



# North River School Student Handbook



**2023-2024**

**525 Beech Street, Rockland, MA 02370  
781-871-8320 • FAX 781-982-9001**

## ***Greetings***

This handbook has been prepared for the convenience and use of North River School students and their parents/guardians. The Collaborative has developed this handbook with hopes that each of you will become better acquainted with every facet of our school. It is sincerely hoped that you will find this book useful and relevant to your needs throughout the school year.

As you observe, participate, and function under these procedures, you may have suggestions for improvement or modification. If so, do not hesitate to discuss it with your counselors, with the faculty, or with the administration. We all want to make our school the best and need our best thinking and cooperative action to achieve this goal.

Our school welcomes you to its community and we hope you will always be conscious of its traditions and requirements. This school will be whatever you make it.

## **Non-Discrimination Statement**

The North River School does not discriminate in employment on the basis of race, color, religion, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, age, disability, pregnancy or pregnancy-related medical conditions, or military service or marital status. The North River School does not discriminate in admission to, access or treatment in its programs and activities on the basis of age, race, color, sex, gender identity, religion, limited English speaking ability, national origin, or sexual orientation, disability or homelessness.

## **If you need this booklet translated, please contact the main office-of your child's school.**

Portuguese/Portuges

Se voce necessitar esta librete traducido, ontate por favor o escritorio principal da escola sua crianca.

Spanish/Espanol

Si usted necesita esta librete traducido, intre in contacto con pro favor la officinal principal de la escuela de su nino.

French/Francais

Si vous avez besoin de ce livret traduit, entrez en contact avec le bureau principal de votre enfant.

German/Deutsch

Wenn Sie diese ubersetzie Broschure benotigen, treten Sie Bitte mit dem Haupiburo der Schule Ihres Kindes in Verbindung.

## **GENERAL INFORMATION**

Arrival Time: Between 7:45 A.M. and 8:00 A.M.  
Starting Time: 8:00A.M.  
Dismissal Time: Monday, Tuesday, Thursday, Friday-2:00  
Wednesday-12:00

**\*\*Every Wednesday is an early dismissal at 12:00 P.M.**

School Lunch Times: 11:30-11:50 High School  
12:00-12:20 Middle School

North River School is proud to participate in the National School Lunch Program and through the Community Eligibility Provision is able to provide free meals to all students. Community Eligibility Provision is a new, innovative provision that allows high need schools to serve free meals to all students while alleviating the administrative burden to collect paper applications. Community eligibility allows for a healthier student body and a healthier school meal budget.

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## **School Cancellation/Delay/Early Dismissal**

In the event inclement weather forces schools to close, a no school announcement will be made online, over radio stations, and on television. North River School will follow the Rockland Public Schools announcements. The only exception is that we will never have a two-hour delay schedule. It will be expected that North River School will start on time even if the Rockland Public Schools has a delay.

The following radio and television stations carry announcements regarding school cancellations/delays/early dismissals both on-air and on the internet:

Radio: WRPS-88.3 FM WBZ 1030 AM

TV/Internet: WBZ Channel 4 WCVB Channel 5 WHDH Channel 7  
NECN [www.boston.com](http://www.boston.com)

## **Transportation to and from North River School:**

The student's sending public school district provides transportation. It is the responsibility of the parent/guardian to inform the transportation company when the student will not need transportation either to or from school for any reason. This includes absences for any reason, late arrivals, or early dismissals.

**2023-2024 North River Staff**

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### **MISSION STATEMENT**

North River School serves the needs of a diverse group of students who have encountered difficulties reaching success due to behavioral and emotional conflicts. The goal of the program is to provide a safe and supportive environment for students through:

- a curriculum which encourages students to work to their potential while recognizing individual needs,
- responding to student behavior in a consistent and reasonable manner,
- setting feasible goals and objectives related to emotional, behavioral, and academic realms and assisting students in the process of achieving them,
- offering therapeutic services to students and their families.

Through participation in the school program the students will:

- make progress toward earning a high school diploma,
- develop more effective coping skills and stress management techniques,
- gain skills in decision-making and accepting responsibility for personal actions,
- improve feelings of self-esteem,
- transition from school to post graduate opportunities.

### **STATEMENT OF PHILOSOPHY**

This student handbook has been prepared to acquaint you and your parents/guardians with the program of studies, available services, rules, and policies, as well as the educational and cultural opportunities within the North River Educational Collaborative.

The North River Collaborative enjoys a unique position in the community. A Collaborative is an extension of the participating school districts and formed to complement, strengthen, and increase educational opportunities for children. It is devoted to providing services to special needs children in a therapeutic setting.

At the North River Collaborative, the administration and faculty place a strong emphasis upon the individual student and endeavor to provide a learning environment which will stimulate the student's own determination to fulfill his or her capabilities. We believe that each student should be recognized as a person with individual needs, interests, and abilities and that each student should be provided with a stimulating environment and learning experiences.

In addition, we believe that every student must be provided equal opportunity, without regard to 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. We believe that every student must be provided equal opportunity to obtain an education within his or her personal needs, interests and abilities, to learn citizenship and democracy, and to develop intellectually, morally, socially, and physically.

### **DISCLAIMER**

The laws, policies, and school rules in this handbook are intended to ensure the safe, orderly, and educationally sound operation of North River School. In addition to these written provisions, there may be times when, to further ensure the safe, orderly, and educationally sound operation of the school, the North River Collaborative 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.

## SOCIAL AND EMOTIONAL LEARNING (SEL) 5 CORE COMPETENCIES

The North River School is a therapeutic school staffed with three certified School Adjustment Counselors. Our School Adjustment Counselors will conduct weekly explicit daily SEL groups targeting the following 5 Core Competencies as developed by the Collaborative for Academic, Social, and Emotional Learning (CASEL) curriculum. The 5 core competencies are as follows:

1. Self-Awareness
2. Self-Management
3. Social Awareness
4. Relationship Skills
5. Responsible Decision Making



Source:  
Collaborative for Academic, Social, and  
Emotional Learning



## SECTION 1: SCHOOL PROCEDURES AND POLICIES

### ATTENDANCE

#### *Tardiness*

Students are expected to be on time every day. Tardiness will be dealt with in the following manner:

1. Any student arriving after 8:30 AM shall be considered tardy. In case of tardiness a student can work with the teacher to make up any work that was missed.
2. Any student who arrives unexcused after 10:30 AM will be considered absent for the day.
3. Chronic tardiness may result in failing grades.

#### *Excusable Absences*

If a student's absence is to be considered *excused*, the absences are usually related to circumstances which are out of the control of the student or his or her family. These include, but are not limited to:

1. Illness will be considered excused with a signed note from the parent/guardian or doctor (a blank letterhead signed by a doctor will not suffice).
2. Serious illness or death in the family.
3. Emergency medical or dental attention.
4. Absences approved in advance with school.
5. Authorized religious holidays.
6. Court dates
7. Bus issues beyond the student's/guardian's control. In this circumstance, students will make all efforts to complete work from home and/or make up missed assignments.

There may need to be a separate exception to this student attendance policy for disability-related absences. When appropriate, the IEP Team will convene to determine whether absences were related to the disability, whether any consequences or policies should be waived, and whether absences may trigger a significant change in placement that would suggest a need for reevaluation or modification to an IEP.

#### **The following are not excusable absences in accordance with attendance laws:**

1. Truancy
2. Suspension
3. Shopping
4. Gainful employment
5. Missing the school bus
6. Trips
7. Hunting, fishing, and sporting events
8. Birthdays or other celebrations

#### *Dismissals*

Parents should not request that pupils 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 accepted by the Program Coordinator. A student who is ill will not be released unless there is someone to pick him/her up with parental permission. The school will make every attempt to contact parents to verify early dismissal notes. A student will be considered absent if they are dismissed before 10:30am.

### ***General Procedures***

1. Students are expected to be in school every day. The only exceptions to this rule are outlined above under excusable absences. Students will always be asked why they were absent.
2. School permission in advance is required for absences other than personal illness, a death in the family, or unavoidable accidents.
3. All work missed due to absences is required to be made up. Two days will be allowed to make up the work missed for each day of absence. It is the responsibility of the student to ask the teacher for the make-up work.
4. Students arriving to school after the conclusion of the homeroom period must report to the office to sign in.

### ***Documenting Absences***

1. The student, or parent, must call the school on the day they are absent at (781) 871-8320 between 8:00 and 9:30 AM to state the reason why an absence is necessary.
2. The student must bring a dated note the following day explaining the reasons for the absence in specific detail. The dates of the absences need to be included and the note must be written by a parent or guardian.
3. The Program Coordinator or a designee will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.
4. The Program Coordinator or a designee shall meet with any student, and that student's parent/guardian who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Program Coordinator or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.
5. If a student exceeds five (5) unexcused absences he or she may fail the term.
6. Letters will be sent to the sending district and guardians after 5, 10, 15, 20 and 25 days missed in a term.

### ***Leaving School Without Permission***

Students are not permitted to leave the school without permission due to concern for the safety of the student and for the school community. If a student does leave school without permission during the school day, the Program Coordinator may or may not permit re-entry to the school building. In all cases, parents will be notified and if the student is excluded, the procedures for a suspension will be followed. The Program Coordinator will make an effort to retrieve and return the student.

If a student is not permitted to return, a parent/guardian will be contacted and asked to arrange for transportation home. The student will not be permitted to take their regularly scheduled transportation at the end of the day due to safety concerns.

If a student leaves the building and does not return, the Rockland Police will be notified.

If the student is over the age of 18 and leaves school without permission, the student's guardian (if applicable) will be notified.

### ***Extended Vacations***

The regularly scheduled school breaks in December, February, April, as well as July and August should provide adequate time for family vacations and trips. Parents must realize that vacations during scheduled school days detract from the continuity of a student's education. Parents should be aware

that vacations taken during MCAS testing are counted by the state as a failing grade both for the student and for the school.

**Religious Holiday Observances**

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

**Withdrawing from School**

Any request to transfer to another school or for withdrawal from the Collaborative requires a meeting among the Program Coordinator, the parent or guardian, and a representative of the local educational agency, unless everyone agrees otherwise. A team meeting will follow thereafter.

**ACCIDENTS**

Accident reports are to be completed by any school personnel at the scene of the accident by the individual whom the accident is reported to, or by the one who administers first aid. Accident reports must be made out immediately. Copies will be sent to the sending school system, the Central Office, and the parent or guardian. An additional copy will be placed in the student’s Collaborative file.

**AUTOMOBILE POLICY**

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

1. Student must be a junior or senior,
2. Student must be in good academic standing,
3. Parental permission is given,
4. Student must not transport other students to or from school,
5. Student must show responsible driving habits at all times to be monitored by all staff,
6. Student may be required to turn in their keys upon entering the school,
7. Student must provide the office with a copy of a valid driver’s license and current registration,
8. Student must sign an Automobile Contract (see contract in Appendices).

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

**Student Parking**

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

**BULLYING**

The North River School expects that all members of the North River Collaborative community treat each other in a civil manner with respect for individual differences. North River School is committed to providing all students with a safe learning environment that is free from bullying and cyber-bullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process. The North River School 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.

The North River School will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school related activities. We will promptly investigate all reports and complaints of bullying, cyber-bullying, and

retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement. For more information on bullying and cyberbullying, please see the Bullying Section of this Handbook. In addition, a sample bullying report form is located in the Appendices of this handbook.

## **BATHROOMS**

Bathroom doors are always locked and require staff to be opened. Only one student at a time is permitted in the bathroom.

