



INDEPENDENCE ACADEMY

Student Handbook

2020-2021

APPROVED BY THE NORTH RIVER COLLABORATIVE BOARD OF DIRECTORS
SEPTMEBER 27, 2019

NORTH RIVER COLLABORATIVE

Independence Academy



460R Belmont Street
Brockton Massachusetts
Phone #508-510-4091
Fax # 508-857-0815
www.iarecoveryhs.org

Welcome to Independence Academy!

I would like to welcome you to the Independence Academy community! As the principal 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 students an opportunity to develop and grow as individuals where they can make positive changes in their life and finish their high school education. Our mission is to engage students in a process of change where they can improve their health and wellness, live a self-directed life, and strive to reach their full potential.

At our school we believe that for students to experience success in school and in life that they need to develop healthy relationships and experience positive connection with others. At Independence Academy our first priority is to create a safe, supportive environment where students can be vulnerable and develop a true sense of who they are as an individual so that they can grow socially, emotionally and academically. Additionally, we firmly believe that every student deserves the opportunity to receive 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.

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.

This handbook serves as a guide for us as we implement a unique, individualized and evidenced-based academic program while providing an unparalleled level of social and emotional support through our counselors. The policies and procedures that are outlined here will assist us in ensuring the safety, security and success of all students who attend.

Much Success,

Ryan Morgan
Principal/Director

Table of Contents

INTRODUCTORY INFORMATION		Pg
North River Collaborative Mission Statement		1
Independence Academy Mission Statement		1
Independence Academy Vision Statement		1
Independence Academy Guiding Principles		1
Disclaimer		2
Student Responsibilities/Core Values		3
2020-2021 School Year Calendar		6
ACADEMIC INFORMATION		
School Hours		7
Grading		7
Progress Reports/Report Cards		7
Student Transcripts		7
Homework		8
MCAS		8
Graduation Requirements		8
Guidance Services		8
Health Services		9
Medication Policy		9
STUDENT LIFE INFORMATION		
Attendance Information/Procedures		10
Notification of Absence		10
Excused Absences		12
Religious Holy Day Observances		12
Re-Entry Meeting Procedure		12
Tardiness		13
Make-Up Work		13
No School Announcements		13
Dismissals		13
Withdrawing from School		14
Leaving School Without Permission		14
Classroom Expectations		14
Outdoor Restrictions		15
Dress Guidelines		15
Food and Beverage		15
School Lunch		15
Age of Majority		16
Search and Seizure Policy		16

Automobile Policy	16
Transportation	17
Visitor Policy	17
Field Trips	17
Fire Drills	17
Lost and Found	18
Liaison Visits	18
Cell Phone Policy	18
Internet Acceptable Use Policy	18
Prohibited Use of the Network	19
Student Behavior Code of Conduct	19
RECOVERY INFORMATION	
Maintenance of Sobriety	19
Substance Use Screening Policy	20
Recovery Stability (Relapse Policy)	21
Possession of Drugs/Alcohol	23
MASSACHUSETTS LAWS AFFECTING STUDENTS	
Tobacco-Free Environment	23
Weapons, Controlled Substances, Assaulting School Staff - MGL Chapter 71, Section 37H	23
Felony Complaint or Conviction of a Student - MGL Chapter 71, Section 37H ½	25
Other Suspension or Expulsion - MGL Chapter 71, Section 37H ¾	26
Non-Discrimination and Harassment Policy and Complaint Procedure	28
Sex Discrimination and Harassment Policies and Procedures	37
Sexual Education – Notice to Parents	47
Educational Records	47
Directory Information Records	48
Student Confidentiality/Records	48
Bullying/Cyberbullying	49
Hazing	52
Wellness Policy	53
Policy on Teen Dating Violence	57
Gambling	57
Property Maintenance	58
Liability	58
Trading	58
Behavioral Interventions	58
Suspension and Termination Policies	59
Due Process for Students with Special Needs	64
Involvement with Law Enforcement	65
Investigation Conducted on School Grounds	66
Physical Restraint Policy	67
Emergency Removal	70
Collaborative Policy on Alcohol, Tobacco and Drug Use by Students	71
Teaching about Drugs, Alcohol, and Tobacco	72
Video Recording Policy	72

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

Our mission is to engage students in recovery in a process of change through which they improve their health and wellness, live a self-directed life and strive to reach their full potential.

Independence Academy Vision Statement

Our vision is to build a community where identification of children who possess risk factors associated with substance use, mental health and other challenges is robust and interventions are available, appropriate and effective.

Independence Academy Guiding Principles

Independence Academy is an alternative, public, day-school serving a specialized population. Our students have determined that their use of substances is having a negative impact on one or more major areas of their life and they have committed to their recovery; a process of change. Our primary purpose is to support students in their recovery from substance use as they work towards obtaining a high school education. In order to support a life in recovery, Independence Academy focuses on four dimensions of each student's life: Health, Home, Purpose and Community.

At Independence Academy we believe that:

- Recovery emerges from hope
- Recovery is person-driven
- Recovery occurs via many pathways
- Recovery is holistic
- Recovery is supported by peers and allies
- Recovery is supported through relationships and social networks
- Recovery is culturally based and influenced

- Recovery is supported by addressing trauma
- Recovery involves individual, family and community strengths and responsibility
- Recovery is based on respect

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 two things: a student's continued commitment to recovery 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 others' education. Students at Independence Academy are expected to actively participate in their education and commit to the following five core values:

FIVE CORE VALUES

- I. 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. Personal Development and Wellness are the cornerstones of our program. Students are actively engaged in our wellness activities and in daily personal development practices. Students believe that recovery is a way of life that is built upon a foundation of abstinence from substance use.

- II. 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. Students are actively working towards developing a world view which includes tolerance, acceptance, respect and appreciation for others. Students do not engage in behavior in any form which threatens the safety and/or recovery efforts of other students.

- III. 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 live a self-directed life and reach their full potential. Students are engaged in their education and actively work to develop and maintain a positive school routine.

- IV. Commitment to 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. For any student to have a beneficial experience at

Independence Academy, they must commit to honesty and are expected to be forthcoming at all times.

V. Commitment to Social/Emotional Learning- Social and emotional learning (SEL) enhances students' capacity to integrate skills, attitudes, and behaviors to deal effectively and ethically with daily tasks and challenges. Our social/emotional curriculum is integrated throughout our school day and promotes intrapersonal, interpersonal, and cognitive competence. Students develop competency in five core areas:

(1) Self-Awareness- The ability to accurately recognize one's own emotions, thoughts, and values and how they influence behavior. The ability to accurately assess one's strengths and limitations, with a well-grounded sense of confidence, optimism, and a "growth mindset."

- Identifying emotions
- Accurate self-perception
- Recognizing strengths
- Self-confidence
- Self-efficacy

(2) Self-Management- The ability to successfully regulate one's emotions, thoughts, and behaviors in different situations — effectively managing stress, controlling impulses, and motivating oneself. The ability to set and work toward personal and academic goals.

- Impulse control
- Stress management
- Self-discipline
- Self-motivation
- Goal-setting
- Organizational skills

(3) Social Awareness - The ability to take the perspective of and empathize with others, including those from diverse backgrounds and cultures. The ability to understand social and ethical norms for behavior and to recognize family, school, and community resources and supports.

- Perspective-taking
- Empathy
- Appreciating diversity
- Respect for others

(4) Relationship Skills- The ability to establish and maintain healthy and rewarding relationships with diverse individuals and groups. The ability to communicate clearly, listen well, cooperate with others, resist inappropriate social pressure, negotiate conflict constructively, and seek and offer help when needed.

