



North River Collaborative

Transportation

Policies and Procedures Handbook

2024-2025



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Welcome

Welcome to the North River Collaborative Transportation Department. This handbook serves as a source of policy information, rules of the road, and rules of the job for vehicle drivers and monitors. It is meant as a supplement to the information outlined in the job descriptions, bargaining unit contracts, work schedules, and the North River Collaborative (NRC) Personnel Policies Handbook. This guide applies to all NRC employees who transport or support the transport of students.

A handbook cannot address every possible circumstance and event that might conceivably occur. A driver or monitor's professionalism, people skills, knowledge of policies, driving skills, and emergency expertise, will enable him or her to make appropriate decisions. All decisions made by NRC transportation employees must be made with a focus on the safe and efficient transport of the students in their care.

This handbook is intended to increase the drivers and monitors knowledge and enhance their performance. If a driver/monitor is ever uncertain as to a course of action or procedure, then he/she should contact the Transportation Director or his/her designee.

This handbook does not represent a contract between NRC and the employee. Nothing in this handbook is intended to infringe on employees' rights under M.G.L. c. 150E. If there is any conflict between the policies contained herein and any applicable collective bargaining agreement, the collective bargaining agreement will control.

All current and new employees will receive a copy of this handbook and must sign a Confirmation of Receipt. **EACH DRIVER AND MONITOR IS RESPONSIBLE FOR KNOWING THE CONTENTS OF THIS MANUAL.**

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 bsdoïn de ce livret traduit, entrez en contact avec svp le bureau principal de votre enfant.

German / Deutsch

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

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NORTH RIVER COLLABORATIVE
Mission/Vision/Guiding Beliefs

<i>Mission</i>
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.
<i>Vision</i>
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.
<i>Guiding Beliefs</i>
<p><i>We Believe....</i></p> <ul style="list-style-type: none">- All students and families deserve equitable access to high quality educational services that support student success in a variety of domains as well as a life-long success as an independent adult.- 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.- 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.- High-quality professional development combined with a rigorous informal and formal staff evaluation system is essential for improving educational practices and maximizing student achievement.- 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.- 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.

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 SAILS 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.

Welcome

The purpose of this transportation manual is to ensure that all staff provide high quality, safe, and efficient transportation for the students of North River Collaborative and the school districts it serves.

Transportation is an extension of the classroom. The NRC drivers and monitors' responsibilities are as important as any other person in the Collaborative. The driver and monitor are responsible for the safety and well-being of students while transporting them to and from school. The daily ride of any child, especially one who may have a handicapping condition, is an important part of his/her educational day.

The most essential quality required from all NRC drivers and monitors is a caring and positive attitude. Drivers and monitors should realize that their involvement will be a part of the student's successful educational process. The caring approach, knowledge of the vehicle, knowledge of student safety, and professionalism of each driver and monitor is crucial in making students feel at ease on NRC vehicles.

The population of students with special needs that a driver or monitor may encounter is diverse. Students may have disabilities affecting various aspects of their physical functioning, learning ability, judgment, decision-making skills, visual and hearing acuity, and emotional and behavioral capacities. Transportation employees must be willing and capable of servicing all students.

SECTION I: GENERAL

7D Vehicles and Authorized Drivers:

- 7D vehicles are generally vehicles that do not exceed eight (8) student passenger seating capacity and are used to transport pupils to and from school (according to MGL Chapter 90 Section 7).
- A Massachusetts School Transport Driver's License, known as a 7D license, is required for all eight (8) or fewer student passenger vehicles (7D vehicles).
- A Massachusetts School Bus Operators License is valid to drive a 7D vehicle. (This is a school vehicle endorsed CDL Commercial Driver's License issued by the Massachusetts Registry of Motor Vehicles and the Massachusetts Department of Telecommunications and Energy).
- A 7D Operator License and School Bus License must be renewed every year. Those employees who have reached their seventieth birthday must renew their license every six months.
- Remember, all motorists will be observing the actions of NRC drivers on the road. It is imperative that drivers obey all traffic rules.

Absences:

If a driver or monitor is going to be absent due to sickness or tardiness, then he/she should call the Transportation Director or his/her designee at the Transportation Office no less than ninety (90) minutes or as soon as reasonably possible prior to the scheduled start of their workday or shift and preferably the workday before. If the Transportation Director or his/her designee is not reached at the Office, then the driver/monitor must leave a message on the Transportation Office answering machine providing the necessary details. E-mails are not acceptable. The driver or monitor must make these calls personally unless incapacitated. Drivers and monitors are responsible for informing the other of their absence. In addition, each driver and monitor is responsible for notifying the Transportation Director or his/her designee of their own absence.

Failure to make these calls and properly report when absent or tardy may result in disciplinary action up to and including termination. Excessive unexcused absences may result in disciplinary action up to and including termination.

Please consult the North River Collaborative Personnel Policies and Procedures Handbook for further information on absences and employee attendance.

Confidentiality:

Confidential and personal information regarding students that NRC transports is not to be discussed with any other person. Information a teacher or professional staff member passes on to a driver should not be repeated or divulged to a parent, guardian, babysitter, or students themselves. This information may have been to inform the driver of pertinent information that would affect transportation. Drivers may not ask a parent or guardian about a child's disability; a parent may volunteer information, but drivers may not ask. Drivers and monitors may be informed of medical conditions of the students they transport.

The route sheets will contain personal and confidential and emergency information for all students regularly transported in the vehicle.

Fitness for Duty:

To fulfill the North River Collaborative's responsibility to provide reliable and safe service to the individuals it serves, as well as a safe work environment, employees must be physically and mentally fit to perform their duties safely and efficiently.

In the event NRC has a reasonable belief that an employee is unable to safely continue to perform his/her regularly assigned duties for physical or mental reasons, it may first require the employee to undergo a preliminary Fitness for Duty assessment. If the Transportation Director or designee determines that the employee is unfit to perform his/her job duties safely, NRC may require the employee to undergo an appropriate medical examination at a medical professional of NRC's choosing; the employee will be placed on administrative leave with pay after exhaustion of accrued time until the situation is resolved. All such medical examinations when required by NRC and performed under its direction shall be paid for by NRC and the employee has an obligation to cooperate in such scheduling.

If the employee disagrees with the findings and conclusions of the NRC's designated medical professional, the employee may obtain his/her own medical professional's opinion at the employee's own cost. If a dispute remains over the employee's ability to safely perform the functions of his/her position, then the two medical professionals shall jointly select a third medical professional (to be paid by NRC) whose opinion and conclusion shall be binding on the parties. If found fit for duty, NRC will pay the employee for work lost between the time s/he was placed on administrative leave and the first scheduled doctor's appointment.