## **CODE OF CONDUCT/DISCIPLINE**

All North River School students are expected to conduct themselves in a manner that promotes the safety and well-being of themselves, peers and adults and which avoids disruption to the school environment. Students are also expected to demonstrate respect for their peers and the staff as well as follow the general expectations set forth by the Collaborative. When a student fails to meet said expectations, the Collaborative will respond to such conduct in accordance with Massachusetts school exclusion laws and regulations, including but not limited to the provisions of M.G.L c. 71 Section 37H  $\frac{3}{4}$ , and other provisions discussed below.

State and federal special education and civil rights laws require that additional provisions be made for students who have been found by an evaluation TEAM to be eligible for special education or Section 504 services and whose program is described in an Individualized Education Plan (IEP) or Section 504 Plan. The IEP or Section 504 Plan will indicate whether the student is able to conform his/her behavior to the regular discipline code or if a modification is required. If a modified disciplinary code is required, it will be written into the IEP or Section 504 Plan

### **In accordance with Chapter 71 Section 37H, the following applies:**

[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 knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine and heroin, may be subject to expulsion from the school or school district by the Program Coordinator.

[b] Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school related events, including athletic games, may be subject to expulsion from the school or school district by the Program Coordinator.

[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 Program Coordinator. After said hearing, a Program Coordinator may, in their discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph [a] or [b].

[d] Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Executive Director. The expelled student shall have ten days from the date of the expulsion in which to notify the Executive Director of his appeal. The student has the right to counsel for 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 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 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 chapter 76.

[f] The Collaborative must report to the Department of Elementary and Secondary Education (“DESE”) the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by DESE’s Commissioner. DESE must use its existing data collection tools to obtain this information from the Collaborative and must modify those tools, as necessary, to obtain the information. On an annual basis, DESE must make the 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 readable format. This report shall include data disaggregated by student status and categories established by the Commissioner.

[g] If it is determined that the Collaborative suspends or expels a significant number of students for more than 10 cumulative days in a school year, the Commissioner will investigate and, as appropriate, must recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported to the Collaborative.

**In accordance with Chapter 71 Section 37H<sup>1/2</sup>, the following applies.**

[a] 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, Program Coordinator may suspend such student for a period of time determined appropriate by said Program Coordinator, if said Program Coordinator 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.

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 Program Coordinator, 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.

[b] 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 Program Coordinator of a school in which the student is enrolled may expel said student if such Program Coordinator determines 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 expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Executive Director. The student shall have the right to appeal the expulsion 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 expulsion. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. 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 Program Coordinator, 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 final.

Should the Collaborative suspend or expel a student under this section it shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 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. For the NRC education service plan, please see Appendix C.

### **CONCUSSION POLICY**

North River Collaborative, in order to protect the health and safety of students and to comply with Mass. Gen. L. c. 111, Section 222 ("Section 222") and accompanying regulations (105 CMR 201 et seq.), has developed a policy to address the identification and proper handling of suspected head injury in students participating in extra-curricular activities. The full contents of this policy can be found in Appendix F. At this time, the North River School does not have extra-curricular activities, however this policy will be applied to all students who experience concussion, whether at school, on school-sponsored trips or at home. For any student diagnosed with a concussion, school personnel, including but not limited to the teacher, school nurse, along with parents shall develop a written graduated entry plan for return to full academics and extracurricular activities. The school nurse will coordinate the writing and approval process of the written graduated entry plan in consultation with the student's Health Care Provider.

### **CURRICULUM**

Instruction, aligned with the Massachusetts Curriculum Frameworks, is provided to students at their instructional level. Students participate in MA required standardized testing (MCAS) and are provided all accommodations as described in the student's IEP.

The Collaborative ensures that individual teachers in the Collaborative review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials. Student feedback on feelings of equity within the school environment are frequently sought during primary counselors' ongoing meetings with students.

For full curriculum review procedure please see Appendix D.

### **DRESS GUIDELINES**

A student is expected to come to school dressed in a manner which is appropriate for a learning environment, and that does not compromise the health and safety of the school community.

Although a student's style of dress is an individual statement of who he or she is, the Collaborative has the right to restrict certain aspects of dress which are disruptive or distracting to the education process. For example, a student may not wear a t-shirt which advocates an illegal action. Heavy chains which are not regular jewelry are not to be worn in school.

Students are expected to report to school dressed according to the North River School's dress guidelines. They must not wear anything that interferes with the educational process or that is a danger to the health and/or wellbeing of a student's physical or emotional safety.

- Shoes and full cut shirts must be worn at all times.
- Tank tops are not allowed.
- Pants must be clean and free of revealing holes and or tears.
- Bathing suits or beach wear is prohibited (unless on the rare field trip to the beach).
- Any clothing which depicts an obscenity, which contains a message advocating the use of drugs, alcohol or weapons, or is pornographic, is prohibited.
- Any clothing which depicts any offensive or racially charged material is prohibited
- Students should practice proper hygiene at all times.
- Chains are forbidden when misused or not jewelry.
- Career Readiness classrooms may have more restrictive dress codes due to safety concerns. These guidelines will be discussed with students at the beginning of the class term.

The administration reserves the right to determine the appropriateness of clothing consistent with these guidelines. A student whose dress is considered inappropriate for school will be required to make arrangements for other, more appropriate, dress and may be removed from school, pursuant to discipline procedures in this handbook.

### **ELECTRONIC DEVICES AND CELL PHONES**

Electronic devices and cell phones may be brought to school, but students must adhere to the expectations of the classroom and not be disruptive to the education of other students. If a student is unable to follow these expectations, the phone (or electronic device) will be required to be turned into the Program Coordinator, or designee and will be given to students during the wellness period at the end of the day where socially appropriate use of cell phone during instruction and social situations will be taught. Students are strictly prohibited from recording any other student and/or staff without written consent of the subject and school personnel. Students may be subjected to discipline if this occurs.

### **ENGLISH LEARNERS (EL)**

North River Collaborative ensures that ELs are taught to the same academic standards and curriculum as all students and provides the same opportunities to master such standards as students, including the opportunity to enter academically advanced classes, receive credit for work done, and have access to the full range of programs. In addition, the Collaborative uses grade appropriate content objectives for ELs that are based on the district curricula in English Language Arts, History, and Social Science, Mathematics, and Science and Technology/Engineering, taught by qualified staff members.

Information in notices, such activities, responsibilities, and academic standards, provided to all students is provided to English Learners in a language and mode of communication that they understand. Information provided to students about extracurricular activities and school events is provided to English Learners and to their parents/guardians in a language they understand.

### **FIELD TRIPS**

Behavior is always expected to reflect favorably on the school. Students are to be dressed appropriately for the trip. 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.

### **FIREWORKS**

Fireworks and other explosive devices are illegal and considered weapons and prohibited in school.

## **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. Fire Drills will take place four times a year.

## **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 reasonably 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.

## **HEALTH**

The North River School has a Registered Nurse assigned to the program. The role of the professional school nurse is to facilitate the health and wellness of each student to enhance the opportunity for academic success. Responsibilities in this setting include the following, but not limited to the development of an Individualized Health Care Plan (IHCP).

Please talk with the school nurse if your student has a specialized medical need or diagnosis which must be assessed, managed and monitored during school hours such as a life-threatening allergy, diabetes, or seizure disorder. If a student requires medications during hours when the nurse is unavailable, the nurse will contact parents/guardians to review the medication delegation process and obtain all appropriate approvals in compliance with the Department of Public Health's guidelines.

The nurse will review with the parent/guardian medical information, primary care provider's orders, and current nursing research and practice.

The IHCP is then reviewed and signed by the parent and physician (if necessary) and shared with appropriate school staff to ensure optimal integration of your child's health needs into the school setting.

Please help the school nurse care for your child by:

- updating the phone numbers on your child's emergency card so the school can always reach you;
- notifying the nurse when your child has any illness chronic or acute;
- communicating with the nurse directly if medication, health needs change or if the student was exposed to a communicable disease; and
- informing the nurse if there is an event at home or in the family that may impact your child at school such as death of a beloved pet, serious illness or death of a family member.

Please keep your child home from school if he/she has:

- a temperature 100 degrees F or above; student must be fever free without the use of fever reducing medicine (i.e., Tylenol or Motrin) for 24 hours before returning to school.
- vomiting, diarrhea; student must be vomitus free for 24 hours before returning to school
- Contagious or infectious diseases including:

- strep infections of any kind, ringworm, conjunctivitis, or impetigo. These are all contagious infections and must be treated with medication for at least 24 hours before returning to school;
- rash of unknown origin—this may indicate many different things and should be checked by your pediatrician;
- pain should be taken seriously, especially in young children. Earaches, toothaches, and headaches should be evaluated.

**\*Your child must be fever-free for 24 hours without medication prior to returning**

### **HOMEWORK POLICY**

A well-conceived homework assignment can assist a student in developing independent study skills and habits and in gaining mastery of content skills. The following guidelines will apply to homework assignments:

1. The teacher will be responsible for helping students and parents understand the reasons for homework and his or her procedures for giving and evaluating homework assignments.
2. The quality of the responses of the students and the nature of, and participation in, the follow-up activities in the classroom, will be of greater importance than the quantity of work involved in a homework assignment.
3. The amount of homework will be appropriate to the age, ability, and maturity of the student.
4. A student will not be given a homework assignment which requires resources and references which will not be accessible to him or her and will never be given to a student or to a class for disciplinary reasons.
5. The time required to complete homework assignments will vary at all grade levels according to the nature of the subject/area being studied and the needs and abilities of the students.

### **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.

### **LIAISON VISITS**

Once a month, liaison personnel from each student's sending school district are urged to meet with those students to review progress toward returning to mainstreamed environments and/or graduation.

### **LOST AND FOUND**

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

### **MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT**

North River Collaborative affirms its responsibility to provide for the safety and well-being of students. This responsibility extends to complying with the Massachusetts Mandatory Child Abuse and Neglect Reporting Statute, Chapter 119, Section 51A, which mandates that certain persons in their professional capacity report child abuse and neglect when there is reasonable cause or suspicion to believe that a child under the age of eighteen (18) has been abused or neglected. It is expected then, that when any staff member in his/her professional capacity, has reasonable cause to believe that a child under the age of

eighteen years is suffering from the effects of any form of child abuse and neglect, that the staff member will report his/her concerns to the Program Coordinator, and appropriate action will be taken.

### **MCAS**

Students are required by the DESE to participate in MCAS testing. This testing may be taken with accommodations or through alternative assessment, as determined by the student's IEP team. The curricula at North River School follows the Massachusetts Curriculum Frameworks and the teachers strive to help students feel prepared and make the testing experience as non-stressful as possible with a successful outcome. Letters are sent out to parents/guardians informing them of the upcoming tests.

### **MEDICATION POLICY**

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

- For 'over-the-counter' medications, i.e., non-prescription medications, the school nurse shall follow the Board of Registration in Nursing's protocols regarding administration of over-the-counter medications in schools.
- No prescribed medication will be given without written parental permission and a written doctor's note. 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 the container. 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).

At school, it is important to have up-to-date information regarding emergency phone numbers, addresses, and names of contact persons, allergies, medications, medical problems, immunization records, and physical exams. If you have had a change in any of this information, please complete a new student enrollment form.

In the event of a medical or psychiatric emergency, every effort to contact the parent or guardian will be made first. If no contact can be made, your child will be taken to the closest available hospital (Brockton or South Shore Hospital).

Complete health policies are available in the school nurse's office.