- Communication

- Social engagement
- Relationship-building
- Teamwork

(5) Responsible Decision Making- The ability to make constructive choices about personal behavior and social interactions based on ethical standards, safety concerns, and social norms. The realistic evaluation of consequences of various actions, and a consideration of the well-being of oneself and others.

- Identifying problems
- Analyzing situations
- Solving problems
- Evaluating
- Reflecting
- Ethical responsibility

School Calendar

INDEPENDENCE ACADEMY | 2020-2021 CALENDAR

AUGUST '20							1
S	M	T	W	Th	F	S	
						1	
2	3	4	5	6	7	8	
9	10	11	12	13	14	15	
16	17	18	19	20	21	22	
23	24	25	26	27	28	29	
30	31						

31 PD Day Staff Only

FEBRUARY '21							15
S	M	T	W	Th	F	S	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28							

Winter Recess
(2/15 - 2/19)

SEPTEMBER '20							21
S	M	T	W	Th	F	S	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	
27	28	29	30				

September 1-4, 8-11, 14
Professional Development
STAFF ONLY
15 Students Report

MARCH '21							23
S	M	T	W	Th	F	S	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28	29	30	31				

5 Term 3 Progress Reports
19 No School (Prof. Dev)

OCTOBER '20							21
S	M	T	W	Th	F	S	
				1	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	
18	19	20	21	22	23	24	
25	26	27	28	29	30	31	

13 Term 1 Progress Reports
12 No School

APRIL '21							16
S	M	T	W	Th	F	S	
				1	2	3	
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	
18	19	20	21	22	23	24	
25	26	27	28	29	30		

2 No School
9 Term 3 Ends
Spring Recess
(4/19 - 4/23)

NOVEMBER '20							18
S	M	T	W	Th	F	S	
1	2	3	4	5	6	7	
8	9	10	11	12	13	14	
15	16	17	18	19	20	21	
22	23	24	25	26	27	28	
29	30						

3 No School (Prof. Dev)
11 No School
Veterans' Day
17 Term 1 Ends
Thanksgiving Recess
(11/26 - 11/27)

MAY '21							20
S	M	T	W	Th	F	S	
						1	
2	3	4	5	6	7	8	
9	10	11	12	13	14	15	
16	17	18	19	20	21	22	
23	24	25	26	27	28	29	
30	31						

14 Term 4 Progress Reports
31 No School
Memorial Day

DECEMBER '20							16
S	M	T	W	Th	F	S	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	
27	28	29	30	31			

22 Term 2 Progress Reports
Holiday Break
(12/23 - 12/31)

JUNE '21							12
S	M	T	W	Th	F	S	
		1	2	3	4	5	
6	7	8	9	10	11	12	
13	14	15	16	17	18	19	
20	21	22	23	24	25	26	
27	28	29	30				

16 Term 4 Ends
170th Day of School with no cancellation days
23 170th Day of School with 5 cancellation days

JANUARY '21							19
S	M	T	W	Th	F	S	
					1	2	
3	4	5	6	7	8	9	
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	
24	25	26	27	28	29	30	
31							

1 No School
New Year's Day
18 No School/MLK Day
29 Term 2 Ends

SCHOOL HOURS:
Monday, Tuesday, Thursday, Friday:
9:00AM - 3:35PM
Wednesday:
9:00AM - 12:15PM

For updated calendar information throughout the year please visit:
www.iarecoveryhs.org

ACADEMIC INFORMATION:

SCHOOL HOURS:

MONDAY - 9:00 AM – 3:35 PM
TUESDAY - 9:00 AM – 3:35 PM
WEDNESDAY - 9:00 AM – 12:15 PM
THURSDAY - 9:00 AM – 3:35 PM
FRIDAY - 9:00 AM – 3:35 PM

GRADING SYSTEM:

GRADING SCALE:

Independence Academy operates on a two semester calendar year that includes four grading terms. Minimum passing grade is set by each student's sending school district.

Grades on transcripts and report cards are literal and the numerical averages are reported to districts. If a student has a significant amount of excused absences in a given marking period or their enrollment occurs in the middle of a marking period, they may receive a grade of "Incomplete (I)" and receive a grade once their work is made up or complete. Our numerical averages typically follow this scale:

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

REPORT CARDS/PROGRESS REPORTS:

Independence Academy academic reports are issued to the students and the school districts at the mid-point and end of each quarter (*see School Calendar pg. 6*). Report cards are sent electronically via email to all sending districts of students. It is the expectation that the sending district incorporates the students grades earned at Independence Academy into the student's transcript.

STUDENT TRANSCRIPTS:

Any student who enrolls at Independence Academy is expected to be enrolled in their district of residence. When a student is accepted at IA, the sending district is notified and there is regular communication around each students' grades, attendance and discipline. All grades are reported back to the district of residence as they remain the custodian of

the student's permanent record, including the student transcript. Any request for an official transcript of student grades must be made to the district of residence

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 wellness/personal development 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. For a schedule of MCAS testing for the current school year please visit www.iarecoveryhs.org.

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. In rare circumstances, Independence Academy and student's sending district may agree to confer a diploma based on alternative graduation requirements set forth by Independence Academy and the student will receive an Independence Academy diploma. Each year a graduation ceremony is held at Independence Academy for those students who have met their local graduation requirements. It is up to each student's sending district as to whether a student may also participate in their sending district's commencement exercises. It is the responsibility of the student and parent/guardian to determine whether a student is eligible to participate in their sending school's graduation ceremony.

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 the guidance counselor to set up an individualized post-secondary plan. The guidance counselor will also continually work with each 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.

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 notify the school as soon as possible.

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:

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.
- When sending over-the-counter medication to school parents are expected to call beforehand to inform the nurse, principal, or designee 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. All medication must be in original packaging.

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.
- The appropriate forms must be completed by the doctor and parent or guardian.
- 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.

- Medication must be brought into school by the parent/guardian or designee that is over 18 years old, with the exception of medications that can be self-administered pursuant to a medication administration plan developed with the nurse (limited to inhalers, epi-pens, enzymes for cystic fibrosis, and glucose monitoring and insulin delivery systems for diabetes).

ALL MEDICATION THAT IS NOT SENT IN FOLLOWING THIS PROTOCOL WILL BE CONFISCATED AND WILL NOT BE DISSEMINATED UNTIL PROPER DOCUMENTATION IS RECEIVED. A student found in possession of unauthorized medication may face disciplinary action. Under no circumstance should any student carry medication on his/her/their person.

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. 12*).

At 30-day checkpoints any student who misses more than 10% of the scheduled school days will be required to meet with the principal or designee 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 home each morning for any student who is absent that has not notified the school.

In the event that a student has five (5) or more unexcused absences in a school year, a letter will be sent to the parent/guardian and the student's sending district informing them of the student's attendance.

The principal or designee will 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 requires additional supports and/or resources.

ATTENDANCE:

Regular and consistent attendance is essential to learning, to improving the achievement of all students, to maintaining a respectful school climate and to a student's successful school performance. The goal of the student attendance policy is to promote consistent, daily school and class attendance and subsequent emotional, mental, social and academic growth. The expectation is that all students will have, at a minimum, at least ninety percent (90%) attendance in school and in each class during each school day. A student who is truant, frequently absent or frequently tardy to school without adequate reason is in violation of this policy.