The previous paragraph does not apply to employees unfit for duty due to alcohol and/or drug intoxication. Employees are expected to report for work and remain at work in condition to perform assigned duties free from the effects of alcohol and drugs subject to disciplinary action up to and including termination. In accordance with the Transportation Handbook Substance Abuse Policy and the NRC Personnel Policies and Procedures Handbook Drug-Free Workplace Policy, the unlawful use or possession, sale or transfer of drugs or narcotics in any manner at work will result in immediate termination. Possession of alcoholic beverages in the workplace or the consumption of alcoholic beverages in association with the workplace or during work time will result in immediate termination.

It is the employee's responsibility to notify his/her supervisor when he/she has been informed that a physician's treatment or prescribed medication has a side effect which will impair the ability to perform normal duties. Such an employee must produce a "doctor's note" declaring him/her to be fit for engaging in the activities required by his/her job before he/she can continue working.

Forms:

Drivers are responsible for submitting the following forms on time:

- **Fuel Slips** – These slips must be signed with the vehicle number noted and turned in to the Transportation Director or his/her designee.

- **Incident Reports** – This report must be submitted on the day of the incident. An Incident Report is required anytime there is exposure, physical contact, or injury to the driver or a passenger. The driver will need to fill one out for him/herself and for any passenger who received physical contact/injury. In the event of a vehicle accident, he/she must fill an Incident Report out even if only to report that there were "no injuries."
- **Pre-trip Vehicle Inspection Report** – This report must be completely filled out and turned in daily to the office. This report stays on the vehicle at all times. The driver may not carry the report with them or use it with other vehicles.
- **Vehicle Conduct Reports** -This report must be completed and submitted on the day of the misconduct. If the misconduct involves physical contact, the driver or monitor must notify the Transportation Director or his/her designee as soon as the misconduct occurs.

Hours of Operation:

- **Regular Workday:** The regular workday shall be determined by the requirements of the transportation schedules developed by North River Collaborative.
- **Regular Workweek:** The regular work week will normally be Monday through Friday.
- **Overtime:** Overtime is defined as hours worked which exceed forty (40) hours per work week. All overtime work must receive the supervisor’s prior authorization. Overtime pay/comp time is based on actual hours worked. Time off taken for sick leave, vacation leave, paid holidays, or any leave of absence will not be considered hours of work for purposes of performing overtime calculations. Overtime worked without prior authorization from the supervisor may result in disciplinary action up to and including termination of employment.

An employee who reports to work as scheduled at the time of his/her shift and who does not request time off from any part of the shift shall be paid the lesser of two (2) hours pay for the shift.

Retirees from the public sector are limited by law to no more than 1200 hours of paid time per calendar year on pain of having to pay back some of their retirement income. Any such employee is responsible for notifying the Transportation Director of his/her total hours worked in any calendar year at the earlier of September 1, or when he/she has worked 850 hours, and NRC will cooperate in ensuring adherence to the 1200-hour rule.

An employee who is required by NRC to appear in court for the purposes of testifying on behalf of NRC shall be paid for all hours of such appearance.

Drivers and monitors are required to work when their scheduled route is in session (including the summer). All drivers and monitors are expected to schedule their unpaid vacations during scheduled school vacations and when their routes are not in session throughout the year unless otherwise allowed by contract. If the driver or monitor doesn’t have a route that is in session during the summer months, then they must still be available to work a minimum of two (2) weeks in the summer. Every effort will be made for these weeks to be scheduled as mutually agreeable.

➤ **Inclement Weather-Related Use of Personal Days:**

- All drivers and monitors who are eligible for personal days as explained in the Personnel Policies and Procedures Handbook will be allowed to use their accrued personal day(s) when school is closed for inclement weather-related reasons. When an employee wishes to use such a day, he/she must complete a Request for Time Off form within two school days after the day off in order to be paid.
- Any employee, who shovels on a snow day designated by the Transportation Director, will be allowed to add personal hours to the hours paid for shoveling to equal his/her regularly scheduled hours for the day. The Employee will follow the process to request paid time as described above.

➤ **Time Clock/FOB:**

Employees must submit changes, conflicts, or alterations to their punch in/out time at the end of the day for each occurrence. This includes fueling, authorized vehicle cleaning, authorized mechanical service, authorized absences, etc.

- The time for each route will be predetermined. If it varies from the predetermined time, the driver must provide an explanation for any variance on the entry line. Any exceptions or additions to the time must be pre-approved by the Transportation Director or his/her designee. There is no paid through time or wait time between any a.m. and p.m. shifts, unless a driver is assigned additional work and the wait time between assigned work is 30 minutes or less.
- If a driver or monitor reports to work and their route is canceled for the AM, they will be assigned another route. If there is nothing available, the driver and monitor will be paid a minimum of two hours for the AM route only.

All monitor times will be calculated to and from a meeting location to be decided by the Transportation Director or his/her designee. Monitors work only when their students require a monitor, (i.e. if the monitored student is absent, the monitor could be reassigned to another student).

License Renewal Procedure:

It is the driver's responsibility to get a license renewal application processed in a timely manner to ensure that this credential is sufficiently up to date.

In order to meet the 7D license renewal deadline, drivers must submit their completed license application along with sufficient proof of a physical to the North River Collaborative Transportation Department for review no later than nine (9) weeks prior to the 7D license expiration date, so the Transportation Department can review this paperwork for its completeness and accuracy.

After the Transportation Department reviews the completed license renewal application and the physical information and returns this documentation to the driver, the driver must submit this documentation to the RMV no later than two (2) months prior to the driver's 7D license expiration date. This is necessary, because it takes time for the RMV to review and process this paperwork.

If you do not receive your 7D license at least three (3) weeks prior to the expiration date, then you must call the RMV 7D Department at 857-368-8130 to check on the status of your renewal. If you still have not received the 7D license at least two (2) weeks prior to the expiration date (after calling), then you must notify the Transportation Office, who will call the RMV in order to help expedite your license renewal.

Please note that a physical is valid if scheduled within ninety (90) days prior to the school vehicle certificate expiration date. As a reminder, all drivers seventy (70) years of age and older must have a physical twice a year, six to seven (6-7) months apart. Please see the Transportation Director or his/her designee for a physical form (also located on the RMV website).

It is the driver's responsibility to ensure that the following are submitted to the Transportation Director or his/her designee.