**No student will be allowed to start classes at North River School without up-to-date health and immunization records.**

### **MOTOR VEHICLE IDLING ON SCHOOL GROUNDS**

No motor vehicle operator shall cause or allow any motor vehicle operated by him or her on school grounds to idle unnecessarily, except for any of the following reasons: traffic conditions over which the driver has no control or for an official traffic control device or signal; waiting at a school for the purpose of picking up or discharging students; turbo-charged diesel engine cool down or warm up; maintenance of appropriate temperatures for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen minute period or one minute in any fifteen minute period for other motor vehicles;

for circumstances involving safety or emergencies, and for servicing or repairing motor vehicles or recharging a battery.

### **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.

### **PARENT/CAREGIVER-TEACHER CONFERENCES**

By working together, the school and the home can help children attain their optimal benefit from the school environment. Teachers, specialists, counselors, and the Program Coordinator welcome conferences and regular communication with parents. A conference by appointment saves time and avoids conflict. Parent/Caregiver-teacher conferences (Family/Caregiver nights) will be held in the fall, winter, and spring. Dates are included in the calendar; Families/Caregivers will receive written and oral notification and reminders of these dates.

### **PASSING IN THE HALLWAYS**

Students are expected to be in classes unless given permission to be with a counselor, the nurse, or other staff member. Students are expected to go immediately to their next class without any loitering in the hallway.

### **PASSIVE RESTRAINT POLICY**

It is our belief that a student's right to individual freedom is to be respected at all times. A student will only be physically restrained as a last resort when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. The complete policy is available at the main office (see the section 2 for Physical Restraint Policy).

### **PHONE USE**

If a student must make a phone call, permission must be granted by the Program Coordinator or counselor. Calls should be made from the office phone or the student's counselor's office. Students will not be called to the phone or allowed to make calls from the office except in cases of emergency or at the discretion of the Program Coordinator.

### **SEARCH AND SEIZURE**

Desks are the property of North River Collaborative and may be searched at any time. **Searches or seizures involving the student's person or personal property may also be conducted when a reasonable suspicion exists.** Circumstances which may lead to reasonable suspicion to conduct a student search include any suspicion that a student has violated the law or the rules of the school. Illegal items (weapons, drugs, drug paraphernalia, alcohol, stolen property, etc.) or other items reasonably determined to be a concern to the safety and security of the school and its members may be seized by the program staff. Searches, which could involve a metal detector wand, may be conducted when there is reasonable cause to suspect the presence of drugs or weapons on school property or on any person within the school environment. Items which are used to disrupt or interfere with the educational process may be temporarily removed from the student's possession. This includes, but is not limited to, radio's, cell phones, laser pointers, iPods, and any other unauthorized electronic device.

### **SMOKING POLICY**

Pursuant to MGL Chapter 71, Section 2A, students are not permitted to use any tobacco products of any type on school grounds or during any school-related activity off school grounds during normal school

hours. In addition, the Collaborative prohibits as a matter of policy the possession of tobacco products on school grounds or during any school-related activity. This includes lighters and/or matches.

***Repeated offenses may require other penalties determined by staff or through parental and/or liaison conferences.***

## **SUSPENSION**

Program staff will work to ensure the success of our students. However, on occasion, a student's conduct may be subject to suspension from school. The Program Coordinator, in consultation with program staff, will determine if a student's conduct in violation of the Collaborative's Code of Conduct as well as other provisions set forth in this Handbook, warrants suspension.

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 no more than 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 no more than 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, sections 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. **Schoolwide 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 designee. Executive Director refers to the Collaborative's Executive Director or his/her designee.

**Procedures for Short-term Suspension (exclusion of a student from school premises and regular classroom activities for a specified period of not more than ten school days)**

The Program Coordinator, or his/her designee, may suspend students on a short-term basis. Unless a student poses a danger to persons or property, substantially and materially disrupts the order of school, possesses a firearm, controlled substance, or assaults a school staff member, the student will receive the following prior to a short-term suspension:

1. 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; and
  - vii. If the student may be placed on a long-term suspension following the hearing with the principal:
    1. The rights set forth under the "Procedures for Long-Term Suspension"; and
    2. The right to appeal the principal's decision to the Executive Director.
2. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her 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.
3. Based on the available information, the Program Coordinator shall make a determination as to whether the student committed the disciplinary offenses and what remedy shall be imposed. The Program Coordinator shall notify the student and parent in writing of his/her 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.
4. 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 Executive Director and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

### **Procedures for an In-School Suspension**

An in-school suspension may be used as an alternative to short-term suspension for disciplinary events. 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 and provide the student an opportunity to dispute the charge and explain the circumstances surrounding the charge. If an in-school suspension is issued, the Program Coordinator shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the offense, and the length of the in-school suspension.

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

**Procedures for Long-Term Suspension (exclusion of a student from school premises and regular classroom activities for more than ten school days)**

The Program Coordinator, or his/her 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.

1. 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.
2. 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.
3. In advance of the hearing, the student shall have the right to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student.
4. 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.
5. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her 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.
6. 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.
7. The Program Coordinator shall make a determination as to whether the student committed the disciplinary offenses and what consequences shall be imposed. The Program Coordinator shall notice the student and parent in writing of his/her decision, including the following information:
  - i. The disciplinary offense, the date on which the hearing took place, and the participants in the hearing;
  - ii. The key facts and conclusions reached by the Program Coordinator;
  - 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 Program Coordinator's decision to the Executive Director or his/her 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 Executive Director within five (5) calendar days of the effective date of the long-term suspension.
  - a. The Executive Director shall hold the hearing within three (3) school days of the student's request, unless an extension is mutually agreed to.
  - b. The Executive Director 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 Program Coordinator's hearing shall apply to the student in the Executive Director's hearing.
  - e. The Executive Director shall issue a written decision within five (5) calendar days of the hearing. If the Executive Director determines that the student committed the disciplinary offense, the Executive Director may impose the same or lesser consequence than the principal.
  - f. The decision of the Executive Director shall be the final decision of the Collaborative.
- vi. If the student is in grades K-3, the Program Coordinator shall send a copy of the written determination to the Executive Director and explain the reasons for the suspension before the suspension takes effect.

Any student who is serving an in-school suspension, or short-term suspension shall have the opportunity to make up assignments, tests, papers, and other schoolwork as needed to make academic progress during the period of his or her removal from the classroom or school. The Program Coordinator shall inform the student and parent of this opportunity when the suspension is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services that will enable the student to make academic progress toward meeting state and local requirements. The Program Coordinator shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension.

### **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 Program Coordinator'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 Executive Director 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.

### **Due Process for Students with Special Needs/ Manifestation Determination**

Any student may be suspended or removed from school for disciplinary reasons for a short time, which is no more than 10 days. Once a special education student has been removed from the school placement for more than 10 cumulative days during the school year, the student must receive a free and appropriate public education. For students on an IEP or 504 Plan, the Team must meet within 10 days of the school's decision to impose the discipline. At this meeting, called a "manifestation determination," the IEP or 504 Team will determine if the misbehavior was caused by or had a direct and substantial relationship to the student's disability, or was the direct result of the school's failure to provide the services required by the student's IEP or 504 Plan.

There will be an appropriate procedure to notify the Administrator of Special Education of the sending town or designee of the suspendable offense of a student with special needs so that the required procedures under this policy can be consistently implemented.

The administrator responsible for discipline 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.

If the Team determines that the student's behavior was caused by or substantially related to the student's disability or the failure to properly implement the IEP or 504 Plan, then the student must be returned to the last approved placement unless the Team decides on a different placement. It must conduct a functional behavioral assessment and develop a behavior plan (or review and modify an existing plan, if necessary).

If the Team determines that the student's behavior was not caused by or substantially related to the student's disability or the failure to properly implement the IEP or 504 Plan, then a student with a disability can be disciplined in the same manner and for the same length of time as other students are disciplined for the same offense.

Note that if your student possessed or used a weapon or drugs or caused serious bodily injury to another person on school property or at a school event, your student may be placed by the Program Coordinator in an Interim Alternative Educational Setting "IAES" for up to 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability. The IEP Team will determine the IAES and the appropriate educational services that will be provided to the student while he or she is in the IAES.

If a parent disagrees with any decision regarding placement of his or her student under the disciplinary provisions or disagrees with the manifestation determination or if the school district believes that maintaining the current placement of the student is substantially likely to result in an injury to the student or to others, either the parent or the school district may appeal the decision by requesting a hearing with the Bureau of Special Education Appeals "BSEA".

Should you have any questions regarding the above information, please contact the Program Coordinator.

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.

## **TERMINATION**

The North River School is committed to providing quality education and support services to every student admitted into our schools. In the event of a student termination, we will try every available means to maintain the student's placement until the sending school district has had sufficient time to search for an alternative placement.

In the case of a planned termination, the school will notify the sending school district of the need for an IEP review meeting. The school district will arrange a Team meeting and will provide all parties, including the parent, and student if appropriate, notice of this meeting ten days in advance of the intended date of the meeting. The meeting will be held for the purpose of planning and developing a written termination plan for the student.

The plan shall describe the student's specific program needs, the short and long-term educational goals of the program, and recommendations for the follow-up and/or transitional services. The Team Chair shall thoroughly explain termination procedures to the student, the parents, and other stakeholders, including the sending district's administrator of special education and officials of the appropriate human service agency, if applicable.

The written termination plan shall be implemented in no less than thirty days unless the team agrees to an earlier termination date.

In the case of an emergency termination, which shall be defined as circumstances in which the student presents a clear and present threat to health and safety of him/herself or others, the North River School and the sending school district shall follow the procedures under 603 CMR 28.09 (12).

The North River School involved in the incident will immediately notify by telephone and by letter the student's parents, any state agency involved in the student's care or program placement and the sending school district of the circumstances in which the student needs to be terminated.

Upon telephone notification of the emergency termination, the sending school district is expected to take responsibility for the student and to immediately convene an emergency Team meeting or planning to address an appropriate course of action and new placement for the student prior to termination.

If the sending school district requests, termination may be delayed up to a maximum of two calendar weeks from the date of notification in order to allow the emergency team meeting or planning to occur. Emergency termination will not be delayed beyond two calendar weeks without the express consent of both the sending district and the North River School.

## **THERAPEUTIC SERVICES**

Students are assigned a counselor and are able to access the counselor throughout the day. To ensure that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, and homelessness, all counselors will encourage students to consider programs of study, course, and occupational opportunities on the basis of individual interests, abilities and skills. All counselors will examine testing materials for bias and counteract any found bias when administering tests and interpreting test results. Counselors will communicate effectively with ELs and disabled students and facilitate their access to all programs and services offered by the district. In addition, counselors ensure that Els have the opportunity to receive guidance and counseling in the language they understand. Counselors will support students in educational and occupational pursuits that are nontraditional for their gender. Access to therapeutic support is available during school breaks as needed.

## **VISITORS POLICY**

Parents and guardians and their experts are very welcome to come into school. Advance notice is requested to avoid any conflicts of activities and the duration of a visit may be limited to ensure the safety of students or to protect confidential student information. Parents should make arrangements in advance for conferences with teachers.

All parents and visitors are required to report to the office upon entering the building to sign in and obtain a visitor's pass. Visitors without a pass will be asked to return to the office. Anyone wishing to volunteer in a classroom or on field trips must have a current CORI on file with North River Collaborative. Student's therapists, attorneys, mentors, etc., are welcome to meet with their clients at North River School. These visitors must sign a confidentiality agreement with respect to information that they may learn about unrelated students as well as follow above mentioned visitor policy. A copy of the confidentiality agreement is in the Appendix.

Individuals not adhering to this policy will be liable for prosecution for trespassing as covered by G.L. Chapter 266, Section 120.

