, and time to be given with parental signature.
3. The appropriate forms must be completed by the doctor and parent or guardian.
4. Medicine must be in the original container (pharmacy bottle) with the student's name and doctor's name on it. You may want to ask the pharmacy for an empty labeled prescription bottle for school use.
5. When sending medication to school parents are expected to call beforehand to inform the nurse or principal and send in a signed and dated note with the student's name, name of medication, dosage, time to be given, and amount of medication being sent to the school.

Medication will not be accepted or disseminated that is not sent into school following these guidelines.

STUDENT LIFE INFORMATION

ATTENDANCE INFORMATION/PROCEDURES

Students are expected to be in school every day. However, it is understood that there are specific instances where missing school is unavoidable and an absence may be excused. Instances which constitute an excusable absence are listed below.

In the event that a student is absent for five (5) or more consecutive days, a doctor's note is necessary for the student's return. In the event that a student is hospitalized or enters a treatment facility, a Re-Entry meeting must be set up before the student can return to school (*see "Re-Entry Meeting Procedures" pg. 9*).

At 30-day checkpoints any student who misses more than 10% of the scheduled school days will be required to meet with the principal to discuss appropriate steps to address the issue and notification will be sent home. Students who continue to miss school for reasons other than those stated below may be withdrawn from the school. The principal reserves the right to use discretion as to whether or not to excuse absences.

NOTIFICATION OF ABSENCE

The parent or guardian must notify the school as soon as possible when their child will be absent or late. School staff will call the home of any student who is absent each morning that has notified the school.

The principal or designee shall make reasonable effort to meet with the parent or guardian of a student who has 5 or more unexcused absences to develop action steps for student attendance and to determine whether or not the student is committed to their education at Independence Academy.

EXCUSED ABSENCES:

1. Illness will only be considered excused with a signed note from a doctor stating that the student was not able to attend school due to a serious or contagious medical condition.
2. Serious illness or death of a family member.
3. Hospitalization/Treatment
5. Authorized religious holidays
6. Court dates
7. Weather so inclement that it would jeopardize the student's safety to attend school.
8. Attendance at an event that is in-line with the student's academic, recovery or post-secondary plan (e.g. College Tour, Recovery Event). Prior approval from the principal is required.

DOCUMENTING ABSENCES:

1. The student, or parent/guardian, should call the school the day a student is absent at (508)510-4091 between 8:00 and 9:30 AM to state the reason why an absence is necessary.
2. All absences that a student believes to be excused must be accompanied by appropriate documentation.

RELIGIOUS HOLY DAY OBSERVANCES:

Parents shall have the right to determine when their child will be absent from school because of religious observances and students will not be penalized or deprived of make-up opportunities for such absences or pressured to choose between school attendance and religious observances.

RE-ENTRY MEETING PROCEDURE:

When a student is absent for five (5) consecutive days a doctor's note certifying the student's good health must be provided. In the event that a student has been hospitalized or has been admitted to treatment, a re-entry meeting must be scheduled between the student, the parent/guardian, other relevant "outside" support staff (i.e. social worker) and school staff. The purpose of the re-entry meeting will be for school personnel, including the school nurse and counseling staff, to collect as much information as possible regarding the student's needs.

TARDINESS:

Students are expected to be on time every day. Lateness is seen as a potentially high risk behavior and may result in the loss of privileges during the school day. Therefore, students who demonstrate a pattern of arriving to school late must meet with the Recovery Counselor and Guidance Counselor in an effort to develop a strategy to address this challenge. Students who arrive late to school must sign in at the front desk.

MAKE-UP WORK:

Learning is the key focus at Independence Academy. When students miss school due to absences whether excused or not, the staff is dedicated to ensuring that learning opportunities that were missed are made available. Students will always be provided with missed work and opportunities to receive missed instruction. A grade of "Incomplete" will be given to any student whose work is not complete at the time an academic report (e.g. progress report, report card) is issued. It is the student's responsibility to work with teachers to ensure that all work is made up in a timely fashion. Students will have ten (10) school days from the close of a grading period to turn in all make-up work. An extension may be granted by the principal in the case of extenuating circumstances.

NO SCHOOL ANNOUNCEMENTS:

Independence Academy will follow the Brockton Public Schools announcements for **SCHOOL CANCELLATIONS ONLY** unless the principal determines that opening or closing the school is in the best interest of the students and staff at Independence Academy. In the event that inclement weather forces schools to close, a no school announcement will be sent out via email to all parents/guardians and notification will be sent out via social media (i.e. Facebook, twitter). In addition, Brockton Public Schools will also notify students on-line, over radio stations and television. In the event of a Brockton Public School delayed opening, Independence Academy start time will always be 9:00am.

Students coming from other districts should use extreme caution when travelling in inclement weather and are required to notify Independence Academy if they will be late or unable to attend (*see Excusable Absences #7*).

DISMISSALS:

Parents should not request that students be dismissed from school except in an emergency. Dismissal is granted when a note stating a reason for the request is signed by the parent or guardian, and is presented to the main office and is accepted by the Principal. A student who is ill will not be released unless there is someone to pick him/her/them up with parental permission. The school will make every attempt to contact parents to verify early dismissal notes.

WITHDRAWING FROM SCHOOL:

Any request to transfer to another school or for withdrawal from Independence Academy requires a meeting among the Principal, the parent or guardian, and any other relevant personnel working with the student. An exit interview will be conducted as part of the withdrawal process for all students.

LEAVING SCHOOL WITHOUT PERMISSION:

Students are not permitted to leave the school without permission due to concern for the safety of the student and for the school community. If a student does leave school without permission during the school day, the student will not be permitted to return to school. In all cases, parents will be notified and in most cases the local police and/or fire department will be contacted.

A student may be considered to be trespassing if he/she/they remains on school grounds. A parent will be contacted and asked to arrange for transportation home. The student will not be permitted to take his/her/their regularly scheduled transportation at the end of the day due to safety concerns.

CLASSROOM EXPECTATIONS:

Students are expected to exhibit their commitment to the Five Core Values of Independence Academy at all times. With this in mind all students are expected to treat themselves, others and the classroom with respect. They are also expected to continually take responsibility for their own behavior and participate in academic and other classroom activities that enhance the overall culture and quality of the school environment.

OUTDOOR RESTRICTIONS:

During the school day students are not to be in areas outside of the school building except when a staff member is present to provide supervision. Students who are not meeting the expectations of the school may lose their privilege to be outside during breaks/lunch.

DRESS GUIDELINES:

Students are required to wear appropriate clothing and shoes according to the situation. Inappropriate clothing and appearance can be disruptive to the school program. The school administrator has the final authority over all dress issues that may arise. Students whose clothing/appearance is deemed to be inappropriate will be addressed by a staff member and a resolution will be presented. In the event that a student refuses to comply, the student will be sent home. While students are permitted to wear hats and other accessories during the school day, the principal reserves the right to revoke such privileges for any student who is not meeting the expectations of the school.

- Any apparel, jewelry, or accessories, which by virtue of color, arrangement, trademark, insignia or other attributes which denote gang membership, support or affiliation, is strictly prohibited.
- Tattoos or other markings which denote such membership, support or affiliation must be covered while attending school.
- Any clothing which promotes violence and/or illegal drug/alcohol use is prohibited.
- Clothing, which in the principal's determination is reasonably likely to cause disruption in the educational environment, is also prohibited.

FOOD AND BEVERAGE:

Students will be allowed to have food/beverages in the classroom at the teachers' discretion. The principal reserves the right to revoke food/beverage privileges for any student. For more information, please see the Massachusetts Standards and Section 204 of the Healthy, Hunger Free Kids Act of 2010, Public Law 111-29 effective August 1, 2012.