Parents/guardians/caregivers will be notified when a student has any unexcused absence, or unexcused tardy. The school must ensure that it notify the student's parents/guardians/caregivers of a student's absence within three (3) days of the absence if the school has not received notification of the absence from the student's parent/guardian/caregiver. When a child has been tardy five (5) times, has been absent five (5) days or ten (10) half-days in the previous six (6) months for which there is no lawful excuse for said tardies or absences, misses five (5) or more school days unexcused in a school year or two (2) or more periods unexcused in a school year, it shall be the duty of the principal or designee in which such child is enrolled to report such attendance record to the Superintendent of Schools. The principal or designee also shall make a reasonable effort to meet with the parent/guardian/caregiver of the student who has five (5) or more unexcused absences to develop action steps for student attendance. The action steps shall be developed jointly and agreed upon by the school principal, head of upper school or designee, the student and the student's parent/guardian/caregiver and with input from other relevant school personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies, as appropriate.

1. A 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. If a call is not made, a note from the parent/guardian/caregiver or the student's medical provider is due on the day that the student returns to school explaining the absence.
3. In instances of chronic or irregular absence reportedly due to illness, the school principal or designee may request a physician's statement certifying such absences to be justifiable.
4. If an extended absence of a student is foreseen, the parent/guardian/caregiver should contact the principal to make arrangements for the completion of academic requirements.

5. A student who is chronically absent or tardy will be referred to the principal for corrective action. The sending district will be notified regularly of each student's attendance at Independence Academy.

6. A letter will be sent from the principal to a student's parent/guardian as well as their sending district after five (5) unexcused absences.

Students should be familiar with their own sending district's attendance requirement for earning credit in courses for which they are enrolled. Some districts will not award academic credit, despite a passing grade, for a course if a student exceeds a maximum number of unexcused absences in a given marking period.

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 (School cancellation in student's home district but not at IA)
8. Attendance at an appointment/event that is in-line with the student's academic, recovery or post-secondary plan (e.g. Educational Testing, College Tour, Recovery Event). Prior approval from the principal is required.

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. If 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 and to ensure a successful transition back into the school community.

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 counseling staff to develop a strategy to address this challenge. Students who arrive late to school must sign in at the front desk.

MAKE-UP WORK:

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 and North River Collaborative will work together to establish a start time and each family will be contacted individually as early as possible.

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. If school is canceled in the town that a student resides in, they are not expected to be present. (*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. A reasonable effort will be made by the counseling staff to conduct an exit interview as part of the withdrawal process for all students.

LEAVING SCHOOL WITHOUT PERMISSION:

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

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. If a student leaves school without permission, the student will not be permitted to take his/her/their regularly scheduled transportation at the end of the day due to safety concerns. Any student who leaves school without permission will be subject to disciplinary action. A student who continues to leave school without permission may be terminated due to safety concerns.

CLASSROOM/SCHOOL 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. When a student continuously demonstrates an inability or unwillingness to adhere to Independence Academy's Five Core Values, a meeting will be held between the student, school personnel, and the student's support network to address strengths and needs and develop a realistic plan for the student. If a student is consistently unable to adhere to the Five Core Values despite documented intervention efforts by Independence Academy staff, that student may be unenrolled and transitioned back to their sending district. Data is collected on a regular basis throughout the day to assess all students in several areas and specifically, in Engagement and Productivity in their classes/groups. Students are expected to be engaged and productive on a consistent basis.

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 (i.e. “flags”, bandanas).
- Tattoos or other markings which denote gang membership, support or affiliation or which are determined by the principal to be offensive in any way 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 or they may purchase a lunch at Independence Academy through the Brockton Public Schools lunch program. For more information please visit <https://www.bpsma.org/schools/school-lunch-program> for more information. Students are expected to keep their lunch account current and can bring payment into Independence Academy in accordance with the procedures outlined on the Brockton Public Schools – School Lunch Program website. Any student who meets the free and reduced lunch requirements may apply for free and reduced lunch by completing the necessary forms. Lunchtime is “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:

Lab tables, desks, laptops and other equipment and facilities provided by the school for use by the students are the property of North River Collaborative and are subject to search at any time for any reason.

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. Such tests will be administered by a police officer. 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.

AUTOMOBILE POLICY:

Students who have a driver's license and who own or have access to a registered and insured vehicle 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

Students who do drive to school are not permitted in their vehicle during the school day without permission from the principal or his/her designee.

TRANSPORTATION:

Transportation provided to students by North River Collaborative (NRC) is a privilege and is not guaranteed to any student. Independence Academy and NRC reserve the right to revoke the transportation of any student if the student is unable or unwilling to follow the expectations on the van. Students who are transported to and from school by North River Collaborative must notify the transportation office (781-878-6056 x4) 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. In the event that a student utilizing North River Collaborative Transportation has five (5) consecutive unexcused absences, their transportation will be put on hold until a meeting is held with the principal or designee. A parent/guardian does not have the authority to take a student's transportation off of hold.

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.

Students are not allowed to be picked up from school from anyone that is not on their emergency contact list.

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 any 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:

Personal belongings that are lost during the course of the school day are not the responsibility of the school. A student should report any missing items to the staff as soon as possible. Any 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 on a regular basis and such 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:

Recent studies show a coexisting relationship between problematic cell phone use and substance use. The use of cell phones can be disruptive to the learning environment and has been shown to trigger anxiety and stress among young people. Independence Academy aims to educate students on the effective use of technology and the many benefits of cell phones and to help students self-regulate their use of their device. Students are permitted to carry their cell phone with them during the school day as long as it is not disrupting their learning. Any staff member at the school has the right to limit a student's use of their cell phone. Any student who continues to use their phone despite verbal redirection from staff, will be asked to put their phone in a designated area for the remainder of the class. The student will get their phone back at the end of the class period. 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.

Students are strictly prohibited from recording any other student and/or staff without explicit consent of the subject as it is against the law to do so in the state of Massachusetts. Students may be subjected to discipline if this occurs.

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:

Use of the Independence Academy's computers, Internet, and email are not private. At any time, and without prior notice, Independence Academy reserves the right to monitor, inspect, copy, review, and store any and all usage of technology devices. Internet traffic may be monitored by the Independence Academy at any time to ensure compliance. Students should not have any expectation of privacy regarding digital technology resources. Any device used (including personal cell phones and laptops) to access Independence Academy's internet are subject to the school's Internet Acceptable Use Policy. 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*).

RECOVERY INFORMATION:

MAINTENANCE OF SOBRIETY:

Students attending Independence Academy have been accepted to the school because of their stated commitment to recovery. We recognize that for our students there are many different pathways to recovery, and each individual determines his or her own way. Independence Academy is committed to meeting our students where they are in their relationship with drugs and alcohol and providing directly or making

referrals to the appropriate supports. We seek to provide a safe, supportive, and culturally competent environment grounded in restorative practices for youth in all stages of recovery so that they can develop the necessary skills to build upon their own strengths needed for personal growth and academic success. We believe recovery is a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential. Recovery is a way of life that, for our students, is built upon a foundation of abstinence. For the safety of the overall recovery community in our schools, it is important that youth are committed to being abstinent from drugs and alcohol while enrolled in recovery high schools. Individuals actively using who have demonstrated in their words and/or actions no intent to change their behavior should not be enrolled in a recovery high school at that time.