- a copy of his/her current physical and medical card (if appropriate);
- a current copy of his/her Massachusetts driver's license;
- a current copy of his/her 7D/School Bus certificate;
- an original driving record from the registry of motor vehicles each year.

In order to be reimbursed for his/her 7D or School Bus certificate re-licensing fee, the driver must bring in proof of payment and his/her new certificate and submit a Request for Reimbursement Form with copies attached to the Transportation Director or his/her designee.

When the driver receives a new Massachusetts Driver's license, a copy must be submitted to the Transportation Director or his/her designee. NRC does not refund state driver license renewal fees.

Every driver must carry his/her Massachusetts driver's license, medical examiner's card (only applicable to School Bus certificate holders), and 7D/School Bus certificate with him or her whenever he/she is driving for the NRC. If any of the above credentials has expired, the driver must immediately notify the Transportation Director or his/her designee and he/she will be unable to work as a driver for the collaborative until the appropriate credentials are renewed. If a driver doesn't maintain the appropriate credentials, he/she may be allowed to work as a monitor if a position is available and the Transportation Director approves the temporary reassignment in his/her sole discretion. During this time, the driver will be paid as a monitor. In addition, if the driver is unable to obtain the appropriate credentials within three (3) weeks of the expiration of each credential, then he/she shall be terminated from their position as a driver.

Those persons who have been convicted of operating a vehicle under the influence of alcohol, marijuana, narcotics, hallucinogens, depressants, stimulants, or other illegal substances and those persons who have been convicted of certain offenses while employed by NRC will be immediately terminated from employment with the North River Collaborative.

Personal Use of Collaborative Vehicles:

The school vehicle provided to drivers is for the exclusive transportation of North River Collaborative Southeast Transportation Network students. Unauthorized personal use of vehicles is not permitted. Doing so will result in disciplinary action up to and including termination.

An appointment that does not deviate from the driver's path of travel to where his/her vehicle is housed, **AND** the driver cannot otherwise get to in time between runs, must be pre-approved in writing by the Transportation Director. A pre-approved stop of any kind cannot be submitted on a driver's time sheet as part of his/her route time. There are **NO** unscheduled stops, personal or otherwise, allowed with students on the vehicle.

Only students assigned by the Transportation Director or his/her designee may be transported in NRC vehicles. Employees must not make unauthorized transportation arrangements or transport any individuals other than assigned students on an NRC vehicle.

Suggestions for Working Effectively with Parents and Classroom Personnel:

1. NRC employees are expected to maintain a professional attitude at all times. When drivers and monitors are "on the job" they are representing the Collaborative. This should also be reflected in the driver's operation of the school vehicle.
2. The driver is in charge of the vehicle. The monitor (if any) will observe and help the student(s) and assist the driver. In addition, he/she will advise the driver of any pertinent information concerning the student(s).
3. Drivers must be consistent with his/her time of pickup and drop-off.
4. Drivers are to wait no more than three (3) minutes (five minutes for students in wheelchairs) beyond the pickup time for a student at home. Call in to the Transportation Director if the child is a "no show."
5. If the vehicle gets "waved-on" by the parent, then drivers must call and advise the Transportation Director or his or her designee.
6. Because of the nature of this work, the routes may be rearranged to provide the safest and most cost-efficient transportation. Drivers must be flexible and ready for changes to their routes.
7. **DO NOT** agree to drop off a child at a location other than what is specified on the route sheet. The parent/guardian must request all route changes through the school district or the Transportation Director. The Transportation Director will advise the driver of any route changes.

SECTION II: SUBSTANCE ABUSE POLICY

This section applies to all transportation employees of the North River Collaborative (NRC) whether or not they are also subject to the requirements of the Omnibus Transportation Employee Testing Act of 1991.

NRC has a strong commitment to its students and employees to provide a safe workplace and to establish programs promoting high standards of employee health. Consistent with the spirit and intent of this commitment, NRC has established this policy regarding drug and alcohol use or abuse. Quite simply, our goal is to establish and maintain a work environment that is free from the effects of alcohol and drug use.

While NRC has no intention of intruding into the private lives of its employees, NRC does expect employees to report for work in the condition to perform their duties. NRC recognizes that employee off-the-job as well as on-the-job involvement with drugs and alcohol can have an impact on the workplace and on NRC's ability to accomplish the goal of an alcohol and drug-free environment. All NRC employees are employees at will and thus may be terminated for any reason at any time. However, nothing in this handbook is intended to infringe on the employees' rights under M.G.L. c. 150E.

- 1. THE USE, SALE OR POSSESSION OF ALCOHOL, NARCOTICS, DRUGS OR CONTROLLED SUBSTANCES WHILE ON THE JOB, ON OR OFF NRC PROPERTY, OR ON THE PROPERTY OF A SCHOOL IS AN OFFENSE WARRANTING IMMEDIATE TERMINATION FROM EMPLOYMENT.**
2. Employees who are under the influence of alcohol, narcotics, drugs or controlled substances, either on the job or when reporting for work, or who possess or consume alcohol or drugs during work hours, have the potential for interfering with their own, as well as their co-workers', safe and efficient provision of student transportation. Consistent with existing North River Collaborative practices, such conditions will be cause for termination of employment. Employees convicted of a drug/alcohol offense will be terminated from their driving responsibilities.
3. Off-the-job drug use or activity which could adversely affect an employee's job performance or which could jeopardize the safety of other employees, students, the public, or North River Collaborative property or equipment will be cause for termination of employment as a driver.
4. Employees who are involved with off-the-job drug use or activity shall be considered in violation of this policy and may be terminated from employment.
5. Some of the drugs which are illegal under federal, state or local laws include, among others, marijuana, heroin, hashish, cocaine, hallucinogens, and/or depressants not prescribed for current personal treatment by a licensed physician.
6. Employees are expected to follow any directions of their health care provider concerning prescription medications and must immediately notify their supervisor if any prescription drug is likely to have an impact on job performance.
7. Any employee, while on the property of North River Collaborative or in a school zone, or during that employee's work shift, including all breaks and meal periods, who consumes or uses, or is found to have in his or her personal possession, in his or her locker or desk or other such repository, alcohol or drugs, will be suspended immediately pending further investigation. If use or possession is substantiated, the employee will be discharged.
8. If an employee chooses to notify North River Collaborative or request assistance from North River Collaborative regarding an alcohol or drug problem, then that notice or request will not jeopardize his or her continued employment but will not exempt an employee from the other sections of the policy. However, the employee must access the Employee Assistance Program (the Wellness Corporation) or another certified substance abuse program and provide written documentation of successful completion of the program. **Additionally, the employee must stop any and all involvement with the substance being abused and maintain adequate job performance.**

Conducting Tests:

All tests will be conducted through a facility that has been certified by the U.S. Department of Health and Human Services (DHHS) and in compliance with the regulations that have been promulgated by the U.S. Department of Transportation (DOT). Any refusal to participate in any of the types of alcohol and/or drug tests authorized in this policy will be treated as indicative of a positive result. If there is any evidence that an employee has tampered with a sample, such conduct shall be treated as a refusal to participate in testing for purposes of imposing discipline.