SCHOOL LUNCH:

Students may either bring their own lunch from home following the guidelines outlined above or they may purchase a lunch at Independence Academy. Any student who meets the free and reduced lunch requirements may apply for free and reduced lunch by completing the necessary forms. Lunchtime is considered to be "open campus". Students can be outside of the building without leaving school grounds during lunch break. However, a student's privilege to be outside during lunch can be revoked by a staff member at any time (see "*Outdoor Restrictions*" above).

AGE OF MAJORITY:

Students who are 18 years of age or older, may legally assume full responsibility for their actions. Unless the student provides a written statement to the principal that he/she does not want his/her/their parents receiving student records, the parents are entitled to access such records. Further, whether or not the student has submitted the written

statement prohibiting parental access to his/her/their records, parents/guardians must countersign all documents requiring a signature

SEARCH AND SEIZURE POLICY:

All students and their belongings (i.e. backpacks) are subject to search upon entering Independence Academy property. Students refusing to be searched will not be permitted to enter school.

Lockers, lab tables, desks and other equipment and facilities provided by the School for use by the students are the property of the school and are subject to search at any time for any reason. When appropriate, the police and the use of trained animals may be used to conduct such a search.

A student's person, personal belongings and automobile/bicycle/other form of transportation is subject to search when a staff member has reasonable suspicion to believe that the student is in possession of anything that is a violation of the criminal law or of the disciplinary policies of the collaborative, or the student is in possession of anything which is evidence of criminal or disciplinary violation. Cell phones and any other electronic devices are subject to search and seize. A search of a student's person may include the use of a breathalyzer or a urinalysis drug screen when there is reasonable suspicion to believe that the student is under the influence of alcohol or a controlled substance. The refusal of a student to participate in the breathalyzer test or urinalysis drug screen will lead to a disciplinary penalty equal to the offense of which the student is suspected. Any item may be seized during the course of a search. Locks or any other device that could interfere with easy access to lockers are not allowed.

AUTOMOBILE POLICY:

Students who have a driver's license and who own registered and insured automobiles may, with school permission, drive to school if the following provisions are met:

1. Parental permission is given,
2. The student demonstrates responsible driving habits at all times, (as determined by staff),
3. The student provides the office with a copy of a valid driver's license and current registration,
4. The student has signed an Automobile Contract.

Any violation of the Automobile Policy may result in suspension of the privilege

STUDENT PARKING POLICY:

No student is to be in the parking lot for any reason during school time without permission of the administration.

TRANSPORTATION:

Students who are transported to and from school by North River Collaborative must notify the transportation office (781-878-6056 x160) as soon as possible if they are going to be absent, dismissed or not need a ride to and/or from school on a particular day. Failure to notify the transportation department may result in losing the privilege of using this transportation.

Students are not allowed at any time and under any circumstances to travel on a North River Collaborative van that they are not assigned to. Additionally, students will not be allowed to be picked up by the van or dropped off by the van at any location other than the location that they have been assigned. Students travelling on the same van cannot be picked up/dropped off at each other's location.

USE OF TELEPHONE:

If a student needs to make a telephone call, permission must be obtained from a staff member. Calls should be made from the office phone or counselor's office. Students will not be called to the phone or allowed to make calls from the office except in cases of emergency, or at the discretion of the principal.

VISITOR POLICY:

Visitors to the school are generally not allowed. Exceptions to this rule are given on an individual basis by the Principal from whom prior approval for the visit must be sought. Individuals not adhering to this policy may be liable for prosecution for trespassing as governed by G.L. Chapter 266, Section 120.

FIELD TRIPS:

Parental permission slips must be submitted before a student will be allowed to attend any field trip. All rules and policies described in the student handbook still apply. Behavior is expected to reflect favorably on the school at all times. Students are to be dressed appropriately for the trip. The principal reserves the right to revoke a student's attendance at a field trip.

FIRE DRILLS:

Fire drills at regular intervals are required by law and are an important safety precaution. It is essential that when the first signal is given, everyone obeys orders promptly and clears the building by the prescribed route as quickly and orderly as possible. Fire drill procedures are posted in each room and will be reviewed by the teacher.

LOST AND FOUND:

All lost and found articles should be turned in to the office where they may be claimed by the rightful owner.

LIAISON VISITS:

Liaison personnel from each student's sending school district are urged to meet with students to review progress and meetings will be scheduled at appropriate times during the school days so as to have least disruptive impact to the student's academics.

CELL PHONE POLICY:

Students are permitted to carry their cell phone with them during the school day as long as they are demonstrating their commitment to Independence Academy's Five Commitments. However, the use of cell phones can be disruptive to the learning environment. Any staff member at the school has the right to limit a student's use of their cell phone. If a student is asked to turn over their cell phone to a staff member and refuses to do so, the student will be removed from class and disciplinary action will result. A student's privilege to carry their cell phone with them is contingent upon their ability to adhere to the expectations of the school. The principal reserves the right to revoke a student's privilege to carry their phone for any reason. Any lost, stolen or damaged cell phone is not the responsibility of the school or school staff.

MUSIC DEVICES (MP3 Players):

Students are permitted to listen to music during the school day as long as they are demonstrating their commitment to Independence Academy's Five Commitments and at the discretion of the staff. A student's privilege to listen to music is contingent upon their ability to adhere to the expectations of the school. The staff at Independence Academy reserves the right to revoke a student's privilege to listen to music for any reason. Any lost, stolen or damaged music device is not the responsibility of the school or school staff.

INTERNET ACCEPTABLE USE POLICY:

The use of the network and computer systems at Independence Academy is a privilege and a powerful academic tool. Independence Academy reserves the right to monitor and review the network, including without limitation e-mail messages, internet access, telephone calls, and voicemail. This includes internet sites visited, duration of internet use and files which have been viewed, accessed or downloaded. The Network is not private, and students should not consider their E-mail messages and internet access to be private. Student access code or password does not give him/her/them any right to privacy with respect to using Independence Academy's email and internet systems.

PROHIBITED USE OF THE NETWORK:

It is not permissible to use the network to;

- engage in unlawful or inappropriate behavior,
- transmit material that contains offensive or harassing remarks based on age, disability, race, color, religious creed, national origin, ethnicity, ancestry, sex, sexual orientation, gender identity and/or genetic information,
- to access or visit websites or identify and share the location of inappropriate material that contain sexually explicit, racist or other offensive material, or post messages at such sites,
- pirate or download copyrighted or trademarked material.

Any violation of this policy may result in disciplinary action and/or legal sanctions.

STUDENT BEHAVIOR CODE OF CONDUCT:

It is expected that each student will conduct him/her/themselves in a manner that will not impede his/her/their own or other's education. Student code of conduct is based on the five commitments stated in the student responsibility section in the opening pages of this handbook. In addition, any behavior which violates criminal statutes, which impinges upon the rights of others or which has affected, or has potential to affect life, limb or property of another, or that represents a significant threat to the safety and well-being of Independence Academy, will be treated as a very serious offense, and could result in suspension, expulsion, and/or court action (*see section, "Massachusetts Laws Affecting Students" below*).

MAINTENANCE OF SOBRIETY:

Students attending Independence Academy have been accepted to the school because of their stated commitment to recovery. With this in mind it is a requirement of continued attendance that a student not possess, use, transmit, or be under the influence of any drugs or alcohol at any time on or off school grounds. Students are also expected to agree to the following:

- Students must fully commit to working on their recovery. Each student's recovery efforts will be specific to their own needs.
- Students (along with their parents and/or guardian) must be willing to work with the Independence Academy Recovery Counselor to develop and follow an Individual Recovery Plan, and continue to revise and update that plan as needed.