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 attend and participate in all in-school recovery activities as well as school-supported activities outside of school.
- Students must engage with the counseling staff at Independence Academy and be forthcoming regarding their substance use.
- 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.
- Students must commit to working with recovery and/or counseling supports outside of school (i.e. therapist, recovery coach, therapeutic mentor)

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

SUBSTANCE USE SCREENING:

Students attending the recovery high school must agree to random drug screening and upon reasonable suspicion of relapse. All students will be screened as part of the

intake process and re-entering after a period of consecutive absences. All urine screens are conducted in the nurse's office and all students will be searched prior to providing a urine sample. At times it is necessary to engage an outside agency for a more in-depth analysis of a screen (i.e. test for substances that are not included in our panel, obtain a quantitative level of a particular substance). In all cases a student's insurance provider information will be given to the outside agency for billing. While most insurance companies will cover the cost of drug testing to an extent, some insurance companies will only cover a specified amount of tests in a period of time. Independence Academy will work with each family to determine insurance coverage for the cost of testing at the outside agency, however, any costs incurred by the outside agency for urine screening is the responsibility of the student's family/guardian.

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 the recovery counselor or designee 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, therapist, mentor, etc.).

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 that have not been previously reported;
- a student discloses use after a urine sample is requested;
- 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 or is known to consume a masking or cleansing agent in an attempt to provide a negative screen.

When it is determined by the recovery counselor that 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 (see *Emergency Removal*).
- 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 as it jeopardizes the integrity of the recovery community.

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*). If there is reasonable suspicion that a student is either under the influence of substances and/or in possession of a substance or paraphrenia during school hours, Independence Academy reserves the right to search that student's belongings and person. The student may be assessed clinically and/or medically to determine if further action required or medical attention is necessary. In the event that a student or their possessions are subjected to a search where drugs and/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. Any student found to be under the influence during the school day will be required to be dismissed immediately by a parent/guardian or may be transported for further medical attention.

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 (including but not limited to cigarettes, e-cigs, "vapes", juuls) on school grounds during normal school hours. Any violation of this policy will result in disciplinary action. Students who are found to be using any type of tobacco product on school grounds will be sent home and suspended from school the next school day.

Weapons/Controlled Substance/Assaulting School Staff Violations

The carrying or wearing of firearms, knives of any size, or any object, (e.g., guns, knives, screwdrivers, scissors, blunt objects, spiked bracelets, chains, projectiles) 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/her discretion, decide to suspend rather than terminate a student who has been determined by the principal to have violated either paragraph (a) or (b). In all cases the Department of Children and Families (DCF), the Local Education Agency (LEA) and the chief of police in the student's town of residence will be notified.
- (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 ^¾ 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 ^½ 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.

Non-Discrimination and Harassment Policy and Complaint Procedure

The North River Collaborative has a commitment to maintaining a workplace and educational environment where bigotry and intolerance, including discrimination such as harassment on the basis of race, color, national origin, religion, sex, disability, age, sexual orientation, military service, gender identity or expression, pregnancy and pregnancy-related medical conditions are not tolerated. Discrimination, including harassment, is contrary to the mission of the North River Collaborative and its commitment to equal opportunity in education. Sex discrimination is addressed in a separate policy.

The North River Collaborative does not discriminate against students, parents, employees, or the general public. No person shall be excluded from or discriminated against in admission to the North River Collaborative, or in obtaining the advantages, privileges, and courses of study of the North River Collaborative on account of race, color, sex, gender identity or expression, religion, national origin, pregnancy or pregnancy-related medical condition, disability, or sexual orientation (M.G.L. c. 76 §5). Additionally, the North River Collaborative does not tolerate harassment based upon race, color, sex, gender identity or expression, religion, national origin, pregnancy or pregnancy-related medical condition, disability, or sexual orientation (603 CMR 26.08). Sex discrimination is addressed in a separate policy.

For purposes of this policy and procedure, "school" includes school-sponsored events, trips, sports events, similar events connected with school or employment. Any retaliation against an individual who has complained about discrimination, including harassment, or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment, or retaliation complaint, is also unlawful and will not be tolerated.

The North River Collaborative takes allegations of discrimination, including harassment, seriously and will respond promptly to complaints. Where it is determined that conduct that violates the law and this policy has occurred, the North River Collaborative will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate.

"Discrimination" includes conduct that excludes a person from participation in, denies an individual the benefits of, or otherwise subjects an individual to different treatment on the basis of race, color, national origin, religion, sex, disability, age, sexual orientation, military service, gender identity or expression, pregnancy and

pregnancy-related medical conditions, or any other classification protected by law. Harassing conduct involving these bases can be a form of discrimination. Sex discrimination is addressed in a separate policy.

"Harassment" is defined as unwelcome conduct, whether verbal or physical, that is based on: race, color, national origin, religion, disability, age, sexual orientation, military service, gender identity or expression, pregnancy and pregnancy-related medical conditions. Harassment is prohibited by the North River Collaborative and violates the law.

Examples of harassment include:

- Display or circulation of written materials or pictures that are degrading to a person or group based upon the criteria listed above.
- Verbal abuse or insults about, directed at, or made in the presence of an individual or group described above because of one of the criteria listed above.
- Any action or speech that contributes to, promotes, or results in a hostile or discriminatory environment to an individual or group described above.
- Any action or speech that is sufficiently severe, pervasive, or persistent that it either (i) interferes with or limits the ability of an individual or group (as described above) to participate in or benefit from a school program or activity of the North River Collaborative; or (ii) creates an intimidating, threatening, or abusive educational environment.

Many forms of harassment have been recognized as violations of the civil rights laws (including Section 504 of the Rehabilitation Act of 1973, the ADA, Title VI, and state statutes like M.G.L. 151C) by federal courts, state courts, the U.S. Department of Education, Office for Civil Rights, and the Massachusetts Commission Against Discrimination.

The definitions of discrimination and harassment are broad. Unwelcome conduct, whether intended or not, that has the effect of creating a school environment that is hostile, offensive, intimidating, or humiliating may constitute discrimination or harassment.

Below, you will find various Civil Rights laws that govern the prohibition of discrimination and harassment. The complaint procedure for reporting complaints of discrimination and harassment based on these laws can be found below:

Various Civil Rights Laws:

Title II: *Title II of the Americans With Disabilities Act of 1990*

Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of educational programming and activities.

Title VI: Title VI of the Civil Rights Act of 1964

Prohibits discrimination, exclusion from participation, and denial or benefits based on race, color, and national origin.

Section 504 of the Rehabilitation Act of 1973.

Prohibits discrimination, exclusion from participation, and denial of benefits based on disability. Section 504 of the Federal Rehabilitation Act of 1973 provides that no otherwise qualified handicapped individual in the United States of America shall solely, by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance. All staff members are required to ensure that we are in compliance with this law and are also required to report any violation or non-compliance issues.

MGL, Ch. 76, Section 5: Massachusetts General Laws, Chapter 76, Section 5 (Commonly known as Chapter 622)

Prohibits discrimination in all public schools on the basis of race, color, sex, national origin, religion and sexual orientation. The law reads as follows: “No person shall be excluded from, or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, gender, religion, disability, national origin or sexual orientation.” This law makes it clear that all aspects of public school education must be fully open and available to members of both sexes and of minority groups. No school may exclude a child from that public school on account of race, color, sex, religion or national origin of such child. On June 24, 1975, the Massachusetts Board of Education approved regulations for Chapter 622. These regulations address five areas of school policy: school admissions, admission to courses of study, guidance, course content, and extra-curricular and athletic activities.