- a. **Alcohol:** An employee is tested for alcohol consumption using an evidential breath-testing (EBT) device. DOT regulations require two tests, a screening and a confirmation test. If the initial screening test has a result of less than .02 alcohol concentrations, then the test is considered negative. If the employee's result reveals a concentration of .02 or greater, a confirmation test will be performed. An employee's refusal to sign the breath alcohol testing form, perform the test, or otherwise fail to cooperate shall be deemed a refusal to test. In addition, blood alcohol testing can be used in reasonable suspicion and post accident testing when an employee cannot provide adequate breath or an EBT device is not available.
- b. **Drug:** Drug testing is conducted by analyzing a driver's urine specimen and must be conducted through a U.S. Department of Health and Human Services certified facility. Specimen collection procedures and chain of custody requirements ensure that the specimen's security, proper identification, and integrity are not compromised. DOT rules require a split specimen procedure. Each urine specimen is subdivided into two bottles, labeled as "primary" and "split." Both bottles are sent to the laboratory. Initially, only the primary specimen is opened and used for the urinalysis. The split specimen remains sealed at the laboratory. If the analysis of the primary specimen confirms the presence of an illegal controlled substance, the driver has 72 hours to request that the split specimen be sent to another DHHS certified laboratory for analysis. Testing is conducted using a two-stage process. First, a screening test is performed. If the test is positive for one or more of the drugs, a confirmation test is performed for each identified drug. Sophisticated testing requirements ensure that over-the-counter medications or preparations are not reported as positive results. All drug tests are reviewed and interpreted by a physician designated as Medical Review Officer (MRO) before they are reported to the employer.

If the laboratory reports a positive result to the MRO, the MRO will contact the driver and conduct an interview to determine if there is an alternative medical explanation for the drugs found in the urine specimen. If MRO determines that the drug use is legitimate, the test will be reported to the NRC as a negative result.

Consequences of a Positive Alcohol/Drug Test Result:

NRC Employees (not limited to drivers) who test positive for alcohol or drug use will be immediately terminated from employment.

Types of Tests that will be Administered:

1. **Pre-Employment Testing for Controlled Substances and Alcohol:** All transportation personnel, as well as any employee who moves into a position as a driver, will be subject to testing prior to appointment as a driver. All job offers are contingent upon successful completion of drug and alcohol screening. Applicants who test positive for either drugs or alcohol will not be offered employment with the North River Collaborative.
2. **Post-Accident:** All drivers shall be tested after accidents when there has been a citation for a moving violation, or when there has been a fatality, even if the driver is not cited for a moving traffic violation, or when there has been bodily injury to any person who as a result of the injury is administered medical treatment away from the accident scene, or if one of the vehicles in the accident is disabled or towed. A test for alcohol use shall be conducted usually within two (2) hours, but in no case more than eight (8) hours after the accident. Employees must refrain from all alcohol and controlled substance use until the test(s) has been completed.

- a) Employees are obligated to cooperate in such testing, or they will be deemed to have refused the test (see below). It is the employee's responsibility to make themselves available for testing. Generally, the employee will be accompanied to/from the testing site by a Collaborative administrator/supervisor.
 - b) Department of Transportation regulations permit employers to use blood, breath, or urine test results that have been obtained by federal, state, or local officers having independent authority to perform the tests in order to satisfy testing requirements.
3. **Random Drug Testing:** All drivers shall be tested for the use of alcohol and controlled substances on a random, unannounced basis
4. **Reasonable Suspicion:** Employees (not limited to drivers) may be tested when an NRC administrator or supervisor observes behavior, speech, appearance, or odor that leads to a reasonable suspicion that the employee has violated the drug and alcohol policy. The employee will be taken to the collection site and, upon completion of the collection, arrangements will be made by the supervisor for the employee to be taken home instead of driving their own vehicle.

SECTION III: RESPONSIBILITIES OF THE SCHOOL VEHICLE DRIVER AND MONITOR

For staff required to have a 7D license, North River Collaborative will provide eight (8) hours of in-service through the course of the school year. If a driver fails to get these 8 hours by his/her expiration date, the Registry of Motor Vehicles will not renew their 7D certificate.

7D Vehicle Signs:

The school vehicle sign on each 7D vehicle must be raised when the vehicle is in use for student transportation.

Air Bags:

Students under the age of twelve (12) and under 57 inches may not ride in the front passenger position in vehicles equipped with air bags.

Car Seats:

Children who are either under 57 inches tall or children who must be restrained for physical/medical reasons must be restrained in federally approved car seats. Car seats are to be placed in the seat where tethered hooks are positioned. When a car seat is used in an outside seat position, a locking clip must be used on the shoulder seat belt to lock the belt. Please note that some vehicles may be equipped with an extra seat belt in the outside position to attach to a car seat.

Please note, car seats are not allowed to be moved from NRC vehicles without prior approval from the Transportation Director or his/her designee.

Cell Phones and Other Electronic Communication Devices:

In addition to the requirements of state and federal law, as it may be amended from time to time, unauthorized use of personal cell phones and/or electronic devices (making/receiving calls, texting, email, web browsing, gaming, etc.) during work time is prohibited. This includes the use of hands-free devices and any future technology of a similar nature.

An exception shall be made in the case of an emergency pursuant to G.L. c. 90, §12A(b) or if the radio is not functioning properly, but only if the driver uses the cell phone or other device to contact the dispatcher while parked in a safe location to report the emergency or malfunction and receive direction from management.

Employees should give family members North River Collaborative's main telephone number for emergency calls. In the case of an emergency call, the office will immediately relay information to the employee or, if the employee is not reached, to the employee's supervisor or designee who will continue to contact the employee to ensure the message is received. If using the radio, the dispatcher will notify the appropriate van to immediately pull over and call the office.

Employees who use cell phones contrary to the above will be disciplined pursuant to the NRC's progressive discipline policy.