- Students must be willing to participate fully in the substance abuse recovery aspect of Independence Academy, which includes attendance and participation at all in-school recovery activities and school-supported activities outside of school as well as engagement with the counseling staff
- Students must be willing to attend at least two (2) self-help activities per week. This may include traditional 12-step or other recovery program meetings, fitness/yoga classes or other activities approved by the Recovery Counselor.
- Students must agree to pre-admission, scheduled, and random drug testing.
- Students must commit to supporting each other in their recovery efforts which includes reporting fellow students who may have relapsed or may be planning to relapse.

In the event of a relapse students are expected to follow the relapse policy.

RECOVERY STABILITY (“RELAPSE POLICY”):

The single most important aspect of a student’s commitment to their recovery at IA is their ability to communicate openly, honestly and to be forthcoming. It is a challenge for adolescents who struggle with substance use to maintain sobriety and a positive quality of life in the early stages of recovery. Therefore, it is the goal of the Independence Academy staff to provide students with resources, skills, knowledge and a supportive environment as they move through the stages of change and take steps to engage in positive mental, emotional and physical change. The combination of these two factors - student sincerity and professional compassion, have proven to maintain the integrity of our community and significantly increase student success at our school.

When a student struggles to maintain sobriety they are expected to report their use to a staff member as soon as possible (the next school day). In the event that a student self-reports a relapse:

- The student will meet with the recovery counselor to revisit the student’s individual recovery plan. They will discuss the nature and severity of the relapse and discuss appropriate next steps which may include a referral to inpatient/outpatient treatment.
- The recovery counselor will notify the student’s parent/guardian, and other relevant personnel (i.e. Therapeutic Mentor) within twenty four (24) hours after the relapse is reported. In extenuating circumstances, the parent notification period may be extended to 48 hours with principal approval.

- When appropriate, the principal will be notified and a meeting may be held with the student's support team (i.e. parent/guardian, IHT).

In the event that a student has relapsed and that student has not been honest and forthcoming with the staff at Independence Academy, the student's commitment to recovery will be questioned and their enrollment at IA may be jeopardized. This will be interpreted as a clear indication that the student is struggling in their recovery. The following situations will be identified as not meeting Independence Academy's standard for open and honest communication:

- a random drug screen indicates a positive result for one or more substances
- a student discloses use once they are told to provide a urine sample
- a student refuses to consent to or "cannot provide" a drug screen within 30 minutes of the request
- a third-party (i.e. peer, parent/guardian) informs the staff of a student's suspected relapse
- a student tampers with or manipulates a drug test

When a student is struggling with their recovery and/or is not effectively working through the stages of change:

- The principal will be notified and a team meeting will be held as soon as possible to discuss the nature and severity of the student's use. In some cases, the principal may excuse a student from school until a team meeting can be scheduled.
- The recovery counselor will assess the student's motivation to maintain sobriety and willingness and commitment to remain at Independence Academy. The student's individual recovery plan will be updated and/or revised to meet the student's needs which may include a period of time away from Independence Academy to focus more intently on the issues surrounding their use.
- The student may be suspended from school with the stipulation of successfully completing inpatient/outpatient treatment before returning to school.
- Privileges during the school day (i.e. use of cell phone, going outside) may be revoked due to the concerns of the students high-risk behavior.

It should be noted that it is possible for a student to be suspended for a first time relapse due to circumstances and severity of the relapse, even if the student self-

reports the relapse. Additionally, individual circumstances surrounding a relapse may require that the student be sent for a crisis evaluation and/or emergency treatment. The principal reserves the right to terminate a student's enrollment at Independence Academy at any time due to ongoing or continued substance use.

All relapses or admission of relapse during school hours will be addressed by the recovery counselor, and any other relevant clinical or counseling personnel. Independence Academy reserves the right to access and utilize outside clinical evaluation support personnel to assist with treatment recommendations.

POSSESSION OF DRUGS/ALCOHOL AT SCHOOL:

Students and their belongings are subject to search as soon as they enter the school building (*see "Search and Seizure Policy" above*). In the event that a student or their possessions are subjected to a search where drugs or alcohol are found, the principal will notify the parent/guardian immediately and the student will be suspended immediately from school and may be terminated from Independence Academy depending on the circumstances of the event. If necessary, the principal shall notify the local police.

MASSACHUSETTS LAWS AFFECTING STUDENTS:

Tobacco Free Environment

Pursuant to MGL Chapter 71, 2A, students are not permitted to use any tobacco products of any type on school grounds during normal school hours. Any violation of this policy will result in disciplinary action.

Weapons/Controlled Substance/Assaulting School Staff Violations

The carrying or wearing of firearms, knives of any size, or any object, (eg: guns, knives, screwdrivers, scissors, blunt objects, spiked bracelets, chains, numb chucks, projectiles etc.) which may be used or carried with the intention of being used as a weapon, is forbidden on school property.

Pursuant to MGL Chapter 71, Section 37H Independence Academy abides by the following state regulations:

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter 94 C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

(b) Any student who assaults any member of the educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in his discretion, decide to suspend rather than terminate a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been terminated from Independence Academy pursuant to these provisions shall have the right to appeal to the Executive Director of North River Collaborative. The terminated student shall have ten days from the date of the termination in which to notify the Executive Director of his appeal. The student has the right to counsel at a hearing before the Executive Director. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

(e) Any school district that suspends, terminates or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension, termination or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan, under section 21 of chapter 76.

(f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

Felony Complaint or Conviction of Student; Suspension, Expulsion, Right to Appeal.

Pursuant to MGL Chapter.71, Section 37H ½ Independence Academy abides by the following state regulations as they pertain to a student charged with a felony or conviction and follows the state guidelines for suspension, termination, expulsion and right to appeal.

1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal of Independence Academy may suspend such student for a period of time determined appropriate by said principal if said principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Executive Director of North River Collaborative.

The student shall have the right to appeal the suspension to the Executive Director. The student shall notify the Executive Director in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the principal of Independence Academy, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

(2) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal of Independence Academy may terminate said student if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such termination prior to such termination taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such termination; provided, however, that the termination shall remain in effect prior to any appeal hearing conducted by the Executive Director of North River Collaborative.

The student shall have the right to appeal the termination to the Executive Director. The student shall notify the Executive Director, in writing, of his request for an appeal no later than five calendar days following the effective date of the termination. The Executive Director shall hold a hearing with the student and the student's parent or

guardian within three calendar days of the termination. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the principal, including recommending an alternate educational program for the student. The Executive Director shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the school with regard to the termination.

Upon termination of such student, no school or school district shall be required to provide educational services to such student.

Any school district that suspends, terminates or expels a student under this section shall continue to provide educational services to the student during the period of suspension or termination, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan, under section 21 of chapter 76.

Suspension or Expulsion on grounds other than those set forth by Secs 37H and 37H1/2.

Pursuant to MGL Chapter.71, Section 37H $\frac{3}{4}$ Independence Academy abides by the following state regulations as they pertain the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H $\frac{1}{2}$ and right to appeal.

(1) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

(2) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that

address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

(3) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended, terminated or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

(4) A student who has been suspended, terminated or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension, termination or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.

(5) No student shall be suspended, terminated or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the student is removed from an assigned school building.

ANTI-DISCRIMINATION:

Independence Academy conducts its programs and operations in conformity with Title VI, Title IX, G.I.c.76, sect. 5 Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. It is the policy of Independence Academy not to discriminate in any way on the basis of sex, race, color, religion, national or ethnic origin, sexual orientation, gender identity or disability in its educational activities. This policy also ensures that students should be free from retaliation and/or harassment based upon any of the foregoing attributes. Anyone having a complaint alleging a violation of any anti-discrimination laws or regulations, including the proscription against sexual harassment, should immediately bring the complaint to the attention of the administration, or some other trusted staff member. The administration will conduct a prompt and thorough investigation into the charges. In the event that the charges are substantiated, the administration will take appropriate disciplinary action.