Complaint Procedure: Reporting Complaints of Discrimination and Harassment

If any North River Collaborative student, parent, or employee believes, in good faith, that he or she has been subjected to sexual harassment or any other form of harassment or discrimination described above, the individual has a right to file a complaint with the North River Collaborative. This may be done informally or formally, as described below.

Teachers or staff members who observe or receive reports of incidents of harassment or discrimination involving students shall report such incidents immediately to the

student's Principal/Program Coordinator. Teachers or staff members aware of harassment or discrimination involving any employee shall report such incidents to the Principal/Program Coordinator or the Collaborative's Civil Rights Coordinator listed below.

Please note that while these procedures relate to the North River Collaborative's policy of promoting an educational and workplace setting free from discrimination and harassment, including sexual harassment, as detailed further in this policy, these procedures are not designed nor intended to limit the North River Collaborative's authority to discipline or take remedial action for conduct which the North River Collaborative deems unacceptable.

Complaint Procedures

i. Contacts

Clarice Doliber- North River Collaborative Civil Rights Coordinator for Title VI (race, color, national origin); Section 504 (disability); Title II of the ADA (disability); Religion, Sexual Orientation and Age is the Assistant Executive Director- 198 Spring Street, Rockland, MA 02370 (781) 878-6056. Ext. 154

Principal or Program Coordinators:

North River School Principal/Program Coordinator- 525 Beech Street, Rockland, MA 02301 (781) 871-8320

Independence Academy Principal/Program Coordinator- 460R Belmont Street, Brockton, MA 02301 (508) 510-4091

Learning Centers Program Coordinator- 198 Spring Street, Rockland, MA 02370 (781) 878-6056

Transportation Director- 198 Spring Street, Rockland, MA 02370 (781) 878-6056

Students, parents, or employees who wish to initiate the formal complaint process may put their complaint in writing to the building Principal or Program Coordinator or the North River Collaborative Civil Rights Coordinator. Any Principal or Program Coordinator receiving such a complaint shall immediately forward the complaint to the Civil Rights Coordinator listed above, who will then begin the formal procedure described below.

Any teacher or other employee who receives a formal complaint of discrimination or harassment shall immediately forward the complaint to the building Principal or Program Coordinator or Civil Rights Coordinator. Any Principal or Program Coordinator receiving such a complaint shall immediately forward the complaint to the Civil Rights Coordinator listed above, who will begin the formal procedure described below.

The Civil Rights Coordinator shall handle the investigation of a formal complaint or oversee the investigation of a formal complaint unless the Executive Director chooses to investigate the complaint or designates another person to investigate it on his/her behalf. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Executive Director should be submitted to the chairperson of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.

ii. Disciplinary Action

If it is determined that harassment or discrimination has occurred by a student or employee, then disciplinary action may be taken appropriate to the circumstances regardless if it is handled through the informal or formal resolution process. Such action may include consequences up to and including termination of employment for staff and up to and including suspension or expulsion for students.

iii. Internal Complaint Procedure

1. Informal Resolution of Discrimination and Harassment Complaints

Before initiating the formal procedure, the student/parent/employee may wish, if possible, to resolve the complaint on an informal basis through discussion.

A student or parent can discuss the issue with the building Principal or Program Coordinator. An employee can discuss the issue with his/her Principal or Program Coordinator.

The person receiving the complaint shall attempt, within his/her authority, to work with the individual to resolve the issue fairly and expeditiously within ten (10) working days of receiving the complaint. If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.¹

Any resolution or disciplinary action taken by a Principal or Program Coordinator as a result of an investigation or discussion during the

¹ Informal resolution may not be appropriate in all cases, including but not limited to more severe or egregious allegations of discrimination or harassment.

informal resolution process should be put to writing and forwarded to the Civil Rights Coordinator.

2. Formal Resolution of Discrimination and Harassment Concerns:

A student, parent, or employee who is not satisfied with the informal resolution process or who chooses not to participate in the informal resolution process may initiate the formal complaint procedure at any time by putting the complaint to the Principal/Program Coordinator or Civil Rights Coordinator. An employee, at the request of the student, may put the complaint in writing for the student. Principals or Program Coordinators who receive written formal complaints should immediately forward the complaint to the Collaborative Civil Rights Coordinator.

a. What the complaint should include

The student/parent/employee's complaint should include: the name of the individual making the complaint, the name of the individual aggrieved, the name of the individual(s) accused of committing the harassing or discriminatory practice, the location of the school/department where the alleged discriminatory practice occurred, the basis for the complaint, witnesses (if any) and the corrective action the student/parent/employee is seeking.

If the complaint does not contain this information, the Principal/Program Coordinator or Collaborative Civil Rights Coordinator will ask the complainant for this information.

b. When to file a complaint

Efforts should be made to file such complaint within twenty (20) calendar days after the alleged discriminatory practice occurred in order for an expeditious investigation to be conducted, unless extenuating circumstances exist. However, the North River Collaborative will investigate any complaint no matter when it is filed.

c. What will happen after the complaint is filed

Promptly after receiving the complaint, the Civil Rights Coordinator or designee, as permitted pursuant to Section III(B)(i) of this section) will conduct the necessary investigation, including making good faith efforts to gather all relevant evidence for consideration. In the course of his/her investigation, the Civil Rights Coordinator or designee shall contact those individuals that have been referred to as having

pertinent information related to the complaint. This process will generally include, at a minimum, contacting the complainant; and the person against whom the complaint was filed and/or the appropriate authority involved; interviewing witnesses; and considering relevant documentation. During this process, complainants will have the opportunity to present witnesses and other relevant evidence to the Civil Rights Coordinator or designee conducting the investigation.

The Civil Rights Coordinator or designee should use appropriate interim measures during the investigation of a complaint to ensure that a complainant is free from discrimination and/or harassment during the pending investigation.

Barring extenuating circumstances, the Civil Rights Coordinator or designee, will complete the investigation as soon as practicable and normally not later than thirty (30) working days. When more than thirty (30) working days is required for the investigation, the Civil Rights Coordinator or designee shall inform the complainant that the investigation is still ongoing.

After completing the formal investigation of the complaint, the Civil Rights Coordinator or designee shall make a decision on the complaint and shall inform the complainant and the person(s) against whom the complaint was made of the results of the investigation in writing. In the case of a student who is found to have violated this policy, the Civil Rights Coordinator or designee will take appropriate action. In the case of an employee who is found to have violated this policy, the Civil Rights Coordinator or designee may refer the matter to the Principal/Program Coordinator or Executive Director for appropriate action. In all cases, if the Principal/Program Coordinator is the designee, then he/she can make a decision on the complaint, inform the complainant and the person(s) against whom the complaint was made of the results in writing, and take appropriate action if necessary provided they first notify the Civil Rights Coordinator once the complaint is made.

d. What you can do if you are not satisfied with the outcome of the formal complaint procedure

If the complainant is not satisfied with the decision, he/she can appeal this finding to the Executive Director within five working days.

The Executive Director will review the information considered by the Civil Rights Coordinator or designee, collect any additional information he/she believes is necessary to make an informed

decision and shall issue a written decision to the complainant and the person against whom the complaint was made. Again, strict timelines cannot be set for conducting the investigation because each set of circumstances is different. However, the Executive Director will make sure that the complaint is handled as quickly as feasible and will strive to complete the investigation within ten (10) working days.

If the complainant is not satisfied with the Executive Director's decision, or if he/she does not choose either of the internal resolution processes, he/she may follow the external complaint procedure described below.

