



# North River Collaborative

## Learning Center Programs

### Student Handbook

2024-2025



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## *Welcome*

Welcome to the North River Collaborative Learning Center programs. This handbook has been prepared for the convenience and use of Learning Center students and their parents. The information contained in this handbook will help you gain a deeper understanding of policies related to state and federal guidelines as well as those that are specific to the Learning Center programs. In the Learning Centers, a highly trained and skilled staff of teachers, therapists, paraprofessionals and support personnel offer programming designed to meet the individual needs of each student. Our programs emphasize sensory stimulation, gross and fine motor development, acquisition of self-help skills, communication training, socializations, academic skills based on Massachusetts State Standards, and vocational skill development. Throughout this process, we recognize that parent involvement is critical to maximize the learning process. We are committed to creating a partnership with families that is supportive, cooperative, and nurturing.

### *Non-Discrimination Statement*

The North River Collaborative Learning Center programs do 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 Collaborative Learning Center programs do 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 Program Coordinator.**

Portuguese / Portugues

Se voce necessitar este livreto traduzido, ontate por favor o escritorio principal da escola da sua crianca.

Spanish / Espanol

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

French / Francais

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

German / Deutsch

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

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**NORTH RIVER COLLABORATIVE**  
**Mission/Vision/Guiding Beliefs**

<b><i>Mission</i></b>
North River Collaborative will act as a leader in cooperatively developing and delivering innovative and cost-effective educational and therapeutic services for students, families, school districts, partner organizations, and communities in order to offer excellent, equitable, and highly relevant education for all.
<b><i>Vision</i></b>
North River Collaborative will utilize a culture of accountability, transparency, equity, and continuous improvement to fulfill our mission and remain at the forefront of educational innovation to meet the individual needs of students in our region within the most inclusive settings possible.
<b><i>Guiding Beliefs</i></b>
<p><i>We Believe....</i></p> <ul style="list-style-type: none"> <li>- All students and families deserve equitable access to high-quality educational services that support student success in a; domains as well as a life-long success as an independent adult.</li> <li>- In an educational landscape where the needs of students are at the forefront of decision-making that includes personalized learning, individualized support systems, and commitment to nurturing the holistic development of each learner at their highest potential.</li> <li>- All students should be challenged to learn in a caring, inclusive, and flexible environment that appreciates diversity, values life-long learning, and prepares students to be successful.</li> <li>- High-quality professional development combined with a rigorous informal and formal staff evaluation system is essential for improving educational practices and maximizing student achievement.</li> <li>- Providing opportunities for collaboration and inviting feedback from a diverse community of voices will foster growth and innovation and allow us to build and sustain cutting edge programs and services for all students.</li> <li>- Through collegiality and shared commitment, we as a staff will continue to perform at our highest potential and be empowered to operate with agency and grow as individuals serving our organization in the fulfillment of its mission.</li> </ul>

**EQUITY STATEMENT**

North River Collaborative believes that equity is rooted in a reflective practice that permeates all facets of our organization. We Actively seek to promote inclusion and the celebration of what makes our community members unique as we continue to maintain their dignity, civil rights, and safety. We understand that equitable practices guide us to continue to seek to mutually understand one another and expand the representation of all stakeholders in order to create a more diverse organization.

**DISCLAIMER**

The laws, policies, and school rules in this handbook are intended to ensure the safe, orderly, and educationally sound operation of the Learning Center programs. 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.

## **SCHOOL POLICIES AND PROCEDURES**

### **ATTENDANCE**

Students should maintain regular and consistent school attendance. If your child is absent from school:

- Please contact the program your child attends and the transportation provider
- If your child is transported by North River Collaborative Transportation, please contact Transportation Coordinator at 781-878-6056 ext. 160
- Please note that you may receive follow-up telephone calls from program staff to inquire about your child's health status
- If your child has been hospitalized, a doctor's note will be requested

Student attendance records are shared with the student's sending district each month.

### **ARRIVAL/DISMISSAL**

Please refer to the current school calendar for specific program times. A fifteen-minute window is allowed in order for students to safely arrive and dismiss from school without interference to instructional learning time. For parents who transport their child, a predetermined location will be established with program staff for arrival and dismissal.

If a student requires early dismissal, please notify the teacher through the home/school notebook, via telephone or other pre-arranged method of communication (e.g. email). Students may be dismissed due to illness that is diagnosed by the program nurse, in accordance with Department of Public Health regulations. Should a student be experiencing behavioral difficulties near dismissal time, NRC staff will determine if the student can ride safely with their regular transportation provider. A family member (or other emergency contact) may be called to pick up the student if it is determined that the student poses a safety risk to themselves or others.

### **BEHAVIORAL PROTOCOLS**

In accordance with state and federal special education and civil rights laws, provisions are required for students who have been found by an evaluation TEAM to be eligible for special education and whose program is described in an Individualized Education Plan (IEP). The IEP 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.

A Behavior Support Plan will be included in the IEP of Learning Center students identified with behavioral needs and will be reviewed annually with parent/guardian and district liaison. When deemed necessary, a Functional Behavior Assessment will be completed. Selected staff in Learning Center programs receive annual training in Safety-Care/Quality Behavioral Solutions to Complex Behavior Problems. Safety-Care is a training program for staff working with children, adolescents, or adults who may exhibit challenging or dangerous behavior. Staff learns how to prevent many behavioral incidents, as well as what to do if an incident occurs. A Board-Certified Behavior Analyst works in conjunction with the classroom teacher to monitor individual student Behavior Support Plans and the application of Safety-Care protocols in Learning Center programs.

## **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.

### **Definition of Terms:**

**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 Principal and/or Program coordinator.

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, cyber-bullying or retaliation.

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

### **Reporting**

- Students, parents/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)

### **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 Director, will notify the local law enforcement agency

### **Investigation**

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

### **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

### **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

## **COMMUNICATION – HOME/SCHOOL**

Regular home/school communication is vital to inform students' instructional programming. To that end, Learning Center teachers maintain ongoing communication with parents in the form of a home/school notebook. Other forms of communication may also be used, including telephone calls and email. Please be aware that when communicating by telephone, you may need to set up a time before or after program hours in order not to keep teachers away from instructional time with students.

Learning Center staff also work with other agencies that may be involved with a student's care. Given parental authorization for release of information, staff may provide pertinent information for physician or therapy appointments (i.e., classroom data).

### **COMMUNICABLE DISEASES**

The Learning Center adheres to 105 CMR 300.00 on reporting and surveillance requirements for communicable diseases. In accordance with the regulations, the Learning Center may require isolation and quarantine requirements for contacts of persons infected with certain communicable diseases in school and health care settings. These requirements include attendance guidelines for non-immune students when cases of vaccine-preventable diseases are reported. A list of the reportable diseases that are subject to control under general reporting and isolation and quarantine regulations are provided on the following web page: [105 CMR 300.00: Reportable diseases, surveillance, and ...](#)

### **CONCUSSION/SUSPECTED HEAD INJURY**

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 extracurricular activities. The full contents of this policy can be found in Appendix D. At this time the Learning Center programs do 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 teacher, school nurse, along with parents shall develop a written graduated entry plan for return to full academics and extracurricular activities. The program nurse will coordinate the writing and approval process of the written graduated entry plan in consultation with the student's Health Care Provider.