- Two-way radios, as required by the FCC, are for business use ONLY. No conversational vehicle-to-vehicle use is allowed. Radio abuse will not be tolerated. Employees using the airwaves for non-business purposes and/or in a non-professional manner will be subject to disciplinary action.
- Each driver is required to do a radio check before his/her a.m. and p.m. route by calling into the transportation office.
- Drivers must not give their personal or cell phone number to parents or students. Instead, parents should be advised to call the Transportation Director or his/her designee for assistance.

Dress Code:

Proper attire that would be acceptable in a classroom is appropriate while driving students. Short shorts, sleeveless shirts, tops that expose the midriff, and shirts or hats displaying writing of a questionable nature (e.g., promoting alcohol, drugs, sexual behavior, or tobacco products, etc.) will not be permitted. For safety, shoes must be worn and must be secured to the heel (no high heels, strapless shoes, or flip-flops). Violations of the dress code may result in drivers or monitors being sent home to change and disciplinary action.

Field Trips:

Transportation Department drivers will receive a trip form which must be completed with accurate information. All forms must be turned in to the Transportation Director or his/her designee at the end of the route that day.

Fuel:

Vehicles must have sufficient fuel for at least one day's operation at the end of every day. The vehicle should have minimally one half (1/2) tank full of gas. If a substitute driver needs the vehicle, he/she will not have time to fuel it in the morning if there isn't sufficient fuel. Fueling should be done after the AM or PM route has been completed. **The vehicle should never be re-fueled while students are on the vehicle.**

Keys:

Each driver will be given keys for his/her assigned vehicle and is responsible for these keys. ALL keys must be turned in during school vacations, at the close of the school year, and at the close of the summer session. Drivers will be assessed a key charge equal to the cost of replacement for any unreturned keys. If a driver is going to be out of work for any length of time, then keys must be returned to the driver's designated office.

Medical Emergency:

All NRC drivers and monitors are required to be trained in CPR, first-aid, Epi-pen use, and seizures*. Mandatory trainings are provided by the Collaborative during the school year.

In case of a medical emergency, drivers and monitors must remain calm. They should contact the Transportation Director or his/her designee. If a driver or monitor is unable to reach the Transportation Director or his/her designee, then the driver or monitor must call 911.

Communication is vital in an emergency. Drivers and monitors must keep the Transportation Director or his/her designee advised of all actions being taken. The Transportation Director or his/her designee will

notify all necessary persons. Drivers and monitors must administer emergency resuscitation (CPR) or first aid as necessary. After completing the route, the driver is required to fill out an Incident Report and submit it to the Transportation Director or his/her designee on the same day.

**Seizures may not be a medical emergency even though they can be frightening to the observer. Persons with seizures need only to be protected from themselves and others nearby. A period of quiet (drowsiness, confusion, headaches, nausea, etc.) after a seizure is not uncommon and most students may be able to resume their daily routine. Advise the Transportation Director or his/her designee of a student's seizure. The Director or his/her designee will notify the Collaborative and/or school nurse and may direct the driver to take additional actions.*

Periodic Inspections:

At the end of the school year, end of the summer, and prior to school vacation, drivers must have their vehicles inspected by the Transportation Director or his/her designee for cleanliness and safe condition before keys can be turned in.

It is the driver's responsibility to obtain the 7D inspection sticker. In both February and October, every vehicle must be inspected by a garage approved by the Commonwealth of Massachusetts for 7D stickers. In addition, the driver is responsible for obtaining the Massachusetts Inspection sticker. The Transportation Director or his/her designee will provide the driver a 30-day timeline of when to bring in his/her vehicle for 7D inspection. It is the driver's responsibility to ensure that his/her vehicle passes 7D and state inspection. If at any time the driver is aware of any reason the vehicle would not pass 7D standards, it is his/her responsibility to report it on the Pre-Trip inspection sheet and report it to the Transportation Director or his/her designee.

Physical Contact/Threats:

- If there was any physical contact (e.g. the student hit another person, scratched another person, etc., safety issues, or unusual behavior for which the driver needs assistance) call the Transportation Director or his/her designee immediately. Administrators may need to address such conduct immediately (before the conduct report arrives).
- If the student or driver was subject to any physical contact, the driver must fill out an Incident Report, in addition to a conduct report, that day. Medical assistance should be sought immediately, if necessary.
- If a driver or monitor becomes aware of a student threatening bodily harm to self or others, he or she should stop in a safe area and immediately contact the Transportation Director or his/her designee. The driver or monitor must not wait to provide the conduct report to the Transportation Office. The Transportation Director or his/her designee will further instruct the driver and alert the necessary people. A vehicle conduct report must be filed that day.
- Never let a student off a NRC vehicle while en-route to or from school.
- Never refuse transportation to a student assigned to the route except at the direction of the Transportation Director or his/her designee, or a school administrator at the student's assigned school or school district.

Placards:

By law, drivers are required to check the vehicle for students and/or belongings at the conclusion of each run and place a placard reading "EMPTY" on the inside rear window of the vehicle. Before the driver exits an empty vehicle, he/she must place the placard on the rear window from the inside of the vehicle. The placard must be plainly visible from the outside of the vehicle. The placard is to be removed from the window and returned to storage whenever anyone (including the driver) is in the vehicle. Drivers must never place a placard or sign of any kind in the front windshield.

Pre-trip Inspection:

The transportation service that NRC provides for our pupils depends upon our attention to safety, promptness, and preventive maintenance of our school transport vehicles. The driver is responsible for a planned and systematic inspection of the vehicle before each trip.

Each driver is responsible for maintaining the cleanliness and safe condition of their vehicle and must do a daily pre-trip inspection report of all problems or defects as they occur. Vehicles should always be "inspection ready." Drivers are to perform this daily safety pre-trip inspection before the start of their a.m. route, their midday or p.m. route, as well as Field Trips. The pre-trip inspection form is to be completed with each item correctly checked off that applies to the NRC vehicle. If the driver knows something is wrong with the vehicle that makes the vehicle unsafe to operate, he or she should contact the Transportation Director immediately. **Failure to properly conduct daily pre-trip inspections may be grounds for discipline up to and including suspension/termination.**

Daily inspection of the vehicle includes, but is not limited to, checking the fuel, inspecting the tires, checking the lights and brakes, checking for first aid kits and emergency equipment, ensuring that the inspection sticker is current, and checking the vehicle condition. Floors, seats, and the driver area, as well as all interior windows, need to be free of personal items and exceptionally clean. Seat belts must be placed up over the seats.