Contact information for the Executive Director is:

198 Spring Street, Rockland, MA 02370 (781) 878-6056

iii. External Complaint Procedure

Any student, parent, or employee who chooses not to use the Collaborative's internal complaint procedures or who is not satisfied with the Collaborative's internal complaint procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency. Some of these agencies (MCAD and EEOC) have a short window in which a claim can be filed (300 days).

1. For complaints related to discrimination/harassment of students:

The Office for Civil Rights US Department of Education 8th Floor
5 Post Office Square, Suite 900 Boston, MA 02109-3921 Telephone:
617-289-0111 FAX: 617-289-0150 TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone: 617-994-6000
TTY: 617-994-6196

2. For complaints related to discrimination/harassment of parents:

The Office for Civil Rights US Department of Education
8th Floor
5 Post Office Square, Suite 900

Boston, MA 02109-3921
Telephone: 617-289-0111
FAX: 617-289-0150
TDD: 877-521-2172

3. For complaints related to discrimination/harassment of employees:

The Office for Civil Rights
US Department of Education 8th Floor
5 Post Office Square, Suite 900
Boston, MA 02109-3921
Telephone: 617-289-0111
FAX: 617-289-0150
TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone: 617-994-6000
TTY: 617-994-6196

OR

The Equal Employment Opportunities Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000

IV. General Policies

1. No reprisals or retaliation shall be invoked against any person for processing, in good faith, a complaint, either on an informal basis or formal basis, or for participating in any way in these complaint procedures.
2. No reprisals or retaliation shall be invoked against any person who, in good faith, has testified, assisted, or participated in any manner in any investigations, proceeding, or hearing of a complaint or for otherwise participating in any way in these complaint procedures.
3. Whenever possible, a conference should be scheduled during a time

that does not conflict with regularly scheduled work and/or school programs.

4. The North River Collaborative will work with an individual who files a complaint of discrimination or harassment, which includes conducting an investigation and holding conferences, in order to fairly and expeditiously resolve the complaint.

Sex Discrimination and Harassment Policies and Procedures

The North River Collaborative has a commitment to maintaining a workplace and educational environment where bigotry and intolerance, including discrimination such as harassment on the basis of sex, are not tolerated. Discrimination, including harassment, is contrary to the mission of the North River Collaborative and its commitment to equal opportunity in education.

The North River Collaborative does not discriminate against students, parents, employees, or the general public. No person shall be excluded from or discriminated against in admission to the North River Collaborative, or in obtaining the advantages, privileges, and courses of study of the North River Collaborative on account of sex (M.G.L. c. 76 §5). Additionally, the North River Collaborative does not tolerate harassment based upon sex.

Definitions

In the employment context, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
- Such conduct interferes with an individual's job duties; or
- The conduct creates an intimidating, hostile or offensive work environment.

In the educational context, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct ("quid pro quo harassment");
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity ("hostile environment")

harassment"); or

- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)

The Collaborative will promptly investigate all allegations of sexual harassment of which it has actual knowledge and which are alleged to occur in the school's programs and activities, including locations, events, and/or circumstances in which the Collaborative exercises substantial control, in a way that is not deliberately indifferent.

The following additional definitions apply:

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee of the Collaborative, except that this standard is not met when the only official of the Collaborative with actual knowledge is the respondent (where the respondent is an employee). Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. Complaints will be addressed whenever the Collaborative has actual knowledge of the allegation.

"Administrative leave" means placing an employee on leave pursuant to state law. Nothing in the Title IX regulations precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process, provided that Massachusetts laws are followed.

"Consent" means cooperation in act or attitude pursuant to an exercise of free will of a conscious person with informed knowledge of the nature of the act or actions. A current or previous relationship shall not be sufficient to constitute consent. Consent will not be found when submission to the act or actions is undertaken due the influence of fear, fraud, forcible compulsion, threats, and/ or the complainant possessed any legal incapacity to consent at the time of the act or actions. Consent is a defense to all types of sexual harassment.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Deliberate indifference" means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

"Emergency removal" means the suspension or expulsion of a student on an emergency basis, consistent with state law. Nothing in the Title IX regulations precludes a Collaborative from removing a respondent from the Collaborative's education program or activity on an emergency basis, provided that the Collaborative follows all procedures under Massachusetts law, undertakes an individualized safety

and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Formal complaint means a document filed in writing by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the Collaborative investigate the allegation of sexual harassment.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Collaborative must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures

Complaints and Reports of Sexual Harassment

Upon receiving actual notice of alleged sexual harassment without a formal complaint, staff members must notify the Title IX Coordinator. The Title IX Coordinator must then contact the complainant within two school days of receiving the complaint and do the following:

- Discuss and offer supportive measures;
- Consider the complainant’s wishes with respect to supportive measures;
- Explain that supportive measures may be received with or without filing a formal complaint;
- Determine whether the complainant wishes to file a formal complaint; and
- Explain to the complainant the purpose of filing a formal complaint.

The Title IX Coordinator must document in writing the supportive measures offered/provided or why no supportive measures were offered/provided. Complainant and respondents must be offered supportive measures even if they do not file a formal complaint

If the complainant declines to file a formal complaint, the Title IX Coordinator must consider whether to sign a formal complaint and start an investigation despite the complainant's preferences. This decision may be appropriate when safety or similar concerns lead the Collaborative to conclude that a non-deliberately indifferent response to actual knowledge of Title IX sexual harassment could reasonably require the Collaborative to investigate and potentially sanction a respondent. A Title IX Coordinator's decision to override the complainant's decision not to file a formal complaint must be documented in writing along with an explanation of why this decision was necessary in order to avoid deliberate indifference.

Formal complaints may also be filed directly with the Title IX Coordinator by a complainant in person, by mail, by email, or by telephone at any time, including during non-business hours.

The contact information for the Title IX Coordinator is:

Clarice Doliber
198 Spring Street
Rockland, MA 02370
(781) 878-6056. Ext. 154

The complaint may be written by the complainant, or it will be reduced to writing by either the school employee who receives the complaint, the Program Coordinator, or the Title IX Coordinator. Whether the complaint is reduced to writing by a student, parent, or staff member, the written complaint should include the name of the complainant, the name of the alleged victim (if different), the name of the respondent, the location where the alleged discriminatory action occurred, the basis for the complaint, witnesses (if any), and the corrective action the complainant is seeking. This information will be made on or transferred to a Title IX complaint form maintained by the Collaborative.

There is no time limit or statute of limitation on timing to file a formal complaint. However, at the time of filing a formal complaint, an alleged victim must be participating or attempting to participate in a program or activity of the Collaborative. Additionally, the Collaborative has discretion to dismiss a formal complaint where the passage of time would result in the Collaborative's inability to gather evidence sufficient to reach a determination regarding responsibility, or when the Collaborative loses responsibility for the respondent (e.g., the respondent no longer attends or is employed by the Collaborative).

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the Collaborative's education program or activity, or did

not occur against a person in the United States, then the Collaborative must dismiss the formal complaint under these procedures but could investigate it under other policies and procedures. The Collaborative must send written notice of any dismissal.

Investigations to allegations of sexual harassment will be prompt and the formal process will be completed within a sixty day timeframe where feasible. There may be a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Written Notice

Before any investigation can begin, the Collaborative must send written notice to both parties including sufficient details. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties that the Collaborative's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If additional allegations are added during the course of the investigation, additional written notice must be provided.