## **WEAPONS**

The carrying or wearing of firearms, knives of any size, or any object which may be considered or carried with the intention of being used as a weapon is forbidden on school property. Canes or other similar devices are not to be used or carried unless the school has on file a physician's recommendation that the student use them.

A "weapon" includes firearms, knives of any size, explosive devices, firecrackers, chains, or any object that may be considered, or has the potential of being used as, a weapon. A student who is determined to have violated this policy, will be subject to at minimum a three-day external suspension, after adherence to federal and state laws and regulations relative to school exclusion. In certain circumstances, such as where a student has harmed another student, Collaborative employee, or other individual, or where there has been more than one infraction, the student may be subject to exclusion from the Collaborative, after compliance with federal and state law and the regulations thereunder. Students suspected of carrying or concealing a weapon will be asked to submit to a search. Refusal to comply may result in an emergency removal and/or suspension. Parents and/or guardians, the Department of Children and Families, the sending district, and police will be notified on all matters pertaining to weapons and a weapons report shall be filed in the case of the possession or use of a "dangerous weapon" as required under G.L. Chapter 71, Section 37L.

## **WELLNESS POLICY**

The North River School'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.

North River School 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.

North River School 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.

Students are not permitted to have food delivered or receive any outside food during school hours.

The North River School 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.

North River School 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.

North River School 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 a 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.

North River School embraces a comprehensive school physical activity program. In addition to their regularly scheduled physical education classes, North River School 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.

North River School 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. North River School 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 North River School is imparting through nutrition education and health promotion efforts. It is the intent of North River School 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 North River School's wellness policy.

Food advertising and marketing is defined as an oral, written, or graphic statement 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, North River School 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 North River School.
- 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, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program Information may be made available in languages other than English. 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 responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program complaint of discrimination, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at:

<https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, or by calling (866) 632-9992, or by writing a letter addressed to USDA. This letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

## **SECTION 2: POLICIES AND REGULATIONS**

### **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. Sexual harassment under Federal law 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). Sexual harassment under Federal law 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.

"Harassment" is defined as unwelcome conduct, whether verbal or physical, that is based on: race, color, national origin, religion, disability, age, sex (under state law), 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**

Marie Grable

Assistant Executive Director

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

Andrew Manning

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 Coordinator

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.<sup>1</sup>

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

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

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:

Paul Tzovolos: 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.

#### **Sexual Harassment Policies and Procedures Under Federal Law**

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**

Under state law, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment 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.

Under Federal law, 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)

If an allegation potentially fits under the Federal law definition, it will be examined under Federal and state law concurrently using the below procedures.

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 five 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:

Paul Tzovolos 198 Spring Street, Rockland, MA 02370 (781) 878-6056 [ptzovolos@nrcollab.org](mailto:ptzovolos@nrcollab.org)

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 school 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 as the investigator.

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. The parties have 10 days to submit a response to the investigative report.

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 five 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:  
Paul Tzovolos, 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, 8<sup>th</sup> 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, TTY: 617-994-6196

For complaints related to discrimination/harassment of parents:  
The Office for Civil Rights, US Department of Education  
5 Post Office Square, 8<sup>th</sup> 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, 8<sup>th</sup> 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, 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

### **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.

## **NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) AND STUDENT RECORDS**

### **Right to Educational Records**

The North River Collaborative recognizes that the official student record is maintained by the sending district(s)/LEA responsible for the student's placement in the North River School. All requests for records should be sent to the sending district(s)/LEA.

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 student") certain rights with respect to the student's educational records. These rights are:

1. The right to inspect and review the student's educational records as soon as possible, and no later than ten (10) calendar days after the day the school receives a request for access. Parents or eligible students should submit to the Program Coordinator a written request that identifies the record(s) they wish to inspect, and it will be forwarded to the sending district. The Program Coordinator and/or sending district will make arrangements for access and notify the parent or eligible student of the time and place for the records to be inspected.
2. The right to request the amendment of the student's educational records that the parent or eligible student believes to be inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the Program Coordinator and clearly identify the part of the record they want to be changed and specify why it is inaccurate and the Program Coordinator will forward it to the sending district. If the sending district decides not to amend the record as requested by the parent or eligible student, the sending district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records. Authorized school personnel include an administrator or clerical person who needs to access the record for administrative reasons, employees of the Collaborative who provide services to the student, or contractors of the Collaborative who provide services to the student. Upon request, the school discloses education records without consent to the sending school district and officials of another school district in which a student seeks or intends to enroll.
4. The North River School will send all of its records to the sending school district if a student's placement is terminated or the student transfers to another school or graduates. The sending school district is the official keeper of the student's record.

### **Rights of Parents with No Physical Custody**

It is necessary for divorced parents to submit a copy of the custody agreement or order so that the school may identify which of the parents has physical custody of the child. If a parent does not have physical custody of a child, then the parent will not be allowed to access the records of his/her child unless the parent has submitted a written request submitted annually to the Program Coordinator to access the records of his/her child.

After the school receives these documents, the school can allow the non-custodial parent to have access to the child's records only after the school has notified the custodial parent and twenty-one days has elapsed from this notification. During this twenty-one-day period, the custodial parent can obtain a court order

restricting access to the child's records or he/she can submit a copy of any outstanding protective orders; if such orders are provided to the school, then the school cannot release the records.

### **Directory Information Notice**

North River Collaborative has designated certain information contained in the education records of its students as directory information for the purpose of the FERPA and the Students Record 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 awards received, (8) post high school plans of the student. Directory information may be disclosed for any purpose in its discretion, without the consent of a parent or an eligible student. Parents of students and 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 CMR 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 reflect 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 the FERPA, which protects the privacy of student education 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 Program Coordinator of North River School, 525 Beech Street, Rockland, MA 02370 by September 15<sup>th</sup> of the current school year.

In the event the parent does not notify the school of the parent's/student's decision to opt out by the time required, it is assumed that neither a parent of a student or eligible student objects to the release of the directory information designated.

### **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, the North River School will follow the guidelines as outlined in the Student's Records Regulations at 603 CMR 23.00 et seq. and the Family Educational Rights and Privacy Act.

Authorized Collaborative 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. Authorized Collaborative personnel include contractors, electronic/online vendors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions. It also includes administrative office staff and clerical personnel whose duties require them to have access to student records for purposes of processing information for the student record. Generally, however, release of a student's records requires a signed permission from the parent or guardian, except in those circumstances listed as exceptions in the student records regulations (i.e. court order). When a student leaves North River School all student records will be returned to the sending school district.

### **COLLABORATIVE POLICY ON INVOLVEMENT OF LAW ENFORCEMENT**

The North River Collaborative and the Rockland Police Department agree to coordinate their response to violence or other illegal activity by students and non-students, which occur on school premises or at school-sponsored or school-related events to the extent allowed under the law. Through collaboration,

the two parties can ensure safe and secure school and community environments designed to maximize effective teaching and learning.

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

It will continue to be the sole prerogative of school officials to impose disciplinary sanctions for infractions of school rules and policies. North River School does not share with the Rockland PD or any other database or system designed to track gang affiliation or involvement, any information about the immigration or citizenship status of a student or their families. It does not share student information relating to residential neighborhood, religion, national origin, ethnicity, and suspected, alleged, or confirmed gang affiliation unless germane to a specific unlawful incident, or the “prospect” of unlawful activity “the school is otherwise required to report.”

### **General Principles of Involvement of Law Enforcement**

This policy shall be applicable to all students in the North River School. A reasonable effort will be maintained between the school administration and the law enforcement agencies. 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 or property.

Administrators, with the position of at least Program Coordinator or designee, and with the advice of the Collaborative’s attorney, have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. The Collaborative’s administrator shall at all times act in a manner which protects and guarantees the rights of students.

### **OBJECTIVES**

- I. Investigation conducted in the educational environment
  - a. Initiated by School Administrators
    - i. Conducted by Administrators
      1. Program Coordinator’s designee 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.
    - ii. Conducted by Law Enforcement Officers
      1. Under normal conditions, police officers will contact the Program Coordinator or his/her designee upon entering a school building.
    - iii. Violators of Criminal Law
      1. During the investigation of a violation of school rules, it may come to the attention of the administrator that the investigated activity may also be violation of criminal law.
      2. The Program Coordinator, following consultation with the Collaborative’s attorney, shall determine when law enforcement officers shall be contacted.
      3. Students are not to be released to police authorities unless police have proper authority to take the student into custody.

4. 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.
- b. Questioning of Students During Investigation: Due Process
    - i. Violations of School Rules
      1. In instances where school rules have allegedly been violated, the Program Coordinator or designee may contact the suspected rule violator or potential witness to the infraction.
        - a. The suspect student should be advised orally of the nature of the alleged offense and of the evidence, if any, against the student.
        - b. In questioning a potential student witness to an alleged disciplinary infraction, care should be taken by the administrator to ensure that there is a reasonable likelihood that the student was indeed a witness. School officials should not engage in detailed questioning of students at random, without reasonable cause, in the hope of gathering information as to school misconduct and the reason to believe that they were a witness.
    - ii. Violations of Criminal Law
      1. During the investigation of the 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. In proceeding with the investigation, the Program Coordinator with the advice of the Collaborative's attorney, will ascertain whether there is sufficient jurisdiction to believe that a criminal offense was committed and that it warrants contacting law enforcement officials.

## II. Taking a Student into Custody

- a. Students may not be released to the law enforcement authorities voluntarily by school officials unless the student has been placed under arrest or unless the parent, guardian, or representative and student agrees to the release. Administrators shall make reasonable objections to law enforcement authorities who attempt to remove students from school without placing them under arrest or without acquiescence of the parent, guardian, or representative and the student. When students are removed from school for any reason by law enforcement authorities, every reasonable effort will be made to contact the student's parent, guardian, or representative immediately. Such effort shall be documented. Whenever a student is removed from school without an arrest being made, or without acquiescence of the parent, guardian, or representative and the student, the administrator shall immediately contact a superior of the law enforcement officers involved and make objection to the removal of the student. The Executive Coordinator's office shall be notified immediately of any removal of a student from school by law enforcement officers under any circumstance.
- b. The Program Coordinator shall make reasonable efforts to persuade law enforcement officers not to make arrests or to take students into custody on school premises.
- c. When it is necessary to take a student into custody on school premises, the law enforcement officer shall contact the school Program Coordinator and relate the circumstances necessitating such action. When possible, the Program Coordinator shall have the student summoned to the office where the student may be taken into custody.
- d. When an emergency exists, the school's Program Coordinator shall summons law enforcement officials to the school to take a student into custody.



- III. Coordination of Policies by Law Enforcement Officers
  - a. School administrators shall meet at least annually with local law enforcement officials to discuss the school system's policy and rules regarding law enforcement contacts with the school system. Law enforcement officials will be asked to instruct their staff as to the terms of the school's policy and rules.
- IV. K9 Dogs on School Grounds without Prior Notification
  - a. For the welfare and safety of the entire student body, K9 dogs may be brought on to the school grounds.

### **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 NRC, NRS, and IA 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 Coordinators.

This policy shall be posted on the NRC, NRS, and IA 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.

## **NORTH RIVER SCHOOL PROCEDURE ON POSSESSION, USE, DISTRIBUTION OF, OR BEING UNDER THE INFLUENCE OF ALCOHOL AND/OR CONTROLLED SUBSTANCES**

### **I. User in School**

When the school reasonably believes that a student has used or is using alcohol or controlled substances (when not prescribed for the student by a physician and/or not administered in compliance with the Medication Policy) on school grounds, at school-sponsored functions, or on transportation provided by the school system, the parent/legal guardian of the student and the sending school will be informed, and a conference must be held immediately. A suspension of up to ten (10) school days may be imposed subject to a possible termination or longer suspension pursuant to M.G.L.c.71 sect. 37H for drugs and 37H3/4 for alcohol.