The Daily Vehicle Pre-Trip Inspection Form is to be kept in the vehicle at all times. This form needs to be used to report all defects to the Transportation Director or his/her designee. If a Massachusetts RMV Inspector or State Trooper stops an NRC vehicle and the pre-trip inspection reports are not correctly completed, the driver is liable for all summons and fines. The section on the Pre-Trip Inspection labeled *Van Checked for Students* must be completed after all runs and field trips. If a driver has any questions as to how to do a pre-trip inspection, or how to complete the form, then they must ask the Transportation Director or his/her designee. Drivers must check each box appropriately.

If a driver is assigned another vehicle during the same workday, he/she must complete a new pre-trip inspection. The pre-trip inspection will be completed again even though a previous driver has completed a prior pre-trip inspection.

Each driver must place a van empty sign in the rear window after checking the van for students. This must be done after the driver completes his/her route or field trip and he/she has returned to the NRC parking lot.

Any problems with an NRC vehicle must be reported immediately and in writing to the Transportation Director and/or his/her designee. Submit any and all problems as they occur.

Preservation of Equipment:

Students or employees who vandalize, damage, disable, or render inoperable surveillance cameras and equipment, shall be subject to appropriate disciplinary action and referral to appropriate law enforcement authorities.

Railroad Crossings:

Collaborative vehicles must NOT stop at railroad crossings. There is no law that requires 7D vehicles to stop at railroad crossings. Stopping at railroad crossings is an unsafe practice as vehicles traveling behind 7D vehicles would not expect this type of behavior and could potentially cause an accident. Many crossings are on highly traveled roads and this sudden stop procedure could be a hazard.

Reimbursement for Expenses:

If the driver/monitor incurs a legitimate on-the-road expense (i.e., tire repair, parking lot fee, toll, and emergency fuel), he/she must submit a receipt and reimbursement form to the Transportation Director for expense approval and reimbursement.

Safe Loading and Unloading:

School lights must be used when loading and unloading students on the street or in a school yard (not in a driveway). Drivers will provide a safe loading area for their students. Drivers must always park to the extreme curbside right when loading and unloading pupils, which ensures no vehicle (motorcycle, bicycle) can pass on the right. Drivers must never use the vehicle as a roadblock to keep traffic from passing on the left, as the driver would be considered the contributing cause of any ensuing accident. All students must enter and exit on the right side of the vehicle.

Drivers of students with special needs must try at all times to load and unload in the student's driveway if possible. The driver and monitor are to assist those students that may require help to enter or leave the vehicle. The child safety lock on the door (on the left side) must be engaged at all times.

Never leave students in the vehicle alone. If drivers have to leave the driver's seat to assist students in or out of the vehicle (if there is another student in the vehicle at the same time, the driver must not leave the driver's seat at all), the driver must first remove the key from the ignition and set the parking brake. Please note that if there are any students in the van, a monitor (if there is one assigned to the van) must sit in the back with the student(s).

Always turn off the engine, set the parking brake, and remove both the ignition and the door keys whenever leaving the vehicle. There are a few exceptions, (e.g., vehicles that must have the key left in the ignition on accessories in order for the red stop lights and to operate the wheelchair lift).

The Massachusetts Commercial Motor Vehicle Anti-Idling Rule requires school vehicles to be shut off after idling for five minutes. This includes while waiting for pickup at a school. If a student is aboard, the vehicle may remain idling.

- If the child does not come out immediately from the home at the scheduled pickup time, the driver shall wait two minutes before gently beeping the horn.
- When the driver has been at the pickup location for one (1) minute after they gently beep the horn, the driver shall call the Transportation Director or his/her designee IMMEDIATELY to state that the vehicle is leaving without the child.
- Before moving the vehicle, the driver must verify that seat belts are buckled properly.
- Drivers must never drop off a child anywhere but where the route sheets indicate where the drop-off is, unless the Transportation Director or his/her designee informs the driver differently.
- Drivers must not drop a child off at a friend's house, even if it is another stop on the route, without authorization from the Transportation Director or his/her designee.
- If a parent asks a driver to drop off the child somewhere else or to alter the transportation route in any way, the driver shall tell them that they need to call their school district or the Transportation Director or his/her designee.
- To prevent any possible miscommunications from occurring, only accept changes from the Transportation Director or his/her designee. Do not accept notes for the Transportation Director or his/her designee or local school districts.
- Drivers must wait to be sure students are met at their homes by an authorized adult before releasing the student from the vehicle.
- If the student has permission to enter their home alone, make sure the student enters the house and wait a couple of seconds to make sure everything is safe inside.

- If there is no adult home or at the stop when a driver drops off a child, keep the child on the vehicle. All drivers must radio the Transportation Director or his/her designee immediately with the time he/she expects to return to the stop, so the Transportation Office can inform the town to begin contacting the parents. Unless instructed otherwise, drivers must finish the route, and then return to the child's home. If the parent is still not home, the driver must radio the office again. The Transportation Office will contact the town's school district and he/she will be further instructed. Drivers must not release the child to anyone else (e.g. a neighbor) without authorization.
- Drivers must never drop off a student at a police station without authorization from the Transportation Director or his/her designee.

Seat Belts:

Drivers are required to wear seat belt restraints when operating NRC vehicles. Monitors are required to wear seat belt restraints while the vehicle is in motion.

All students must wear seat belts when in NRC vehicles. The Commonwealth of Massachusetts requires all occupants of 7D vehicles to use restraining devices (seat belt lap and shoulder straps). Children in wheelchairs must be secured by a shoulder/lap seat restraint in addition to the wheelchair being secured to the vehicle by a four (4) point system.

School staff or the parent/guardian is expected to be present when the students are dropped off and picked up at school/home. Unless otherwise specified, school staff and parents will ensure that students are safely buckled into their seats. Drivers will verify that school staff and parents have followed this requirement. In the case of students who require a wheelchair, van drivers and/or monitors will operate the liftgate, ensure that the wheelchairs are secured and tied down, and all seat belts are securely fastened. Parents/guardians are responsible for securing the student into the wheelchair in preparation for transit. It is the driver's responsibility to see that student passengers are safely buckled into their seats. Please see the section on wheelchairs in this handbook for more information.

Smoking/Eating:

Students may not eat or smoke in NRC vehicles. Food is a potential choking hazard and allergies to food or smoke may cause a life-threatening reaction. Enabling or knowingly allowing students to smoke is grounds for disciplinary action.

Drivers and monitors may not smoke at any time while conducting NRC transportation. This includes but is not limited to being in or around NRC vehicles, on school grounds, in any NRC parking lot, and in or within 10 feet of any workplace building in Massachusetts.

There are no unscheduled stops allowed when students are on the vehicle. With students on board, drivers may not stop for food. Violations of this section can result in disciplinary action up to and including suspension without pay and/or termination.