#### **Concussion Policy / Suspected Head Injury**

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.

#### **Definition of Terms**

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.

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.

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.

### **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 Medial 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.

## **CURRICULUM**

All Learning Center classrooms utilize the Unique Learning Curriculum. The Unique Learning System is a standards-based curriculum specifically designed for special learners. Each month, teachers download thematic units of study. Each instructional unit contains 30 lesson plans and downloadable materials that teachers can readily integrate into classroom learning activities. Each unit lesson plan defines three levels of differentiated tasks, allowing the teacher to accommodate a wide diversity of learners with significant disabilities.

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. Parents are encouraged to provide input on equity and bias related to the curriculum, and the Learning Centers in general.

### Learning Centers for Students with Multiple Disabilities:

Classrooms follow a functional, experiential curriculum based upon the current Massachusetts Curriculum Frameworks. An MCAS Assessment is completed by the classroom teacher; typically, in the form of an MCAS-Alternate portfolio documenting the student's progress over the year. The continuum of Learning Centers for Students with Multiple Disabilities are located in member district public schools allowing for placement of students in buildings with similarly aged peers and for access to age-appropriate thematic materials.

An Integrated Related Services Approach is utilized; therapists provide individual and small group services as written in Individual Education Programs and classroom staff apply the recommended therapeutic strategies throughout the week in order to enhance learning.

### Learning Centers for Students with Autism:

These programs are structured to meet the needs of students with Autism Spectrum Disorder. Enrollment is open, however, to all students who would benefit from an integrated, eclectic approach that includes Applied Behavioral Analysis (ABA) techniques, such as Discrete Trial Teaching and Behavior Support Plans, Picture Exchange Communication Systems, and a total communication approach. The goal of these programs is to enhance academics, social skills, behavioral regulation, self-care, and play/leisure skills.

Instruction, aligned with the Massachusetts Curriculum Frameworks, is provided to students at their instructional level. An MCAS assessment is completed by the classroom teacher; typically, in the form of an MCAS-Alternate portfolio documenting the student's progress over the school year.

An ABA Specialist is an ongoing member of the classroom team. Home/school behavior support and consultation is available and provided through a team approach that utilizes the skills of the specialist most familiar with the area of need; for example, the occupation therapist may work with the behavioral specialist and teacher to develop routines for dressing and bathing. Parent consultation in ABA for the home is also available as needed and when recommended by the Team.

## **DISCIPLINE PROCEDURES**

### **Due Process for Students with Special Needs**

Any student may be suspended or removed from school for disciplinary reasons for a short time, which is no more than 10 days. However, when the Collaborative seeks to exclude a special education student from his/her program for more than cumulative ten school days in the school year, the student's special education Team must first determine whether the student's behavior was caused by or was directly and substantially related to his/her disability or whether the conduct in question was the direct result of the district's failure to implement the student's IEP (a "manifestation determination"). If the Team determines that the behavior was a manifestation of his/her disability or was caused by a failure to implement the IEP, it must conduct a functional behavioral assessment and develop a behavior plan (or review and modify an existing plan, if necessary), and return the student to his/her current program, unless the student's parents and the district agree to a change in placement.

If the Team determines the behavior was not caused by, or directly and substantially related to the student's disability or failure to implement the IEP, the school may discipline the student according to the school's code of student conduct, except that during the period of suspension or expulsion, the district must continue to provide the student with a free appropriate public education (FAPE) and, if appropriate, conduct a functional behavior assessment and provide intervention services and modifications to prevent the conduct from recurring. If the conduct involves weapons, drugs, or serious bodily injury, a special education student may be removed to an Interim Alternative Educational Setting 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.

Additional information regarding the procedural protections for students with disabilities can be obtained from the Program Director. 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.

### **Code of Conduct**

North River Collaborative students are expected to abide by the code of conduct for the host school in which their program is located. A copy of the student handbook for the host school will be distributed to each Collaborative student. However, the student handbook for the host school may not include an exhaustive list of actions that are in violation of the code of conduct for the host school or the Collaborative. Therefore, Collaborative students should be aware that they may be subject to disciplinary action, up to and including suspension, for any violation of school rules defined in the handbook of the host school or for any behavior not specifically mentioned within that handbook that places any member of the school community (student, staff member or visitor) in danger or disrupts the educational process. Additionally, Collaborative students may be subject to suspension or expulsion by the Program Coordinator/Executive Director or the Principal/Superintendent from the host school for any violation of MGL c. 71 §37H or 37H ½, as described further below.

In every case of student misconduct for which suspension may be imposed, the Program Coordinator or his/her designee (which may include staff from the host school) shall exercise discretion in deciding the consequence for the offense. The Program Coordinator or his/her designee shall consider ways to re-engage the student in learning and shall attempt to avoid long term suspension as a consequence until alternatives have been tried. These alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### **Suspension/Termination Policies and Procedures**

NRC adheres to the provisions of Massachusetts General Laws Chapter 71, sections 37H, 37H 1/2 and 37H 3/4 as well as 603 CMR 53.00 et seq.

### **Definition of Terms:**

**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.

**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.

**Short-Term Suspension** is the exclusion of a student from school premises and regular classroom activities for a specified period of not more than ten school days.

**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 may be served in school. Except for M.G.L. c. 71, sects. 37H and 37H1/2 offenses, a long-term suspension may not be imposed for more than ninety (90) school days in a school year and does not extend from school year to school year.

**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 or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption.

**School Wide Education Service Plan** 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.”

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

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

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

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

### **Procedures for Short-Term Suspension**

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, or the suspension/expulsion is pursuant to M.G.L. c. 71, sect. 37H or 37H 1/2 , the student will receive the following prior to a short-term suspension:

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:
  - The disciplinary offense;

- The basis for the charge;
  - The potential consequences, including the potential length of the suspension;
  - 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;
  - The date, time, and location of the hearing;
  - The right of the parent and student to interpreter services at the hearing; and
  - If the student may be placed on a long-term suspension following the hearing with the principal:
    - The rights set forth under the “Procedures for Long-Term Suspension”; and
    - The right to appeal the principal’s decision to the superintendent.
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 superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

**Education Service Plan for students suspended from school for 10 or fewer**

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 cumulative school 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.

NRC 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 either tutoring or Online Learning. North River Collaborative's obligations assume that the student is still a student at North River Collaborative.

### **Procedures for a Long-Term Suspension**

The Program Coordinator, or his/her designee, may issue long-term suspensions at the building level. Expulsions may also be issued for the offenses set forth in M.G.L. c. 71, §37H and §37H1/2, as described in the next section, below.