### **II. Possession**

The parent/guardian of any student who has controlled substances or alcohol in his/her possession on school grounds or at a school-sponsored function will be called to the school immediately for a conference. The school will also notify the proper contact person at the police department. A suspension of up to ten (10) school days will be imposed subject to a possible termination or longer suspension pursuant to M.G.L.c.71 sect. 37H for drugs and 37H3/4 for alcohol.

### **III. Distribution or Sale in School**

The parent/guardian of any student selling or distributing alcohol or a controlled substance on school grounds, at school-sponsored functions, or on transportation provided by the school system shall be called to school immediately; the police will also be notified. A suspension of up to ten (10) school days will be imposed subject to a possible termination or longer suspension pursuant to M.G.L.c.71 sect. 37H for drugs and 37H3/4 for alcohol.

In the event that the parent/guardian decides that the student needs assistance from a physician, clinic, counselor, drug rehabilitation program, or any other professional or professional agency which can help the student address his/her use or possession of alcohol or controlled substance, the school will forego application of the policy so as to assist the parent/guardian and the student, rather than penalize the student.

The policies proposed here are designed to ensure assistance for users and protection of the school population from sellers. We feel that no single answer fits all cases and that each must be judged individually. However, as much as we are concerned with the individual and his/her welfare, our responsibility also includes the welfare of the entire student body. This must be a basic consideration in deciding each case.

## **COLLABORATIVE POLICY ON SEARCH AND SEIZURE**

### **I. School Property**

- A. Desks are the property of the school and are subject to periodic inspection under the authorization of the Program Coordinator or his/her designee at any time. The following rules shall apply to the specific search of school property assigned to a specific student (desk, etc.) and the seizure of any illegal items found therein:
1. Search of an area assigned to a student should be made in the presence of a witness, and when possible, in the presence of the student.
  2. Illegal items (weapons, illegal drugs, drug paraphernalia, alcoholic beverages, stolen property, etc.) or other items reasonably determined to be a threat to the health and safety or security of the student and/or others, may be seized by the Collaborative authorities.

### **II. Reasonable Cause**

- A. When reasonable cause exists, a student and his/her property (coat, purse, backpack) may be searched under authorization of the Program Coordinator or his designee. A student search is reasonable if:
1. There are reasonable grounds for suspecting that the student has violated or is violating either the law or rules of the school.
  2. The search itself is conducted in a manner reasonably related to its objectives and limited to areas and objects that reasonably could be expected to contain the items being sought given the nature of the infraction and given the age and sex of the student.

### **III. Temporary Removal**

- A. Items which are used to disrupt or interfere with the educational process may be temporarily removed from the student's possession. This includes radios, cell phones, laser lights, beepers, iPods, or any other unauthorized electronic devices.

### **IV. Search Warrant**

- A. A student search, including desks, backpacks, jackets and lockers, may be done by police or other law enforcement officials if there is a valid search warrant or, in certain cases, if a valid arrest was made. Such searches must be carried out in the presence of a school official.

## **PHYSICAL RESTRAINT**

### **North River Collaborative Physical Restraint and Behavior Support Policy**

*This policy complies with the revised physical restraint regulations at 603 CMR 46.01 et seq., effective on January 1, 2016*

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

This policy shall be reviewed annually and provided to North River Collaborative (NRC) staff and made

available to the parents/guardians of enrolled students. Nothing in this policy precludes any teacher, employee, or agent of NRC from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm.

**1. Methods for Preventing Student Violence, Self-Injurious Behavior, and Suicide**

- A.** Student behavior and emotional needs are addressed in a pro-active manner through Functional Behavioral Assessments, Behavior Support Plans, or Individual Education Plans. These tools are used in an effort to change behavior prior to it becoming unmanageable in the school environment.
- B.** De-escalation techniques specific to the student may be incorporated in the student's Behavior Support Plan or Individual Education Plan and utilized by staff. De-escalation techniques may include, but are not limited to:
- Identification of behaviors that could lead to a crisis.
  - Use of verbal and nonverbal techniques to defuse hostile behavior and resolve a crisis before it can become violent, self-injurious or suicidal.
  - Use of therapeutic counseling/positive behavior supports.
  - Assessment of risk levels and consideration of issues that impact decision making.
  - Use of disengagement skills to avoid injury if behavior becomes physical.
  - Use of respectful, humane, non-coercive interventions.
  - Use of positive reinforcement embedded throughout.
  - Use of a least restrictive approach that requires a range of options. This includes a series of evidence-based interventions that can be flexibly adapted to the specific circumstances.

**2. Methods for Engaging Parents/Guardian**

- A.** NRC informs parents/guardians about restraint prevention and the use of restraint solely as an emergency procedure through the intake process and student handbooks.
- B.** Any parent with concerns about the use of physical restraint in any program within NRC may request a meeting with the program Principal/Program Coordinator or the Executive Director to discuss such concerns. Any individual who believes that a physical restraint of a student may have been unwarranted or conducted inappropriately may also make use of the Grievance Procedure described in Section 10, below.

**3. Alternatives to Physical Restraint and Methods of Physical Restraint**

**A. Alternatives**

Physical restraint shall not be used unless less intrusive behavior interventions and supports have been unsuccessful or deemed inappropriate by school staff. Such alternative interventions include, but are not limited to:

- Positive behavioral interventions
- Verbal redirection
- Verbal directive to cease behavior
- Opportunity for a break
- De-escalation techniques
- Application of earned tokens/rewards/reinforcers
- Opportunity for time-out
- Physical escort to a separate space for supervised therapeutic intervention/time out

- Individual Behavior Supported Plan

B. Methods of Physical Restraint:

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

The following forms of physical restraint shall only be administered by trained personnel, using only the amount of force necessary to protect the student or other member(s) of the school community from assault or imminent, serious, physical harm.

These include holds and restraints utilized through *Nonviolent Crisis Intervention*® as developed by Crisis Prevention Institute including the *Child Control Position* and the *Full Body Control Position* and holds and restraints utilized through *Safety Care*™ as developed by Quality Behavioral Services including the *One Person Stability Hold*, the *Two Person Stability Hold and Escort*, and the *Chair Stability Hold*.

The staff member(s) administering physical restraint shall use the safest method available and appropriate to the situation. Staff shall continuously monitor the physical status of the student during restraint, and the student shall be immediately released from the physical restraint if the student expresses or demonstrates significant physical distress.

All physical restraints must terminate as soon as the student is no longer an immediate danger, or if the student indicates that he/she cannot breathe, or if the student is observed to be in severe distress. If any physical restraint approaches twenty (20) minutes, staff will obtain the approval of the Program Coordinator/Principal or his/her designee to continue the restraint based upon the student's continued agitation. All physical restraints shall be administered in compliance with 603 CMR 46.00.

**4. Prohibited Forms of Restraint**

- A. Medication restraint, mechanical restraint, and seclusion restraint, as defined in 603 CMR 46.02, are prohibited in the programs of NRC.
- B. Any form of physical restraint used in a manner inconsistent with 603 CMR 46.00 is prohibited in NRC.
- C. NRC will not use prone restraint unless the circumstances below have been documented in advance. Prone restraint, as defined in 603 CMR 46.02, shall only be permitted under the following, limited circumstances:
  - i. The student has a documented history of serious self-injury and/or injuries to other students or staff;
  - ii. All other forms of physical restraint have failed to ensure the safety of the student and/or the safety of others.
  - iii. There are no medical contraindications documented by a licensed physician;
  - iv. There are no psychological or behavioral contraindications documented by a licensed mental health professional;
  - v. The student's parent/guardian has provided voluntary, informed, written consent to the use of prone restraint; and

- vi. The Program Coordinator/Principal, or designee, has provided written approval.

**5. Staff Training, Physical Restraint Reporting, and Follow-Up Process**

**A. Staff Training:**

- i. All staff/faculty will receive training regarding the Collaborative's physical restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.
- ii. Required training for all staff will include review of the following:
  - 1) NRC Physical Restraint and Behavior Support Policy
  - 2) School/Program-level physical restraint procedures, including the use of time-out as a behavior support strategy;
  - 3) The role of the student, family, and staff in preventing physical restraint;
  - 4) Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors and alternatives to restraint;
  - 5) When in an emergency, the types of permitted physical restraints and related safety consideration, including information regarding the increased risk of injury to a student when any restraint is used;
  - 6) Identification of NRC staff, or staff of the public-school district in which the NRC program is housed, or NRC staff who have received in-depth training (as set forth below in section (a) (iii)) in the use of physical restraint.
- iii. In-Depth Training
  - 1) At the beginning of the school year, the Program Coordinator/ Principal will identify those designated staff who will participate in in-depth training and who will then be authorized to serve school-wide resources to assist in ensuring proper administration of physical restraint.
  - 2) Designated staff members shall participate in approximately sixteen (16) hours of in-depth training in the use of physical restraint, with at least one refresher training annually.
  - 3) In-depth training will include:
    - a. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
    - b. A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
    - c. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
    - d. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
    - e. Demonstration by participants of proficiency in administering physical restraint; and
    - f. Instruction regarding the impact of physical restraint on the student and family, including but not limited to psychological, physiological, and social-emotional effects.

**B. Physical Restraint Reporting**

- i. Report to the Program Coordinator/Principal:

- 1) Staff shall verbally inform the Program Coordinator/Principal of any physical restraint as soon as possible and by written report within one (1) school day.
  - 2) The Program Coordinator/Principal or designee shall maintain an ongoing record of all reported instances of physical restraint.
  - ii. Report to Parent/Guardian of Physically Restrained Student:
    - 1) The Program Coordinator/Principal or designee shall make reasonable efforts to verbally inform the student's parent/guardian of the physical restraint within twenty-four (24) hours.
    - 2) The Program Coordinator/Principal or designee 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 Collaborative with an email address.
    - 3) The parent/guardian and/or student may respond to the Program Coordinator/Principal or designee 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 in Section 10, below.
  - iii. Report to Department of Elementary and Secondary Education (DESE):
    - 1) Whenever a physical restraint results in injury to the student or any school community member, the Collaborative shall send a copy of the written report to DESE within three (3) school days. A copy of the ongoing physical restraint log from the past thirty (30) days will also be provided to DESE.
    - 2) NRC shall also report physical restraint data annually to DESE, as directed by DESE.
  - iv. Report to Law Enforcement and Other State Agencies:
    - 1) Nothing in this policy prevents any individual from reporting a crime to the appropriate authorities;
    - 2) Nothing in this policy prevents any individual from exercising their responsibilities as a mandated reporter under M.G.L, c. 119, §51A.
- C. Follow-Up Procedures
- i. After a student is released from a physical restraint, staff shall implement follow-up procedures, including:
    - 1) Reviewing the incident with the student, as appropriate, to address the behavior that precipitated the physical restraint;
    - 2) Reviewing the incident with the staff member(s) who administered the physical restraint to ensure proper restraint procedures were followed; and
    - 3) Consideration of whether any follow-up is appropriate for students who witnessed the physical restraint, if any.

## 6. **The North River School Procedures for Periodic Review of Physical Restraint Data**

- A. At each North River School weekly staff training a review of physical restraint data will be an agenda item, to identify individuals who have been restrained during the week, especially if a student has 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 NRS review team will be composed of the Principal/Coordinator, nurse, a certified restraint trained staff 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 NRS 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.

**7. The NRS Procedures to Meet and Ensure Reporting Requirements of 603 CMR 46.06**

The staff who administered the restraint will verbally inform the Principal/Coordinator as soon as possible and by written report by the end of the school day.