Grievance Procedure Under Title IX and Chapter 622 and Section 504 of the Rehabilitation Act of 1973

Any parent, student or interested party may file a grievance if that person feels discriminated against, denied a benefit, or excluded from participation in any educational program or activity on the basis of sex, race, color, religion, national origin, or handicap. The following four-step structured grievance procedures have been adopted to protect the rights of all persons protected by these regulations. The grievances will be heard at each step as soon as possible.

Step 1: Parents, Students and Interested Parties

At the school building level, complaints are to be heard by the principal. If the parent, student or interested party is not satisfied with the decision of the principal, s/he can continue the grievance procedure to Step 2.

Step 2: Parents, Students and Interested Parties

At this level, the grievance is to be heard by Stephen Donovan, Executive Director of North River Collaborative. If the parent, student or interested party is not satisfied with the decision, s/he can continue the grievance procedure to Step 3.

Step 3: Parents, Students, and Interested Parties

At the Board of Director level, the grievance is to be heard by the Executive Director and the North River Collaborative Board of Directors. If the parent, student, interested party or employee is not satisfied with the decision of the Board of Directors, s/he can continue the grievance procedure to Step 4.

Step 4: Parents, Students, and Interested Parties

At the Office of Civil Rights level, the parent, student, or interested Party can contact the following agency for appropriate follow-up grievance procedures:

**United States Department of Education
Office for Civil Rights
33 Arch Street, Suite 900
Boston, MA 02110-1491
Phone: 1-617-289-0019**

A student or parent always has the right to file a complaint of discrimination with the office of civil rights. In addition a student or parent can also file a request for a hearing with the Board of Special Education Appeals, if the claim is disability discrimination.

**Bureau of Special Education Appeals: One Congress Street, 11th floor, Boston Ma. 02114
Phone: 1-617- 626-7250**

If you have any questions regarding Title IX, Chapter 622 or Section 504 of the Rehabilitation Act of 1973 or wish to read the full text of the regulations, you may contact:

Stephen Donovan
Executive Director
North River Collaborative
Tel. (781) 878-6056

Copies of the law can be obtained from the U.S. Department of Health and Human Services, Office of Civil Rights, Washington, D.C. 20201

CRIMINAL HARASSMENT:

Pursuant to M.G.L. G.L.265, sect. 43A , Criminal Harassment, Independence Academy abides by the following state regulations:

M.G.L. 265, sect 43A makes it a crime, subject to fine and imprisonment, for an individual to engage in certain conduct which is referred to as “criminal harassment” that is a pattern of conduct of a willful and “substantial emotional distress.” Section 43A of chapter 265 provides that such conduct includes, among other things, “acts conducted by mail or use of a telephonic or telecommunication device including, but not limited to, electronic mail, internet communications, text messages or facsimile communication. Any violation of this policy will result in disciplinary action and/or referral to police.

Hazing:

Pursuant to M.G.L. Ch. 269 s. 17., Crime of Hazing: Definition: Penalty, Independence Academy abides by the following state regulations:

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or

mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

C.269, S.18. Duty to Report Hazing

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

C.269, S.19. Hazing Statutes to Be Provided: Statement of Compliance and Discipline Policy Required

Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

Sex Education; Policy Regarding Notice to Parents, Exceptions:

Independence Academy does not provide regular curriculum which primarily pertains to human sexuality or human sexuality issues, however in the event that human sexuality or human sexuality issues will be presented as part of the curriculum parents/guardians will be notified and parents or guardians will be provided the flexibility to exempt their children from any portion of said curriculum through written notification to Independence Academy Principal. No student at Independence Academy so exempted shall be penalized by reason of such exemption.

EDUCATIONAL RECORDS:

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations afford parents and students fourteen (14) years of age or older, (eligible students) certain rights with respect to the student's educational records. These rights are:

- I. The right to inspect and review the student's educational records as soon as possible and no later than (10) calendar days after the day the school receives a request for access. Parents or eligible students should submit to the Principal a written request that identifies the record (s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place for the records to be inspected.
- II. The right to request the amendment of the student's educational records that parent or eligible student believed to be inaccurate. If a parent or eligible student believes a record is inaccurate they should write the Principal and clearly identify the part of the record they want to be changed and specify why it is inaccurate. If the school decides not to

amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.

- III. The right to consent to disclosures of personally identifiable information contained in the student's educational records. Authorized school personnel include administrator or clerical person who needs to access the record for administrative reasons, employees of the school who provide services to the student or contractors of the school who provide services to the student. Upon request, the school discloses educational records without consent to the sending school district and officials of another school district in which a student seeks or intends to enroll.

DIRECTORY INFORMATION NOTICE:

Independence Academy has designated certain information contained in educational records of its students as directory information for the purpose of FERPA and the Student Records Regulations at 603 CMR 23.00 et seq. The following information regarding the student is considered directory information: (1) name, (2) address, (3) telephone number, (4) date and birth place, (5) major field of study, (6) dates of attendance, (7) degrees, honors and rewards received, and (8) post high school plans of the student. Directory information may be disclosed by the school for any purpose in its discretion, without consent of a parent or an eligible student. Parents of students or eligible students have the right, however, to refuse to permit the designation of any or all of the above information as directory information. In that case, this information will not be disclosed except with the consent of a parent or student, or as otherwise allowed by the FERPA and 603 CME 23.00 et seq.

In 2002, Congress passed legislation that requires high schools to provide to military recruiters, upon request access to secondary school students and directory information on those students. Both the No Child Left Behind Act of 2001 and the National Defense Authorization Act for Fiscal Year 2002 reflects these requirements. In accordance with those acts military recruiters are entitled to receive the name, address, and telephone listings of juniors and seniors in high school. Providing this information is consistent with FERPA, which protects the privacy of student's educational records. Student directory information will be used specifically for armed services recruiting purposes and for informing young people of scholarship opportunities.

Any parent or eligible student refusing to have any or all of the designated directory information disclosed, must file written notification to this effect with the Principal of Independence Academy at the start of the student's enrollment at Independence Academy.

STUDENT CONFIDENTIALITY/RECORDS:

Every student's educational and personal information is protected by laws of confidentiality. For the purpose of releasing information contained in student records, Independence Academy will follow the guidelines as outlined in the Student Records Regulations at 603 CMR 23.00 et seq. and the Family Educational Rights and Privacy Act.

Authorized Independence Academy personnel may access records of students to whom they are providing services when such access is required in the performance of their official duties without the consent of the student or parent. Generally, however release of a student's records requires a signed permission from parents or guardians, except in those circumstances listed as exceptions in the student records regulations (ie. court order). When a student leaves Independence Academy all student records will be returned to the sending school district.

HARASSMENT:

DEFINITION:

Harassment is the act of abusing the dignity of another person through insulting or degrading personal remarks or conduct, invading another person's personal space or other actions which make the school environment a hostile and offending one to the victim. Harassment is determined by the victim. The victim's feeling and reactions determine whether a behavior is inappropriate or that harassment has taken place.

TYPES OF HARASSMENT

- 1. Sexual:** Sexual harassment consists of unwelcomed sexual advances, requests for sexual favors and other verbal and physical conduct of a sexual nature, when such conduct interferes with school performance or creates an intimidating, hostile or offensive educational environment. It also applies to harassment which is based on sexual orientation.
- 2. Racial:** The act of abusing the dignity of another person through insulting or degrading personal remarks or conduct on the basis of his or her racial background.
- 3. Religious:** The act of abusing the dignity of another person through insulting or degrading personal remarks or conduct on the basis of his or her religious background.
- 4. Disability:** The act of abusing the dignity of another person through insulting or degrading personal remarks or conduct on the basis of his or her disability.