- 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:
  - 1) The disciplinary offense;
  - 2) The basis for the charge;
  - 3) The potential consequences, including the potential length of the suspension;
  - 4) 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;
  - 5) The date, time, and location of the hearing; and
  - 6) The right of the parent and student to interpreter services at the hearing.
- 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.
- In advance of the hearing, the student shall have the right to review the student's record and the documents upon which the Program Coordinator may rely in making a determination to suspend the student. 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.
- 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.
- 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.
- 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:

- The disciplinary offense, the date on which the hearing took place, and the participants in the hearing;
- The key facts and conclusions reached by the Program Coordinator;
- The length and effective date of the suspension and the date of return to school;
- The notice the student's opportunity to receive education services to make academic progress during the suspension;
- 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 superintendent within five (5) calendar days of the effective date of the long-term suspension.
- The Executive Director shall hold the hearing within three (3) school days of the student's request, unless an extension is mutually agreed to.
- The Executive Director shall make a good-faith effort to include the parent in the hearing.
- 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.
- All the same rights as are afforded in the above long-term suspension principal's hearing shall apply to the student in an Executive Director's hearing.
- 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 Program Coordinator.
- The decision of the Executive Director shall be the final decision of the Collaborative.
- 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.

## **Procedures for Emergency Removal / Expulsion / Termination**

### **Removal**

If a student's continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principals' 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 the 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.

### **Expulsion**

Expulsion is the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) days, indefinitely, or permanently. Conduct that may lead to expulsion includes but is not limited to possession of a dangerous weapon, assault on school personnel or upon other students, possession of a controlled substance, and certain criminal convictions and charges.

M.G.L. c. 71 §37H

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter 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 principal.

(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 principal.

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

After said hearing, a principal may, in his discretion, decide to suspend rather than 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 superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. 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 of chapter 76.

M.G.L. c. 71 §37H ½

Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter 76:

- Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster 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 superintendent. 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 superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such a decision shall be the final decision of the city, town or regional school district with regard to the suspension.
  
- 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 that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such 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 superintendent. The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent 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 superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such a decision shall be the final decision of the city, town or regional school district with regard to the expulsion. 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 under an education service plan, under section 21 of chapter 76.

### **Termination**

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.

### **DRESS AND APPEARANCE**

A student is expected to come to school dressed in a manner 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.

### **EARLY RELEASE DAYS**

Early release days are scheduled periodically through the school year to allow opportunities for Learning Center staff to participate in professional development, provide home visits, and to provide parent/teacher conferences. Please refer to the current school calendar and specific program early release times. Students will not be provided lunch on early release days but will be offered a mid-morning snack. Please ensure someone is home to meet your child on early release days.

### **END OF SCHOOL YEAR**

Learning Center students attend school 180 days per year. The last day of school may be adjusted due to snow days or other unforeseen events and is an early release day.

### **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. The Program Coordinator works in conjunction with the district to ensure an interpreter is provided for IEP meetings. The IEP document is provided in both English and the primary language of the home.

### **EVACUATION PROCEDURES**

In the event of an emergency evacuation, the Learning Center programs follow the Emergency Procedures and Evacuation plans adopted by the host school. In addition to this, each Learning Center program follows a classroom specific Evacuation Plan. These plans include the following:

- Specific evacuation needs (i.e., materials, supplies, medication, etc.)

- Assignment of staff to individual students
- Assignment of staff to serve as back-up
- Individual student schedules and the student's exact location
- Assignment of staff for students who are out of the classroom

Evacuation Plans are posted in an easily visible area of the classroom and are reviewed by staff periodically. The Program Coordinator disseminates a copy of Learning Center Evacuation Plans to the host school for inclusion in their Emergency Management Plan.

### **EXTENDED SCHOOL YEAR (ESY)**

The Learning Center programs offer a 7-week extended school year, or summer program. The purpose of the schedule modification to a longer school year, as documented in the student's IEP, is to prevent substantial loss of previously learned skills. Specific information with regard to ESY days/hours will be provided through the IEP Team process.

### **FIELD TRIPS**

Field trips are provided for Learning Center students to complement the classroom curriculum, facilitate generalization of specific skills, and/or to address target IEP goals. Classroom teachers plan and organize field trips based on the needs of their individual students. Parent/guardian permission slips must be submitted for all field trips. Should you desire that your child not participate in a field trip, please notify the classroom teacher or Program Coordinator in advance in order for alternative educational programming be arranged for your child.

### **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 of 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 fail to make such report.

#### **HEALTH**

NRC believes there is an important relationship between health and education. A healthy child is an effective learner. North River Collaborative believes that all students are entitled to full and comprehensive health maintenance promotion and prevention while in the education setting. Through interdisciplinary collaboration, the student shall receive optimal health care services.

The North River Collaborative complies with all Mandated School Health Services as specified by the Massachusetts Department of Public Health.

Parents are encouraged to keep ill students home. It is often difficult for a child to learn when they are not feeling well. It is the policy of the NRC to send a student home if they are not feeling well. Parents are responsible for transportation of their ill child.

The nurse will make every effort to reach the parent/guardian or emergency contact person named on the student's emergency care to notify them of any significant injuries or signs or illness that may require



further observation, intervention, or follow-up with the student’s health care provider. In the event of a medical emergency, local EMS services/ambulances may be activated. If a student is taken to the hospital, a school employee will stay with the student until the parent/guardian arrives.

Please talk with the program 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 Individual Health Care Plan (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 program 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**

### **Preventing the Spread of Disease**

One of the best ways to prevent the spread of disease at your child’s school is to be aware of warning signs. The American Academy of Pediatrics and the American Public Health Association recommend that any child who demonstrates the following signs, symptoms, or diseases should be excluded from school or should be sent home when they develop. North River Collaborative also follows these guidelines.

<b>When the signs, symptoms, or disease appear</b>	<b>You should exclude child until</b>
Fever 100 with behavior changes or other symptoms of illness	Doctors indicate that is OK to return to school; fever free for 24 hours

Unusual lethargy, uncontrollable coughing, irritability, constant crying, difficulty breathing, or other unusual symptoms	Doctor indicates that it is OK to return to school.
Uncontrollable diarrhea-increased number of loose bowels	Until Diarrhea stops
Vomiting-2 or more times in 24 hours	Vomiting stops or Doctor indicates it is OK to return to school
Mouth sores with drooling	Doctor indicates it is non-infectious
Rash with fever or behavior changes	Doctor indicates it is non-infectious
Pink or red conjunctivitis with yellow or white discharge	24 hours after treatment is initiated
Severe respiratory symptoms which limit the child's comfortable participation in activities or significantly increase the level of care necessary	Symptoms are resolved to the point where standard routines or activities will no longer be affected.

### **HEALTH RECORDS**

The NRC Learning Center program nurses maintain individual student health records. The record includes medical information submitted to the nurse, including physicals, immunization records, mandated screenings, and health history completed by the parent/guardian when the student entered the program. In the event clarification is needed on a signed physician's order, the nurse may contact said physician for the necessary information.

Parents/guardians are asked to communicate student health concerns and medical reports to the program nurse. Access to the student health record is restricted to program nursing staff and other program staff on a need-to know basis only, as determined by the program nurse. The health record is transferred with the academic record of when the student moves to another school or district.

### **HEALTH SCREENINGS**

In accordance with Massachusetts Department of Public Health General Laws, the NRC program nurses conduct yearly screenings and work in conjunction with the nursing staff at the public school in which the student's program is located.