If the Principal/Coordinator administered the restraint the Principal/Coordinator shall prepare the report and submit it to an individual or team designated by the Executive Director.

The NRS Principal/Coordinator or designee (lead teacher, nurse or secretary) maintains an on-going record of all reported instances of physical restraint.

The North River School provides in-depth annual training of de-escalation techniques to all staff that have direct interactions with students. The North River School also provides one staff as a certified instructor of de-escalation strategies (CPI) A current list of all physical restraint (CPI) trained staff is made available to parents/guardians upon request.

**8. The NRS Procedure for Providing Timely Oral and Written Notice to the Parents/Guardians of any Student Who Undergoes Physical Restraint**

The North River School as procedure will immediately make every reasonable effort to contact a parent/guardian of any student who undergoes a physical restraint as soon as possible and at least within twenty-four (24) hours.

The Program Coordinator or designee will be the primary person to contact the parent/guardian. Every effort will be made to verbally inform the parent/guardian of the restraint, but if unable to reach the parent by phone, use of parent's other preferred method of contact (e.g. text, email) will be utilized. If the parent/guardian cannot be reached within 24 hours, the student's identified emergency contact will be notified. All efforts for communication will be noted in the students file as well as the communication log in the Google Drive. The Principal/Program Coordinator or designee (counselor, lead teacher) shall provide the parent/guardian a written report of the physical restraint within three (3) school days.

Whenever a physical restraint results in an injury to the student or any school community member, the Principal/Program Coordinator or designee (Lead Teacher, Counselor) shall notify the Executive Director or Assistant Executive Director and the DESE as soon as possible and in writing within one (1) day. A copy of the on-going physical restraint log from the past thirty (30) days will also be provided to the collaborative.

**9. The North River School Procedure for the Use of Time-out**

The North River School does not as a policy or procedure use involuntary seclusion or an identified time-out room to separate students from their academic day.

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



Primary Prevention: *preventing* the need for restraint by providing staff with on-going professional opportunities and education regarding the population we serve and specifically implementing a “trauma sensitive” model school environment.

Secondary Prevention: *early intervention* which focuses on the use of creative, least restrictive alternatives, tailored to the individuals and their IEP social/emotional goal.

One such alternative that North River School may use is an exclusionary time-out. An exclusionary time-out will consist of a student being directed to move to a designated, calm, safe and comfortable space within the school for the purpose of re-establishing a calm, safe, therapeutic focus until ready to return to the academic setting or meeting with a support staff. The Program Coordinator, Lauren Enos, or her designee, will oversee student separation procedures if implemented.

The room utilized for any time out implemented will be physically safe and appropriate to the students’ needs and the door to such room will remain unlocked. The student will be monitored continuously and will have access to his/her primary counselor or one of the therapeutic team members (Counselor, Nurse, Behavior Support Staff and/or identified staff member of student’s choosing).

After a period of ten (10) minutes, and depending on the student’s level of tension reduction, the student will be asked to rejoin the class or may check in with another team member for a five (5) minute follow up.

When a student has calmed and/or meets with a behavioral support staff and/or his/her counselor, to address the student’s social-emotional needs then “exclusionary time-out “is considered ended. The Program Coordinator or designee will document the length of time, reason for the intervention, who approved the procedure and who monitored the student during the time out.

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, the Principal/Program Coordinator or designee (Lead teacher, Lead Counselor) must be notified. A team decision will then be made to provide guidance and support for the student to continue a time-out beyond thirty (30) minutes. The student will have access to calming activities that are tailored to the individual (drawing, games, basketball, swinging on the swings) during that time as long as the student’s level of tension does not become unsafe. When a student is in an exclusionary time-out for longer than thirty (30) minutes, the student 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. In situations in which a student requires exclusionary time out for longer than 30 minutes, the parent/guardian will be notified.

#### **10. Grievance Procedures.**

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 Program Coordinator/Principal or Executive Director.

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

implicated in the complaint, the meeting and investigation will be conducted by the Executive Director.

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 either the Program Coordinator/Principal or the Department of Elementary and Secondary Education.

A written report of the investigation will be developed and provided to the complainant.

### **NRC 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 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 Program Coordinator and/or designee.

Reports of bullying and/or cyberbullying will result in an investigation. Reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report. 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.

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 program. Program Coordinators will work cooperatively with the Coordinator 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, cyberbullying or retaliation.

**A copy of the full Bullying Intervention Plan may be found in the main office.**

### **NORTH RIVER COLLABORATIVE POLICY ON SERVICE ANIMALS IN PROGRAMS**

The North River Collaborative (NRC) does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The NRC will comply with Massachusetts law concerning the rights of persons with guide or assistance dogs and with federal law and will permit such animals on school premises and on school transportation.

The North River Collaborative acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a "service animal" in its buildings, in classrooms, and at school functions, as required by the Title II of the Americans with Disabilities Act and its implementing regulations found at 28 CFR Part 35.

For purposes of this policy, a "service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability". The regulations further state that "a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability". Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets.

No animal shall be brought to school without prior permission of the Superintendent and Program Coordinator/Designee.

1. The animal must be "required" by the individual with a disability.

The animal must be "individually trained" to do work or a task for the individual with a disability. The task performed by the service animal must address one of the following needs for the disabled individual: physical, sensory, psychiatric, intellectual and other mental disability.

2. For students on an IEP or 504 plan, if a request is made to allow the student to have a service animal at school or at a school-sponsored function, the IEP or 504 Team will consider the request, and whether it can provide services and/or accommodations that would serve the stated purpose of the service animal. If the Team determines that it can meet the student's

needs and proposes alternative accommodations and/or services, then the request for the service animal will not be added to the IEP or 504 Plan.

3. The North River Collaborative is responsible for providing a safe learning environment for students, teacher and staff. If the presence of a service animal poses a health or safety risk to another member of the school community, as documented by a physician, the school will weigh the needs of all parties and will put forth a plan to provide reasonable accommodations.
4. Only a dog or a miniature horse may qualify as a service animal pursuant to Title II of the ADA. No other species of animal, whether wild or domestic, will be permitted in schools as a “service animal”.
5. Owners of a service animal must provide annual proof that the animal is up to date on all of its required vaccinations.
6. All service animals must be spayed or neutered.
7. All service animals must be treated for and kept free of fleas and ticks.
8. All service animals must be kept clean and groomed to avoid shedding and dander.
9. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control.
10. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property. The student’s parent or legal guardian will be required to sign a waiver of liability prior to the service animal coming to the school or to the school sponsor’s activity.
11. Removal of a Service Animal: A school administrator may ask an individual with a disability or his parents to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs:
  - a. The animal is out of control and the animal’s handler does not take effective action to control it.
  - b. The animal is not housebroken.
  - c. The animal’s presence would “fundamentally alter” the nature of the service, program, or activity.

12. The North River Collaborative is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself.
  - a. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
  - b. Students with service animals are expected to care and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his service animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator.

The Executive Director of the North River Collaborative or designee shall be responsible for developing procedures to accommodate a student's use of an assistance animal in school facilities and on school transportation vehicles.

## **NORTH RIVER COLLABORATIVE STUDENT ACCEPTABLE USE POLICY**

### **Introduction**

The North River Collaborative understands the vital role that technology plays for both students and staff in education and is therefore committed to providing both hardware and software, as well as support for that purpose.

### **Collaborative Property**

All aspects of the North River Collaborative's Technology Network (the "Network"), which includes computer, technology and communications systems, hardware, software and all message contents, Internet access, electronic mail capability, voice mail, and all uses of any stationary/cell telephonic equipment owned by the Collaborative are the property of the Collaborative. The Network is not a resource intended for use as a public forum or for any purpose that is not directly related to the delivery of educational services.

For users to be permitted to gain independent access to the Network, they must agree to and abide by the rules set out below. For students under 18, parents must also provide written permission forms before the student will be permitted to gain independent access to the Network. If the North River Collaborative does not receive a signed user agreement and parent permission form, students will not gain independent access to the Network but may still have exposure to the Internet during classroom instruction.

The North River Collaborative reserves its right to seek restitution from any user for costs incurred by the school, including legal fees, due to such user's inappropriate use of the school's technology resources.

All hardware owned, distributed, and loaned to the user is the responsibility of that user to return in the same condition as when supplied. It is the responsibility of the user to report abuse of North River Collaborative technology immediately to the Program Coordinator. A user should not attempt to log on as a system administrator as that will result in a cancellation of user privileges. All computers and hardware NOT owned by the North River Collaborative must be approved for use with the Program Coordinator beforehand.

### **Review and Monitoring of the Network**

The Collaborative 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. In addition, all incoming and outgoing emails are archived through our email host.

The computers, Internet, and email are not private. Your access code or password does not give you any right to privacy with respect to using the Collaborative's e-mail and Internet systems. At any time, and without prior notice, the North River Collaborative reserves the right to monitor, inspect, copy, review, and store any and all usage of technology devices.

### **User Responsibility**

All users must adhere to this acceptable use policy which includes both responsible use and prohibited use. Responsibility of use includes the day-to-day operation of technology, securing or locking a device when not at the device, logging off the Network at the end of a work session or at the request of the system administrator, and keeping all passwords to the Network secure. All electronic contact should be through the North River Collaborative's email, website, and telephone system.

The Collaborative assumes no responsibility for any unauthorized charges or fees; any financial obligations arising out of unauthorized use of the Network for purchase of products or services; any costs, liability or damages caused by user's violation of these policies; and any information or materials transferred through the Network.

Use of any information obtained via email, the Internet, or other sources is at the risk of the user. The North River Collaborative specifically denies any responsibility for the accuracy or quality of information obtained through the Internet.

North River Collaborative through its ISP provides content filtering that is CIPA compliant. CIPA is the acronym for Children's Internet Protection Act. Our content filtering software is updated on a regular basis and sites can be blocked per our request. The software is in place to help protect our students from obscene or questionable material that is not educationally relevant.

The North River Collaborative will make every reasonable effort to monitor our Network, Internet traffic, and content filters to ensure student safety.

**Disclaimer of Liability:** while safeguards are in place to protect our students from offensive material, no filter is 100% effective. The North River Collaborative disclaims all liability for the content of material that a student may access on the Internet, for any damages suffered in the course of or as a result of the student's Internet use, and any other consequences of a student's Network use. Under certain conditions, Massachusetts General Law (MGL) holds that email is public record and must be available for public inspection.

The North River Collaborative makes no guarantee regarding the reliability of the data connection.

The North River Collaborative shall not be liable for any loss or corruption of data resulting while using the Network.