Informal Resolution

Where appropriate, after notice has been issued, the Title IX Coordinator should also consider offering the parties an option for informal resolution (e.g., mediation). Informal resolution may only be offered after a formal complaint is filed, and the parties must give written consent to engage in this process. Informal resolution may not be used if the allegation is against an employee respondent. Facilitators of informal resolution will be designated by the Title IX Coordinator and must not be biased against any of the parties.

Informal resolution is entirely voluntary. Complainants may elect to pursue formal procedures at any step in the process of making their complaint, even if informal resolution has already begun. Similarly, respondents may elect to follow formal procedures and decline informal resolution.

If the complainant and the respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be

taken. This voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.

Investigation

If informal resolution is not offered to or accepted by the parties, the Title IX Coordinator will designate an investigator and a decision maker, who will not be the same person. The Title IX Coordinator is free to cast himself/ herself in either role, where appropriate.

The investigator must not be biased against any of the parties at the outset of the investigation. The investigator will be responsible for interviewing parties and witnesses, finding facts, and making determinations related to credibility, all of which will go into a written report. The investigator must avoid all questions that are protected by legal privilege, unless the privilege has been waived, and should avoid asking about the complainant's sexual history unless it is directly relevant to prove consent to the conduct at issue or to prove that the conduct was committed by someone other than the respondent.

Prior to completion of the investigative report, the Collaborative will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator must avoid making any final determinations of responsibility for sexual harassment.

Findings should be written in a factual way in an investigative report. Credibility determinations may not be based on an individual's status as complainant, witness, or respondent.

During the investigative process and any further hearings, complainants and respondents have a right to have advisors of their choice participate in all aspects of the proceedings. The Collaborative will provide both parties with written notice of investigative interviews, meetings, and hearings, with sufficient time to prepare.

The investigation will not require, allow, rely upon, or otherwise use questions or evidence that

constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Findings of Responsibility

After the investigator has completed the investigation, the designated decision-maker will be assigned to determine final responsibility or lack thereof for violating Title IX. The decision-maker must not be biased against any of the parties at the outset of this process.

Before the Collaborative can determine responsibility, an investigative report will be sent to the parties and the decision-maker will offer both the complainant and respondent the opportunity to submit proposed relevant, written questions to ask of any party or witness, to respond to questions posed by another party, and to offer additional limited follow-up. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

After this process is complete, the decision-maker will create a written determination regarding whether sexual harassment has occurred using a preponderance of the evidence standard.

A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred. The decision-maker shall further recommend what action, if any, is required. If it is determined that sexual harassment occurred, the Collaborative will take steps to prevent the recurrence of the harassment and correct its discriminatory effect on the complainant and others if appropriate.

The written determination must be issued to both parties simultaneously and must include:

- (A) Identification of the allegations potentially constituting sexual harassment;
- (B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- (C) Findings of fact supporting the determination;
- (D) Conclusions regarding the application of the recipient's code of conduct to the facts;
- (E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve

equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and

(F) The Collaborative's procedures and permissible bases for the complainant and respondent to appeal (a copy of, or direct reference to, this policy will suffice).

If there is a finding that sexual harassment occurred, the Collaborative will provide remedies to the complainant designed to restore or preserve equal access to the Collaborative's education program or activity. Such remedies may include supportive measures.

Formal disciplinary actions may be imposed in the event that the preponderance of the evidence indicates a violation of this policy, up to and including expulsion or termination. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.

As indicated above, these procedures do not limit the Collaborative from removing a student or employee from a program or activity on an emergency basis based on immediate threats to people's physical health or safety or placing an employee on administrative leave during the pendency of the investigation.

Records

A record will be maintained for a period of seven years of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment and Collaborative staff will document the basis for the Collaborative's conclusion that its response was not deliberately indifferent.

Training

The Collaborative will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Collaborative will ensure that decision-makers receive training on any technology to be used in interviews and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

The Collaborative also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in paragraph (b)(5)(vii) of this section.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

These training materials will be posted on the Collaborative's website.

Appeals

Any party may appeal the decision in writing to the Executive Director within fifteen (15) school days of receipt of the findings of the formal procedure or a dismissal on the following bases:

(A) Procedural irregularity that affected the outcome of the matter;

(B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

(C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The Collaborative will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Executive Director or designee, as a further impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.

Contact information for the Executive Director:

Executive Director. Stephen Donovan, Ed.D., 198 Spring Street, Rockland, MA, 02370 or 781-878-6056.

External Grievance Procedure

Any student, parent or employee who chooses not to use the Collaborative's internal grievance procedures or who is not satisfied with the Collaborative's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.

For complaints related to discrimination/harassment of students:
The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone 617-994-6000, TIY: 617-994-6196

For complaints related to discrimination/harassment of parents:
The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

For complaints related to discrimination/harassment of employees:
The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone 617-994-6000, TIY: 617-994-6196

OR

The Equal Employment Opportunities Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000

Referral to Law Enforcement, Other Agencies

Some alleged conduct may constitute both a violation of Collaborative policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will

refer matters to law enforcement and other agencies as appropriate under the law or Collaborative policy and inform the complainant/ alleged victim of the right to file a criminal complaint.

Retaliation

Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and Collaborative policy. The coordinator or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels that they have experienced retaliation for filing a complaint or participating in the resolution process should inform the coordinator. The coordinator will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.

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.

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.

Senate, No.2402: Chapter 92: An Act Relative to Bullying in Schools, May, 2010

HAZING:

The North River Collaborative forbids hazing of any form. Any student who has engaged in hazing shall be subject to disciplinary actions. Any employee who has engaged in hazing will be subject to disciplinary and/or legal action. In accordance with GL. c.269, should an instance of hazing occur, Sections 17-19 shall be adhered to.

Chapter 269, Section 17, the Crime of Hazing

“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.”

The term “hazing” 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 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

Chapter 269, Section 18 – Duty to Report Hazing

Whoever knows that another person is the victim of hazing as defined above 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 reasonable practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Chapter 269, Section 19 – Statement of Compliance and Discipline Policy Requirement

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 to 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 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 institutions 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 institutions which fails to make such report.

WELLNESS POLICY:

Independence Academy's Wellness Policy is consistent with Federal and State laws

and regulations that promote curriculum and programs for nutrition standards, nutrition promotion and education; and other school-based wellness activities.

Independence Academy is committed to serving healthy meals to children. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural preferences and specialty diet needs.

Independence Academy complies with 105 CMR 225.000: the Nutrition Standards for Competitive Foods and Beverages in Public Schools, and national standards per the Health, Hunger-Free Kids Act (HHFKA) of 2010. The School Nutrition Standards apply to the primary sources of competitive foods and beverages, including all foods and beverages sold as a la carte items in cafeteria, school stores, school snack bars, and vending machines. The time frame to which the nutrition standards apply is the period from the midnight before to 30 minutes after the end of the official school day, except the nutritional standards shall apply at all times to competitive foods or beverages sold on school grounds through vending machines.

Independence Academy is committed to offering school meals that:

Are accessible to all students;

Are appealing and attractive to children;

Are served in clean and pleasant settings;

Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations;

Promote healthy food and beverage choices using at least ten of the following Smarter Lunchroom techniques:

Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans);

Sliced or cut fruit is available daily;

Daily fruit options are displayed in a location in the line of sight and reach of student;

All available vegetable options have been given creative or descriptive names;

Daily vegetable options are bundled into all grab and go meals available to students;

All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal;

White milk is placed in front of other beverages in all coolers;

Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas;

A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.);

Student surveys and taste testing opportunities are used to inform menu development, dining space decor, and promotional ideas;

Student artwork is displayed in the service and/or dining areas; and

Daily announcements are used to promote and market menu options.