#### **Vision & Hearing Screening**

Grades: K, 1, 2, 3, 4, 5 and once in Middle School and once in H. S.

#### **BMI Screening**

Grades: 1, 4, 7, & 10

#### **Postural Screening**

Grades: 5, 6, 7, 8, & 9

For children who have special medical and developmental needs and are unable to be properly screened with the equipment available within the public-school setting, parents are asked to have their child evaluated by their physician or specialist. In order to secure the best education results for the student, medical reports should be forwarded to the program nurse so they can best address the child's medical needs to provide optimal access to their curriculum.

## **HOME VISITS**

Prior to a student entering a Learning Center program, the classroom teacher typically provides a home visit. The purpose of the visit is to bridge communication between home and school and allow the student an opportunity to become familiar with the teacher prior to starting the program. Additionally, home visits may be provided at any time during the student's time in a Learning Center program. Parents interested in a home visit should contact the teacher directly.

## **HOMEWORK**

Homework is assigned in some classrooms within the Learning Center programs and varies in accordance with an individual student's needs and abilities. The purpose of homework is to practice learned skills and expand upon themes or activities learned in the school setting.

## **IMMUNIZATION REQUIREMENTS**

Immunization requirements are revised periodically to reflect the most recent recommendations of the Advisory Committee on Immunizations Practices (ACIP) and the American Academy of Pediatrics (AAP). All children in school settings must be immunized in accordance to DPH requirements in order to attend school. All students should have on record a certificate of immunization documenting that the student has been successfully immunized in accordance with current DPH recommended schedules against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, Haemophilus influenzae type b (Hib), hepatitis B, varicella and other communicable diseases as specified from time to time by the department. Any exceptions will be by MD order or for religious reasons or if the student is homeless and cannot easily provide the records.

The program nurse shall be up to date in his or her knowledge of the DPH recommended schedules and shall monitor each student's schedule of immunization as is currently recommended. The program nurse shall review yearly all students' records to assure that the students are current. The immunization record shall be kept current in the student health record. It is important that the program nurse notify parents if immunizations are past due. Often the school will find that the student has had the immunization. If not, this is the opportunity to notify the parent that the immunization is due.

The program nurse shall assure that any student entering the school system is appropriately immunized. Some students entering school have not been immunized on schedule or lack immunization documentation. Regional MIP (Massachusetts Immunization Program) epidemiologists can provide recommendations for children who are behind schedule.

## **INTERNET USE/ACCEPTABLE USE POLICY**

### **Introduction**

NRC 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 NRC'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 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.

NRC reserves its right to seek restitution from any user for costs incurred by the NRC, 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 NRC 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 NRC 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 email and Internet systems. At any time, and without prior notice, NRC 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 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. NRC specifically denies any responsibility for the accuracy or quality of information obtained through the Internet.

NRC, 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 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 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.

NRC makes no guarantee regarding the reliability of the data connection. Additionally, NRC 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;
- engage in the use of spam or other unauthorized use of distribution lists for emails. 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.

Please note that the NRC student acceptable use policy does not nullify the host 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 both NRC's and the host school district's policies regarding acceptable use and the Children's Internet Protection Act.

**MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT**

North River Collaborative complies 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 has been abused or neglected. Should a staff member have reasonable cause to believe that a child under the age of eighteen years is suffering from effects of any form of child abuse and neglect, the staff member will report his/her concerns to the Program Coordinator, and appropriate action will be taken.

Learning Center staff receives annual training on their role as mandated reporters of child abuse and neglect, including definitions and policies. It is not the responsibility of the individual filing the 51A report to determine if the child has been abused and/or neglected or to determine whether the child is in need of protection.

A student over the age of 18 is considered a "young adult" and is afforded supports and services via adult service agencies. Learning Center program staff will help to facilitate necessary supports.

**MEDICATION ADMINISTRATION POLICY AND PROCEDURES**

The purpose of the medication policy is to provide a standard consistent with state regulations. This is done to assure the safe administration of medication through the duration of program hours. This will include both prescription and non-prescription medications. The goal of this medication policy is to ensure that students requiring prescription and non-prescription medications during program hours will be able to attend, and to ensure that medications are safely administered and stored in the program setting.

**Medication Administration Plans:**

The Collaborative nurse, in collaboration with the parents or guardian whenever possible, shall establish a medication administration plan for each student receiving a prescription medication.

**Medication Orders:**

The program nurse shall ensure that a proper medication order form from a licensed prescriber is renewed as necessary. In accordance with standard medical practice, a medication order from a licensed prescriber shall contain:

- Name of student
- Name, signature, phone numbers of the licensed prescriber
- Name route and dosage of medication
- Frequency and time of medication administration
- Date of order
- Diagnosis if not in violation of confidentiality
- Specific administration direction

**It is helpful to have this additional information:**

- Side effects, adverse reactions, and contraindications
- Any other medications taken by the student
- Date of return visit, if applicable
- Any known allergies

**Special Medication Situations:**

- **Short-term prescription medications:** Those medications of ten school days or less. The pharmacy labeled container may be used as the prescriber's order. A written note from the parent must also accompany the medication, stating parental permission to dispense.
- **Over the counter medications:** Written physician and parental authorization shall also accompany these.
- **Investigational new drugs:** May be administered in school with written order by a licensed prescriber, written consent of the parent or guardian, and a bottle with pharmacy label.

The MA Department of Public Health has determined that a parent, guardian/guardian-designated responsible adult shall personally deliver all medications to be administered by the school nurse. As a reminder, the following policies must be adhered to in order that your child can safely receive medications at school.

- The Program Nurse receiving the medication shall document the quantity of the medication delivered with the parent. No more than thirty days (30) supply of medication for the student shall be stored at the school.
- The medication must be in a pharmacy or manufacturer labeled container.
- In extenuating circumstances, as determined by the school nurse, the medication may be delivered by other persons, provided, however, that the nurse is notified in advance by the parent or guardian of the arrangement and quantity of medication being delivered to the school.
- All medications, including "over-the-counter" medications, will require written authorization from you and written order from your child's physician. These forms will be updated yearly.
- For short-term medications, i.e., those requiring administration for ten school days or fewer, the pharmacy labeled container may be used in lieu of the physician's order; if the nurse has a question, she may request a physician's order.
- Where possible, all unused, discontinued, or outdated medications shall be returned to the parent/guardian and return appropriately documented. If the parent is unable to pick up medications, such medications may be destroyed with parental consent by the nurse in accordance with any applicable policies of the Mass Dept. of Public Health. All medications shall be returned at the end of the school year.
- The policy will continue for those students who require emergency medications (i.e. Diastat) to be stored in their backpacks during van transport. However, the medication shall be checked and documented by the nurse upon arrival and departure.
- Private duty nurses, who travel on the van to school with individual students, must give all medications discrepancy upon arrival; the student's parents shall be notified immediately to the North River Collaborative Program Nurse to be secured during program hours.

**Procedures for Administration of Prescription Drugs:**

To ensure that safe medicating occurs in the school setting, the following steps shall be practiced **BEFORE** the administration of any medication:

- Positively identify the student
- Assure the proper medication as ordered
- Assure the ordered medication time
- Assure the correct dosage
- Assure the correct route of administration

Following this practice each time a medication is administered will help eliminate medication errors.