### **Prohibited Use of the Network**

It is not permissible to use the Network to:

- engage in unlawful or inappropriate behavior;

- use the Network for financial gain or for any commercial, political, gambling, or any illegal activity;
- transmit material that contains offensive or harassing remarks based on age, disability, race, color, age, gender identity or expression, pregnancy or pregnancy-related conditions, homelessness, religious creed, national origin, ethnicity, ancestry, sex, sexual orientation, and/or genetic information, or any other classification protected by law;
- transmit sexually explicit material, including messages, pictures, jokes and cartoons;
- access or visit websites that contain sexually explicit, racist or other offensive material, or post messages at such websites;
- pirate software or download or transmit software programs or any other copyrighted or trademarked materials;
- identify or share the location of inappropriate materials;
- leave one's computer logged in but unsecured or leaving password information available for others to assume your ID;
- engage in cyberbullying as defined in Chapter 92 of the Massachusetts Acts of 2010, that is bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by such things as electronic mail, internet communications, instant message, text message or facsimile;
- spam or the unauthorized use of distribution lists for e-mails. This includes creating or forwarding chain letters or pyramid schemes of any type;
- use games, whether downloaded or web-based without permission;
- use the Network in any way which results in a potential claim concerning a copyright and/or trademark;
- use proxy websites that allows a user to browse the Internet anonymously and intentionally bypasses NRC's firewall and content filters;
- participate in any communications that facilitate the illegal sale or use of drugs or alcohol or to facilitate criminal activity;
- attempt to log into or access another person's files, any attempt to access Network applications or system data that the user does not have permission to;
- disrupt Network/computer performance by or attempting to change configurations or attaching devices, physically or wirelessly to the Network;
- gamble;



- participate in any communications that threaten, intimidate, or harass any other person or violate any local, state, or federal laws;
- any form of vandalism, including damage to computers or hardware, and disseminating malicious software programs such as viruses that disrupt the operation of the Network. Disassembling computer equipment is considered vandalism as well; and
- use technology for commercial activities or product advertisement.

### **School Policy**

This student acceptable use policy does not nullify the schools' handbook policy, which must be adhered to as well.

### **Violation of this Policy**

The use of the Network is a privilege, not a right, which may be revoked at any time. Any violations of this policy may result in disciplinary action. It should be further understood that transfer of certain kinds of materials is illegal, and punishable by fine and/or jail sentence.

### **Classroom-based Computer Use**

The Collaborative's employees are responsible for ensuring that classroom-based computer use is in compliance with North River Collaborative and host school district policies regarding acceptable use and the Children's Internet Protection Act.

## **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, in the program and common areas of NRC buildings, and in classrooms located in district schools. 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, property, and classrooms to notify students, staff, and visitors that video or digital cameras may be in use. 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.

North River Collaborative acknowledges that there exists an expectation of privacy in various locations within and on the North River facilities including within the lavatories, changing rooms/locker rooms, and in the nurse's offices. Cameras shall not be used to monitor inside such areas.

The Executive Director shall ensure that proper procedures are in place and are followed regarding the use, viewing, disclosure, retention, disposal and security of video recordings or photographs from security cameras, in accordance with applicable laws and regulations, as follows:

- Access to video recordings from security cameras shall be limited to school administrators (Executive Director or his/her designee, Program Coordinator or his/her designee)

- A video recording used for security purposes in school district buildings and/or on school property shall be the sole property of North River Collaborative. The right to inspect such recordings is limited to North River personnel and as required by law.
  - Any type of activity detected through the use of video surveillance cameras that might constitute a violation of the law will be reported immediately to the appropriate law enforcement officials by North River Collaborative, consistent with Federal and State law.
  - All video recordings will be stored in a secure location to avoid tampering and to ensure confidentiality.
  - In exigent circumstances, such as a building lock down or shelter in place situation or when there are other circumstances in connection with a health and safety emergency, security camera recordings may be accessed in real time by law enforcement at a location most convenient to the involved law enforcement agencies.
- Security cameras will record video only and will not record audio.

Video recordings (with the exception of those segments that constitute evidence of a crime being committed or used in connection with student or staff discipline) will be maintained for as long as there is sufficient storage space on the surveillance server or for thirty (30) days, whichever is longer, and then deleted. All such recordings shall be treated as confidential and shall not be released to individuals or agencies outside of the Collaborative except through a lawfully issued subpoena, court order or as otherwise required by law.

All video recordings will be stored in a secure location to avoid tampering and to ensure confidentiality.

Any individual who tampers with or destroys a video surveillance camera or any part of the video surveillance system, or otherwise misuses the surveillance system, will be subject to appropriate disciplinary action as well as possible criminal charges.

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

## **APPENDICES**

## APPENDIX A

This form is to be confidentiality maintained in accordance with the Family Educational Rights & Privacy Act, 20 U.S.C. 1232g. Do not file in the cumulative record.

<b>NRC INCIDENT INVESTIGATION FORM</b>			
Investigation start date:			
Name of student target: <i>Click here to enter text.</i>	Age: <i>Click to enter text.</i>	Grade <i>Click to enter text.</i>	School: <i>Click to enter text.</i>
Name(s) of alleged aggressor(s) (if known): <i>Click here to enter text.</i>	Age: <i>Click to enter text.</i>	Grade: <i>Click to enter text.</i>	School: <i>Click to enter text.</i>
<p><b><u>Investigation</u></b></p> <p><input type="checkbox"/> Review &amp; attach <i>Incident Reporting Form</i></p> <p><input type="checkbox"/> Review prior documented incidents by the aggressor (if yes):</p> <p style="margin-left: 20px;"><input type="checkbox"/> have incidents involved target or target group previously?</p> <p style="margin-left: 20px;"><input type="checkbox"/> Any previous incidents with findings of BULLYING or RETALIATION</p> <p><input type="checkbox"/> Consult as needed with additional staff, Include names here:</p> <p><input type="checkbox"/> Determine which additional staff, if any needs to be present student interviews and/or decision process,                Include names here: <i>Click here to enter text.</i></p> <p><input type="checkbox"/> Conduct student interviews.</p> <p><input type="checkbox"/> Read back to each student a summary of his or her account to ensure accuracy of your notes.</p> <p><input type="checkbox"/> Ask nurse to examine any person if physical injury occurred.</p> <p><input type="checkbox"/> The following checked items are attached to this report</p> <p style="margin-left: 20px;"><input type="checkbox"/> Incident Report Form (if available)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Printouts of posts, social networking pages, emails, etc.</p> <p style="margin-left: 20px;"><input type="checkbox"/> Copies of other evidence</p> <p style="margin-left: 20px;"><input type="checkbox"/> Copies of investigator's note (e.g. transcripts of interviews, etc.)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Nurse report(s)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Police report(s)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Written statement from interviewees, reporters, etc.</p>			
<p><b><u>Determination</u></b></p> <p><input type="checkbox"/> Check all that apply:</p> <p style="margin-left: 20px;"><input type="checkbox"/> <b>Repeated use</b> by one or more students of a written, verbal, or electronic expression or a physical act or gesture                or any combination thereof, directed at a target that must include at least one of the following:</p> <p style="margin-left: 40px;"><input type="checkbox"/> Causes <b>physical or emotional harm</b> to the target or damage to the target's property;</p> <p style="margin-left: 40px;"><input type="checkbox"/> Places the target in <b>reasonable fear of harm to himself or herself</b> or damage to his or her property;</p> <p style="margin-left: 40px;"><input type="checkbox"/> Creates a <b>hostile environment</b> at school for the target;</p> <p style="margin-left: 40px;"><input type="checkbox"/> <b>Infringes on the rights</b> of the target <u>at school</u>; or</p>			

- Materially and substantially **disrupts the education process** or the orderly operation of school.
- Involves an imbalance of perceived or real physical or social power between target and aggressor(s)
- Retaliation from reporting of previous incident

- Provide a brief description of the nature of the bullying (if any)

[Click here to enter text.](#)

- Provide a Final determination:

- Incidents **did not** meet the standard of bullying (if any):
- Bullying has occurred and will be dealt with in-house
- Criminal bullying has occurred, and police should be notified of possible criminal charges

This form is to be confidentiality maintained in accordance with the Family Educational Rights & Privacy Act, 20 U.S.C. 1232g. Do not file in the cumulative record.

## **BULLYING INVESTIGATION FORM**

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### **Response Plan** (if any)

Disciplinary Actions: [Click here to enter text.](#)

### Remediation Action:

Behavioral Remediation Agreement attached

Individual Behavior Plan attached (repeat offenders only)

[Click here to enter text.](#)

### Student Safety Action:

[Click here to enter text.](#)

---

### **Notification and Documentation**

Parent(s)/Guardian(s) of the target

Parent(s)/Guardian(s) of the aggressor(s)

School information system (e.g. student files)

Executive Director/or Designee

Counselor of aggressor

Counselor of target

Sending District Special Education Administrator

Police (if criminal charges may be pursued)

Other schools, coaches, and staff members (as appropriate) or implementing the disciplinary, remediation and student safety actions, please describe [Click here to enter text.](#)

---

Administrative/Investigator Signature

Date:

This form is to be confidentiality maintained in accordance with the Family Educational Rights & Privacy Act, 20 U.S.C. 1232g. Do not file in the cumulative record.

# BEHAVIORAL REMEDIATION AGREEMENT

		Date:	Click to enter	
Name of Student Click here to enter text.	Age: Click to enter	Grade: Click to enter	School: Click to enter	

Reason for behavioral remediation agreement:  
Click here to enter text.

I agree to the following terms to change my behavior:  
Click here to enter text.

I will need the following supports to help me meet the obligations of my agreement:  
Click here to enter text.

The implications of me NOT meeting the expectations are as follows:  
Click here to enter text.

Student Signature:

Date:

Parent/Guardian Signature:

Date:

Administrator/Investigator Signature:

Date:

## **APPENDIX B**

### **Reporting and Responding to Bullying and Retaliation Guidelines**

#### **1) REPORTING**

- Students, parents or guardians, or others make an oral or written report of a bullying incident
- Staff must immediately report an incident of bullying to the principal or designee (staff must fill out an Incident Reporting Form)

#### **2) SAFETY**

- Before investigating the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or protect the alleged target from possible further incidents
- At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal, after consultation with the Executive Coordinator, will notify the local law enforcement agency

#### **3) INVESTIGATION**

- Interview the target
- Interview students, staff, witness, parents or guardians, and others as necessary
- Interview the alleged aggressor

#### **4) DETERMINATION**

- The principal or designee makes the determination of bullying based upon all of the facts and circumstances
- Take steps to prevent recurrence if bullying or retaliation occurred
- Notify the parents or guardians of the target and the aggressor about the results of the investigation (if there was bullying or retaliation found)
- Principal should not disclose specific information to the target's parent or guardian about the disciplinary action taken- except when the target needs to know the information, such as a stay away order

#### **5) DISCIPLINE/FOLLOW-UP**

- Discipline will be consistent with the Plan and with the school's or district's code of conduct and can include suspension, expulsion and termination for employees
- Document outcome of investigation on the Incident Reporting Form
- Notify appropriate staff
- Promote the continued safety of the target
- Provide counseling or refer aggressors, targets, and family members of those students to appropriate services as needed



## Appendix C

### School Wide Education Service Plan

In accordance with Chapter 76, Section 21, North River Collaborative Principals and Program Coordinators shall ensure that students who are suspended from school for 10 or fewer consecutive days, whether in or out of school, shall have an opportunity to make academic progress during the period of suspension, to make up assignments and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed.

North River Collaborative Principals and Program Coordinators shall provide educational services for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school, with agreement from the student's sending district. The responsibility for education services ultimately rests with the student's school district, not the educational collaborative, since the student continues to be enrolled in the district while attending the collaborative program. However, an educational collaborative and the student's sending district may agree for North River Collaborative to provide educational services, in which case the Principals and Program coordinators shall notify the student and their parent of the opportunity to receive education services and arranging such services at the time that the student is expelled or placed in long-term suspension. The services will be based on and provided in a manner consistent with the academic standards for all students.

In the event that North River Collaborative provides the educational services, it offers the following options:

- 1) Tutoring
- 2) Online Learning

North River Collaborative's obligations assume that the student is still a student at North River Collaborative. In the event of a student termination the principal or program coordinator will try every available means to maintain the student's placement until the sending school district has had sufficient time to search for an alternative placement.

In the case of a planned termination, the school will notify the sending school district of the need for an IEP review meeting. The school district will arrange a Team meeting and will provide all parties, including the parent, and student if appropriate, notice of this meeting ten days in advance of the intended date of the meeting. The meeting will be held for the purpose of planning and developing a written termination plan for the student.