5. **Other Forms of Harassment:** It is also strictly forbidden to harass another person based upon their ethnic or national origin.

Ranges of behavior which may be considered a form of harassment may include, but are not limited to:

1. Assault, physical contact, verbal contact, inappropriate touching, intentionally impeding movement, continuing comments, gestures, staring, remarks made in private or in front of others, intimidation or isolation, unwanted phone contact or written communications of a suggestive or derogatory nature,
2. Continuing to express sexual interest after being informed that the interest is not welcome (reciprocal attraction between peers is not considered sexual harassment),
3. Displaying lewd or sexually explicit photographs or materials.

HARASSMENT: GENERAL GUIDELINES

1. Problems and complaints regarding discrimination and harassment will be resolved in a prompt and equitable manner. When possible and when the victim desires it, problems and complaints can be resolved in an informal manner. Students who need help or wish to talk about harassment should see the school counselor or principal immediately. Staff who observe conduct which violates this are to report the conduct to one of the above mentioned designated personnel.
2. If the complainant (student) does not want to address the alleged harasser, or if the matter is not resolved informally, the complainant should immediately report the conduct to a school counselor or the principal.
3. Every report of harassment will be taken seriously. It will be responded to and investigated thoroughly and immediately. In appropriate circumstances, the person receiving the report may offer the complainant the option to sit down with the alleged harasser to work out an informal resolution. This is determined solely by the complainant.
4. Consequences to the harasser may include suspension, in-house detention, or even expulsion of the harasser.
5. The family of a student filing a complaint may choose to take further actions outside of school.

Some forms of harassment may be considered criminal and will be followed through by police action.

BULLYING AND CYBERBULLYING POLICY:

It is the policy of the North River Collaborative to provide a learning environment for students free from bullying and cyber-bullying. It is a violation of this policy for any student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional to engage in bullying or cyber-bullying or for any employee of NRC to condone or fail to report acts of bullying or cyber-bullying that they witness or become aware of (i) on school grounds and property immediately adjacent to school grounds;(ii) at school sponsored or school-related activities, functions or programs whether on or off school grounds; (iii) at school bus stops;(iv) on school buses or other vehicles owned, leased or used by the school district/NRC; (v) through the use of technology or an electronic device owned, leased or used by the school district/NRC and (vi) at a location, activity, function or program that is not school related, or through the use of technology or an electronic device that is not owned, leased or used by a school district/NRC,(vii) if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require the NRC to staff and/or monitor any non-school related activities, functions or programs.

The North River Collaborative will not tolerate retaliation against a person who reports bullying or cyber-bullying, provides information during an investigation of bullying or cyber-bullying, or witnesses or has reliable information about bullying or cyber-bullying.

Bullying. Bullying is defined as the repeated use by one or more students or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school: or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

We at NRC understand that members of certain student groups such as gay/lesbian, bisexual, transgender, homeless and students with disabilities may be more vulnerable to becoming targets of bullying, harassment or teasing in our own programs or in our host school environments based on actual or perceived

differentiating characteristics. Differentiating characteristics include: race, color, religion ,ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have 1 or more characteristics. NRC will take steps to create a safe, supportive environment for vulnerable populations and provide its students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

Cyber-bullying. Cyber-bullying refers to bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated. Members of certain student groups such as gay/lesbian, bisexual, transgender, homeless and students with disabilities may be more vulnerable to becoming targets of bullying, harassment or teasing in our own programs or in our host school environments based on actual or perceived differentiating characteristics. Differentiating characteristics include: race, color, religion ,ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have 1 or more characteristics

Perpetrator is defined as a student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

It is the responsibility of every employee, student and parent/guardian to recognize acts of bullying, cyber-bullying and retaliation and take every action necessary to ensure that the applicable policies and procedures of NRC are implemented. Any

student who believes that he or she has been subjected to bullying and/or cyber-bullying has the right to: (i) file a complaint to his/her/their teacher or principal and to (ii) receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and protect the privacy of all parties, but proper enforcement of this policy may require disclosure of any and all information received.

Students, parents and NRC employees (including but not limited to educators, administrators, school nurses, paraprofessionals cafeteria workers, custodians, bus drivers, van monitors), who witness or become aware of bullying, cyber-bullying or retaliation should immediately report it to the principal and/or program coordinator.

Reports of bullying and/or cyberbullying, occurring in or out of school will be reviewed and, when a link to work or school exists, will result in an investigation. Parents of students alleged to have engaged in bullying and/or cyberbullying will be invited to attend a meeting at which the activity, words, or images subject to the complaint will be reviewed. A student disciplined for bullying and/or cyberbullying may not be re-admitted to their school program until his/her/their parent(s)/guardian attend such a meeting.

The North River Collaborative will provide students with age-appropriate instruction on bullying/cyberbullying prevention. The NRC will provide professional development to build the skills of staff members, as required by law. The NRC will develop a Bullying/Cyberbullying Prevention and Intervention Plan which shall set forth the administrative guidelines and procedures for the implementation of this policy. Such Prevention and Intervention Plan shall include, but not be limited to: procedures for reporting, responding to and investigating reports of bullying/cyberbullying or retaliation of a person who reports bullying/cyberbullying or provides information during an investigation; any notification requirements consistent with state and federal law; a strategy for providing counseling or referral to appropriate services for perpetrators to include a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, victims, and family members; and provisions for educating and informing parents about bullying/cyberbullying and the Collaborative's bullying/cyberbullying prevention curriculum.

Students and parents/guardians will receive notice of the relevant student-related sections of the Plan annually and NRC employees shall be trained annually on the plan. Each Program Coordinator shall be responsible for the implementation and oversight of the Plan at his/her/their program. Program Coordinators will work cooperatively with the Director of Special Education from the sending district as well as the principal assigned to the building in which the program is located to assist NRC students, parents, and employees who seek guidance or support in addressing matters related to any form of bullying, cyber-bullying or retaliation.

Policy on Teen Dating Violence

Pursuant of M.G.L. c. 71, sect. 2C , Independence Academy deems any form of dating violence on or off school property unacceptable ; dating violence will not be tolerated. In the event that dating violence is reported or suspected the victim of said violence will be immediately placed in contact with school counselor to assess severity, and scope of violence and will develop a comprehensive safety plan with said victim which may include strategies for involving law enforcement. If the alleged perpetrator of said violence is a student of Independence Academy, the Principal will conduct an immediate investigation and will take necessary steps to ensure the safety and legal rights of both alleged victim and alleged perpetrator of said violence.

GAMBLING:

Gambling of any kind is not allowed on school property. It is the discretion of the Principal to determine which activities constitute gambling.

PROPERTY MAINTENANCE:

All members of Independence Academy are expected to respect school property at all times. Destruction of the property belonging to the Academy, staff members, the student or other students will not be tolerated and appropriate consequences up to and including payment for damages and criminal charges will be enforced.

LIABILITY:

Students are personally liable (responsible) for their actions which result in the loss or damage of property of others or the school, and for behavior which interferes with the rights, civil rights, and education of other students. Any student experiencing or witnessing such violation of rights or property is requested to report such incidents to a member of the faculty or administration.

TRADING:

There is no selling or trading of personal items at Independence Academy

BEHAVIORAL INTERVENTIONS:

In an effort to promote students' commitment to social responsibility at Independence Academy the following behavioral interventions will be implemented if a student engages in behavior that is deemed unacceptable:

Level 1 intervention- Verbal prompting by peers-If a student witnesses another student engaging in a behavior that is unacceptable but does not pose a danger to the community

(i.e. disrupting the learning environment), the witnessing student(s) may attempt to prompt his/her/their peer to stop the unacceptable behavior.