### **Medication Errors:**

A medication error includes any failure to administer prescription medication as prescribed for a particular student, including failure to administer the prescription medication:

- Within appropriate time frames
- In the correct dosage
- In accordance with accepted practice
- To the correct student

Should a medication error result in a medication emergency, i.e., any reaction or condition related to the health or well-being of the student, the nurse shall respond accordingly. Parents must be notified of all medication errors. Should the nurse discover there is no medication to administer, that nurse shall contact the parent by telephone and notify the parent. The nurse shall ask the parent to deliver the medication to the classroom if possible for administration.

Medication errors, as defined, shall be documented by the program nurse on a Medication Error Report. These reports shall be retained by the nurse and made available to the Department of Public Health upon request. All suspected diversion or tampering of drugs should be reported to the Department of Public Health, Division of Food and Drugs. All medication errors resulting in serious illness requiring medical care shall be reported to the Department of Public Health, Bureau of Family and Community Health.

### **Handling, Storage, and Disposal of Prescription Medications:**

- The prescription medication must be in a pharmacy or manufacturer labeled container.
- All prescription medications to be administered by the program nurse shall be kept in a securely locked cabinet. Prescription medications requiring refrigeration shall be stored in either a locked box in a refrigerator or in a locked refrigerator maintained at temperatures of 38 – 42 degrees F.
- Access to stored prescription medications shall be limited to persons authorized to administer prescription medications. Access to keys and knowledge of the location of keys shall be restricted to the maximum extent possible.
- Parents or guardians may retrieve the prescription medications from the school at any time.
- Where possible, all unused, discontinued, or outdated prescription medication shall be returned to the parent or guardian.

### **NON-DISCRIMINATION AND HARASSMENT POLICY AND COMPLAINT PROCEDURE**

The NRC 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 NRC and its commitment to equal opportunity in education. Sexual harassment under Federal law is addressed in a separate policy.

NRC does not discriminate against students, parents, employees, or the general public. No person shall be excluded from or discriminated against in admission to NRC, or in obtaining the advantages, privileges, and courses of study of the 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 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.

NRC 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 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 Contacts**

Marie Grable, Deputy Director, North River Collaborative  
Civil Rights Coordinator for Title IX  
198 Spring Street, Rockland, MA 02370

(781) 878-6056 Ext. 107

Michelle Boudreau, Learning Centers Program Coordinator  
198 Spring Street, Rockland, MA 02370  
(781) 878-6056 Ext. 108

Eileen Millett, Transportation Coordinator  
198 Spring Street, Rockland, MA 02370  
(781) 878-6056 Ext. 126

Any students, parent/guardian, or employee who wishes 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.

### **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.

### **Internal Complaint Procedure**

#### **A. 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>

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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.

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.

### **B. 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.

#### **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.

#### **When to file a complaint**

Efforts should be made to file such a 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.

#### **What will happen after the complaint is filed**

Promptly after receiving the complaint, the Civil Rights Coordinator or designee, as permitted pursuant to Section III(B)(i) of this section) will conduct the necessary investigation, including making good faith efforts to gather all relevant evidence for consideration. In the course of his/her investigation, the Civil Rights Coordinator or designee shall contact those individuals that have been referred to as having pertinent information related to the complaint. This process will generally include, at a minimum, contacting the complainant; and the person against whom the complaint was filed and/or the appropriate authority involved; interviewing witnesses; and considering relevant documentation. During this process, complainants will have the opportunity to present witnesses and other relevant evidence to the Civil Rights Coordinator or designee conducting the investigation.

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

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

After completing the formal investigation of the complaint, the Civil Rights Coordinator or designee shall make a decision on the complaint and shall inform the complainant and the person(s) against whom the

complaint was made of the results of the investigation in writing. In the case of a student who is found to have violated this policy, the Civil Rights Coordinator or designee will take appropriate action. In the case of an employee who is found to have violated this policy, the Civil Rights Coordinator or designee may refer the matter to the Principal/Program Coordinator or Executive Coordinator 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.

**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.

**Executive Director Contact**

Paul Tzovolous, Executive Director, North River Collaborative  
198 Spring Street, Rockland, MA 02370  
(781) 878-6056 Ext. 100

**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:

Attorney General's Civil Rights Division  
Boston, MA 02109  
Telephone: 617-727-2202  
TTY: 877-521-2172

OR

MA Commission Against Discrimination  
Boston, MA 02108  
Telephone: 617-994-6000  
TTY: 617-994-6196

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

Attorney General's Civil Rights Division  
Boston, MA 02109  
Telephone: 617-727-2202  
TTY: 877-521-2172

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

Attorney General's Civil Rights Division  
Boston, MA 02109  
Telephone: 617-727-2202  
TTY: 877-521-2172

OR

MA Commission Against Discrimination  
Boston, MA 02108  
Telephone: 617-994-6000  
TTY: 617-994-6196

OR

Office of Diversity and Equal Opportunity  
100 Cambridge Street, Suite 600  
Boston, MA 02114  
Telephone: 617-727-7441  
TTY: 6714-878-9819

### **General Complaint Policies**

- 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.
- 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.
- Whenever possible, a conference should be scheduled during a time that does not conflict with regularly scheduled work and/or school programs.
- 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.

### **PARENT COMPLAINT AND GRIEVANCES**

The Learning Center staff strives to maintain ongoing communication and collaboration with parents in order to maximize student success. In the event that a parent has a complaint or a grievance, the parent is encouraged to contact the staff member involved to set up a meeting or telephone conference.

If the complaint or grievance remains unresolved, the issue should be addressed by contacting the Program Coordinator, (781) 878-6056 ext. 103.

A complaint or grievance involving North River Collaborative Transportation should be addressed by contacting Transportation Coordinator, Eileen Millett at (781) 878-6056 ext. 126.

In the event that a complaint or grievance continues to be unresolved, parents / guardians should address the issue with Paul Tzovolos, Executive Director, (781) 878-6056 Ext. 100.

### **PARENT SUPPORT GROUP**

A Parent Support Group is offered once a month for parents of students in Learning Center programs. The group is facilitated by the Social Worker for the Learning Center programs, and typically meets at the BAMSI Support Center in Hanover MA.

### **PARENT/GUARDIAN-TEACHER CONFERENCES**

Parent-Teacher conferences are held twice a year, in the fall and spring. This is an early release day for students. The conferences are primarily a time for the teacher to share information regarding student's daily activities and/or to provide an opportunity to share an approach that is used in school that would be enhanced by carry over at home.

## **PHOTO/VIDEO CONSENT**

Students in Learning Center programs may be photographed and/or videotaped for educational (evaluative, teaching, demonstrating), training for staff, public information (brochures, NRC website), and/or local cable use in the classroom and/or at various parties and functions during the school year. Some of the photographs/videos may be used for publicity, including brochures, Facebook, other media, and the NRC website, or to explain the program to other interested persons, communication purposes (with family or staff to staff). Prior to being photographed or videotaped, students are required to have signed parental permission. Photo/Video consent is requested on enrollment and may be revoked at any time in writing.