The plan shall describe the student's specific program needs, the short and long-term educational goals of the program, and recommendations for the follow-up and/or transitional services.

The Team Chair shall thoroughly explain termination procedures to the student, the parents, and other stakeholders, including the sending district's administrator of special education and officials of the appropriate human service agency, if applicable.

The written termination plan shall be implemented in no less than thirty days unless the team agrees to an earlier termination date. If unable to maintain the student's placement, tutoring or online learning will be offered to the student until such time an alternate placement is identified.

In the case of an emergency termination, which shall be defined as circumstances in which the student presents a clear and present threat to health and safety of him/herself or others, the North River Collaborative program and the sending school district shall follow the procedures under 603 CMR 28.09 (12).

If the student is suspended for more than ten consecutive days a termination takes effect, tutoring or online learning will be offered to the student until such time an alternate placement is identified.

The North River Collaborative program involved in the incident will immediately notify by telephone and by letter the student's parents, any state agency involved in the student's care or program placement and the sending school district of the circumstances in which the student needs to be terminated.

Upon telephone notification of the emergency termination, the sending school district is expected to take responsibility for the student and to immediately convene an emergency Team meeting or planning to address an appropriate course of action and new placement for the student prior to termination.

If the sending school district requests, termination may be delayed up to a maximum of two calendar weeks from the date of notification in order to allow the emergency team meeting or planning to occur. Emergency termination will not be delayed beyond two calendar weeks without the express consent of both the sending district and the North River Collaborative program.

## **Appendix D**

### **Curriculum Review**

The collaborative ensures that individual teachers in the collaborative review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.

#### **State Requirements:**

M.G.L. c. 76, s. 5; 603 CMR 26.05(2) as amended by Chapter 199 of the Acts of 2011

#### **Federal Requirements (IDEA-97)**

#### **Procedure:**

Whenever new curricular materials are needed, NRC works with vendors to obtain samples of proposed texts and other materials in order to review their appropriateness and value to the curriculum. Materials are screened for simplistic and demeaning generalizations lacking intellectual merit. Administrators and Teachers utilize a checklist of questions to guide their review as needed. This same process is used for supplementary materials such as news articles, supplementary books, advertisements, videos, etc.

Teachers participate in ongoing professional development related to equity and bias in order to enhance their understanding of these issues and improve the lens with which they evaluate all educational materials. If materials are selected that possess intellectual merit yet depict stereotypes that are demeaning, teachers are expected to provide balance and context in their instruction. Student feedback on feelings of equity within the school environment are frequently sought during primary counselors' ongoing meetings with students.

## APPENDIX E

### Grading Procedures / Reporting Student Progress

#### *Report Cards*

Report cards are issued during the months of November, January, April and June. Students are evaluated on their academic progress in each subject in accordance with the following rating scale:

A+ (97-100)	A (93-96)	A- (90-92)	Excellent Quality
B+ (87-89)	B (83-86)	B- (80-82)	Good Quality
C+ (77-79)	C (73-76)	C- (70-72)	Acceptable Quality
D+ (67-69)	D (63-66)	D- (60-62)	Poor Quality
		F (00-59)	Failing

I	Incomplete	NC	No credit earned	M	Medical	WP	Withdrawn passing
WDN	Withdrawn from school	P/F	Pass / Fail	WF	Withdrawn failing	GNA	Goals not attained

#### *Progress Reports*

Student progress reports may be issued at any time during the school year. Generally, midterm reports are distributed to students around the middle of each marking period, although additional reports may be sent any time a teacher feels that one is warranted, especially if a significant grade change or a negative change in behavior occurs. Students in danger of failing, that is receiving a "D" or lower grade, or who are in danger of losing credit due to poor attendance, shall receive a progress report.

#### *Honor Roll for Grades 5 - 12*

An honor roll based on scholastic achievement is published at the end of each marking period. The levels of honor roll achievement are scholastic requirements for each level are as follows:

- High Honors    A– or better in all academic classes, vocational shops, physical education and activity classes
- Honors         B– or better in all academic classes, vocational shops, physical education and activity classes

## Appendix F

### Suspected Head Injury/Concussion Policy

North River Collaborative (NRC), in order to protect the health and safety of students and to comply with Mass. Gen. L. c. 111, Section 222 (“Section 222”) and accompanying regulations (105 CMR 201 et seq.), has developed the following policy to address the identification and proper handling of suspected head injury in students participating in extra-curricular activities.

#### **Definitions**

For the purposes of this policy, consistent with 105 CMR 201.007, the following words shall have the following meaning:

**TBI (traumatic brain injury)** is defined as: A complex pathophysiological process affecting the brain, induced by traumatic biomechanical forces. TBI may be caused either by a direct blow to the head, face, neck or elsewhere on the body with an impulsive force transmitted to the head. TBI includes, but is not limited to, a concussion.

Head injury is defined as: a direct blow to the head or indirect trauma to the head including a concussion or traumatic brain injury. Scalp or facial laceration alone is not itself a head injury.

Concussion is defined as: a complex disturbance in brain function, due to direct or indirect trauma to the head, related to neurometabolic dysfunction, rather than structured injury.

#### **Roles and Responsibilities**

The Program Director shall be responsible for the general implementation of this policy and any accompanying procedures as it relates to students in grades 6-12 who participate in school-based athletic, extracurricular activities.

The Collaborative will adopt policies and procedures governing the prevention and management of sports-related head injuries following development of a proposal by a team consisting, at a minimum, of a school administrator, school nurse, school or team physician if on staff, athletic director, licensed athletic trainer if on staff, neuropsychologist if available, guidance counselor, and teacher in consultation with any existing school health/wellness advisory committee. Review and revision of such policies and procedures shall occur as needed but at least every two years.

The Collaborative will require documentation of physical examination prior to a student’s participation in extracurricular athletic activities on an annual basis.

Coaches/teachers are required to instruct students in form, technique and skills that minimize sports-related head injury and are directed to discourage and prohibit students from engaging in any unreasonably dangerous athletic technique that endangers the health and safety of a student, including using a helmet or any other sports equipment as a weapon.

#### **Training**

Annual training is required for those specified below in the prevention and recognition of sports/activity related head injury, and associated health risks including secondary impact syndrome: coaches, teachers,

NRC staff, school nurses, volunteers, parents of a student who participates in an extracurricular athletic activity, students who participate in an extracurricular athletic activity.

Massachusetts Department of Public Health (DPH) approved training materials will be available to staff and at no charge to the individual. This training shall include recognizing sports-related head injury including second impact syndrome. Individuals who are required to participate in the training shall submit documentation verifying the completion of the training to the Program Director. Records of completion of annual training shall be maintained by the Executive Director or a designee for three years.

### **Removal from Activities due to Head Injury**

Any student removed from an extracurricular/athletic activity with a suspected head injury or concussion, or exhibits signs and symptoms of a concussion, may not return to said activity that day. Parents will be notified so the parent may take the student to a medical provider for appropriate medical evaluation and treatment.

Parents and students are responsible for completion of the Pre-participation forms including the Report of Head Injury Form.

The student must provide a completed *Department Post Sports-Related Head Injury Medical Clearance and Authorization Form* to the Program Director/Nurse prior to resuming the activity.

### **Procedures for Returning to the Activity**

If a student is diagnosed with a concussion, school personnel, including but not limited to the teacher, school nurse, along with parents shall develop a written graduated entry plan for return to full academics and extracurricular activities. The school nurse will coordinate the writing and approval process of the written graduated entry plan.

Accommodations may include, as appropriate: provision for physical or cognitive rest; graduated return to classroom studies; estimated time intervals for resuming activities; assessments by the school nurse; periodic medical assessment by a physician until the student is authorized to full classroom and extracurricular activities. The school physician and/or student's physician may be consulted as appropriate in devising the graduated entry plan.

### **Reporting Requirements**

Coaches/teachers are required to report any student's head injury or suspected concussion sustained in extracurricular activities to the student's parent so follow up by a medical provider for evaluation and treatment can be provided. The parent shall be informed of the injury immediately after the activity in which it occurred and notification must be provided in writing no later than the end of the next business day.

Coaches/teachers must also notify the Program Director of the injury and removal from the activity by the end of the next business day. The coach/teacher must complete a *Department Report of Head Injury During Sports Season Form* and provide it to the Program Director, parent, and school nurse.

If a student sustains a head injury outside of the extracurricular activity, the parent must complete the *Department Report of Head Injury During Sports Season Form* to the Program Director.

### **Conclusion**

Failure of staff to adhere to the requirements herein may result in disciplinary actions and up to an including dismissal employment.

Review and revision of this policy shall occur as needed but at least every two years. Any changes or modifications will be reviewed and given to staff/appropriate school personnel in writing.

The relevant student portions of this policy shall be reproduced for annual publication in the North River School and Independence Academy student handbooks. To receive the full policy, please contact

\_\_\_\_\_.

Cross Ref:     Mass. Gen. L. Ch. 111, Section 222  
                  105 CMR 201.000 et seq.  
                  Student Handbook Policies

## APPENDIX G

### Photo /Video Consent

At North River School we are committed to providing the best possible academic experience for all of our students. Occasionally, we like to photograph and/or video record students in the classroom and/or at various functions during the school year. These images may be used for publicity or to explain the program to other interested parties via local cable television use, local media, and social media (Facebook, Twitter, and/or other platforms). These pictures are also proudly displayed in the hallways and classrooms of North River School and North River Collaborative and may also be used for teacher training and support.

\_\_\_\_\_ I give permission for my student, \_\_\_\_\_, to be photographed or video recorded while attending North River School. I understand that my student can refuse to have pictures taken at any time. This release can be revoked upon my request.

\_\_\_\_\_ I do not give permission for my student, \_\_\_\_\_, to be photographed or video recorded while attending North River School.

*This consent may be revoked at any time in writing.*

\_\_\_\_\_  
Parent/Guardian/Student over 18 Signature

\_\_\_\_\_  
Date



## APPENDIX H

### Volunteer Confidentiality Agreement

Thank you for the time you invest as a volunteer at the North River School. We value your contribution to our program as well as the students' educational and social emotional success.

As a volunteer, you may be working with or exposed to confidential information. In an effort to protect our students, we appreciate your commitment to our policies regarding confidential information.

As a volunteer at the North River School, we ask that you comply with the following expectations:

- You will not discuss any students' behavior, records, or personal situations with another person or parent/guardian.
- You will go directly to the appropriate teacher, counselor, administrator and/or staff with questions or concerns.
- You will not record any students or staff members.

Any breach of confidentiality will be carefully reviewed by the North River School staff. If substantiated this could result in the termination of involvement in the school.

By signing this agreement, I am stating that I agree to the above.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
North River School Staff

\_\_\_\_\_  
Date

# APPENDIX I

## North River School 2023-2024 Program Calendar

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**NRC Board Approved March 10, 2023**

**APPENDIX J**

**North River School Handbook**

We are aware that the **North River School Handbook** is on the North River School website and will read this document (<http://northrivercollaborative.org/north-river-school/>). We acknowledge and agree that the student and parent/guardian will abide by the provisions incorporated in the handbook. These provisions also include:

- Hazing Conduct Policy
- Alcohol, Tobacco, and Drug Use Prohibited Use
- Acceptable Use Policy
- Electronic Device Policy
- Physical Restraint and Behavior Support Policy

\_\_\_\_\_ I prefer to receive a paper copy of the North River School Handbook

\_\_\_\_\_

Parent/Guardian/Student over 18 Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Student Signature

\_\_\_\_\_

Date