Level 2 intervention- Verbal prompting by staff- If a staff member witnesses a student engaging in a behavior that is unacceptable but does not pose a danger to the community (i.e. disrupting the learning environment), the staff member will verbally prompt student to stop the unacceptable behavior.

Level 3 intervention- Verbal warning - If a student continues to engage in behavior that is unacceptable but does not pose a danger to the community, staff may issue a verbal warning.

Level 4 intervention - Group Separation - If a student has failed to respond to level 1, 2, or 3 intervention, the student may be asked to separate from the group to an area that is away from students but that allows the student to remain engaged in the lesson.

Level 5 intervention- Exclusionary Time-Out - An exclusionary time-out will consist of a student being directed to a designated, calm and comfortable space within the school for the purpose of calming and refocusing. The student will be monitored continuously and will have access to a counselor (*see, "Procedures for Use of Time-Out" below*).

Level 6 intervention- Disciplinary meeting – If a student is engaging in behavior that is deemed disruptive or dangerous to the community, and/or has failed to respond to earlier stages of behavioral interventions, the student will be required to participate in a disciplinary meeting with the school principal. (*Note: A level 6 intervention- disciplinary meeting with the principal may be called at any time at the Principal's discretion if a student is consistently violating the code of conduct or behaving in a manner that is dangerous to self or others*). Depending on the nature and significance of the incident and also taking into account the student's individual behavior history, the principal may choose to suspend the student out of school for a period of time (*see, "Suspension and Termination Policies" below*).

SUSPENSION AND TERMINATION POLICIES:

The North River Collaborative adheres to the provisions of Massachusetts General Laws Chapter 71, sections 37H, 37H ½ and 37H ¾ as well as 603 CMR 53.00 et seq.

Definitions:

1. **Short Term, In-School Suspension** is the removal of a student from regular classroom activities for ten (10) consecutive or cumulative school days or less in one school year. Please note that removal from participation in extracurricular activities does not count as a removal from school in calculating the duration of a suspension.

2. **Short Term, Out of School Suspension** is the removal of a student from the school premises and regular classroom activities for ten (10) consecutive or cumulative school days or less in one school year. Please note that removal from participation in extracurricular activities does not count as a removal from school in calculating the duration of a suspension.
3. **Long Term Suspension** is defined as the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days in one school year, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A long term suspension can occur after ten (10) or more cumulative or consecutive school days of in-school suspension, as well as out-of-school suspension. A long term suspension may be served in school. Except for M.G.L. c. 71, sects. 37H and 37H1/2 offenses, a long term suspension may not be imposed for more than ninety (90) school days in a school year and does not extend from school year to school year.
4. **Emergency Removal** is a brief removal of a student from the school premises and regular classroom activities for no more than two (2) school days following the date of the emergency removal when the continued presence of the student poses a danger to persons or property.
5. **School Wide Education Service** is a document created by the Program Coordinator that “includes a list of educational services available for students who are expelled or suspended from school for more than ten (10) consecutive days. This list will include events and activities which represent the student’s opportunity to continue to receive educational services and make progress while suspended or expelled.
6. **Program Coordinator** refers to the Program Coordinator or his/her/their designee. Executive Director refers to the Collaborative’s Executive Director or his/her/their designee.

PROCEDURES FOR A SHORT TERM IN-SCHOOL SUSPENSION

A short term, in-school suspension may be used as an alternative to short-term, out-of-school suspension. An in-school suspension means the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions in one school year.

If the Program Coordinator chooses this alternative, the Program Coordinator shall inform the student of the disciplinary offense charged and the basis for that charge; the Program Coordinator shall provide the student an opportunity to dispute the charge and explain the circumstances surrounding the charge. If an in-school suspension is issued, the Program Coordinator shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the offense, and the length of the in-school suspension.

The Program Coordinator shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. This meeting shall be scheduled on the day of the suspension, if possible, or as soon as possible thereafter. The Program Coordinator shall also send written notice to the student and parent about the in-school suspension, including the reason and length of the in-school suspension, and inviting the parent to the above described meeting, if such meeting has not already occurred.

PROCEDURES FOR SHORT-TERM, OUT-OF- SCHOOL SUSPENSION

(exclusion of a student from school premises and regular classroom activities for a specified period of not more than ten school days.)

The principal, or his/her/their designee, may suspend students on a short-term basis. Unless a student poses a danger to persons or property, or the suspension/expulsion is pursuant to M.G.L. c. 71, sect. 37H or 37H 1/2, the student will receive the following prior to a short-term suspension:

Oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:

- I. The disciplinary offense;
- II. The basis for the charge;
- III. The potential consequences, including the potential length of the suspension;
- IV. The opportunity to have a hearing with the Program Coordinator and the parent concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident;
- V. The date, time, and location of the hearing;
- VI. The right of the parent and student to interpreter services at the hearing;
- VII. If the student may be placed on a long-term suspension following the hearing with the principal:
 - a. The rights set forth under the "Procedures for Long-Term Suspension"; and
 - b. The right to appeal the principal's decision to the Executive Director.

At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her/their version of the relevant facts and any mitigating circumstances. The Program Coordinator shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct the hearing without the parent, the Program Coordinator must be able to document reasonable efforts to include the parent. The Program Coordinator is presumed to have made reasonable efforts if the Program Coordinator sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

Based on the available information, the Program Coordinator shall make a determination as to whether the student committed the disciplinary offences and what remedy shall be imposed. The Program Coordinator shall notice the student and parent in writing of his/her/their decision, the reasons for it, and, if applicable, the type and duration of the suspension and the opportunity to make up assignments and other academic work.

If the student is in a public preschool program or in grades K through 3, the Program Coordinator shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

PROCEDURES FOR EMERGENCY REMOVAL

If the student's continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption, the Program Coordinator shall temporarily remove the student from the school. This temporary removal shall not exceed two (2) days following the day of the emergency removal and the superintendent shall be immediately notified of the removal. Additionally, the Program Coordinator shall make immediate and reasonable efforts to orally notify the student and student's parent of the emergency removal, the reason for the emergency removal, and the other information required in a short-term suspension notification. The short-term suspension notice shall be provided in writing to the student and parent. The opportunity for a hearing with the Program Coordinator shall occur within two (2) school days, unless otherwise extended by the school and parent. A decision regarding the student's continued suspension or other removal shall be rendered the same day as the hearing and written notice shall be provided the following school day. This written notice shall include all the information required based on the type of discipline imposed (short-term suspension, in-school suspension, long-term suspension, or expulsion).

The Program Coordinator may also remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on a student's misconduct. This type of removal is not subject to the procedures for suspension and expulsion outlined in this policy.

PROCEDURES FOR LONG-TERM SUSPENSION

(exclusion of a student from school premises and regular classroom activities for more than ten school days.)

The principal, or his/her/their designee, may issue long-term suspensions at the building level. The Program Coordinator may also issue expulsions for the offenses set forth in M.G.L. c. 71, §37H and §37H½. Expulsions for other offenses are handled by the Board of Directors pursuant to M.G.L. c. 76, §16 and §17.