## **PHYSICAL EXAMS**

A current physical exam must be on file with the Learning Center program nurse. A physical exam is required upon entry for all students and may be performed within the calendar year. An updated physical exam is required in grades K, 3, 6 and 9.

## **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 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 proactive 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 Support 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:
  - The student has a documented history of serious self-injury and/or injuries to other students or staff;
  - All other forms of physical restraint have failed to ensure the safety of the student and/or the safety of others.
  - There are no medical contraindications documented by a licensed physician;
  - There are no psychological or behavioral contraindications documented by a licensed mental health professional;
  - The student's parent/guardian has provided voluntary, informed, written consent to the use of prone restraint; and
  - The Program Coordinator/Principal, or designee, has provided written approval.

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

- A. Staff Training:
  - 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.
  - Required training for all staff will include review of the following:
    - a) NRC Physical Restraint and Behavior Support Policy
    - b) School/Program-level physical restraint procedures, including the use of time-out as a behavior support strategy;
    - c) The role of the student, family, and staff in preventing physical restraint;
    - d) Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors and alternatives to restraint;
    - e) 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;
    - f) 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.
  - In-Depth Training
    - g) 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.
    - h) 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.

- i) In-depth training will include:
  - 1. 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;
  - 2. 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;
  - 3. 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;
  - 4. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
  - 5. Demonstration by participants of proficiency in administering physical restraint; and
  - 6. 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:

- Report to the Program Coordinator/Principal:
  - a) 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.
  - b) The Program Coordinator/Principal or designee shall maintain an ongoing record of all reported instances of physical restraint.
- Report to Parent/Guardian of Physically Restrained Student:
  - c) 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.
  - d) 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.
  - e) 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.
- Report to Department of Elementary and Secondary Education (DESE):
  - f) 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.
  - g) NRC shall also report physical restraint data annually to DESE, as directed by DESE.
- Report to Law Enforcement and Other State Agencies:
  - h) Nothing in this policy prevents any individual from reporting a crime to the

- appropriate authorities;
    - i) 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:
  - After a student is released from a physical restraint, staff shall implement follow-up procedures, including:
    - a) Reviewing the incident with the student, as appropriate, to address the behavior that precipitated the physical restraint;
    - b) Reviewing the incident with the staff member(s) who administered the physical restraint to ensure proper restraint procedures were followed; and
    - c) Consideration of whether any follow-up is appropriate for students who witnessed the physical restraint, if any.

**6. Procedures for Periodic Review of Physical Restraint Data**

- A. The Program Coordinator shall conduct a weekly review of physical restraint data to identify individual students who have been restrained multiple times during the week, and if any such student(s) is identified, will convene a review team to assess the student's needs.
- B. If such a student(s) are identified, the Program Coordinator shall convene a review team to assess the student(s) needs. The Program Coordinator will determine the composition of the review team that at a minimum will include the Special Education Teacher and Board-Certified Behavior Analyst associated with the student. A record of the review will be made available to parent/guardian upon request. At minimum, the review team's assessment will include:
  - The written reports of restraints
  - Parent/student comments on such reports if any
  - Analysis of circumstances leading up to each restraint
  - Factors that may have contributed to escalation of behaviorA written plan of action to reduce or eliminate future use of restraint; this may include recommendation for Functional Behavior Assessment and/or Behavior Support Plan
- C. The Program 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. Procedures to Meet and Ensure Reporting Requirements of 603 CMR 46.06**

- A. The staff who administered the restraint will verbally inform the Program Coordinator as soon as possible and by written report within 24 hours. The Program Coordinator maintains an on-going record of all reported instances of physical restraint. The Program Coordinator will convene a review team in the event of multiple restraints. In the event of injury sustained by staff or students during a physical restraint, the Program Coordinator will complete an injury report within 3 days and review with the Executive Director or Designee and file the report with DESE. The Program Coordinator will follow internal North River Collaborative guidelines to report staff injury.
- B. Program staff receive annual training to work with children, adolescents, or adults who may exhibit challenging or dangerous behavior. This training includes prevention and behavior support, time-out, de-escalation techniques, alternatives to physical restraint, and types of permitted physical restraints. A Board-Certified Behavior Analyst works in conjunction with the classroom teacher to monitor individual student Behavior Support Plans and the application of protocols in Learning Center programs.

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

Staff who administered the restraint will verbally inform the Program Coordinator as soon as possible and in writing within 24 hours. Staff who administered the restraint will notify Parents/Guardian within 24 hours and will generate a written report within 3 working days.

**9. Procedure for the Use of Time-out**

- A. As part of de-escalation strategies, NRC programs may use time-out for the purpose of calming. The teacher or BCBA, if on site, shall be responsible for implementing such procedures when necessary. During the time-out, the student will be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out will be clean, safe, sanitary, and appropriate for the purpose of calming; doors to such space shall remain unlocked. Time-out shall cease as soon as the student has calmed. Use of time-out may be included in the student's Behavior Support Plan.
- B. The Program Coordinator will give approval for time-out lasting more than 30 minutes. In the absence of the availability of the Program Coordinator, the Program Coordinator will assign on-site designee to give approval. The designated staff (BCBA, Nurse, Lead Educator, Special Education Teacher) will have behavior training. Staff will report the use of time-out procedure to the Program Coordinator as soon as possible and within 24 hours and provide a written report including length of time, reasons for the intervention, who approved the procedure and who monitored the student during the time out. The Program Coordinator will review time-out data to consider patterns and determine whether modifications to the school's policies, additional staff training, or other action are appropriate to reduce use of time-out, and therefore minimize time away from learning.

**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, 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.

**PROGRESS REPORTS**

Progress reports will be sent to parents and school districts on a quarterly basis (November, February, April, and June).

**PROTECTING STUDENTS FROM KNOWN ALLERGENS**

All school personnel must be knowledgeable about hypersensitivity reactions and anaphylaxis so they are better able to respond to a student who may have a severe allergic reaction.

The North River Collaborative, in collaboration with the parent, host school, classroom, teacher, program nurse, and student, shall make every attempt to keep the student away from the causative allergen.

The following guidelines shall be used with known allergies:

- Parents' Responsibility:
  1. The parent shall inform the school of their child's allergies.
  2. The parent shall provide the school with physician's instructions for administering medication.
  3. The parent shall provide the school with an up to date injection kit and keep them current.
- Program Nurse Responsibility
  1. The program nurse shall consult with, and provide information to, the parents, student, and school personnel regarding children with allergies.
  2. The program nurse shall participate in in-service and auto-injector training.
  3. The program nurse shall assist in developing emergency response plans.
  4. The program nurse shall refer known cases of anaphylaxis to teachers, staff, and school administrators.
  5. The program nurse shall assure an up-to-date injection kit is available and kept in a safe, locked, yet accessible place.
  6. The program nurse shall develop an emergency protocol for each anaphylactic student, to be posted in the classroom.
- Teacher Responsibility
  1. The teacher shall encourage students not to share lunches or trade snacks, and choose allergy free foods for classroom events.
  2. The classroom teacher shall choose work materials that are allergy-free.
- Staff Responsibility
  1. All personnel shall assist in creating an allergy-free environment for the student with known allergies.
  2. All staff should be able to recognize symptoms of an anaphylactic reaction.