Standard Precautions and Infection Control:

The Labor Department's Occupational Safety and Health Administration (OSHA) has set standards and put into law guidelines pertaining to infection control in the workplace. The measures below should be followed for Infection Control and the use of standard precautions in NRC vehicles. A bacterial spray bottle must be used every night after your PM run is completed.

Proper hand washing (Purel or a similar product should be in the vehicles at all times) is crucial to preventing the spread of infection. Hands must be washed:

- Before physical contact with students,
- After contact is completed,
- After contact with any equipment used by students,
- Immediately before touching anything else, if his/her hands or other skin surface become soiled with blood or body fluids,
- Whether gloves are worn or not, and
- After gloves are removed.

Barriers utilized in infection control are gloves. Gloves (stored in the “Body Fluid Kit”) must be worn:

- When direct contact with the student may involve contact with blood or body fluids,
- For contact with urine, feces, and respiratory secretions, and
- When providing mouth, nose, or tracheal care.

If a bodily fluid spill occurs in the vehicle, the driver or monitor must clean it up as soon as possible with the appropriate materials. The use of gloves is required. Any items used from the Body Fluid Kit or the first aid box must be **REPLACED IMMEDIATELY**. See the Transportation Director or his/her designee.

Student Conduct:

Drivers and monitors should set the ground rules with students on the first day with the goal of minimizing behavior problems throughout the school year. Drivers and monitors should be firm but also polite to students at all times.

If misconduct or an unsafe situation occurs while on the route, the driver should stop the vehicle in a safe area before taking appropriate action. Drivers and monitors must be firm, clear, and direct with their instructions. Drivers must state as clearly as possible what is expected of the student. Some students with special needs cannot follow multi-step directions but respond well when directions are given one at a time (e.g., *Please sit down. Put on your seat belt. Close the window*). Each directive should be completed before the next is issued.

Never threaten a student with a form of discipline.

Drivers and monitors are not to talk with teachers or parents regarding problems with children. If any driver or monitor has a problem with a student that he or she has not been able to resolve one-on-one, the following procedures must be followed:

- The driver or monitor will write up the problem on a Conduct/Incident Report form. The driver or monitor must not make judgments about the students or give advice to parents or supervisors in the report. Instead, the driver or monitor must simply write up a detailed description of the incident that occurred. Drivers and monitors must not refer to other students in the incident report by name. If necessary, drivers and monitors must use student initials.
- Submit the report to the Transportation Director as soon as possible that day.
- Reports should be filed each time misconduct occurs so that the problem can be dealt with swiftly and appropriately. Administrators can only take action when they know a problem exists.
- Copies of the Conduct Report are faxed to the town's Special Education Director, School Principal, and/or Collaborative Director.
- Each town's school/program administrators will decide what disciplinary measures will be taken.
- Under no circumstances shall the driver or monitor decide the consequences the child should receive, nor shall they discuss the problem with the child's parent/guardian.
- If the problem continues, inform the Transportation Director or his/her designee each time it occurs.

Student Personal Belongings and Medication:

To ensure safety, backpacks should be kept away from students while driving. They should be stored in the front seat of the vehicle whenever possible. Drivers are not responsible for transporting students' personal belongings and therefore should consult with the Transportation Director or his/her designee for approval.

Drivers **MUST NOT** transport medications except in an emergency or if there is a medical reason. These exceptions shall require advanced approval from the Transportation Director or his/her designee and school nurses.

Sudden Illness of Students:

If an illness should occur while en route, after making sure the student is as comfortable as possible, the following options may be appropriate:

➤ AM Route:

- The driver or monitor must immediately call the Transportation Director or his/her designee and the driver must continue to the school, unless directed otherwise.

➤ PM Route:

- The driver or monitor must immediately call the Transportation Director or his/her designee and the driver must continue to the student's residence, unless directed otherwise.

At all times, the student must be delivered to a family member, guardian, teacher, or school administrator. The Transportation Director or his/her designee will contact all necessary individuals.

Transportation Routes and Route Sheets:

Drivers should keep to the schedule of the transportation route as printed on the route sheet. The time schedule printed is the time schedule given to parents, guardians, and teachers by which they plan for the arrival and departure of the transport vehicle. If the time schedule needs to be changed in order to make the route more efficient or safe, drivers must notify the Transportation Director or his/her designee. The Transportation Director or his/her designee will generate new route sheets to reflect the changes.

It is essential that drivers notify the Transportation Director or his/her designee of all pertinent changes that need to be made to the transportation route. At all times, the route sheet must be complete and accurate so that substitutes can complete the route successfully. An up-to-date route sheet must be available in the vehicle at all times.

When assessing the route or route sheets, consider:

- Vehicle turnarounds (or where not to),
- Construction, traffic, or road hazards to avoid any parking restrictions, etc.,
- Routes of travel to eliminate backing up or students crossing streets,
- Fuel requirements for at least one day's operation of the route, and
- School drop-off and pickup locations.

Note: Parents and guardians may make requests or demand that the route or times be changed, however, the drivers and monitors must not make these changes. Instead, they must refer any requested changes to the Transportation Director or his/her designee. The Transportation Director or his/her designee will then notify the driver of any approved changes to be put into effect. Parents/guardians should be directed to call the Transportation Director or his/her designee when a child will not need a ride to/from school on any given day.

If a teacher has any changes or concerns, they should address them with his/her director or his/her designee who will address them with the school department.

It is important to note that NRC reserves the right to change any route or students on a route at any time to provide the best, most efficient, and/or the most cost-effective service for NRC and the school districts we serve. This may include but not be limited to matching driver and monitor compatibility with student needs. As a result, specific routes cannot be guaranteed, and the Transportation Director or his/her designee shall assign new students / adjust or change routes as needed.

Unattended vehicles:

Vehicles must not be unattended while running at any time except during pre-trip inspections or when controlling the temperature of the vehicle at office locations.