In the event of a long term suspension or expulsion, the student will be provided oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:

- i. The disciplinary offense;
 - ii. The basis for the charge;
 - iii. The potential consequences, including the potential length of the suspension;
 - iv. The opportunity to have a hearing with the Program Coordinator and the parent concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident;
 - v. The date, time, and location of the hearing; and
 - vi. The right of the parent and student to interpreter services at the hearing.
1. The Program Coordinator shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct the hearing without the parent, the Program Coordinator must be able to document reasonable efforts to include the parent. The Program Coordinator is presumed to have made reasonable efforts if the Program Coordinator sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.
 2. In advance of the hearing, the student shall have the right to review the student's record and the documents upon which the Program Coordinator may rely in making a determination to suspend the student.
 3. The student shall also have the right to be represented by counsel or a lay person at the choice and expense of the student/parent.
 4. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her/their version of the relevant facts and any mitigating circumstances. The student shall also have the right to produce witnesses and the right to cross-examine witnesses presented by the school. The student may request that the hearing be audio recorded by the Program Coordinator and may request a copy of the recording. All parties must be made aware that the hearing is recorded in advance of the hearing.
 5. The parent, if present, shall have the opportunity to discuss the student's conduct and other information, including mitigating circumstances, that the Program Coordinator should consider in determining consequences for the student.
 6. The Program Coordinator shall make a determination as to whether the student committed the disciplinary offences and what consequences shall be imposed. The

Program Coordinator shall notice the student and parent in writing of his/her/their decision, including the following information:

- i. The disciplinary offence, the date on which the hearing took place, and the participants in the hearing;
- ii. The key facts and conclusions reached by the principal;
- iii. The length and effective date of the suspension and the date of return to school;
- iv. The notice the student's opportunity to receive education services to make academic progress during the suspension;
- v. The student's right to appeal the principal's decision to the superintendent or his/her/their designee if a long-term suspension has been imposed. This notice of appeal shall include the process for appealing the decision, which requires the parent or student to file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension.
 - a. The superintendent shall hold the hearing within three (3) school days of the student's request, unless an extension is mutually agreed to.
 - b. The superintendent shall make a good-faith effort to include the parent in the hearing.
 - c. The hearing shall be conducted to determine whether the student committed the disciplinary offense and, if so, what the consequence shall be. The hearing shall be audio recorded and a copy of the recording shall be provided to the student or parent upon request.
 - d. All the same rights as are afforded in the above long-term suspension principal's hearing shall apply to the student in a superintendent's hearing.
 - e. The superintendent shall issue a written decision within five (5) calendar days of the hearing. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or lesser consequence than the principal.
 - f. The decision of the superintendent shall be the final decision of the school district.
- vi. If the student is in grades K-3, the Program Coordinator shall send a copy of the written determination to the superintendent and explain the reasons for the suspension before the suspension takes effect.

DUE PROCESS FOR STUDENTS WITH SPECIAL NEEDS:

All students are expected to meet the requirements for behavior in this handbook. G.L.c.71B and its implementing regulation, and the IDEA and its implementing

regulations require that additional protections be provided for students with identified special needs. The following additional requirements apply to the discipline of students with special needs who will be suspended for more than ten consecutive days, more than ten cumulative days under certain circumstances or excluded or expelled:

- a. The TEAM first determines if the misconduct is the direct result of or materially related to the student's disability. Please note that substance abuse is not an IDEA-protected disability, so that the manifestation determination will only focus on the identified IDEA-protected disability.
- b. The TEAM then determines if the misconduct is the direct result or materially related to the failure to implement the IEP or a positive behavior intervention plan (If one exists.)
- c. If the answers to the questions in a and b above are no, then the student may be suspended or expelled.
- d. There will be an appropriate procedure to notify the Administrator of Special Education of the sending town or designee of the offense of a student with special needs so that the required procedures under this policy can be consistently implemented.
- e. The Principal notifies the Administrator of Special Education. Both administrators will complete the necessary documentation including the number and duration of suspension days for students with special needs.
- f. If the TEAM concludes that the student's misconduct is a manifestation of the student's disability and is a result of an inappropriate placement, or is the result of an IEP that was not fully implemented, then the student will not be suspended at that time. Rather the TEAM will modify the IEP to reflect a new program of services designed to better meet the student's special needs and to prevent a recurrence of the misconduct in the future.
- g. If the TEAM concludes that the student's misconduct was not a manifestation of the student's disability and is not a result of an inappropriate placement, or the result of non-implementation of the student IEP, then a student may be suspended beyond the ten (10) cumulative days during which time the student will be provided with a Free and Appropriate Public Education by the school district.
- h. If the parent or guardian requests a hearing before the Bureau of Special Education Appeals, the student must continue in the last agreed upon educational placement pending the hearing, unless another placement is agreed to by the parties or court order permits the school district to change the student's placement. This statement is subject to the right of the Collaborative to impose an Interim Alternative Educational Setting (IAES) upon the student.
- i. The Collaborative does not advocate long-term suspensions of students. However in cases of dangerous disruptions or safety-related behavior by a student, a team meeting will be held, if pertinent, to discuss these factors.

POLICY ON INVOLVEMENT WITH LAW ENFORCEMENT:

Independence Academy and the Brockton Police Department agree to coordinate their responses to violence or other illegal activity by students and non-students, which occur on school premises or at school sponsored or school related events. Through collaboration, the two parties can ensure safe and secure school community environments designed to maximize effective teaching and learning.

To ensure a safe educational environment, this collaborative effort between school administrators and law enforcement supports “zero-tolerance” for drugs, alcohol, weapons, hate crimes and violence within and on the grounds of Independence Academy. Non-students involved in such acts on school premises or at school related events are to be reported in the same manner as students are reported. Non-students include administrators, teachers, professional staff, support staff, clerical staff, security personnel, bus drivers, visitors, volunteers, and trespassers.

Although it will continue to be the sole prerogative of school officials to impose disciplinary sanctions for infractions of school rules and policies, it is the responsibility of school authorities to notify the Brockton Police Department when any criminal activity is detected or suspected on school grounds or at school – sponsored events. It is the responsibility of the Brockton Police Department to respond when drugs, alcohol, or weapons are found on school property or when a student is suspected of or charged with, criminally chargeable offenses under Massachusetts General Laws.

Law enforcement officials should be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school-sponsored activity or to maintain the educational environment. They should also be summoned for the purpose of maintaining or restoring order when the presence of officers is necessary to prevent injury to persons.

Administrators, with the position of at least principal and with the advice of North River Collaborative’s attorney, have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. Independence Academy’s administrators shall at all time act in a manner which protects and guarantees the rights of students.

INVESTIGATION CONDUCTED ON SCHOOL GROUNDS:

The Principal shall have the authority and duty to conduct investigations and to question students pertaining to infractions of school rules. Such investigations shall be conducted in a way which does not unduly interfere with school activities.

Under normal conditions, police officers will contact the Principal upon entering the school building.

The Principal, following consultation with the North River Collaborative Executive Director and/or Assistant Executive Director shall determine when law enforcement officers shall be contacted to conduct an investigation of alleged criminal behavior.

The Principal, following consultation with the North River Collaborative Executive Director and/or Assistant Executive Director, may request that law enforcement officers investigate and question students who are suspected of, or witnesses to, a criminal behavior. If accused of a crime, parents or guardians will be notified.

During an investigation of a violation of school rules, it may come to the attention of the administrator that the investigated activity may also be a violation of criminal law.

The Principal, following consultation with the North River Collaborative Executive Director and/or Assistant Executive Director, shall determine when law enforcement officers shall be contacted to conduct an investigation of alleged criminal behavior.

The Principal, following consultation with the North River Collaborative Executive Director and/or Assistant Executive Director, may request that law enforcement officers conduct an investigation and question students who are potential witnesses of such alleged criminal behavior during school hours. The Program Director shall contact the student's parents, guardians, or representative prior to questioning by law enforcement officers. If unable to contact the parent, guardian or representative, questioning will be delayed until contact has been made. Students are not to be released to police authorities unless police are ready to make an arrest. Such contact or attempted contact with parents, guardians, or representatives shall be documented by the administrator involved. If the parent, guardian or representative cannot, or chooses not to attend the questioning, the Program Director or designee shall document what generally occurred during the interview. If the investigation has centered on any particular student suspected of such alleged criminal activity, the procedure for taking students into custody by the police set forth in Section II shall be followed.