**ALL STUDENTS WHO HAVE AN ANAPHYLACTIC REACTION SHOULD BE TRANSPORTED TO THE HOSPITAL FOR MEDICAL ATTENTION EVEN IF THE EPINEPHRINE HAS BEEN ADMINISTERED AND THE INDIVIDUAL APPEARS TO BE RECOVERING.**

### **SCHOOL CANCELLATION**

Weather related or other cancellation of schools is based upon the location of the host school. Please follow the cancellation/delay announcement for the town in which the Learning Center student attends school. If the town where the student attends cancels school, there will be no school for NRC Learning Center students.

If the hometown where the student lives cancels school, but the town in which the student attends school does not cancel, then the student will have school. However, please be aware that often the transporters will not transport students to NRC Learning Center programs if school is closed in the hometown. Parents will then have the option of transporting their child to and from school.

### **SCHOOL VISITATION**

School visits by parents are welcome on a periodic basis. In order to minimize interruptions and distractions for all students, visits shall be scheduled at least 24 hours in advance with the classroom

teacher. Observation of therapy sessions are also provided and should be scheduled with the therapist in advance of the session.

All other visits to Learning Center programs, including college students, consultants, advocates, other teachers, or any other visitors, must be scheduled in advance with the Program Coordinator. Anyone wishing to volunteer in a classroom or on field trips must have a current CORI on file with North River Collaborative.

## **SERVICE ANIMALS**

The 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.

NRC 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.

- 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.
- 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.
- 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.
- 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”.
- Owners of a service animal must provide annual proof that the animal is up to date on all of its required vaccinations.
- All service animals must be spayed or neutered.
- All service animals must be treated for and kept free of fleas and ticks.
- All service animals must be kept clean and groomed to avoid shedding and dander.

- 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.
- 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.
- 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.
- 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.
  - d. 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.
  - e. 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.

## **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.***

### **Definition of Terms:**

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:**

Marie Grable, Deputy Director, North River Collaborative  
 Civil Rights Coordinator for Title IX  
 198 Spring Street, Rockland, MA 02370

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:

- Identification of the allegations potentially constituting sexual harassment;
- 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;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the recipient's code of conduct to the facts;
- 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
- 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 prejudice 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. 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 (5) school days of receipt of the findings of the formal procedure or a dismissal on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- 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
- 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 Tzovolous, Executive Director, North River Collaborative  
198 Spring Street, Rockland, MA 02370  
(781) 878-6056 Ext. 100

### **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.

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

Attorney General's Civil Rights Division  
Boston, MA 02109  
Telephone: 617-727-2202  
TTY: 877-521-2172

OR

MA Commission Against Discrimination  
Boston, MA 02108  
Telephone: 617-994-6000  
TTY: 617-994-6196

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

Attorney General's Civil Rights Division  
Boston, MA 02109  
Telephone: 617-727-2202  
TTY: 877-521-2172

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

Attorney General's Civil Rights Division  
Boston, MA 02109  
Telephone: 617-727-2202  
TTY: 877-521-2172

OR

MA Commission Against Discrimination  
Boston, MA 02108  
Telephone: 617-994-6000  
TTY: 617-994-6196

OR

Office of Diversity and Equal Opportunity  
100 Cambridge Street, Suite 600  
Boston, MA 02114  
Telephone: 617-727-7441  
TTY: 617-878-9819

### **Referral to Law Enforcement, Other Agencies**

Some alleged conduct may constitute both a violation of Collaborative policies and criminal activity. The building Principal, coordinator, Executive Director, 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.

## **STUDENT RECORDS AND CONFIDENTIALITY**

### **Right to Educational Records**

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

- 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 Director a written request that identifies the record(s) they wish to inspect. The Program Director will make arrangements for access and notify the parent or eligible student of the time and place for the records to be inspected.
- The right to request the amendment of the student's educational records that the parent or eligible student believed to be inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write to the Program Director, clearly identify the part of the record they want to be changed and specify why it is inaccurate. If the school decides not to amend the record of the decision and advise them of their right to a hearing regarding the request for amendment as requested by the parent or eligible student, the school will notify the parent or eligible student.

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. It includes contractors, electronic/online vendors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions.

*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.*

### **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 the following three documents to the Program Director:

- a written request submitted annually to the principal to access the records of his/her child,
- a certified copy of the probate court order or judgment which must indicate that the parent has not sought or been denied shared legal custody and is entitled to unsupervised visitation with the child, or a certified order of the probate court which specifically orders the parent to receive school records of the child. That order must state that it is being made after a review of any court records, including criminal records of the non-custodial parent, that giving the information will not pose a safety risk to the custodial parent or child and it is in the best interest of the child to provide the information to the noncustodial parent,
- an affidavit of the non-custodial parent that no temporary or permanent protective order is in effect restricting access to the custodial parent.
- 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 that 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 records.

### **Directory Information Notice**

NRC 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 birthplace, (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 the Learning Center, 198 Spring 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 Learning Center Programs 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. 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 the Learning Center Program all student records will be returned to the sending school district.

### **TARDINESS**

A parent/guardian must inform their student's program staff if their child is going to be tardy. Parents/guardians must transport their child to the school once tardy, unless arrangements were previously



made between the transportation provider and the parent/guardian. It is the responsibility of the parent/guardian to inform the transportation company that the student does not need a morning pick up and to inform them that the student will still need transportation at dismissal time.

### **THERAPEUTIC SERVICES**

Therapy services are available and outside resources are provided for students in Learning Center programs, as needed. The Learning Center Social Worker ensures 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. The Social Worker communicates effectively with ELs and disabled students and ensures that they receive guidance and counseling in the language and/or manner they understand. The Social Worker supports students in educational and occupational pursuits that are nontraditional for their gender.

### **VIDEO RECORDING POLICY**

NRC 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, NRC 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 NRC 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, NRC Personnel Policies and Procedures, or law recorded by the cameras.

NRC 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 their 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

<h3 style="margin: 0;">NRC INCIDENT INVESTIGATION FORM</h3> <p style="font-size: small; margin: 0;">This form is to be confidentiality maintained in accordance with the Family Educational Rights &amp; Privacy Act, 20 U.S.C. 1232g. Do not file in the cumulative record.</p>			
Investigation start date:			
Name of student target: <small>Click here to enter text.</small>	Age: <small>Click to enter text.</small>	Grade <small>Click to enter text.</small>	School: <small>Click to enter text.</small>
Name(s) of alleged aggressor(s) (if known): <small>Click here to enter text.</small>	Age: <small>Click to enter text.</small>	Grade: <small>Click to enter text.</small>	School: <small>Click to enter text.</small>
<p><b><u>Investigation</u></b></p> <p><input type="checkbox"/> Review &amp; attach <b><i>Incident Reporting Form</i></b></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: <small>Click here to enter text.</small></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>			

- Infringes on the rights** of the target at school; or
- 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

## APPENDIX B

# BULLYING INVESTIGATION FORM

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

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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 confidentially maintained in accordance with the Family Educational Rights & Privacy Act, 20 U.S.C. 1232g. Do not file in the cumulative record.