The Nutrition Standards for Competitive Foods in Schools do not apply to foods and beverages in curriculum related classroom-based activities, special school-sponsored events, field trips, and fundraising activities, including bake sales. These exempted items may not be sold in competition with school meals in the food service area during the meal service.

The sales of competitive foods and beverages are not used as a reward or incentive, except as documented in a child's Individual Education Plan or 504. It is encouraged that foods and beverages sold or provided during activities held beyond the school day offer options which meet the nutrition standards.

Independence Academy will not be less restrictive than the regulations and guidance issued by the Secretary of Agriculture pursuant to subsections [a] and [b] of section 10 of the Child Nutrition Act [42 U.S.C. 17979] and section 9[f][1] and 17[a] of the Richard B. Russell National School Lunch Act [42 U.S.C. 1758[f][1], 1766[a] in reimbursing school lunches.

Independence Academy must make substitutions in lunches and afterschool snacks for students who are considered to have a disability and whose disability restricts their diet. Substitutions must be made on a case by case basis only when supported by a written statement of the need for substitution(s) that includes recommended alternate foods. Such statement must be signed by a licensed physician.

School-based wellness initiatives may address other health, safety, social, and emotional issues, including but not limited to, risky behaviors, substance abuse, tobacco prevention, bullying prevention and stress reduction. Collaboration with families and community is encouraged to support children's nutrition, lifelong activity, and healthy lifestyle.

Independence Academy embraces a comprehensive school physical activity program. In addition to their regularly scheduled physical education classes, Independence Academy encourages opportunities for all students to have activity breaks, and the integration of physical activity into the academic curriculum where appropriate. Administering or withholding physical activity as a form of punishment and/or behavior management is discouraged.

The goals and implementation of a K-12 sequential physical education curriculum align with Massachusetts General Laws and the Massachusetts Curriculum Frameworks. The physical education program is offered to all students, including those with disabling conditions, chronic health conditions, and special needs. Participation in the physical education program is in compliance with the requirements of Massachusetts General Law.

Independence Academy is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity

behaviors throughout the school day while minimizing commercial distractions. Independence Academy strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to advertising on North River's property that contains messages inconsistent with the health information Independence Academy is imparting through nutrition education and health promotion efforts. It is the intent of Independence Academy to protect and promote students' health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with Independence Academy's wellness policy.

Food advertising and marketing is defined as an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.

Displays, such as on vending machine exteriors.

Corporate brand, logo, name, or trademark on school equipment, such as marquees, message boards, scoreboards, or backboards (Note: immediate replacement of these items are not required; however, Independence Academy will consider replacing or updating scoreboards or other durable equipment over time so that decisions about the replacement include compliance with the marketing policy.)

Corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by Independence Academy.

Advertisements in school publications or school mailings.

Free product samples, taste tests, or coupons of a product, or free samples displaying advertising of a product.

The Executive Director shall be responsible for ensuring that North River Collaborative meets the goals of the Wellness Policy and is charged with operational responsibility for ensuring that schools meet the goals of the Wellness Policy. Compliance with the Wellness Policy and implementation procedures will be ensured by the Program Coordinator.

The North River Collaborative has a School Wellness Advisory Committee to encourage development of a program that actively promotes wellness in schools and to maximize the school district's opportunities for grant awards. Students, parents/guardians, teachers, food service professionals, school health professionals, school administrators, and other interested community members can be engaged in developing, implementing, monitoring and reviewing Collaborative nutrition and physical activities policies through the School Wellness Advisory Committee.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992.

Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

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/staff- If a student or staff member 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 witness will attempt prompt the student to stop the unacceptable behavior.

Level 2 intervention- Verbal warning - If a student continues to engage in behavior that is unacceptable but does not pose a danger to the community, staff will issue a verbal warning.

Level 3 intervention - Group Separation - If a student has failed to respond to level 1 or 2 intervention, the student may be asked to separate from the group to an area (i.e. change of seat) that allows the student to remain engaged in the lesson.

Level 4 intervention- Behavioral/Counseling Intervention – A student who continues to not meet the expectations in a classroom despite multiple interventions will be sent to a designated, calm and comfortable space within the school for the purpose of calming and refocusing. The student will engage with a staff member and will have access to a counselor and other activities that the student has identified as effective in self-regulation. The student will be expected to return to the academic environment when they are ready. The removal from class will be documented and communicated to the principal.

Level 5 intervention- Disciplinary meeting – If a student is engaging in behavior that is deemed disruptive or dangerous to the community, has required multiple Level 4 interventions in the same day 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 5 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 schedule 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 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.

COLLABORATIVE POLICY ON ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

The North River Collaborative Board prohibits the possession, use, purchase or sale, or consumption by students of alcohol, tobacco products, or drugs on school/Collaborative property or at any school/Collaborative function. "Tobacco products" are any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, electronic cigarettes, electronic cigars, electronic pipes, electronic pens, electronic hookah, liquid nicotine, "e-liquids" or other similar products (regardless of nicotine content) that rely on vaporization or aerosolization. "Tobacco product" includes any component or part of a tobacco product. "Tobacco product" does not include any product that has been approved by the United States Food and Drug Administration either as a tobacco use cessation product or for other medical purposes and which is being marketed and sold or prescribed solely for the approved purpose.

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance.

Additionally, any student who is under the influence of drugs or alcoholic beverages upon arrival to school, during attendance at school, or participation in a Collaborative/school-sponsored activity, will be removed from that activity and will be subject to disciplinary action.

This policy shall be posted on the North River Collaborative and Independence Academy websites, and notice shall be provided to all students and parents of this

policy in accordance with state law. Additionally, the Collaborative shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO

In accordance with state and federal law, North River Collaborative shall provide an age-appropriate and evidence-based drug, alcohol, and tobacco education and prevention curriculum in grades K-12.

The alcohol, tobacco, and drug education curriculum shall address the legal, social, and health consequences of alcohol, tobacco, and drug use with emphasis on nonuse by school-age children. The curriculum shall also include information about effective techniques and skill development for delaying and abstaining from using as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs.

The objectives of the curriculum, as stated below, are rooted in the Collaborative's belief that prevention requires education and that the most important aspect of the policies and guidelines of the Collaborative should be the education of children and youth on healthy decision-making and personal wellness:

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Executive Director and approved by the NRC Board of Directors.

This policy shall be posted on the North River Collaborative and Independence Academy websites and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the Collaborative shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

VIDEO RECORDING POLICY

North River Collaborative has a responsibility to maintain discipline and protect the safety, security, and welfare of our students and staff, while at the same time safeguarding NRC facilities, vehicles, and equipment.

As part of fulfilling this responsibility, North River Collaborative authorizes the use of video/digital surveillance cameras in NRC vehicles and in the program and common areas of NRC buildings, including Independence Academy. Digital or video recorder placements shall be based on the presumption and belief that students and staff have no reasonable expectation of privacy in public areas that occur in plain view of other students, staff, or bystanders.

Signs shall be posted on North River Collaborative vehicles and property to notify students, staff, and visitors that video or digital cameras may be in use. Parents and students shall also be notified that cameras may be in school vehicles. Students and others will be held responsible for any violations of school rules, North River Collaborative Personnel Policies and Procedures, or law recorded by the cameras.

NRC reserves the right to record using audio subject to applicable law.