Although cooperation with law enforcement officers will be maintained, it should not normally be necessary for law enforcement officers to initiate and conduct any investigation and questioning on the school premises during school hours pertaining to criminal activities unrelated to the operation of the school. When law enforcement officers can show a need to do so, and upon the advice and approval of Independence Academy's attorney, they will be permitted to conduct such an investigation during school hours. These circumstances should ordinarily be limited to those in which delay might result in danger to any person, flight from jurisdiction by a person reasonably suspected of a crime, or destruction of evidence. The administrator shall document the circumstances of such investigations as soon as possible. Any alleged criminal behavior related to the school environment brought to the Principal or designee's attention by law enforcement officers shall be dealt with under the provisions of Section I c. iii. Prior to questioning by law enforcement officers, the parent or guardian of a student, if a minor shall be contacted and an attempt will be made to have them present for such questioning.

PHYSICAL RESTRAINT POLICY AND PROCEDURES

It is the policy of Independence Academy to only use physical restraint or seclusion in the event of an emergency and only to prevent harm to the student, staff member or others and only when less restrictive interventions have been unsuccessful. In the event that a physical restraint is used the following procedures will be followed to ensure that the requirements of 603 CMR 46.00 are met.

Use of Time-Out

In an effort to minimize the use of restraint and seclusion at Independence Academy, our school promotes a model which emphasizes:

Primary Prevention: *preventing* the need for restraint by continually providing staff with professional development opportunities and education around the population which we service and specifically implementing a “trauma-sensitive” model.

Secondary Prevention: *early intervention* which focuses on the use of creative, least restrictive alternatives, tailored to the individual, thereby reducing the need for restraint.

One such alternative that Independence Academy may use is an Exclusionary Time-Out. An exclusionary time-out will consist of a student being directed to or asking for permission to move to a designated, calm and comfortable space within the school for the purpose of calming and refocusing. The student will be monitored continuously and will have access to a counselor. After a period of ten (10) minutes, depending on the student’s level of agitation, the student will be asked to rejoin the class or may check in with a counselor or other staff member. If the student chooses to work with a counselor, the decision to re-enter the classroom will be made by the counselor. As soon as the student engages with a counselor the “exclusionary time-out” will be considered to have ended as the therapeutic nature of the school will be invoked.

In the event that a student is unable or unwilling to work with a counselor or return to class after an exclusionary time-out lasting thirty (30) minutes, permission has to be requested and granted from the Principal/Coordinator or Guidance Counselor. The student must be constantly monitored and a staff member will attempt to engage the student every 10 minutes. The student will have access to calming activities that are tailored to the individual (i.e. drawing, playing a musical instrument) during that time as long as their level of agitation does not become unsafe. When a student is in an exclusionary time-out for longer than thirty (30) minutes, they must meet with a counselor prior to rejoining the classroom.

At the conclusion of an exclusionary time-out lasting longer than thirty (30) minutes the determination will be made as to whether or not further follow up is necessary.

As an internal procedure, Independence Academy will track and review time-out data which will be discussed and reviewed weekly during staff meeting time.

Reporting Requirements of 603 CMR 46.06

In the event that a physical restraint is used, the staff member who administered the restraint will verbally inform the Principal/Coordinator as soon as possible and by written report no later than the next school working day.

If the principal administered the restraint the principal shall prepare the report and submit it to an individual or team designated by the Executive Director of the Collaborative.

The Independence Academy principal/coordinator or Guidance Counselor maintains an on-going record of all reported instances of physical restraint.

Periodic Review of Physical Restraint Data

- A. At each Independence Academy weekly staff meeting a review of physical restraint data will be an agenda item, to identify individuals who have been restrained multiple times during the week and if any such students are identified, a review team will convene to assess the student's needs.
- B. Review Team to Assess Student Needs: The Independence Academy review team will be composed of the Principal/Coordinator, teacher, a certified restraint trained staff member and one counselor. A record of the review will be completed by the team and made available to parents upon request. At minimum the review team's assessment will include:
 - i. The written reports of restraints
 - ii. Parent/student comments on such reports, if any
 - iii. Analysis of circumstances leading up to each restraint
 - iv. Factors that may have contributed to escalation of behavior
 - v. A written plan of action to reduce or eliminate future use of restraint
- C. The Independence Academy Principal/Coordinator will conduct a review of school-wide restraint data to consider patterns and determine whether modifications to the school's policies, additional staff training, or other action are appropriate to reduce restraints.

Notice to the Parents/Guardians of any Student Who Undergoes Physical Restraint

- A. Independence Academy, as procedure, will immediately make every effort to contact a parent/guardian of any student who undergoes a physical restraint. The student's counselor or Guidance Counselor will be the primary person to contact the parent/guardian. The immediate means and effort of contact will be by phone, or email or both, and the student's identified emergency contact will be called/e-mailed if the parent/guardian cannot be reached. Efforts of contact to the student's parent/guardian will be documented in the student's file.
- B. The Principal/Coordinator or Guidance Counselor shall provide the parent/guardian a written report of the physical restraint within three (3) school days. This written report may be provided via email if the parent/guardian has provided the school with a personal email address.
- C. The parent/guardian and/or student may respond to the Principal/Coordinator or Guidance Counselor to comment on the use of the physical restraint and the information in the written report. The parent/guardian and/or student may also pursue the Grievance Procedure described below.
- D. The staff who administered the restraint will verbally inform the Principal/Coordinator or Guidance Counselor as soon as possible and by written report with 24 hours. The Principal/Coordinator maintains an on-going record of all reported instances of physical restraint. The Principal/Coordinator will convene a review team in the event of multiple restraints. In the event of injury sustained by staff or student during a physical restraint, the Principal/Coordinator will complete an injury report with three (3) days and file the report with DESE. The Principal/Coordinator will follow internal North River Collaborative guidelines to report staff injury.
- E. Any attempts to communicate with parents will be logged and kept in the student's file.
- F. Independence Academy provides in-depth training annually to staff. A current list of all physical restraint (CPI) trained staff is made available to parent/guardians upon request.

Grievance Procedure

This grievance procedure is established to ensure methods 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 Principal/Coordinator or Executive Director of the Collaborative.

The Principal/Coordinator will meet with the complainant within ten (10) school days of receipt of the complaint and will notify the Executive Director of the Collaborative.

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 Executive Director and the Department of Elementary and Secondary Education.

A written report will be developed by the Principal/Coordinator and provided to the complainant.

EMERGENCY REMOVAL

If a student's continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption, the Principal/Coordinator shall temporarily remove the student from the school. This temporary removal shall not exceed two (2) days following the day of the emergency removal and the sending school district shall be immediately notified of the removal. Additionally, the Principal/Coordinator shall make immediate and reasonable efforts to orally notify the student and student's parent of the emergency removal, the reason for the emergency removal, and the other information required in a short-term suspension notification. The short-term suspension notice shall be provided in writing to the student and parent. The opportunity for a hearing with the Principal/Coordinator shall occur within two (2) school days, unless otherwise extended by the school and parent. A decision regarding the student's continued suspension or other removal shall be rendered the same day as the hearing and written notice shall be provided the following school day. This written notice shall include all the information required based on the type of discipline imposed (short-term suspension, in-school suspension, long-term suspension, or expulsion).

The Principal/Coordinator may also remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on a student's misconduct. This type of removal is not subject to the procedures for suspension and expulsion outlined in this policy.