**APPENDIX C**

**Sample School-Wide Education Service Plan Notification – In addition to a long-term suspension letter.**

**DATE**

Dear **NAME OF PARENTS/GUARDIANS/STUDENT IF OLDER THAN 18,**

Pursuant to Massachusetts General Law Chapter 76, Section 21, I am writing this notification to inform you that during the time of **NAME OF STUDENT'S** long-term suspension of **NUMBER MORE THAN 10** consecutive school days, **NAME OF STUDENT** will have an opportunity to make academic progress during the period of suspension. **NAME OF STUDENT** will be able to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects.

**NAME OF STUDENT** will have the opportunity to receive tutoring or online learning. I will be contacting you to explain to you these educational services and determine which of these services you would like, if any.

If you have any questions, then please do not hesitate to contact me.

Sincerely,

**PRINCIPAL/PROGRAM COORDINATOR NAME**

**Cc: NAME OF CONTACT AT SENDING SCHOOL DISTRICT**  
Student File

**APPENDIX D**

**Photo /Video Consent**

The Learning Center Programs are committed to providing the best possible learning 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 classrooms of the Learning Centers and at North River Collaborative. They may also be used for teacher training and support.

\_\_\_\_\_ I give permission for my student, \_\_\_\_\_, to be photographed or video recorded while attending the Learning Center Program. 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 the Learning Center Program.

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

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date



**APPENDIX E**

**Learning Center Program Handbook Acknowledgement**

I am aware that the **Learning Center Program Handbook** is on the North River Collaborative website and will read this document (<http://northrivercollaborative.org/students-with-multiple-disabilities/> and <http://northrivercollaborative.org/students-with-autism-developmental-disabilities/>).

\_\_\_\_\_ I acknowledge and agree that the student and parent/guardian will abide by the provisions incorporated in the handbook.

\_\_\_\_\_ I prefer to receive a paper copy of the **Learning Center Program Handbook**.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

## APPENDIX F SY 24-25 Calendar

NORTH RIVER COLLABORATIVE LEARNING CENTER PROGRAMS 2024-2025 CALENDAR																		
<b>JULY '24</b> 0																		
S	M	T	W	Th	F	S	1	ESY Start Date	15	ESY End Date	<b>AUGUST '24</b> 3							
	1	2	3	4	5	6	4	No School/July 4th	19-23	No School	S	M	T	W	Th	F	S	
7	8	9	10	11	12	13			26	No School/ Staff Orientation	4	5	6	7	8	9	10	
14	15	16	17	18	19	20			27	Students First Day	11	12	13	14	15	16	17	
21	22	23	24	25	26	27			30	No School	18	19	20	21	22	23	24	
28	29	30	31								25	26	27	28	29	30	31	
<b>SEPTEMBER '24</b> 20																		
S	M	T	W	Th	F	S	2	No School/Labor Day	<b>OCTOBER '24</b> 22									
1	2	3	4	5	6	7			2	ER Day - Prof Dev	S	M	T	W	Th	F	S	
8	9	10	11	12	13	14			14	No School/ Columbus/Indigenous Peoples Day	6	7	8	9	10	11	12	
15	16	17	18	19	20	21			24	ER Day P/T Confs	13	14	15	16	17	18	19	
22	23	24	25	26	27	28			31	IEP Progress Notes	20	21	22	23	24	25	26	
29	30										27	28	29	30	31			
<b>NOVEMBER '24</b> 17																		
S	M	T	W	Th	F	S	5	No School - Prof Dev	<b>DECEMBER '24</b> 15									
						1	2			23-31	No School/Holiday Break	S	M	T	W	Th	F	S
3	4	5	6	7	8	9	11	No School/Veterans Day	1	2	3	4	5	6	7			
10	11	12	13	14	15	16	27	ER Day	8	9	10	11	12	13	14			
17	18	19	20	21	22	23	28/29	No School (Thanksgiving Recess)	15	16	17	18	19	20	21			
24	25	26	27	28	29	30			22	23	24	25	26	27	28			
									29	30	31							
<b>JANUARY '25</b> 21																		
S	M	T	W	Th	F	S	6	No School/New Years Day	<b>FEBRUARY '25</b> 15									
			1	2	3	4	17-21	ER Day - Prof Dev Winter Recess	S	M	T	W	Th	F	S			
5	6	7	8	9	10	11			2	3	4	5	6	7	8			
12	13	14	15	16	17	18			9	10	11	12	13	14	15			
19	20	21	22	23	24	25			16	17	18	19	20	21	22			
26	27	28	29	30	31				23	24	25	26	27	28				
<b>MARCH '25</b> 20																		
S	M	T	W	Th	F	S	10	No School - Prof Dev	<b>APRIL '25</b> 16									
						1			2	IEP Progress Notes	S	M	T	W	Th	F	S	
2	3	4	5	6	7	8			10	ER Day - Prof Dev	6	7	8	9	10	11	12	
9	10	11	12	13	14	15			18	No School/Good Friday	13	14	15	16	17	18	19	
16	17	18	19	20	21	22			21-25	No School/Spring Recess	20	21	22	23	24	25	26	
23	24	25	26	27	28	29					27	28	29	30				
30	31																	
<b>MAY '25</b> 21																		
S	M	T	W	Th	F	S	6	ER Day P/T Confs	<b>JUNE '25</b> 10									
						1	2	3			S	M	T	W	Th	F	S	
4	5	6	7	8	9	10	26	No School/Memorial Day	1	2	3	4	5	6	7			
11	12	13	14	15	16	17			8	9	10	11	12	13	14			
18	19	20	21	22	23	24			15	16	17	18	19	20	21			
25	26	27	28	29	30	31			22	23	24	25	26	27	28			
									29	30								
<b>School Year Hours:</b> Monday through Friday 8:30am to 2:30pm Early Release 11:30am																		
<b>ESY Hours:</b> Monday through Thursday 8:30am to 2:30pm July 1st to Aug 15th																		
<b>Program Coordinator:</b> Michelle Boudreau 781-878-6056 X 103 <a href="mailto:mboudreau@nrccollab.org">mboudreau@nrccollab.org</a>																		
For updated calendar information throughout the year please visit: <a href="http://www.northrivercollaborative.org">www.northrivercollaborative.org</a>																		
<span style="display: inline-block; width: 20px; height: 10px; background-color: yellow; border: 1px solid black;"></span> First/Last Day of ESY or School Year <span style="display: inline-block; width: 20px; height: 10px; background-color: red; border: 1px solid black;"></span> No School <span style="display: inline-block; width: 20px; height: 10px; background-color: lightgreen; border: 1px solid black;"></span> Early Release(ER) Day <span style="display: inline-block; width: 20px; height: 10px; background-color: yellow; border: 1px solid black;"></span> IEP Prog Notes <span style="display: inline-block; width: 20px; height: 10px; background-color: lightblue; border: 1px solid black;"></span> PD Day																		