Vehicle Accidents:

Vehicle accidents include any collision, regardless of how minor with another vehicle, object, or person. The driver or monitor must report the accident to the Transportation Director or his/her designee by phone IMMEDIATELY, no matter how minor. Please follow the procedures listed below:

- Don't move the vehicle (even if it is blocking traffic) UNLESS:
 - Police, fire or an NRC official tells you to move it;
 - There is a fire on board the vehicle; or
 - The vehicle is in a dangerous situation.
- Keep students in the vehicle if it is safe. If you take students out of the vehicle **STAY WITH THE STUDENTS AT ALL TIMES**
 - Get assistance;
 - Take the walkie talkie/cell phone with you (if available);
 - Don't try to fight any fire (stay with the students);
 - Move them as far away from the vehicle in a safe spot, away from danger;
 - Have students stay together (holding hands).
- Call Transportation Director or his/her designee
 - Give location;
 - Report injuries;
 - Report damage to vehicle;
 - If there is no response from the office, call 911
 - o If you need to call 911
 - Give location;
 - Tell them you have students with special needs;
 - Report injuries;
 - Report damage to vehicle.
- After assistance arrives, exchange papers
 - Stay in the vehicle with students when exchanging paperwork
 - Fill out NRC forms (2 forms A, B) in the Accident Kit
 - Give the other vehicle the copy of Registration and Form B
 - Give students' names to Police / Fire / EMS / NRC Personnel and school officials only. No one else should be given the students' names.
 - Accident Report / Incident Report must be filled out immediately after returning to the lot.
 - Registry of Motor Vehicle Report
 - NRC Incident Report
 - Insurance Report

If there is any injury to the driver and/or monitor, or the disabling of the vehicle prevents immediate contact with the Transportation Director, the driver or monitor must ask someone at the accident scene to call. The driver and monitor must remain calm and focus on the safety and well-being of the passengers. The driver or monitor must tell the Transportation Director or his/her designee the names of all persons present on the vehicle and the extent of all of the injuries. The driver and monitor must not discuss the

accident with anyone (including the media) except for the police or the Transportation Director or his/her designee and to share basic information - driver's license, registration, and insurance company with all parties involved. Drivers and monitors are not to make any statement as to who was at fault or that implies a contributing factor to the cause of the accident, except to the investigating officer. The driver and monitor must provide straight-forward, honest answers to all questions the police in charge of the accident scene ask of them.

An insurance investigation will commence after the accident. If any insurance company calls a driver or monitor at home and requests a statement as to the circumstances that may bear on the accident, they must **not respond** to these inquiries directly. Instead, **the drivers and monitors must refer all calls and bring all paperwork to the Transportation Director or his/her designee.**

Wheelchairs:

Wheelchairs must be loaded and unloaded at ground level. Ideally, drivers must load and unload wheelchairs with the vehicle entirely in the student's driveway. Parents, nurses, or teachers are to bring the wheelchair to the lift and receive the wheelchair at the lift. If there is no one to receive the child when he/she is offloaded, the driver or monitor must remain with the student until someone receives him/her.

After locking the brakes of the wheelchair, the chair must be secured to the vehicle in four places by belts (tie downs). In addition, the child must be secured by a shoulder/lap seat belt. Under no circumstances can the belts or tie downs be tied to the wheels of the chair. Belts and tie downs must be attached to loop hooks only. Drivers must check the wheelchair brakes weekly to make sure the wheelchair is securely in place (no movement is allowed). If the wheelchair brakes are not working properly the driver must not transport.

It is the driver's responsibility to know that the wheelchair is secured before driving away.

SECTION IV: SCHOOL YEAR

☐ School Calendar

Early dismissals do occur during the school year due to weather, school-related emergencies, and parent-teacher conferences. We will provide service home following the school building schedule for that day. **NOTE:** Occasionally, Collaborative classrooms remain in session when the regular education classrooms in the same building are closed for parent-teacher conferences.

It is each driver's responsibility to know when students have half-days or no school and to respond appropriately. Drivers should verify with the Transportation Director or his/her designee when an early dismissal is known and check the school calendars of the schools to which he/she transports. For collaborative program students, follow the NRC programs dates, not necessarily the dates of the town. If there is a conflict in his/her schedule of schools on early dismissal days, inform the Transportation Director immediately.

☐ Snow Days and Other Weather Emergencies

The schools and school districts provide weather-related closing announcements in a variety of mediums. It is the drivers' responsibility to monitor school districts and individual school closings by watching the news, listening to the radio, and/or checking the Internet. In any event, it is their responsibility to contact the Transportation Director or his/her designee to confirm the status of his/her schools.

If there is no cancellation at that point, he/she must come to work. No matter how long it takes to transport that day, please do so safely.

☐ **School Closings**

In the interest of safety, North River Collaborative does not drive students to a school/town that is closed due to inclement weather. Additionally, the Collaborative does not drive students from a town that is closed due to inclement weather.

☐ **Delayed Openings**

Be extra careful regarding delayed openings. DO NOT bring a child to school prior to the delayed opening time. If there is a conflict with the schedule because of the later opening, call the Transportation Director immediately.

Be aware with delayed openings, that if a student is already on board the vehicle and then his/her town/school cancels, the driver will need to bring that student home. The procedure will be to first call the Transportation Director to contact the parents to be sure there is someone home to accept the student. Drivers will be advised by the Director regarding how to proceed.

☐ **Early Dismissals**

NRC will provide transportation home from school for early dismissals due to inclement weather. Drivers will be advised by the Director regarding how to proceed.

SECTION V: INTERNET USE / ACCEPTABLE USE POLICY

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 NRC, including legal fees, due to such user's inappropriate use of NRC'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 the NRC 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, text, 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.

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.

SECTION VI: 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/guardians, 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 of 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 NRC student, parent/guardian, 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 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 NRC'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 Contact:

Marie Grable, Deputy Director, North River Collaborative
Civil Rights Coordinator for Title IX
198 Spring Street, Rockland, MA 02370
(781) 878-6056 Ext. 107

Any student, parent/guardian, or employee who wishes to initiate the formal complaint process may express this either verbally or 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. If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.¹

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

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

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: 617-878-9819

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/Guardian Complaint & Grievance Procedure

The NRC staff strives to maintain ongoing communication and collaboration with parents/guardians in order to maximize student success.

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.

SECTION VII: 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
(781) 878-6056 Ext. 107

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.

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

Appeals

Any party may appeal the decision in writing to the Executive Director within five (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

OR

MA Commission Against Discrimination

Boston, MA 02109
Telephone: 617-727-2202
TTY: 877-521-2172

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.

SECTION VIII: 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.

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.

SECTION IX: North River Collaborative Emergency Telephone Numbers

Eileen Millett, Transportation Director	(781) 878-6056 ext. 126 (781) 252-0508 (Cell)
Susan Hardie , Assistant Transportation Director	(781)-878-6056 x160 (781) 857-8312 (Cell)
Rockland Transportation Office	(781) 878-6056 ext. 4
Paul Tzovolos, Executive Director	(781) 878-6056 ext. 100
Kelli O'Brien McKinnon, HR Coordinator	(781) 878-6056 ext. 101